

I. OVERVIEW

The university is committed to providing Officers of Administration (OAs) with time to rest, relax, recharge, and tend to personal responsibilities through university scheduled holidays, vacation time, and sick time. The university is committed to complying with applicable laws governing sick leave and protected leaves of absence. These procedures shall be construed as consistent with state and federal law.

Each status varies in its provisions with respect to eligibility, duration, documentation and approvals, as outlined below.

A. WORKWEEK

Unless expressly modified by the unit, the workweek for OAs runs from 12:00 am Monday to 11:59 pm on Sunday.

II. HOLIDAYS

A. ELIGIBILITY

All OAs receive time off for holidays as outlined below. OAs must be in paid status on the day immediately before and after a holiday to receive holiday pay. 9/10/11-month OAs will receive pay on holidays that fall during their work periods if they are in paid status on the days immediately before and after the holiday.

B. SCHEDULED HOLIDAYS

Juneteenth
Independence Day
Labor Day
Veterans Day
Thanksgiving Day
Friday after Thanksgiving Day
Christmas Day
New Year's Day
Martin Luther King Jr's Birthday
Memorial Day

When a holiday falls on a Saturday, the holiday is observed the preceding Friday; when it falls on a Sunday, it is observed on the following Monday. The Office of Human Resources (HR) website has a schedule of holidays and dates of observance for the upcoming year:

<http://hr.uoregon.edu/policies-leaves/holidays/holidays-unclassified>

C. SPECIAL DAY OF LEAVE

The university has decided to continue to honor the special day of leave granted by the Governor. Accordingly, if the Governor continues the tradition of granting a special day of leave, OAs with ongoing appointments may use that day on any working day from the day before Thanksgiving through January 31st.

Holiday time is prorated for part time OAs.

III. VACATION TIME

A. ELIGIBILITY

OA appointments of .50 FTE or greater are eligible to accrue vacation time. Eligibility is triggered on the first of the month following an OA's start date. For example, an OA hired on October 15th will become eligible on November 1st and an OA hired on December 1st will become eligible on December 1st. Retirees are not eligible to accrue vacation time.

B. ACCRUAL

Eligible OAs accrue vacation time on a monthly basis. Vacation time accrues on the last day of the month and is available for use the first day of the next month. Eligible employees appointed at 1.0 FTE accrue 15 hours of vacation time per month; eligible employees appointed at .50 FTE or more accrue vacation time in proportion to their FTE. 9/10/11-month OAs accrue 15 hours of vacation time each month during their period of work. The vacation procedure for 9/10/11-month OAs set forth above applies to 9/10/11-month OAs at .5 FTE or greater and who were either hired or became 9/10/11-month OAs after August 31, 2019. OAs who convert from 12-month OAs to 9/10/11-month OAs after August 31, 2019 will keep their previous vacation balance but will stop accruing vacation during their non-work periods as set forth above.

C. MAXIMUM

OAs can accrue a maximum of 260 vacation hours and will forfeit any unused vacation time accrued over this cap.

D. APPROVAL

Vacation time is scheduled with the approval of the OA's supervisor and should be planned cooperatively. Supervisors should be reasonable in allowing the use of vacation time. In order to maintain business continuity, units may have internal guidance regarding timeframes for vacation requests as they relate to 9/10/11-month OAs.

E. CONDITIONS

OAs cannot borrow vacation time or transfer vacation time to another employee. Unused vacation time can only be paid upon separation from employment or transfer to a position not eligible for vacation time. Unused vacation time cannot be transferred to a vacation-ineligible

position. The maximum number of hours that will be paid out is 180. Rules regarding payout of vacation leave for 9/10/11-month OAs are triggered only upon full separation from a vacation-eligible position. New OAs who are transferring from another Oregon public university may transfer up to 80 hours of vacation time to their new position.

IV. SICK TIME

A. ELIGIBILITY

All OAs are eligible for the accrual and use of sick time as outlined below.

B. ACCRUAL

OAs appointed at 1.0 FTE accrue 8 hours of sick time per month, or 2 hours for each full week of service less than one month. OAs appointed at less than 1.0 FTE accrue sick time in proportion to their FTE.

There is no maximum accrual limit for sick time.

C. APPROVAL

OAs may use accrued sick time for absences due to illness, injury, childbirth, medical or dental care, and exposure to contagious disease. In addition, sick time may be used to attend to members of the OA's immediate family (parents, spouse or partner, spouse or partner's parents, children, grandchildren, brother, sister, grandmother, grandfather, son-in-law, daughter-in-law or another member of the immediate household) where the OA's presence is required for medical reasons or due to death in the immediate family of the OA or of the OA's spouse or partner.

A supervisor may request medical verification from a healthcare provider if an employee takes more than five consecutively scheduled workdays of sick time, or if the need for sick time is foreseeable and is projected to last more than five (5) consecutively scheduled workdays. If a supervisor has reason to suspect that an employee is abusing sick time, regardless of whether the employee has used sick time for more than five (5) consecutive days, the supervisor must contact university HR's ELR team before taking action. A physician's release may also be required before allowing return to work to verify that the return will not be detrimental to the OA or others in the workplace.

Employees are generally expected to let their supervisor know if they are out sick by following their departmental process.

D. CONDITIONS

OAs may use sick time to supplement workers' compensation benefits. In no case, however, can the combination of workers' compensation and sick time exceed the OA's salary.

Unused sick time cannot be paid out.

E. OVERTIME

OAs entitled to overtime pay under state or federal law (non-exempt OAs) will receive overtime pay or compensatory time for those hours worked over forty in a workweek. Non-exempt OAs must ask their supervisor for permission to work over forty hours in a workweek. OAs supervising non-exempt employees are required to track hours worked and provide legally required meals and rest breaks.

F. TRANSFER & RESTORATION

An OA is entitled to transfer in unused sick leave earned with any other Oregon public university, provided the break in service upon transfer does not exceed two years.

An OA who leaves employment with the University of Oregon and then returns is entitled to reinstate the previous unused, accrued sick leave, provided the break in services does not exceed two years.

G. UNEARNED SICK LEAVE ADVANCE

The purpose of this section is to provide salary continuance for up to 90 calendar days of absence due to an OA's own FMLA/OFLA-covered illness through a combination of short-term disability and both accrued and advance sick leave. Unearned sick leave is for an OA's own FMLA/OFLA-covered illness and therefore cannot be used to care for a family member. Medical certification is required. Each sick leave eligible, full-time OA is entitled to receive a sick-leave-with-pay advance, after exhaustion of short-term disability benefits, as needed to provide the difference between sick leave earned as of the onset of the illness or injury and 520 hours; part-time staff are eligible to receive a sick-leave-with-pay advance proportional to FTE to provide the difference between sick leave earned as of the onset of the illness or injury and a prorate of 520 hours. OAs who are in their probationary period (see OA separations procedure) are eligible to receive up to 80 hours of a sick-leave-with-pay advance. As sick leave is earned, the amount shall replace any sick leave advanced until all advanced time is replaced with earned time. Once an OA has been advanced the maximum amount of unearned sick leave, prorated by FTE, they shall not be eligible to be advanced additional sick leave until the full amount has been repaid. No more than a 520-hour sick leave advance is available during a seven-year period that begins with the first sick leave advance. More than one sick leave advance is possible as long as the total advance does not exceed 520 hours during a seven-year period. Sick leave that may have been advanced, but unused, cannot be considered for purposes of computing retirement benefits. Only permanent employees are eligible for unearned sick leave (retirees and temporary or intermittent employees are not eligible). OAs in temporary or intermittent positions cannot receive an advance that extends beyond the end date of their appointment except upon written approval of the President or designee. Units must contact the HR Medical Leaves Coordinator to determine an OA's eligibility for unearned sick leave advance.

V. PARENTAL LEAVE

A. ELIGIBILITY

OAs who have been employed by the University of Oregon for at least 6 months.

B. GUIDELINES

The university provides OAs with leave upon the birth or adoption of a child as provided by the Family Medical Leave Act (FMLA) and the Oregon Family Leave Act (OFLA). In addition to any other rights available under these procedures, including unearned sick leave advance, an OA who takes parental leave under FMLA or OFLA can take the first six work weeks of such leave with pay, in the following manner:

As part of the first six weeks of leave, the OA must use any available short term disability insurance benefits, all accrued vacation time and all but 80 hours of accrued sick time. If the OA does not have sufficient accrued disability insurance benefits and accrued paid time off to cover six weeks with full pay, the university will provide the OA with the necessary amount of paid parental leave to allow the OA to receive a total of six weeks paid parental leave.

OAs can use accrued sick time for his or her remaining six weeks of parental leave (for a total of 12 work weeks of leave).

If both parents are employed as OAs by the University, both parents are entitled to parental leave as described in this section.

This provision shall not be applied or interpreted as prejudicing or negatively impacting an OA who exercises their right to take parental leave under this section in addition to exercising their right to take leave under other sections of this procedure or the law.

VI. JURY DUTY

A. ELIGIBILITY

All OAs are eligible.

B. GUIDELINES

The university encourages participation in jury duty. OAs are allowed to be absent with pay for jury duty but are (1) expected to report for their regularly scheduled work on days when not required to perform jury duty and (2) expected to return to work if released from jury duty with four (4) or more hours left in their normal work day.

OAs are entitled to retain any pay they receive for jury duty service in addition to their regular pay. OAs must provide appropriate documentation with as much notice as possible to the supervisor or department/unit. At the discretion of the supervisor, OAs may be required to provide proof of jury duty service completed upon returning to work.

VII. MILITARY LEAVE FOR TRAINING

A. ELIGIBILITY

OAs who have been employed by the University of Oregon for at least 6 months. Time served at another Oregon public university that immediately precedes employment with the University of Oregon will be credited for purposes of establishing eligibility.

B. GUIDELINES

The university grants time off for mandatory periods of training to eligible OAs who are members of the National Guard, National Guard Reserve or of any reserve component of the Armed Forces of the United States or of the United States Public Health Service. Upon written application, OAs may receive their regular University wages and benefits for initial active duty for training and for periods of required annual active duty for training, not to exceed 15 calendar days or 11 working days in a training year (federal fiscal year). Eligible OAs should contact HR for application instructions.

https://www.oregonlegislature.gov/bills_laws/lawsstatutes/2011orLaw0018.html

VIII. LEAVE WITHOUT PAY

An OA may request to take Leave without Pay (LWOP) for up to one year for personal or professional reasons. Requests for LWOP may only be made if the requesting OA has no remaining sick leave and no more than 40 hours of vacation leave. Requests must be submitted and approved through the OA's supervisory chain: LWOP requests for 30 days or less can be approved by the OA's immediate supervisor, department head, or designee. LWOP requests for 31 days or more must be approved by the OA's respective Vice President/Dean or their designee. LWOP request forms can be found on the HR website. Exceptions regarding the amount of remaining sick and/or vacation may be made in extenuating circumstances with approval from the supervisor and university HR's ELR team.

Requests for LWOP under the Americans with Disabilities Act can be directed to HR's ADA Coordinator.

IX. OTHER PROTECTED LEAVES

A. MILITARY CAREGIVER

<http://www.dol.gov/whd/fmla/MilitaryFLProvisions.htm>

B. OREGON MILITARY FAMILY LEAVE ACT (OMFLA)

http://www.oregon.gov/boli/TA/pages/ta_faq_ormilitaryleaveact.aspx

C. THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT (USERRA)

<http://www.dol.gov/vets/programs/userra/>

D. FAMILY MEDICAL LEAVE ACT (FMLA)

The Family Medical Leave Act (FMLA) entitles eligible employees to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave.

<http://www.dol.gov/whd/fmla/>

E. OREGON FAMILY LEAVE ACT (OFLA)

The Oregon Family Leave Act (OFLA) provides eligible employees with protected leave to care for themselves or family members in cases of death, illness, injury, childbirth and adoption.

http://www.oregon.gov/boli/TA/docs/OFLA_Poster_2014.pdf

F. OREGON PAID FAMILY AND MEDICAL LEAVE (PFML)

PFML provides eligible employees paid and/or protected leave for the birth or adoption of a child, an employee or family member's serious illness or injury, or for employees or their dependent or minor child experiencing sexual assault, domestic violence, harassment, or stalking.

<https://hr.uoregon.edu/oregon-paid-family-and-medical-leave>