

## 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.

### B. SCHEDULED HOLIDAYS

Independence Day

Labor 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. This announcement is usually made by mid-November each year. See [December Holiday](#) announcement.

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 15<sup>th</sup> will become eligible on November 1<sup>st</sup> and an OA hired on December 1<sup>st</sup> will become eligible on December 1<sup>st</sup>. 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.<sup>1</sup> 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.

#### 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.

#### 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. 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

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<sup>1</sup> Removed 6 month wait period for employees to utilize accrued vacation time.

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.<sup>2</sup>

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 require a physician's certificate to support the sick time claim for absences in excess of 15 consecutive calendar days or for recurring sick leave use that demonstrates a potential abuse of sick leave. 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.<sup>3</sup>

## **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.

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<sup>2</sup> Adjusted sick time accrual for less than 1.0 FTE employees, in line with the new sick leave law.

<sup>3</sup> Removed provision allowing employee to borrow against un-accrued sick time

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. 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 a sick-leave-with-pay 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](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 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 or their designee. LWOP request forms can be found on the HR website.

Requests for LWOP under the Americans with Disabilities Act can be directed to the Office of Affirmative Action and Equal Opportunity (AAEO).

## **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](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](http://www.oregon.gov/boli/TA/docs/OFLA_Poster_2014.pdf)

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### **RELATED RESOURCES**