Policy 11E: Leave Policies for Officers, Exempt Professionals, and Faculty [1]

1. Vacation Policies for Officers, Exempt Professionals, and Faculty

a. Accrual. Full-time officers, exempt professionals, and faculty on twelve-month appointments are eligible to receive twenty-two (22) working days of paid vacation annually, earned as 14.67 hours per month. Part-time officers, exempt professionals, and faculty earn vacation on a prorated basis. Upon approval by the supervisor, vacation may be taken as earned. Under no circumstances may vacation accrual exceed forty-four (44) days except as indicated below.

(1) In extraordinary circumstances, if a supervisor is unable to grant an employee's request to use earned vacation prior to July 1 due to business necessity, the supervisor may allow the employee to carry forward vacation accrual in excess of forty-four (44) days until September 1 of the same year. An employee must be permitted to use vacation that is subject to forfeiture before September 1. Under no circumstances will an employee receive payment for more than forty-four (44) days? vacation upon termination.

b. Compensation. Direct compensation is not provided in lieu of use of earned vacation. However, upon termination of employment or upon retirement, direct payment is made in the equivalent amount of the employee's earned unused vacation time up to a maximum of forty-four (44) days.

c. Transfer to Nine-Month Faculty Appointment. A twelve-month employee who transfers to a nine-month faculty appointment is eligible to receive payment for earned unused vacation leave in accordance with this policy upon termination of the employee's twelve-month appointment so long as the employee meets the other criteria described in this policy. For the purpose of the application of this policy and the timing of the payment, "termination of employment" shall be construed to mean "termination of the twelve-month appointment prior to transfer to the nine-month faculty appointment." Payment shall be made only for unused leave earned for continuous service in one or more succeeding twelve-month appointments held prior to transfer to the nine-month faculty appointment.

d. Holidays. When a holiday occurs during a vacation, the holiday is not considered a day of vacation time.

e. Leave Without Pay. There is no vacation accrual during periods of leave without pay,

except for military leave without pay and furloughs.

2. Sick Leave

a. **Accrual.** Full-time officers, exempt professionals, and faculty on twelve-month appointments are eligible to receive fifteen (15) working days of paid sick leave annually, earned as 10 hours per month. There is no limit on how much sick leave an employee may accrue. Employees who work part-time accrue sick leave on a prorated basis. There is no leave accrual during periods of leave without pay, except for military leave without pay and furloughs.
b. **Usage.** Sick leave should be used when the employee is unable to perform his/her job due to an illness or injury not covered by workers' compensation. Sick leave may also be granted for dental and medical appointments with the supervisor's approval. Employees are limited to five days of accrued sick leave per year to care for members of their immediate family who are ill or to take an immediate family member to a medical or dental appointment. Employees may use all their accrued sick leave as necessary in order to care for a member of the employee's immediate family with a serious health condition, as defined by the Family and Medical Leave Act (FMLA).
c. **Compensation for Unused Sick Leave.** As stated in 2.a, above, there is no limit on sick leave accrual. However, there is a limit on compensation for earned unused sick leave when employees resign, retire, or are laid off, and meet age and service requirements for retirement. These employees are compensated for one-fourth (¼) of their unused sick leave accrual up to a maximum of one-fourth (¼) of 120 days? accrual, which is the equivalent of compensation for thirty days, upon termination except as noted in Section 2.c.(3), below.
    1. For faculty members on twelve-month appointments, compensation will be based upon documented departmental sick leave records verified as of May 1, 2001.
    2. If an employee dies while actively employed, the widow(er) or estate will be compensated for one-fourth (¼) of the employee's unused sick leave up to a maximum accrual of 120 days (the equivalent of payment for thirty days) except as noted in Section 2.c.(3), below.
    3. Employees who had earned unused sick leave in excess of 120 days on May 1, 2001, will be eligible to receive payment for one-fourth (¼) of that sick leave balance or any unused portion of the balance when they terminate if they meet the age and service requirements for retirement (or upon death).
    4. An exempt professional who transfers or returns to a nine-month faculty appointment is eligible to receive payment for earned unused sick leave in accordance with this policy if retirement eligible.

3. Other Leaves

a. **Court and Jury Leave.** Officers, exempt professionals, and faculty on twelve-month appointments are granted jury leave with full pay for the period of jury duty. When an employee appears as a witness under subpoena or direction of the proper authority, he/she is granted paid court leave for such service. Compensation received by employees for jury duty or as a witness may be retained by the employee.

    If an employee appears in court in an individual capacity without being served a subpoena, the employee will use vacation leave or leave without pay. Any compensation received by the employee may be kept.

The paragraphs above (a) do not apply to faculty who are governed by an approved alternative compensation plan.

b. **Bereavement Leave.** Officers, exempt professionals, and faculty on twelve-month appointments may receive up to five working days of paid leave to arrange for and attend the funeral and other affairs of a member of the employee's immediate family when the would otherwise have to work. Immediate family members include: spouse, children, parents, grandparents, grandchildren, brothers, sisters, mothers-in-law, fathers-in-law, sisters-in-law, brothers-in-law, sons-in-law, and daughters-in-law, and any other person who is a member of the employee?s established household. A supervisor may allow an employee to receive up to five paid working days of funeral leave for an equally significant other person not included in this definition.

c. **Leave for Job-Related Illnesses and Injuries.** Officers, exempt professionals, and faculty on twelve-month appointments who suffer an injury or illness in the line of duty covered by workers' compensation are granted up to ninety (90) work days of paid injury leave. These benefits replace the more limited coverage of workers' compensation insurance which is waived by the employee during the ninety (90) days of injury leave. If an employee is unable to return to work after that time, he/she is eligible to take accrued vacation and sick leave in addition to workers' compensation.

d. **Leave Without Pay.** Officers, exempt professionals, and twelve-month faculty may be granted leave without pay for valid reasons for a period of up to twelve months. Such leaves must be approved by the employee's supervisor and the hiring authority. Leave without pay, except furloughs, will not be granted until all vacation leave is exhausted, unless otherwise requested by the employee and approved by the supervisor. Extensions beyond the initial twelve-month period must be approved by the applicable hiring authority in consultation with a human resources office. During periods of leave without pay, except for military leave and furloughs, the employee does not accrue vacation and sick leave.

e. **Military Leave.** Use of military leave shall be consistent with state and federal laws. Upon presentation of proper military orders, an officer, exempt professional, or a faculty member on a twelve-month appointment who is a reservist or member of the National Guard is granted up to 15 calendar days of leave with pay to attend training and/or active duty service ordered. This leave is not charged to vacation leave.

   If military service continues beyond 15 calendar days, the employee will be placed on military leave without pay for any remaining period of required military service. An employee on military leave continues to accrue vacation and sick leave.

   An appointing authority may authorize pay equal to the difference between the employee?s university monthly pay and the sum of the monthly military pay and allowances for an employee called to active military duty. Such differential pay shall not exceed 90 calendar days and applies after exhaustion of the 15-day paid military leave. The employee must furnish a copy of the call-to-duty order and proof of military pay and allowances. This differential pay does not apply to regular military obligations such as the annual encampment and training.

   An officer, exempt professional, or faculty member on a twelve-month appointment who voluntarily enters military service is granted military leave without pay until the end of the initial period of service, plus any period of additional service imposed by law. If the employee fails to return to the university after this period or voluntarily extends military service beyond the initial period, the employee is considered to have resigned.

f. **Parental Leave.** Parental leave benefits may be granted to officers, exempt professionals, and twelve-month faculty.
g. **Administrative Leave.** Paid administrative leave may be granted to officers, exempt professionals, or faculty on twelve-month appointments in accordance with the university?s administrative policy statement.
h. **Leave Sharing.** Officers, exempt professionals, and faculty on twelve-month appointments may participate in leave sharing programs as established by each chancellor or the president for their particular organizational units, pursuant to standards established by the president through an administrative policy statement. Approvals of requests made to leave sharing programs are subject to the university?s sole discretion; meeting eligibility criteria does not constitute an entitlement to paid leave requested through any leave sharing program.
i. **Furloughs.** Furloughs are unpaid leaves that may be voluntarily requested or mandated by the president or a chancellor when budgetary circumstances require a specific reduction in personnel costs. Employees on furlough continue to accrue annual and sick leave at the same rates as when such employees are on paid leave or engaged in university work during regularly scheduled business hours.

4. Verification of Leave Accruals and Recording Leave Usage

a. Each supervisor is responsible for maintaining accurate and complete vacation and sick leave records for personnel within his/her department or unit. The department will maintain the official record of vacation and sick leave. These records will be used to verify leave benefits involved in termination, retirement, or transfer. This record must accompany termination papers for payment of annual leave.
b. The University of Colorado Human Resources Management System (HRMS) will serve as a repository for vacation and sick leave accruals and usage. By the beginning of each fiscal year, every employee and supervisor shall verify leave balances. No employee has the authority to verify the accuracy of his/her own vacation and sick leave record.
c. For officers, exempt professionals, and faculty on twelve-month appointments, claims for termination, retirement, or transfer of benefits based on accrued unused sick leave or vacation time will only be honored on the basis of records verified as of May 1, 2001, and annually thereafter.
d. Each supervisor is responsible for ensuring that these policies for vacation, sick leave, and other leaves for officers, exempt professionals, and faculty on twelve-month appointments are applied in a consistent manner and in consultation with appropriate human resources personnel, where necessary, to achieve substantial uniformity across all campuses of the University of Colorado.

Last Amended: May 19, 2009

History:

(Regent Policy 11-H Leave Policies, adopted 5/9/02, and revised 05/19/09. The current revisions incorporate the provisions of Regent Policy 11-J Parental Leave for Faculty, Officers and Exempt Professionals, recommended for rescission. As part of the 05/19/09 resolution, the board authorized staff to reformat and renumber the sections contained in Policy 11. This policy is now listed at Policy 11-E.)

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