



## ADMINISTRATIVE POLICY STATEMENT

**Policy Title:** Leave

**APS Number:** 5062

**APS Functional Area:** **HUMAN RESOURCES**

**Brief Description:** This administrative policy statement (APS) outlines or references all university employee leave-related policies. Each leave type listed below may apply to different employee groups and may be controlled by either regent policy, this APS or other state rules and regulations (as noted). In addition, effective dates may vary by section.

Leave Type	See	Effective Date	Applies to
Vacation	<a href="#">Section 1</a>	April 2, 2020	<i>University staff</i> and faculty on 12-month appointments.
Sick	<a href="#">Section 2</a>	August 3, 2023	All employees.
Administrative	<a href="#">Section 3</a>	January 1, 2024	See Section 3 for details.
Bereavement	<a href="#">Section 4</a>	August 3, 2023	<i>University staff</i> and faculty on 12-month appointments.
Court and Jury	<a href="#">Section 5</a>	April 2, 2020	<i>University staff</i> and faculty on 12-month appointments.
Furloughs	<a href="#">Section 6</a>	April 2, 2020	All university employees.
Job-Related Illnesses and Injuries	<a href="#">Section 7</a>	April 2, 2020	<i>University staff</i> and faculty on 12-month appointments.
Leave Sharing	<a href="#">Section 8</a>	April 2, 2020	<i>University staff</i> , faculty on 12-month appointments and classified staff.
Leave Without Pay	<a href="#">Section 9</a>	April 2, 2020	All university employees.
Military	<a href="#">Section 10</a>	February 1, 2024	<i>University staff</i> and faculty on 12-month appointments.
Parental	<a href="#">Section 11</a>	January 1, 2024	All employees.
Paid Sick Leave During a Public Health Emergency	<a href="#">Section 12</a>	April 2, 2020	All university employees.
Faculty Serving in Elected Office	<a href="#">Section 13</a>	January 1, 2021	Faculty members on all campuses.

**Effective:** February 1, 2024

**Approved by:** President Mark R. Kennedy (sections updated after July 1, 2021, were approved by President Todd Saliman)

**Responsible University Officer:** Vice President and Chief Human Resources Officer

**Responsible Office:** Office of Employee Services

**Policy Contact:** Office of Employee Services

**Supersedes:** APS 5062-Leave, January 1, 2024 (effective dates may vary by

**Last Reviewed/Updated:** section) February 1, 2024

**Applies to:** See above. Each leave type will specify who it applies to.

**Reason for Policy:** To consolidate leave policies to comply with state and federal law regarding university employee leave-related policies. Sick and vacation accruals and compensation information can be found in [Regent Policy 11.E: Leave Policies for Faculty and Staff](#).

# APS 5062-LEAVE

## Policy Overview: Leave

### I. INTRODUCTION

This administrative policy statement (APS) outlines or references all university employee leave-related policies. Each leave type listed below may apply to different employee groups and may be controlled by either regent policy, this APS or other state rules and regulations (as noted). In addition, effective dates may vary by section.

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Leave Sharing	<a href="#">Section 8</a>	April 2, 2020	<i>University staff</i> , faculty on 12-month appointments and classified staff.
Leave Without Pay	<a href="#">Section 9</a>	April 2, 2020	All university employees.
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### II. RELATED POLICIES AND OTHER RESOURCES

#### A. Administrative Policy Statements (APS) and Other Policies

- [Regent Policy 11.E: Leave Policies for Faculty and Staff](#)

#### B. Other Resources (i.e., training, secondary contact information)

- Educational information and resources are available on the employee services website: <https://www.cu.edu/employee-services>

### III. DEFINITIONS

Italicized terms used in this Administrative Policy Statement (APS) are defined in the [APS Glossary of Terms](#) or are defined in this section.

*University staff* - University staff are employees who are exempt from the rules, procedures and regulations that govern the state of Colorado personnel system per Section 24-50-135, C.R.S. University staff positions are subject to all other applicable federal and state law and regulations, as well as laws and policies set forth by the University of Colorado Board of Regents and other University policies. (The term “officer and exempt professional” was replaced with the term “university staff” effective April 17, 2015.)

#### IV. HISTORY

- A. Effective April 2, 2020, the following policies were combined into the APS 5062-Leave policy. Individual APS history for each is listed below:
- APS 5019-Parental Leave Benefits for Faculty and Staff
    - Initial policy effective: January 18, 1990.
    - Rescinded April 2, 2020.
  - APS 5021-Paid Administrative Leave for *University Staff* and Faculty on Twelve-Month Appointments
    - Initial policy effective: January 23, 2004.
    - Rescinded April 2, 2020.
  - APS 5049-Leave Sharing for *University Staff*, Faculty on Twelve-Month Appointments and Classified Staff
    - Initial policy effective: January 1, 2008.
    - Rescinded April 2, 2020.
- B. APS 5062-Leave was the result of combining leave policies maintained in other APSs and policies while keeping sick and vacation accruals and compensation in [Regent Policy 11.E: Leave Policies for Faculty and Staff](#).
- Initial policy effective: April 2, 2020.
  - Revised: April 1, 2021, with a retroactive date of January 1, 2021, to add new section on paid sick leave during public health emergencies; merging the policy on leave for faculty serving in elected office (previously APS 5063) into a new section in APS 5062; and other revisions to conform with legislative changes from SB 20-205 known as the “Healthy Families and Workplaces Act”; June 13, 2022, Non-substantive change to subsection II.B.2.a. of Section 11-Parental to clarify that university paid parental leave is not in addition to the State of Colorado Paid Family Medical Leave (PFML) program for classified staff; August 24, 2022, Section 3-Administrative of this policy was updated to comply with Executive Order D 2022 036 “Authorization of Administrative Leave For State Employees Acting as Volunteer Firefighters and First Responders” which was signed by the Governor on July 20, 2022; August 3, 2023, Updated Sections 2-Sick and 4-Bereavement to incorporate changes from Senate Bill 23-017; January 1, 2024, Updated Section 3-Administrative, to provide clarity on when the administrative leave can be moved to accommodate work schedules, Section 10-Military to incorporate changes from HB 23-1045, and Section 11-Parental to incorporate the State of Colorado Family and Medical Leave Insurance (FAMLI) and the university’s private FAMLI plan; February 1, 2024 – Updated Section 10-Military Leave.
  - Last Reviewed: February 1, 2024.
- C. Effective January 1, 2021, the following policy was combined into the APS 5062-Leave. The individual history is listed below:
- APS 5063-Leave for Faculty Serving in Elected Office
    - Initial policy effective: July 1, 2020.
    - Rescinded: January 1, 2021.

# APS 5062-LEAVE

## Section 1: Vacation Leave

**Applies to:** *University staff* and faculty on 12-month appointments.

### SECTION 1 – VACATION LEAVE

#### I. INTRODUCTION

The intention of this policy is to define vacation leave benefits listed in [Regent Policy 11.E: Leave Policies for Faculty and Staff](#) for each employment classification.

#### II. POLICY STATEMENT

##### A. *University Staff* and 12-Month Faculty

1. **Usage.** Upon approval by the supervisor, vacation may be taken after the close of the pay period in which the leave is earned.

The appointing authority may establish periods of time when vacation leave will not be allowed, or must be taken, based on business necessity for the specific department or division. These periods cannot create a situation where the employee does not have a reasonable opportunity to use requested leave.

2. **Accrual.** Per regent policy 11.E, eligible full-time staff and faculty on twelve-month appointments are eligible to receive twenty-two (22) working days (176 hours) of paid vacation annually, earned as 14.67 hours per month. An eligible employee who works part time (less than 100% appointment) accrues vacation on a pro-rated basis. Accrual may not exceed forty-four (44) days (352 hours) on July 1 of every year.
3. **Transfer between Leave Eligible Appointments and Non-Leave Eligible Appointments.**
  - a. Employees in a leave eligible appointment (e.g., *university staff* and 12-month faculty) who transfer or return to a non-leave eligible appointment (e.g., nine-month faculty) shall be paid for earned unused vacation leave in accordance with this policy upon termination of the employee's leave eligible appointment so long as the employee meets the other criteria described in this policy.
  - b. An employee in a non-leave eligible appointment (e.g., nine-month faculty) transferring into a leave eligible appointment (e.g., 12-month faculty or *university staff*) will start accruing per this policy upon the effective date of the leave eligible appointment.
4. **Holidays.** When a holiday occurs during a vacation, the holiday is not considered a day of vacation time.
5. **Leave Without Pay.** There is no vacation accrual during periods of leave without pay or on short work breaks, except for military leave without pay and furloughs.
6. **Compensation.** If an employee has multiple appointments, the compensation rate for the payout upon retirement or termination may be the average of the hourly rates on all active, leave eligible appointments, unless the leave balances were tracked and maintained separately for each appointment.

##### B. Classified Staff

1. Vacation leave benefits for classified staff are governed by the State of Colorado Personnel Board Rules.

# APS 5062-LEAVE

## Section 2: Sick Leave

**Applies to:** All employees

### SECTION 2 – SICK LEAVE

#### I. INTRODUCTION

The intention of this policy is to define sick leave benefits listed in [Regent Policy 11.E: Leave Policies for Faculty and Staff](#) for each employment classification. The provisions of this University Sick Leave Policy are intended to be interpreted in conjunction with the Family Medical Leave Act (FMLA), Sick Leave and FMLA leave shall run concurrently, if applicable.

#### II. POLICY STATEMENT

##### A. Usage for all employment classifications

1. **Usage.** Sick leave is earned when eligible employment begins. If the employee has sick leave available, it may be used in the following circumstances:
  - a. When the employee has a mental illness or a physical illness or injury (not covered by workers' compensation), or health condition; needs a medical diagnosis, care, or treatment related to such illness, injury, or condition; or needs to obtain preventive medical care.
  - b. When the employee needs to care for a family member who has a mental or physical illness, injury, or health condition; needs a medical diagnosis, care, or treatment related to such illness, injury, or condition; or needs to obtain preventive medical care.
  - c. When the employee needs to grieve, attend funeral services or a memorial, or deal with financial and legal matters that arise after the death of a family member, as defined in II.A.2 below.
  - d. When the employee or family member has been the victim of domestic abuse, sexual assault, or harassment and needs to be absent from work for purposes related to such crime.
  - e. When the employee needs to care for a family member whose school or place of care has been closed due to inclement weather, loss of power, loss of heating, loss of water, or other unexpected occurrence or event that results in the closure of the family member's school or place of care.
  - f. When the employee needs to evacuate the employee's place of residence due to inclement weather, loss of power, loss of heating, loss of water, or other unexpected occurrence or event that results in the need to evacuate the employee's residence.
  - g. When the employee needs to be absent from work due to a public official closing the employee's place of business or the school or place of care of the employee's child during a public health emergency.
  - h. When the employee is on Parental Leave under section 11 of this APS.
  - i. When the employee is on Family Medical Leave or Family and Medical Leave Insurance (FAMLI) leave.
2. **Family member.** For purposes of section 2 and section 12, an employee's family member means a person who is related by blood, marriage, civil union, domestic partner, or adoption to the employee; a child to whom the employee stands or stood in loco parentis; and a person for whom the employee is responsible for providing or arranging health or safety-related care.

3. **Rehire.** If an employee separates from employment and is rehired within six months after the separation, the employee shall be entitled to any paid sick leave that the employee accrued but did not use during the employee's previous employment with the university and that had not been converted to a monetary compensation to the employee at the time of separation from employment.
4. **Holidays.** When a holiday occurs during sick leave, the holiday is not considered sick leave.
5. **Leave without Pay.** There is no sick leave accrual during periods of leave without pay or when on short work break, except for military leave without pay and furloughs.
6. **Documentation.** Documentation may be required from an employee if four or more consecutive days of paid sick leave are taken.
7. **Disability.** If sick leave extends beyond six months, the employee may consider disability coverage, if eligible.

B. Nine-Month Faculty

1. **Accrual.** Per regent policy 11.E, eligible nine-month faculty on 100% appointment accrue eleven (11) days (88 hours) of paid sick leave annually. Faculty who are on a part-time (less than a 100%) appointment will accrue sick leave on a pro-rated basis. Accrual begins on the first day of eligible appointment. There is no limit on how much sick leave a nine-month faculty member may accrue.
2. **Usage.** Sick leave may be required to be used when the university must replace the eligible faculty member in the classroom, or when the dean or other administrative superior, after consultation with the department concerned, shall so decide. Although nine-month faculty members do not accrue sick leave during summer appointments, they may use accrued sick leave during summer appointments.
3. **Compensation.** No compensation for unused sick leave shall be paid upon separation from employment with the university.

C. *University Staff* and 12-Month Faculty

1. **Accrual.** Per regent policy 11.E, eligible full-time *university staff* and faculty on twelve-month appointments are eligible to receive fifteen (15) working days (120 hours) of paid sick leave annually, earned as 10 hours per month. Eligible employees who are on a part-time (less than 100%) appointment accrue sick leave on a pro-rated basis. Accrual begins on the date that eligible employment begins. There is no limit on how much sick leave an employee may accrue.
2. **Compensation.**
  - a. An employee may be eligible for sick leave compensation based on meeting retirement eligibility, per [Regent Policy 11.F: Benefits](#).
  - b. Upon payout due to CU retirement eligibility, the employee's remaining sick leave balance will be removed, leaving the accrued sick balance at zero (0) hours.
  - c. If an employee has multiple appointments, the compensation rate for the payout upon retirement may be the average of the hourly rates on all active, leave eligible appointments, unless the leave balances were tracked and maintained separately for each appointment.
3. **Transfer between Appointments.**
  - a. Employees in *university staff* and 12-month faculty appointments who transfer or return to a nine-month faculty or other appointment that does not allow sick leave payouts are eligible to receive payment for earned, unused sick leave if eligible for early or full CU retirement at the time of transfer according to the maximums in [Regent Policy 11.E: Leave Policies for Faculty and Staff](#).

- b. If the employee transferring from a *university staff* or 12-month faculty appointment to another university appointment that does not allow sick leave payouts is not eligible for early or full CU retirement, the sick leave balance, beyond 48 hours of retained sick leave, is forfeited upon transfer to the other appointment.

D. All Other Faculty on Contracts (including applicable student faculty)

1. **Accrual.** Per regent policy 11.E, faculty on a 100% appointment in this category, are eligible to receive three (3) days (24 hours) of sick leave per semester but no more than nine (9) days (72 hours) annually. Accrual begins on the date the appointment begins. Faculty who are on less than a 100% appointment, will accrue sick leave on a pro-rated basis. Accrual may not exceed six (6) days (48 hours) on July 1 of every year. Up to six (6) days (48 hours) of accrued sick leave may carryover from year to year.
2. **Usage.** Sick leave will be granted on the dates noted and may be used immediately.
3. **Compensation.** No compensation for unused sick leave shall be paid upon termination from the university.

E. All Other Paid Employees (including non-contract temporary employees, student employees, and applicable student faculty)

1. **Accrual.** Per regent policy 11.E, employees paid monthly or hourly are eligible to accrue 0.034 hour of sick leave for every hour worked. Accrual begins on the first day of eligible appointment. An eligible employee who works part time earns sick leave on a prorated basis. Accrual may not exceed six (6) days (48 hours) on July 1 of every year. Up to six (6) days (48 hours) of accrued sick leave may carryover from year to year.
2. **Usage.** Sick leave will be earned upon hire date and accrued at the end of each payroll cycle. An employee is not entitled to use more than six (6) days (48 hours) of sick leave annually.
3. **Compensation.** No compensation for unused sick leave shall be paid upon termination from the university.
4. **Accrual Mechanism.**
  - a. **Monthly.** Accrual will be accrued after each monthly payroll process.
  - b. **Biweekly.** Accrual will be calculated after each biweekly payroll process.

F. Secondary Appointments

Secondary appointments are primarily used to compensate employees for additional duties over and above their full-time appointment. If an employee has a full-time or 100% appointment and a secondary appointment, no additional sick leave shall accrue under the secondary appointment. If an employee has a less than full-time or 100% appointment and a secondary appointment, sick leave may accrue under the secondary appointment, but the total sick leave accruals under both appointments is limited to the maximum annual accrual for the primary appointment. No employee shall be eligible for more than fifteen (15) working days of paid sick leave annually, earned as 10 hours per month.

G. Classified Staff

1. Sick leave benefits for classified staff are governed by the State of Colorado Personnel Board Rules.

# APS 5062-LEAVE

## Section 3: Administrative Leave

### SECTION 3 – ADMINISTRATIVE LEAVE

#### I. INTRODUCTION

Short-term paid administrative leave is permitted for eligible employees. The president or chancellor may authorize paid administrative leave for employees during an approved campus closure or other emergency. Classified staff administrative leave is governed by the State Personnel Board rules.

#### II. POLICY STATEMENT

##### A. Extended Paid Administrative Leave (applies to all *university staff* and faculty on 12-month appointments)

If a *university staff* or faculty member on a 12-month appointment is the subject of disciplinary action or an investigation, extended paid administrative leave may be authorized for such employee for a reasonable period of time. In such circumstances, a reasonable period of time will be determined based upon the length of time it takes to complete an investigation. Only the president or chancellors, or their designees, may authorize extended paid administrative leave for *university staff* and 12-month faculty for investigative purposes.

However, the president or chancellors, or their designees, reserve the right to place *university staff* or faculty on a 12-month appointment on extended leave without pay.

In the event of an approved campus closure or other emergency, the president or chancellor may authorize extended paid administrative leave sufficient to address the immediate crisis.

##### B. Short-Term Paid Administrative Leave (applies to all *university staff* and faculty on 12-month appointments)

Short-term paid administrative leave is not an entitlement or benefit. Authorization of short-term paid administrative leave for eligible employees rests within the sole discretion of their supervisors as exercised within the guidelines described in this policy.

###### 1. Supervisor Granted Short-Term Paid Administrative Leave

Supervisors may authorize short-term paid administrative leave for eligible employees for reasons determined to be for the good of the university and the state. Supervisors shall consider prudent use of taxpayer dollars and the business needs of the university in determining whether such leave is for the good of the state. Such reasons include, but are not limited to, incentive rewards, coursework directly related to employment, and participation in school or community volunteer activities.

Short-term paid administrative leave may also be authorized for eligible employees whose workloads (e.g., specific long- or short-term projects) require them to work significantly beyond their normal work schedules (as established by their individual supervisors) for prolonged periods of time when such leave is found to be necessary to maintain employee performance or morale or in recognition of extraordinary work performance.

Use of short-term paid administrative leave is not required for eligible employees for the purpose of attending or participating in professional or academic seminars or conferences, participation in official activities of university employee organizations or other similar events, or supervisor required training. These activities are considered to be work time for which leave is not required.

Supervisors of eligible employees may authorize short-term paid administrative leave for the purposes described in this policy. A maximum of ten (10) days or eighty (80) hours of short-term administrative leave may be granted per fiscal year.



Ordinarily, eligible employees must have their supervisor's authorization prior to taking short-term paid administrative leave. In exceptional circumstances, short-term paid administrative leave may be authorized retroactively.

2. Chancellor, President and/or Governor's Short-Term Paid Administrative Leave

The campus chancellor, CU president or Colorado Governor may grant administrative leave for campus closures or additional holidays. Each closure decision will articulate if the campus is fully closed or limited to administrative offices only to allow for academic, clinical, and research activity to continue.

If an employee is required to work on a designated administrative leave day, the employee may utilize the administrative leave hours at another time that is agreed upon between the employee and supervisor.

3. Inclement Weather Short-Term Paid Administrative Leave

The chancellor and presidents, or their designees, may issue a campus closure due to inclement weather. Each campus follows a distinct inclement weather process and communication is campus specific.

If an employee is required to work on a designated inclement weather administrative leave day, the employee may not utilize the administrative leave hours at another time as this leave is granted for safety purposes.

C. Volunteer Firefighter and First Responder Required Paid Administrative Leave (applies to all non-temporary employees)

Per State of Colorado Executive Order D 2022 036, CU is required to grant five (5) days of additional administrative leave (8 hours each day, pro-rated for part time) per fiscal year, in support of non-temporary employees responding to a fire as a volunteer firefighter or volunteer first responder. This time may not be used to train for voluntary firefighter or first responder duties.

D. Reporting Requirements

All use of paid administrative leave for eligible employees, except in situations of campus closures, must be reported by use of the university's time collection procedures.

III. INTERPRETATION

The Office of the Chief Human Resources Officer and Associate Vice President of Employee Services shall interpret this policy.

## APS 5062-LEAVE

### Section 4: Bereavement Leave

**Applies to:** *University staff* and faculty on 12-month appointments.

#### SECTION 4 – BEREAVEMENT LEAVE

##### I. POLICY STATEMENT

*University staff* and faculty on 12-month appointments may receive up to five working days of paid leave for each death to arrange for and attend the funeral and other affairs of a member of the employee's immediate family when they would otherwise have to work.

Bereavement leave is not intended to be used for end-of-life care.

For purposes of bereavement leave, 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 bereavement leave for an equally significant other person not included in this definition.

While all employees may utilize sick leave for bereavement purposes, per section 2 of this policy, university staff and faculty on 12-month appointments can exhaust bereavement leave allocation prior to utilizing sick leave.

Supervisors have the discretion to ask for documentation when leave abuse is suspected. Please work with Human Resources.

## APS 5062-LEAVE

### Section 5: Court and Jury Leave

**Applies to:** *University staff* and faculty on 12-month appointments.

#### SECTION 5 – COURT AND JURY LEAVE

##### I. POLICY STATEMENT

- A. *University staff* and faculty on 12-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, the employee 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.
- B. 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. Compensation received by the employee may be retained by the employee.

## APS 5062-LEAVE

### Section 6: Furloughs

**Applies to:** All university employees.

#### SECTION 6 – FURLOUGHS

##### I. POLICY STATEMENT

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.

## APS 5062-LEAVE

### Section 7: Leave for Job-Related Illnesses and Injuries

**Applies to:** *University staff* and faculty on 12-month appointments.

#### SECTION 7 – LEAVE FOR JOB-RELATED ILLNESSES AND INJURIES

##### I. POLICY STATEMENT

*University staff* and faculty on 12-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, the employee is eligible to take accrued vacation and sick leave in addition to workers' compensation. Workers' compensation leave runs concurrently with FMLA.

## APS 5062-LEAVE

### Section 8: Leave Sharing

**Applies to:** *University staff*, faculty on 12-month appointments and classified staff.

#### SECTION 8 – LEAVE SHARING

##### I. INTRODUCTION

This administrative policy statement (APS) affirms the availability of leave sharing for all *university staff*, faculty on 12-month appointments and classified staff, and provides guidance regarding minimum procedural standards in its application, as may be further developed in campus and system policy.

##### II. POLICY STATEMENT

A. The president and chancellors may establish leave sharing programs for their organizations for the purpose of allowing donated vacation leave to be used by their *university staff*, faculty on 12-month appointments and classified staff. For classified employees, such leave sharing programs may be further developed in accordance with applicable State Personnel Board Rules, subject to the following:

###### 1. Donations

- a. Only donations of accrued vacation leave are permitted; sick leave cannot be donated. Vacation leave donations must be documented in writing and approved by the donating employee's department to assure sufficient accrued leave exists to support the amount of leave donated.
- b. Donations may include vacation leave that would otherwise be in excess of accrual limits permitted beyond June 30 of each year.
- c. Depending on the campus leave sharing program, donations may be made generally to a "leave sharing program" or to a specific person.

2. Procedures
  - a. Campuses must implement written procedures that provide information to employees regarding leave sharing eligibility criteria, how eligibility and leave amount determinations are made, and how employees may donate or make a request for leave sharing. Such written procedures shall include sample forms for employees to use when donating vacation leave and requesting leave sharing hours.
3. Leave Sharing Discretionary
  - a. The granting of leave sharing hours is discretionary, is not an employee's entitlement and cannot be grieved or appealed. Additionally, donated vacation leave is not subject to payout upon termination of employment. All requests should be treated in a highly confidential manner.

### III. RELATED POLICIES, PROCEDURES, FORMS, GUIDELINES, AND OTHER RESOURCES

- A. CU Boulder – [Leave Sharing Policy](#)
- B. CU Colorado Springs – [Leave Sharing Policy](#)
- C. CU Denver | Anschutz Medical Center – [Leave Sharing Administrative Policy](#)
- D. CU System Administration - [Leave Sharing Policy](#)

## APS 5062-LEAVE

### Section 9: Leave Without Pay

**Applies to:** All University employees.

#### SECTION 9 – LEAVE WITHOUT PAY

##### I. POLICY STATEMENT

University employees may be granted leave without pay for valid reasons for a period of up to 12 months. Such leaves must be approved by the employee's supervisor and the hiring authority. Leave without pay, except for military leave without pay and furloughs, will not be granted until all vacation leave (if eligible) is exhausted, unless otherwise requested by the employee and approved by the supervisor.

Extensions beyond the initial 12-month period must be approved by the applicable hiring authority in consultation with a human resources office. During periods of leave without pay or short work break, except for military leave and furloughs, the employee does not accrue vacation and sick leave.

# APS 5062-LEAVE

## Section 10: Military Leave

**Applies to:** *University staff* and faculty on 12-month appointments.

### SECTION 10 – MILITARY LEAVE

#### I. POLICY STATEMENT

##### A. Reservist or National Guard

Use of military leave shall be consistent with state and federal laws. Upon presentation of proper military orders, *university staff* or faculty on a 12-month appointment who is a reservist or member of the National Guard with the United States Military is granted up to 21 calendar days of paid leave (prorated for current appointment percent of time) per fiscal year with pay to attend training and/or active-duty service ordered. This leave is not charged to vacation leave.

If military service continues beyond 21 calendar days, the employee may utilize and exhaust their vacation leave. Once the employee exhausts vacation leave or chooses not to utilize vacation time, 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.

##### B. Active Duty

A department head 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 21 calendar-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.

*University staff* or faculty on a 12-month appointment who voluntarily enters military service are 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.

# APS 5062-LEAVE

## Section 11: Parental Leave

**Applies to:** All employees.

### SECTION 11 – PARENTAL LEAVE

#### I. INTRODUCTION

The intention of this policy is to set forth the leave that a *parent* may take and define parental leave benefits for each employment classification.

#### II. POLICY STATEMENT

##### A. Parental Leave Benefits by Employment Classification

The provisions of this University Parental Leave Policy are intended to be interpreted in conjunction with the Federal Family Medical Leave Act (*FMLA*) and State of Colorado Family and Medical Leave Insurance Act (*FAMLI*). Parental Leave, *FAMLI* leave, and *FMLA* leave shall run concurrently. Thus, parental leave counts as part of, and is not in addition to, the 12 weeks of leave guaranteed by the *FMLA* and *FAMLI*.

All parental leave is granted to care for the employee's *child* within 12 months of the birth, adoption, foster care placement, or guardianship of a *child*. The employee shall inform the appropriate supervisor as early as possible of the intent to request parental leave.

During unpaid parental leave, employees are required to adhere to any leave without pay policies.

If an employee is in a paid status, they will receive holiday pay in lieu of other compensation types. During consecutive leave periods, the holiday hours are included in the time off calculation and do not extend the leave period.

At no time will compensation equal more than an employee's full salary, regardless of funding source. All leave program hour entitlements will be prorated based on the appointment percent of time.

For compliance and consistency, employees shall submit a leave application to Employee Services to utilize *FAMLI*, *FMLA*, and Parental Leave.

##### 1. Nine-Month Faculty (non-temporary)

- a. Time off options – programs run concurrently
  - i. Faculty Parental Leave:
    - 1) Entitled to up to 18 weeks of parental leave.
    - 2) Eligible on first day of employment if date of hire precedes first day of qualifying event.
  - ii. *FAMLI*:
    - 1) Entitled to up to 12 weeks (480 hours) of *FAMLI* leave.
    - 2) Eligible on first day of employment if work occurs in Colorado.
  - iii. *FMLA*:
    - 1) Entitled to up to 12 weeks (480 hours) of *FMLA* leave.
    - 2) Eligible if worked at CU for at least 12 months and at least 1,250 hours over the past 12 months.

- b. Compensation options for the 18 weeks based on eligibility for each leave program
  - i. Faculty parental leave:
    - 1) Entitled to 50% compensation for 18 weeks of parental leave. Faculty parental leave will supplement *FAMLI* wages, to at least 50% of pay.
    - 2) If there is no *FAMLI* available or becomes unavailable, Faculty parental leave compensates up to 50% of pay for up to 18 weeks.
    - 3) Eligible on first day of employment if date of hire precedes first day of qualifying event.
  - ii. *FAMLI*:
    - 1) Entitled to a percentage of weekly wages, for up to 12 weeks (480 hours).
    - 2) Eligible on first day of employment if work occurs in Colorado.
  - iii. Sick leave:
    - 1) Allowed to supplement compensation and combine with *FAMLI* and/or faculty parental leave for 18 weeks to provide an employee's full compensation.
  - iv. Short-term disability for birth *parent* only (optional plan, paid for by employee):
    - 1) Allowed to supplement compensation and combine with *FAMLI* and/or faculty parental leave.
    - 2) Must exhaust sick leave prior to utilization.
- 2. University Staff and Twelve-Month Faculty (non-temporary)
  - a. Time off options – programs run concurrently
    - i. Parental Leave:
      - 1) Entitled to 26 consecutive weeks of unpaid parental leave.
      - 2) Eligible on first day of employment if date of hire precedes first day of qualifying event.
    - ii. *FAMLI*:
      - 1) Entitled to up to 12 weeks (480 hours) of *FAMLI* leave.
      - 2) Eligible on first day of employment if work occurs in Colorado.
    - iii. *FMLA*:
      - 1) Entitled to up to 12 weeks (480 hours) of *FMLA* leave.
      - 2) Eligible if worked at CU for at least 12 months and at least 1,250 hours over the past 12 months.
  - b. Compensation options for up to 26 weeks based on eligibility for each leave program
    - i. Paid parental leave (PPL):
      - 1) Entitled to 100% compensation for the first 6 weeks (240 hours) of parental leave. Paid parental leave will supplement *FAMLI* wages, not to exceed 100% of pay.
      - 2) If *FAMLI* is not available or becomes unavailable, PPL compensates up to 100% of pay for up to 6 weeks.
      - 3) Eligible on first day of employment if date of hire precedes first day of qualifying event.
    - ii. *FAMLI*:
      - 1) Entitled to a percentage of weekly wages, for up to 12 weeks (480 hours).
      - 2) Eligible on first day of employment if work occurs in Colorado.
    - iii. Sick leave:
      - 1) Use alone and/or allowed to supplement compensation with *FAMLI* to provide an employee's full compensation.
    - iv. Vacation leave:
      - 1) Use alone and/or allowed to supplement compensation with *FAMLI* to provide an employee's full compensation once sick leave is exhausted.
    - v. Holiday pay that falls within the leave period if employee is in paid status.

- vi. Short-term disability for birth *parent* only (optional plan, paid for by employee):
    - 1) Allowed to use in addition to *FAMLI*.
    - 2) Must exhaust sick leave prior to utilization.
  - vii. Leave without pay.
3. Classified Staff (non-temporary)
- a. Time off options – programs run concurrently
    - i. Parental Leave:
      - 1) Entitled to 26 weeks of unpaid parental leave.
      - 2) Eligible on first day of employment if date of hire precedes first day of qualifying event.
    - ii. *FAMLI*:
      - 1) Entitled to up to 12 weeks (480 hours) of *FAMLI* leave.
      - 2) Eligible on first day of employment if work occurs in Colorado.
    - iii. *FMLA*:
      - 1) Entitled to up to 12 weeks (480 hours) of *FMLA* leave.
      - 2) Eligible after 12 months of state service.
    - iv. State Family Medical Leave:
      - 1) Entitled to up to an additional 40 hours subsequent to *FMLA* leave.
  - b. Compensation options for up to 26 weeks
    - i. *FAMLI*:
      - 1) Entitled to a percentage of weekly wages, for up to 12 weeks (480 hours).
      - 2) Eligible on first day of employment if work occurs in Colorado.
    - ii. State of Colorado Paid FML (PFML):
      - 1) Entitled to up to 160 hours of PFML.
      - 2) Eligible after 12 months of state service.
    - iii. Paid parental leave (PPL):
      - 1) Entitled to 100% compensation for the first 6 weeks (240 hours) of parental leave. Paid parental leave will supplement *FAMLI* and PFML wages, not to exceed 100% of pay.
      - 2) If *FAMLI* or PFML is not available or becomes unavailable, PPL compensates up to 100% of pay for up to 6 weeks.
      - 3) Eligible on first day of employment if date of hire precedes first day of qualifying event.
    - iv. Sick leave:
      - 1) Use alone and/or allowed to supplement compensation with *FAMLI* to provide an employee’s full compensation.
    - v. Vacation leave:
      - 1) Allowed to supplement compensation and combine with *FAMLI* to provide an employee’s full compensation once sick leave is exhausted.
    - vi. Holiday pay that falls within the leave period if employee is in paid status.
    - vii. Short-term disability for birth *parent* only (mandatory plan, paid for by university):
      - 1) Allowed to use in addition to *FAMLI*.
    - viii. Leave without pay.
4. All other employees

Regular employees in appointments less than 50%, temporary faculty, temporary staff, student employees, graduate students on appointment, residents, and any other employee not listed in sections above. *Note that*



individuals in job codes 3201-3209 (on unique stipends and fellowships) are not considered CU employees and are not subject to the *FAMLI* premium and are not entitled to *FAMLI* benefits.

- a. Time off options – programs run concurrently
  - i. *FAMLI*:
    - 1) Entitled to up to 12 weeks (480 hours) of *FAMLI* leave.
    - 2) Eligible for *FAMLI* beginning on first day of employment.
  - ii. *FMLA*:
    - 1) Entitled to up to 12 weeks (480 hours) of *FMLA*.
    - 2) Eligible if worked at CU for at least 12 months and at least 1,250 hours over the past 12 months.
- b. Compensation Options
  - i. *FAMLI*:
    - 1) Entitled to a percentage of weekly wages, for up to 12 weeks (480 hours).
    - 2) Eligible on first day of employment if work occurs in Colorado.
  - ii. Sick leave:
    - 1) Allowed to supplement compensation and combine with *FAMLI* to provide an employee’s full compensation.
  - iii. Vacation:
    - 1) Allowed to supplement compensation and combine with *FAMLI* to provide an employee’s full compensation once sick leave is exhausted if employee earns vacation time.

## B. Parental Leave Components

### 1. University Paid Parental Leave (PPL) Benefit Program

- a. The university grants 100% compensation for the first 6 weeks (240 hours) of parental leave to eligible employees (see section II.B.1.b). Paid parental leave will supplement *FAMLI* and PFML wages, not to exceed 100% of pay, and cannot be utilized without *FAMLI* unless *FAMLI* has been exhausted in the current year or for out-of-state employees.
  - i. Parental leave must be taken and completed within one year of the birth, adoption, foster care placement, or guardianship of a *child*. A department may require blocks of time (i.e. full shifts, days or weeks) for bonding and request the employee make a reasonable effort to schedule leave as not to unduly disrupt operations.
  - ii. There is no cash value for paid parental leave upon termination from the university and leave cannot be rolled forward for future use.
  - iii. University paid parental leave is calculated on the employee’s base salary only and is subject to taxes and withholdings.
  - iv. Eligible employees are only entitled to one paid parental leave period per year from the date the first paid parental leave begins.
  - v. University paid parental leave is not in addition to the State of Colorado Paid Family Medical Leave (PFML) program for classified staff.
- b. Eligibility for University Paid Parental Leave Program
  - i. A regular, non-temporary 12-month faculty member, university staff, or classified staff member must have a regular appointment of 50% or greater on the date of birth, adoption, foster care placement, or guardianship of a *child* to be eligible for paid parental leave.

## 2. Family and Medical Leave Insurance (*FAMLI*)

*FAMLI* is a state law that guarantees Colorado workers 12 weeks per year of partial wage replacement and leave to attend to certain family and medical needs, including a *child's* birth, adoption, foster care placement, or guardianship of a *child*.

- a. An employee may receive up to an additional 4 weeks if complications pertaining to the birthing *parent's* health occur and are documented on a medical certification form.
- b. Employees are eligible for job protection through *FAMLI* after 180 days of employment.
- c. If *FAMLI* is utilized for a different condition in the same year, the amount allocated for the purposes of parental leave is reduced accordingly.
- d. The university shall inform all employees who are covered by *FAMLI* of their *FAMLI* rights regarding leave for pregnancy or for the birth, adoption, foster care placement, or guardianship of a *child*, and shall administer *FAMLI* leave in accordance with CU's *FAMLI* Plan and university policies.

## 3. Family Medical Leave Act (*FMLA*) for Parental Leave

The *FMLA* is a federal law that guarantees certain workers 12 weeks per year of unpaid leave to attend to certain family and medical needs, including a *child's* birth, adoption, foster care placement, or guardianship of a child.

- a. If *FMLA* is utilized for a different condition in the same year, the amount allocated for the purposes of parental leave is reduced accordingly.
- b. The university shall inform all employees who are covered by the *FMLA* of their *FMLA* rights regarding leave for pregnancy or for the birth, adoption, foster care placement, or guardianship of a *child*, and shall administer *FMLA* leave in accordance with federal law.

## 4. Alternative Leave for Birth, Adoption, Foster Care Placement, or Guardianship of a *Child*

Any faculty or staff member who does not wish to take the standard leave described in section II.A may negotiate an alternative leave arrangement with their supervisor or primary unit chair. For example: using the six-month unpaid parental leave intermittently, alternative work schedules, differentiated workloads, banked courses, etc.

The decision whether to grant such a negotiated leave arrangement shall be dictated by the needs of the unit, at the discretion of the supervisor or unit chair and in consultation with the human resources office to ensure that the decision is consistent with the *FMLA* and *FAMLI*. Negotiated leave arrangements must be in writing and, in the case of a staff member, signed by the staff member and supervisor; or, in the case of a faculty member, by the faculty member, chair, and dean.

## C. Tenure Probationary Period for Tenure-Track Faculty

Consistent with [Regent Policy 5.D.1: Tenure Probationary Period](#) and section III.A of [APS 1022 - Standards, Processes and Procedures for Reappointment, Tenure, Promotion, and Post-Tenure Review](#), leave taken pursuant to this parental leave policy, including a negotiated alternative leave, does not count as part of the tenure probationary period. Parental leave results in a "stop" on the tenure clock; such "stops" must be taken in one-year increments. However, a faculty member may irrevocably elect, no later than six months following their return to full-time service, to have the leave time count as part of the tenure probationary period. Such an election shall be made in writing and must be approved by the dean and the chancellor.

A faculty member who has experienced the birth, adoption, foster care placement, or guardianship of a *child*, but who does not take parental leave, may also irrevocably elect to stop the tenure clock for one year, provided the election is made in writing within six months of the *child's* birth, adoption, foster care placement, or guardianship of a *child*.

Absent extraordinary circumstances, a maximum of two "stops" on the tenure clock for parental leave is allowed under this policy.

#### D. Simultaneous Leave

If both *parents* are employed by the University of Colorado and both are eligible for any parental leave benefit described under this policy, paid and unpaid leaves under this policy may be taken simultaneously or may be staggered within 12 months of a *child's* birth, adoption, foster care placement, or guardianship of a *child*.

#### E. Campus Parental Leave Policies

1. A campus may adopt a campus-specific policy provided that the approved policy is referenced in section IV of this APS and the Office of University Counsel reviews any alternate policy.
  - a. A campus may provide additional parental leave benefits to its employees or to a group of its employees that are more generous than those provided in section II.A of this APS.

### III. DEFINITIONS

Italicized terms used in this section of the Administrative Policy Statement (APS) are defined in the [APS Glossary of Terms](#) or are defined in this section.

FMLA – The Family Medical Leave Act, 29 U.S.C. 2601 et seq., a federal law which guarantees unpaid, job protected leave for certain employees experiencing qualifying family and medical circumstances, including the birth, adoption, foster care placement or guardianship of a child.

FAMLI – The Family and Medical Leave Insurance Act, C.R.S. § 8-13.3-501, is a state of Colorado law with guarantees all employees experiencing a qualifying family and medical circumstance a partial wage replacement and job protected leave.

Child – A biological child, adopted child, foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis who is either under 18 years of age or is 18 years of age or older and “incapable of self-care because of a mental or physical disability” at the time leave is to commence.

Parent – A biological parent, adoptive parent, foster parent, guardian or a spouse, domestic partner or civil union partner of a parent, including an employee using a surrogate/gestational carrier.

### IV. RELATED POLICIES

- A. Campus Parental Leave Policies
  - [CU Boulder](#)
- B. [Regent Policy 11.E: Leave Policies for Faculty and Staff](#)
- C. [FAMLI Process and Procedures](#)

# APS 5062-LEAVE

## Section 12: Paid Sick Leave During a Public Health Emergency

**Applies to:** All university employees.

### I. POLICY STATEMENT

During a public health emergency, the university will not provide supplemental sick leave for those employees who, by university policy, have the necessary amount of sick leave required by C.R.S. § 8-13.3-405(1)(a-b). If during a public health emergency, an employee does not have the necessary amount of sick leave required by C.R.S. § 8-13.3-405(1)(a-b), the university will supplement the employee's sick leave as necessary.

#### A. Supplemental sick leave

The university will supplement an employee's sick leave as necessary to ensure that an employee may take the following amount of sick leave:

- 80 hours of paid sick leave for full-time employees; or
- the greater of the number of hours the employee is scheduled to work in a 14-day period or the average time the employee actually works in a 14-day period for part-time employees. Unused paid sick leave described above, may be counted towards an employee's supplemental sick leave required during a public health emergency.

#### B. An employee may take paid sick leave during a public health emergency if the employee:

- is self-isolating due to a positive diagnosis, of the illness that is the cause of the public health emergency;
- is experiencing symptoms, seeking a medical diagnosis, medical treatment, or seeking preventive care with respect to the illness causing the public health emergency;
- public health officials or the employer determines it is unsafe for the employee to come to work due to the public health emergency;
- is caring for a family member in the above circumstances;
- needs to care for a child or other family member whose childcare facility is unavailable, or the child's childcare facility or school is closed due to the public health emergency;
- is unable to work because the employee has a health condition that may increase susceptibility to or risk of a communicable illness that is the cause of the public health emergency. C.R.S. § 8-13.3-405(4)(a)-(b).

An employee may use the public health emergency sick leave for four weeks after the official termination or suspension of the public health emergency.

Employees are only eligible for supplemental paid sick leave once during the entirety of a public health emergency.

#### C. Documentation

Documentation is not required to take paid sick leave during a public health emergency, but the employee should notify the supervisor as soon as possible.

#### D. Family member

For purposes of section 12 and section 2, an employee's family member means a person who is related by blood, marriage, civil union, domestic partner, or adoption to the employee; a child to whom the employee stands or stood in loco parentis; and a person for whom the employee is responsible for providing or arranging health or safety-related care.

## APS 5062-LEAVE

### Section 13: Leave for Faculty Serving in Elected Office

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**Applies to:** Faculty members on all campuses.

#### I. INTRODUCTION

The university encourages and supports public service among its faculty. The policy establishes rules to ensure that tenured faculty are provided the opportunity to serve in elected office and provisions for non-tenured faculty who wish to serve.

#### II. POLICY STATEMENT

- A. As a private citizen, a faculty member may engage in political activities, including campaigning for elected office or serving in elected office. The university shall not restrict such activity provided it does not interfere with the faculty member's responsibilities to the university. Potential conflicts of interest or commitment shall be addressed in accordance with [APS 5012: Conflicts of Interest and Commitment in Research and Teaching](#).
- B. If a tenured faculty member is elected to a paid position that requires a full-time time commitment, a leave without pay shall be requested by the faculty member and shall be granted by the university. If full-time service is required for only a specific period of time, a leave without pay shall be requested and shall be granted for the period of full-time service.
  - 1. Mandatory approval of leave without pay shall only apply to the first term of office. Leave for subsequent terms may be negotiated with the dean of the faculty member's school or college, but is not guaranteed.
- C. Non-tenured faculty may request leave to serve in elected office; however, leave is not guaranteed. The tenure probationary period for tenure-track faculty shall only be extended if leave is granted and an extended probationary period is explicitly approved as part of that agreement.
- D. A faculty member should contact Employee Services for information on the impact of a leave without pay or reduction in time (partial leave) on benefits eligibility.

#### III. RELATED POLICIES

- A. [APS 5012: Conflicts of Interest and Commitment in Research and Teaching](#)