

UNIVERSITY OF ARKANSAS AT PINE BLUFF



FOR

LEAVES & ABSENCES

LEAVE POLICIES AND TIMEKEEPER'S PROCEDURAL MANUAL

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University's Policy

All employees should be informed of statewide policy as well as any internal policy and procedure. This leave policy applies to all U of Arkansas System employees except emergency, hourly, intermittent, extra help, and per diem employees of higher education.

Annual Leave Policy-Board Policy 420.1

Annual Leave Accrual

Eligible employees will receive monthly annual leave accruals as follows:

1. Eligible, exempt employees hired or moved into their position before January 1, 2025, shall accrue annual leave at the current rate of 15 hours per month.
2. Eligible, non-exempt employees on January 1, 2025, shall be credited with their eligible time of service and thereafter accrue annual leave as provided in the Accrual Schedule.
3. Eligible employees hired or moved into an eligible position on or after January 1, 2025, will accrue annual leave as provided in the Accrual Schedule found in this policy.

For all eligible employees, annual leave is accrued at the end of each month and is cumulative.

Accrual Schedule for Each Year of Eligible Employment

<u>Years of Eligible Employment</u>	<u>Monthly Accrual</u>
Through the first year	10 hours per month
Through the second and third years	12 hours per month
Through the fourth and fifth years	14 hours per month
Upon completion of the fifth year	15 hours per month

Exceptions to General Rule

1. Employees holding positions for which annual leave accrual is addressed in special appropriation language will accrue leave on the basis and at the rate provided in the special appropriation language.
2. Employees who are employed pursuant to employment contracts or appointment letters that exclude annual leave as a benefit are not eligible for annual leave. However, any such contract or appointment letter excluding annual leave must be

either approved by the President or executed pursuant to a Chancellor-approved campus policy that specifically identifies the position categories that do not accrue leave.

3. Campuses, units and divisions may adopt, after review by the Office of General Counsel and approval by the President, campus annual leave accrual policies that differ from this policy for specialized categories of exempt employees or to recognize specialized skills and work experience of employees. Any such policy must specifically identify any position categories affected, the formula used to determine the alternative accrual policies, and how employees are affected.

In no instance shall the accrual rate, eligibility, annual carryover, or payout of annual leave exceed the maximums provided in this Policy.

Eligibility

Annual leave is granted to all eligible non-student employees on 12-month appointments of one-half time or more, with part-time employees earning leave in proportion to the time worked.

An employee whose period of employment is scheduled to be changed from a 12-month basis to a nine-month basis may take all accrued, unused vacation before the end of the 12-month period, or, within the carryover limits, may reserve accrued annual leave hours for payout upon termination of employment. Payment for any reserved accrued hours shall be based upon the lower of the salary on the date of the last hour accrued immediately prior to the change from a 12-month basis to a nine-month basis or the salary at the time of termination of employment. The employment period shall not be extended for the purpose of paying an employee for unused vacation, and neither shall lump-sum terminal payment be made unless an employee terminates employment with the University.

An employee accrues annual leave only when in a paid status.

Yearly Carry Over for Annual Hours

Annual leave is cumulative; however, no employee may have more than 30 days on December 31 of each year. During the calendar year, accrued leave may exceed 30 days, but those days more than 30 (inclusive of holidays) will be lost if they are not used before December 31 of each year. An exception may be made when an end-of-year vacation is postponed for the convenience of the University. Any such exception must be approved by the President.

Annual leave may not be accumulated while an employee is on leave without pay.

Accrual rates will change on the first day of the month following eligibility for the next higher accrual rate.

Transfers

If an employee transfers to a university from another state agency or institution of higher education, without a break in service, the leave hours may be retained and transferred to the transferring campus/agency through the Workday System. An employee will receive one year's credit for each full year of employment worked in another state agency or institution of higher education. The employee will not, however, receive credit for partial years.

Usage of Annual Hours

Annual leave must be earned before it can be authorized and is deducted from the employees' accrued leave in increments of not less than one hour. An employee may not earn annual leave when on leave without pay for ten (10) or more cumulative days within a calendar month or equivalent proportion if the appointment is less than 100% FTE.

Annual leave is granted based on workdays, not calendar days. Non-workdays, such as holidays and weekends, are not charged as annual leave.

Use of annual leave accrued may be requested by an employee at any time. The appropriate supervisor will grant the request when it least interferes with the efficient operation of the department. Annual leave shall not be taken before it is accrued. An employee may request to use accrued annual leave at any time, but a request must be made in advance, if foreseeable, and must be approved by the supervisor.

All compensatory time must be used before the use of annual leave.

Employees continue to earn annual leave at their normal accrual rate when on annual leave if the employee is not on LWOP or non-payment status.

Annual leave accrued during a calendar month is not considered to be earned by an active employee until the last working day of the month.

Annual Leave for Graduate Study

Annual leave for graduate study may be granted to otherwise eligible employees under the following terms:

1. Accrued leave with pay may, if used for graduate study, be accumulated for two calendar years preceding the date of the leave if it is used by January 1 of the third year.
2. Permission to carry over such credit must be requested in writing by the employee and approved by the President in advance of the commencement of vacation accrual.

The President may approve a modified application of the regulation where circumstances warrant, not to exceed the earned annual leave for two years.

Payment of Annual Leave Hours -

Upon termination, resignation, retirement, death or other action by which a person ceases to be an active employee of the University, the amount due the employee or his/her estate from accrued annual leave or holiday leave, not to exceed 30 (240 hours).

No employee receiving compensation for vacation pay shall return to university employment until the number of days for which he/she received compensation has expired.

A twelve-month employee that is scheduled to change to a nine-month appointment must take all accrued, unused annual leave before the end of the twelve-month appointment period. The employment period cannot be extended to compensate for unused annual leave within a change from a twelve-month to a nine-month appointment. A lump sum for payment cannot be issued for unused annual leave unless the employee is terminating from employment with the University.

Upon termination of employment, in which a person ceases to be an active employee of the University, the amount due to the employee or the employee's estate from accrued annual leave and holiday leave, shall be included in the final pay to the employee or distributed to the employee's estate upon verification as follows:

1. Newly-benefits eligible employees on and after January 1, 2025, shall receive terminal annual and holiday leave pay according to the payment structure below.
2. Existing benefits eligible employees as of December 31, 2024, shall continue in the current terminal annual and holiday leave payment structure through December 31, 2029, after which they will be paid according to the payment structure below.

Payment Structure

Payment of eligible accrued annual and holiday leave combined shall not exceed 30 working days and is subject to the maximum payment amounts set out below:

<u>Years of Employment Maximum</u>	<u>Maximum Payment Amount</u>
Through the first year of employment	To 30 days not to exceed \$7,500
Through the second year of employment	To 30 days not to exceed \$12,500
Through the third year of employment	To 30 days not to exceed \$17,500
Through the fourth year of employment	To 30 days not to exceed \$25,500
Upon completion of the fifth year	To 30 days not to exceed \$35,500

The maximum payment amounts may be adjusted each January 1st as approved by the President. The maximum payment amounts shall be published on the University of Arkansas System's benefit page and made available through the campus Human Resources offices.

No employee receiving such accrued leave compensation shall return to University employment until the number of days for which the employee received such compensation has expired.

Sick Leave – Board Policy - 420.3

Sick leave is a benefit available to university employees who are employed half-time or greater and on at least a nine-month appointment period. Paid sick leave is not granted as vacation leave and can be used only when: (1) the employee is unable to perform the employee's regular duties because of sickness or injury or (2) for treatment by or consultation with a licensed health care provider.

An employee accrues sick leave only when in a paid status.

Sick leave accrued during a calendar month is not considered to be earned by an active employee until the last working day of the month, and the leave must be earned before it can be used. Employees cannot borrow from anticipated future accruals.

Employees continue to earn sick leave at the normal accrual rate when on sick leave while in a paying status.

Sick leave is granted based on workdays, not calendar days. It is deducted from the employee's accrued sick leave in increments of not less than one hour. Non-workdays, such as holidays and weekends falling within a period of sick leave are not charged as sick leave.

Sick leave may also be granted to employees due to the death or serious illness of a member of the employee's immediate family. Immediate family shall mean the employee's parent, sibling, spouse, child (including an adoptive child), grandparent, grandchild, in-law, or any individual acting as a parent or guardian of the employee. Serious illness for the purpose of this policy includes pregnancy- and maternity-related health conditions.

An employee shall be required to furnish to Human Resources a certificate from an attending health care provider for five or more consecutive days of sick leave and may be required to furnish a certificate for purposes of the Family and Medical Leave Act (FMLA) for a serious health condition that continues for three or more consecutive days. An employee may also be required to provide a medical certification for other absences under a campus, division or unit attendance policy reviewed by the Office of General Counsel. A certificate from a Christian Science practitioner listed in the Christian Science Journal may be submitted in lieu of a physician's certificate. Each campus, division, or unit is authorized to establish and enforce policies requiring employees to make timely notification to supervisors in the event that unscheduled sick leave is required, and regarding return-to-work procedures. Requests for sick leave shall be submitted in advance, unless the circumstances make this impracticable. In that event, a request for sick leave must be submitted within two days after the employee returns to work.

Usage of Sick Hours

Sick leave is granted based on workdays and not calendar days. It is deducted from the employee's accrued sick leave in increments of not less than one-fourth hour. Non-workdays such as weekends and holidays when the employee would not ordinarily work falling within a period of sick leave are not charged as sick leave. Sick leave may be granted only for a period when the employee is in an appointed status.

For the purpose of this policy, academic employees who are in a paid status during the summer term will be considered to be in appointed status. For academic employees on less than a 12-month appointment, sick leave that begins during the Spring Semester shall not extend into the Summer Session and may resume in the Fall Semester if the employee is otherwise eligible for sick leave and has received benefits eligible appointment for the Fall Semester. Absence due to illness or disability, except in the case of leave for pregnancy- or maternity-related health conditions, is charged first to sick leave, and next to any remaining available leave in the order dictated by payroll procedures.

Family Medical Leave Act (FMLA) requires employers with fifty (50) or more workers to provide qualified employees up to twelve weeks of unpaid leave per year for the birth, adoption, or foster care of a child, to care for spouse or an immediate family member with a serious health condition, or when unable to work because of a serious health condition. Please contact Human Resources for the procedure, policy, rules, and regulations governing this Act.

Employees who are on sick leave for five (5) or more consecutive days must furnish a certificate of illness from an attending physician. This certificate must be submitted to Human Resources. A department which has a written procedure to identify patterns of sick usage may require an employee to furnish a certificate from an attending physician for any use of sick leave.

Notification of absence due to illness shall be given as soon as possible on the first hour of the first scheduled workday of absence to the employee's supervisor.

Entry for sick leave must be submitted to Workday within two (2) days after the employee's return to work.

- Human Resources should be contacted as soon as possible on the 3rd day or earlier of absence.
- Sick leave may not be accumulated during a leave without pay when such leave totals ten or more days within a calendar month.

Sick leave may not be used in addition to or instead of annual leave but is to be taken only when you must be absent from work due to illness or injury or to keep an appointment with a physician, dentist, optometrist, osteopath, or mental health care provider and other health professionals.

Yearly Carry Over for Sick Hours

Employees accrue sick leave at the rate of one (1) day or eight (8) hours for each completed month of service; however, no employee shall have over 120 days (960 hours) accumulated on December 31st of each year. Accrued leave may exceed 120 days (960 hours) during the calendar year, but those days, more than 120 days, or 960 hours, will be forfeited if not used on or before December 31st of each year.

Payment of Sick Hours

Employees who retire receive no payment or other compensation for accrued sick leave.

Returning Hours Restored

Accrued sick leave will be restored to an employee's credit if he/she returns to State employment within six (6) months of termination. This provision shall apply only if the employee was terminated due to budgetary reasons or curtailment of work activities.

Worker's Compensation and FMLA

Employees who are absent from work due to a temporary occupational injury or illness and who are entitled to Worker's Compensation n Benefits may, upon proper application, utilize their accrued sick leave as a supplement to Worker's Compensation so as to receive weekly benefits from both sources equal to but not in excess of their normal weekly pay at the time of the injury or onset of illness. This option, when exercised, will reduce the employee's accrued sick leave on a basis proportional to the sick leave pay being claimed. An employee receiving Worker's Compensation benefits for a permanent disability is also eligible to utilize accrued sick leave.

An employee receiving Worker's Compensation benefits for a permanent disability is eligible for full pay from both sources.

The injured employee or the supervisor of the injured must call the Company Nurse Injury Hotline immediately at 1-855-339-1893. The nurse will give instructions on medical facilities and provide any important information to the employee. Determination and payment of claims are made by the Public Employee Clams Division located in Little Rock. All work-related injuries must be reported to the supervisor first and to Human Resources as soon as possible.

If an employee has accrued sick, annual, or compensatory hours and utilizes these hours while on worker's compensation, the check mailed to their home address from the worker's compensation administrator must be submitted to Human Resources as soon as possible. An employee cannot receive compensation from the institution and the worker's compensation administrator for the same specified time. If this happens, the employee is responsible for refunding payment to the institution or worker's compensation administrator. Once the employee returns to work, some leave hours will be restored to the employee's leave hours.

An employee with no accrued sick, annual, or compensatory hours while on worker's compensation will be placed on Leave Without Pay in Workday by Human Resources. The employee may keep the check mailed to their home address from the worker's compensation administrator.

Maternity Leave- Board Policy 420.3

Sick leave may be taken for pregnancy- and maternity- related health conditions and will be treated as any other leave for sickness or disability except that: (1) no health care provider certification will be required for the first four weeks following the birth of the child, and (2) the employee taking leave for a pregnancy- or maternity- related health condition may elect to take leave of absence without pay without exhausting accumulated annual and sick leave. Upon return from leave the employee will be given the same or comparable position to the one occupied prior to the leave. The employee is expected to provide the employee's supervisor with as much notice as possible prior to beginning leave for a pregnancy- or maternity- related health condition, and at least two weeks' notice prior to returning to work from pregnancy- or maternity- related leave. Both notices must be in writing.

Military Leave- Act 471 of 2003 Board Policy 420.4

Twelve-month employees who are members of the National Guard or the Reserve Component of any of the branches of the Armed Forces of the United States, shall be granted a maximum of 15 days leave each calendar year for annual training requirements or other duties performed in an official duty status. Such leave shall be granted without loss of pay and in addition to regular leave time. Unused portions of military leave will be carried over into the succeeding calendar year with a maximum of 30 military leave days available in any one calendar year.

Nine-month academic and administrative employees are expected to take any two-week military leave during the three months they are not under contract with the University.

Each employee who requests military leave shall furnish a copy of his or her orders to the employee's vice president or vice chancellor or other University official responsible for the employee's department or academic unit. An employee who is recalled to active duty in the Armed Forces of the United States or who volunteers for military service that would exceed the employee's accumulated leave shall be placed on extended military leave without pay.

For an employee whose tour of military duty is more than 30 days but less than 181 days, the employee must submit an application for reemployment within 14 days of the effective date of his or her release from active duty. For an employee whose tour of duty exceeds 181 days, the employee must submit an application for reemployment within 90 days of the effective date of his or her release from active duty. Employees who comply with the terms of this policy and the Uniformed Servicemembers Employment and Reemployment Rights Act (USERRA) shall be reinstated to the position vacated or to an equivalent position at no loss of seniority or any of the

other benefits and privileges associated with their employment. An employee who accumulates five years of military absence as defined by USERRA forfeits his/her reemployment rights.

Emergency Duty

Military personnel called to duty by the Governor or by the President of the United States in emergencies, as defined by A.C.A. § 21-4-212(c), shall be granted leave with pay not to exceed 30 working days after which leave without pay will be granted. This leave shall be granted in addition to regular time but not in addition to regular military leave. Additionally, employees whose tour of duty exceeds 30 days may be eligible for proportionate salary payments in accordance with A.C.A. § 21-5-1202.

Leave of Absence Without Pay- Board Policy 420.6

Leave of absence without pay should be requested in Workday and must have President's approval, upon the recommendation of the chancellor or chief executive officer for each campus, division or unit, is required for any employee's request for a leave of absence without pay, unless such leave is requested in accordance with the provision for military leave, the Family and Medical Leave Act, or the Americans with Disabilities Act, in which case the request may be approved by the chancellor, chief executive officer, or a designee. Leave of absence without pay shall not exceed six months, provided that the President may under special circumstances approve leave without pay for an additional six months.

Leave without pay is not to be granted, except in the case of maternity-related health conditions (See Section IV. B. of Board Policy 420.3), until all of the employee's accumulated annual leave has been exhausted, and any employee on a leave of absence without pay does not accumulate annual leave, participate in the group insurance programs to which the University makes a contribution, or receive pay for any legal holidays. An employee may continue participating with the insurance programs provided arrangements are made in advance with the campus human resource office to assume full payment of the premium costs.

The chief executive office of a campus, division or unit may place an employee in a leave without pay status for disciplinary reasons consistent with other Board and UA System Policies and Procedures and in accordance with the written employment policies of the unit involved. In this instance, the individual is not required to exhaust annual leave and sick leave before being placed in leave-without-pay status all annual leave and sick leave before being placed in leave-without-pay status.

Educational Leave Board Policy 420.7

A regularly appointed employee may be granted educational leave by the President of the University on the following basis:

1. The employee will continue in the service of the University for a period of time as statutorily required or in the absence of a specific law, at least twice the length of his or her course of training. Any employee who does not fulfill these obligations shall be required to pay to the University the total cost or a proportionate share of the cost of the out-service training and compensation paid during the training period.
2. A written contract setting forth all terms of the agreement shall be signed by the employee and the President or Chancellor. The employee shall retain all rights in the position held at the time when the leave was granted or in comparable security and pay.

The amount of salary paid during the training period will be agreed upon by the employee and the President or Chancellor but may not in any case exceed the regular salary paid the employee. Payments for tuition, fees, books, and transportation may be made only if such sums have been specifically appropriated by the General Assembly for such purposes. Each campus, division or unit may develop procedures for this purpose.

Children's Educational Activities - Board Policy 420.7
(Act 1796 of 2007; Arkansas Code Ann. §21-4-216)

All full-time employees shall be entitled to eight (8) total hours of leave (regardless of the number of children) each calendar year for the purpose of engaging in and traveling to or from the educational activities of a child. An educational activity is a school-sponsored activity. For purposes of this policy, child generally means a person enrolled in an educational program for prekindergarten through grade twelve (pre K-12) who is of the following relation to the employee: natural child; adopted child; stepchild; foster child; grandchild; ward; or any other legal capacity in which the employee is acting as the parent for the child.

Child also includes a person over the age of eighteen (18) who meets the foregoing criteria and has a developmental disability as defined by Arkansas law, or who has declared legally incompetent.

Unused leave may not be carried over to the next year and is not payable to the employee at the time of termination.

Paid Paternal Leave - Board Policy 420.2

After two years of consecutive, benefits-eligible, systemwide employment, an employee entitled to leave under the Family Medical Leave Act (FMLA) is eligible for paid parental leave on the conditions described in this policy. Paid parental leave may only be used concurrently with Family Medical Leave. Paid parental leave does not create an additional period of protected leave.

An employee having exhausted Family Medical Leave eligibility has no paid parental leave eligibility until eligibility for Family Medical Leave is restored. Paid parental leave is available to eligible employees who are a birth parent, legal spouse of the birth parent, an adoptive parent, or

a foster parent. Employees on appointments of less than 12 months are not eligible for paid parental leave during any day outside the appointment period.

Paid parental leave may be used for the birth of a child or the adoption or foster placement of a child up to the age of 18 years. In all cases, leave is available only within the first 12 months of the birth, adoption, or foster placement of the child and only as long as the child remains under the age of 18. An employee may not use paid parental leave intermittently or to work a reduced work schedule.

Paid parental leave provides for up to six weeks of paid leave at the employee's regular rate of pay. Bonus, incentive, overtime, and other pay not included in the employee's base salary is not included in paid parental leave. When both parents are employees eligible for paid parental leave, the paid leave availability is limited to a combined total of six weeks. The six weeks will be divided 2 equally between the two employees if the employees are unable to agree on the allocation of the paid parental leave. An employee (or employees when both parents are eligible employees) may receive paid parental leave a maximum of three times. This maximum applies regardless of whether the employee has been employed by different campuses, divisions, or units or has had multiple employment periods. Paid parental leave is limited to one use per child.

An employee (or employees when both parents are eligible employees), for example, is not eligible for paid parental leave for the adoption of a child if the employee took paid parental leave for the initial foster placement of the same child. Paid parental leave is not compensable to the employee upon termination of employment.

Nothing in the use of paid parental leave will limit or otherwise restrict the use of leave without pay, accrued annual leave, sick leave, or group short-term disability within the guidelines of those programs and applicable law. In no case, however, may paid leave or disability programs used in any combination result in a payment of more than 100% of an employee's base salary.

Bereavement Leave (University wide Administrative Memorandum 435.3)

An employee may use sick leave when absent from work because of the death of a member of your immediate family. Immediate family means your mother, father, sister, brother, husband, wife, child, grandchild, grandparents, in-laws, or any individual who has acted as your parent or guardian.

If you wish to attend the funeral of anyone outside your immediate family, you should make a request, as far in advance as possible, to your supervisor. Your absence will be charged to compensatory time first, then annual leave, or to annual leave if you have no compensatory time accumulated.

Voting (Arkansas Code Title 7. Elections § 7-1-102)

Each employer in the state shall schedule the work hours of employees on election days so that each employee will have an opportunity to exercise the right to vote. In most communities, polls

remain open long enough to allow you time to vote before or after working hours. In cases of extreme hardship, such as having to travel a great distance to your polling place, you may be permitted to report to work late or to leave early to vote. If it is necessary for you to use this privilege, please notify your immediate supervisor before election day.

Court and Jury Leave Board Policy 420.5

Any employee serving as a **juror** shall be entitled to full University compensation in addition to any fees paid by the court for such services. Such absences shall not be counted as annual leave. Where service on a jury would substantially interfere with the execution of the University work schedule, the chief administrative officer of the campus may, after consulting with the University's Office of General Counsel, petition the judge in writing to exempt an employee from such service. However, if an exemption is denied or if no response is received prior to the date jury duty is to begin, the individual must report for jury duty.

An employee who is **summoned** to serve on jury duty shall not be subject to discharge from employment, loss of sick leave or vacation time, or any other form of penalty as a result of his or her absence from employment due to such jury duty, upon giving reasonable notice to his or her supervisor of the summons. Employees serving as jurors should return to work as soon as their services are no longer needed by the court.

When an employee is subpoenaed as a **witness** it will be determined through the employee's administrative chain, in consultation with the Office of the General Counsel, if the employee's testimony is within the scope of their employment. Due to the nature of their employment, law enforcement employees may be treated differently. Employees who are called as witnesses for cases in which their testimony is in the scope of their employment are entitled to their salary with no charge to leave for their absence. Depositions or statements which involve the University may be taken during duty hours.

Employees who are called witnesses on matters outside of the scope of their employment shall take annual leave. Nine-month employees, if subpoenaed to testify on matters not related to the University or their scope of employment, will coordinate the scheduling of testimony with their administrative chain to ensure that the absence does not interfere with their university employment duties and is in keeping with applicable leave policies. Use of depositions is preferred for non-scope of employment testimony and should be handled during off-duty time or while the employee is in a leave status.

An employee who intends to serve as **an expert witness** in a legal matter must comply with university conflict of interest policies, which require disclosure and review of all possible conflicts of interest and commitments. This includes the requirement to comply with all applicable outside employment rules, including the Board of Trustees Policy 450.1 Outside Employment, which requires prior approval of all outside employment by all full-time faculty and specified staff members. Employees who are retained by a party or by a court as expert witnesses and paid a fee more than the normal witness fee set by statute or court rule shall take annual leave for the time required for such testimony. Employees who do not accrue leave should coordinate their absence with their administrative chain to ensure no disruption of their university employment duties.

Leave Exchange Board Policy 420.8

A leave exchange program provides employees with the opportunity to exchange annual leave for payment on qualified student loans

Eligibility for participation in the leave exchange program requires current employment in a position accruing annual leave. The employee must have an annual leave balance of at least 80 hours after an exchange. Employees with disciplinary warnings or actions related to leave within the previous 12 months may not participate in the leave exchange program.

Employees may exchange accrued annual leave for direct payment to the lender on qualified student loans. The equivalent hourly rate of accrued leave shall be discounted by 14% in exchange and shall not exceed a discounted value of \$7,500 in a single calendar year.

Subject to approval by the President, campuses may annually increase or decrease the maximum exchange value of \$7,500 and may establish exchange windows or other process guidelines in support of efficient management of this policy. Any payment on a qualified student loan pursuant to this policy will be reported as income of the employee in accordance with the Internal Revenue Code or federal tax regulations.

The President shall approve the service agreement with a company or companies, qualified to do business in the State of Arkansas, to administer the leave exchange program. No exchange of excess annual leave for direct payment on a qualified student loan shall occur unless authorized in writing by the employee. Eligible student loans are those loans within the Internal Revenue Service's definition of qualified education loans and the administrative guidelines as identified the terms of the service agreement.

Leave for Organ or Bone Marrow Donation (Act 546 of 2003)

If you serve as a human organ donor, you may take up to 30 days additional leave *with* pay at the time you make the donation. If you serve as a bone marrow donor, you may take up to seven days' additional leave with pay at the time of the donation. This leave will not affect your accrual or time credited toward career service. Contact Human Resources for more information on the documentation needed for this leave.

Disaster Service Volunteer Leave (Arkansas Code Ann. §12-85-102, 12-85-103a)

If you are trained and certified as a disaster service volunteer by the American Red Cross and your specialized disaster relief services are requested by the Red Cross in connection with a disaster, you may receive up to 15 working days in any calendar year to participate in specialized disaster relief, without loss of pay or benefits. Leave will be granted only for disasters occurring in Arkansas or contiguous states. You must request disaster service volunteer leave in writing, to the chancellor, and attach a copy of your Red Cross orders to the request.

Leave for Members of the Air Force Civil Air Patrol and Coast Guard Auxiliaries
(Act 471 of 2003)

If you are a member of the U.S. Air Force Auxiliary Civil Air Patrol or the Coast Guard Auxiliary, you will be permitted to take a leave of absence, with pay, for up to 15 days each calendar year to participate in training programs or emergency and rescue services. The leave of absence must be at the formal request of your wing commander or designated representative or your Division Captain. Contact Human Resources for assistance.

Inclement Weather and Office Closing
Effective Date: January 25, 2023

When Institution officials determine that weather or other conditions have made roads impassable Such closing may be for both classes and offices or for classes only as determined by Institution officials. Local media outlets, the [UAPB website](#), UAPB email, and the Rave campus alert notification system are the official means of communicating information concerning weather-related closings. If there is no announcement, students, faculty, and staff should assume that the Institution is open.

The safety of our students and employees is extremely important to UAPB; however, we cannot predict or analyze local road conditions. When the Institution is open, employees who are unable to report to work because of hazardous conditions may choose to take vacation leave or leave without pay

A campus closure means that normal business operations are suspended for the public and employees (except positions designated critical personnel.) Individuals in critical positions (**Campus Police and Public Safety, Technical Services, Facilities Management, UAPB Dining, and senior-level administrators**) should report to their supervisor for additional information.

Delayed Opening:

When Institution officials determine that weather or other conditions have made roads impassable Such closing may be for both classes and offices or for classes only as determined by Institution officials. Local media outlets, the [UAPB website](#), UAPB email, and the Rave campus alert notification system are the official means of communicating information concerning weather-related closings. If there is no announcement, students, faculty, and staff should assume that the Institution is open.

The safety of our students and employees is extremely important to UAPB; however, we cannot predict or analyze local road conditions. When the Institution is open, employees who are unable to report to work because of hazardous conditions may choose to take vacation leave or leave without pay

A campus closure means that normal business operations are suspended for the public and employees (except positions designated critical personnel.) Individuals in critical positions (**Campus Police and Public Safety, Technical Services, Facilities Management, UAPB Dining, and senior-level administrators**) should report to their supervisor for additional information.

Delayed Opening:

During a delayed opening, institution officials will publicly announce the specific time at which the Institution will open. All on campus academic classes regularly scheduled to begin prior to the delayed opening time will be cancelled and will not meet in-person; all remaining days and evening classes will commence at their regularly scheduled time and modality. To ensure compliance with definition of the credit hour, instructors are expected to make up missed class time using virtual modalities, recorded lectures, assignments, readings, instructional materials, or other alternative forms of instruction. Online classes will continue as scheduled. All offices and regular business operations will open at the specified delayed time.

Early Dismissal:

In the event of an “Early Dismissal,” the University will cease all on-campus academic classes and regular business operations at a publicly announced time. In such an event, all remaining days and evening classes on campus will be cancelled after the specified time.

Acute Communicable Illness: Protective Measures and Leave Procedures in the Event of Outbreak

I. Overview

This policy sets forth the principles the University of Arkansas at Pine Bluff will follow in seeking to protect students, faculty and staff, whenever possible, from exposure to certain acute communicable illnesses (such as measles, mumps, and some influenza strains), as well as related leave procedures. This policy is subject to all other applicable policies of the University.

II. Policy

It is the policy of the University to evaluate, review and respond to directions and information provided by the Jefferson County Health Department regarding suspected, threatened, or confirmed instances of certain communicable illnesses among members of the University of Arkansas at Pine Bluff community that could be transmitted in the University setting.

Clinical guidance relevant to specific communicable illnesses will be issued by the Arkansas Department of Health (ADH) through guidance obtained from the Centers for Disease Control and Prevention (CDC). When responsible agencies declare an outbreak and/or epidemic of a communicable disease with significant potential to have an impact on the University and its operations, the Chancellor or his/her designee, in conjunction with relevant University offices, will inform the UA community and affiliates regarding the status of the outbreak and/or epidemic. The information issued may include required operational and protective measures or restrictions designed to reduce risks of exposure.

III. Leave Procedures

When an outbreak or epidemic occurs and the Chancellor declares this policy to be in effect, the provisions will apply to the use of sick leave, annual leave, and leave without pay, unless other guidance specific to the outbreak is issued, considering the nature and duration of the outbreak and its impact on campus operations and finances. Upon termination of the declaration for the campus, normal procedures will resume.

1. Quarantines and Periods of Isolation

If an employee is required by ADH or the University to be in a quarantine or isolation status for a period of time, and is therefore unable to report to work, but is not ill (no signs or symptoms of illness) or caring for an immediate family member who is ill, when feasible, the University will make reasonable efforts to allow the employee to fulfill job responsibilities remotely. If an employee is quarantined but cannot fulfill job responsibilities, the employee will be charged accrued sick or annual leave or, if necessary, may be placed on leave without pay status.

2. Illness and Immediate Family Care

Employees who are away from work because of an acute illness covered by this policy or because they must care for an immediate family member with such an illness, must notify their supervisors or department(s).

Employees with an acute illness covered by this policy or caring for an immediate family member/s, as defined in the staff or staff handbook, with such an illness will use accrued sick leave. If they exhaust accumulated sick leave, they will then use accrued annual leave or comp time, as applicable. If other forms of leave are exhausted, and subject to the approval of the President of the University of Arkansas System, the employee may be allowed to use leave without pay.

As applicable, Department representatives will enter a notation in the leave records that the employee, or immediate family member for whom the employee must provide care, has an acute illness covered by this policy. Leave without pay is only available to those employees who or whose immediate family members have an acute illness covered by this policy, and not for those who have other illnesses or injuries.

3. Reduction of University Operations

If the University is required by ADH or otherwise determines that in-person University operations must be curtailed due to an outbreak, if feasible, the University will make reasonable efforts to allow employees to fulfill job responsibilities remotely. If an employee cannot fulfill job responsibilities remotely, they will be charged accrued sick or annual leave or, if necessary, may be placed on leave without pay status.

IV. Protective Measures

In certain situations in which an acute illness is threatening or affecting the UA community, public health authorities or University officials may give directions to try to contain the transmission of the illness with directives to include required immunization (if vaccine is available for the specific communicable disease), restrictions on University events, operations, or activities, social distancing, or some form of quarantine or isolation for individuals with actual or possible exposure or impaired immunity. It is for this reason that, if the Chancellor declares that this policy is in effect, no doctor's certification will generally be required for verification of illness, although supervisors may require employees to submit a signed statement verifying the reason for their leave upon returning to work.

V. Return to Work

Return to work for University employees with an acute illness or isolated due to such an illness may be contingent upon one or more of multiple factors to include, but not limited to, 1) vaccination status; 2) results of diagnostic testing; 3) completion of quarantine; 4) absence of individual symptoms for a prescribed period; and/or 5) conclusion of outbreak as to the University as determined by public health authorities

Family Medical Leave

A. Family Medical Leave Act- UASP (425.1 and 425.2)

In accordance with the Family and Medical Leave Act (FMLA) of 1993, the University provides eligible employees up to 12 work weeks or 480 hours of unpaid job protected leave, continuation of group health benefits (but the employee must continue to pay the employee's share of health benefit premium), and reinstatement to the same or equivalent job upon return from leave, unless identified as a highly compensated key employee.

Leave Entitlement

An eligible employee may take up to 12 work weeks of FMLA within a 12-month period measured forward from the first date an employee takes FMLA leave. The next 12-month period begins the first time the employee takes FMLA leave after the completion of the prior 12-month period. Leave granted under the FMLA will be counted against the annual 12 work weeks or 480-hour entitlement.

Eligible employees may take up to 26 work weeks of leave during a single 12-month period to care for a covered service member with a serious service-related injury or illness when the employee is the spouse, son, daughter, parent, or next of kin of the service member.

Under some circumstances, employees may take FMLA leave on an intermittent or reduced schedule basis. That means an employee may take leave in separate blocks of time or by reducing the time he or she works each day or week for a single qualifying reason. When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the University's operations.

If FMLA leave is for the birth, adoption, or foster placement of a child, use of intermittent or reduced schedule leave requires the supervisor's approval.

Eligibility Requirements

An eligible employee is one who has at least 12 months of employment with a campus of the University within the last 7 years. The 12 months of employment do not have to be consecutive. In addition, the employee must have worked at least 1,250 hours during the 12-month period immediately preceding the beginning of the leave, and experienced an FMLA-qualifying event. FMLA Qualifying Events Eligible employees may take FMLA for one or more of the following qualifying events:

- The birth of a child and to bond with or care for the newborn child within one year of birth;
- The placement with the employee of a child for adoption or foster care, and to bond with or care for the newly-placed child within one year of placement;
- To care for the employee's spouse, child, or parent who has a serious health condition, including incapacity due to pregnancy and for prenatal medical care;
- For a serious health condition in which the employee is unable to perform the essential functions of his or her job, including incapacity due to pregnancy and for prenatal medical care; or 30
- For any qualifying exigency arising out of the fact that a spouse, child, or parent is a military member on covered active duty or call to covered active duty status.

An employee's spouse, child, or biological parent are immediate family members for the purposes of FMLA.

The FMLA defines a "son or daughter" as a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis. The in loco parentis relationship exists when an individual intends to take on the role of a parent to a child who is under 18, or 18 years of age or older and incapable of self-care because of a mental or physical disability. Supporting documentation may be required as proof of the parent/child relationship. For questions regarding qualifying relationships, contact the Department of Human Resources.

Notification Requirements

An employee must provide at least 30 days' advance notice to the immediate supervisor or the Department of Human Resources before FMLA leave is to begin if the need for leave is foreseeable. If a 30-day notice is not practicable, notice must be given as soon as possible. Additionally, when scheduling medical treatments or related activities, the employee should work with the immediate supervisor to attempt to schedule times that will fit the employee's needs and least interrupt operations of the department.

Departmental Expectations

When an employee has been away from work more than three consecutive working days, a supervisor or departmental leave administrator should contact the Department of Human Resources on the employee's behalf to start the FMLA process.

Requesting FMLA Leave

An employee should request FMLA by completing the Family and Medical Leave Request Form and submitting the signed form to the Department of Human Resources.

Medical Certification

Eligible employees must provide a completed Certification of Health Care Provider Form and submit it to the Department of Human Resources within 15 calendar days. Failure to provide the certification may result in denial of FMLA until the completed certification is received.

The University may request re-certification for continual FMLA usage.

In cases in which the University designates leave as FMLA, the employee will receive written notification of that decision.

Concurrent Leave

The FMLA does not mandate payment for leave. However, UA Little Rock requires employees to use any available accrued leave, which will run concurrently with FMLA. 31 The accrued leave is used for as much of the twelve (12) week period as it will cover before an employee moves into an unpaid leave status. In cases of maternity leave, the employee may elect to use unpaid leave without exhausting accrued paid leave. All applicable accumulated paid leave must be exhausted before Leave without Pay (LWOP) will be granted except for maternity leave requests. Leave is used in the following order:

- earned sick leave
- earned vacation leave
- earned compensatory leave
- leave without pay

Employee Benefits

The University will continue health benefits for an employee on FMLA designated leave, but the employee must continue to pay the employee's share of the health benefit premium. An employee on unpaid FMLA leave must make arrangements to pay the employee's share of the premium.

If the employee does not continue to pay the employee portion of the premium, the insurance may be canceled. If an employee goes into an unpaid status, the employee will be expected to pay the employee's portion of benefits to keep the benefits active.

The Department of Human Resources will remit a billing invoice for benefit payments. These payments will be made to the UA Little Rock's Bursar's Office. The University's obligation to maintain health benefits under the FMLA ceases when an employee informs the employer of the employee's intent not to return from leave, the employee fails to return from leave, or the employee exhausts FMLA entitlement.

The University will recover any premium payment missed by the employee and may recover the University's share of premiums if the employee fails to return to work or if leave expires, except in certain stipulated circumstances.

An employee may choose not to retain insurance coverage during FMLA. However, upon returning to work, the employee is entitled to reinstatement on the same terms as prior to taking the leave.

Employees who have questions regarding their benefits while on leave should contact an HR Benefits representative.

Job Restoration

When an employee returns from leave, the FMLA requires an employer to restore the employee to the same or equivalent job. The job must have the same pay, benefits, and working conditions, unless the employee is identified as a key employee.

Returning to Work

If FMLA is granted for the employee's own serious health condition, the employee must provide a statement from the healthcare provider stating that the employee is able to return to work. The medical release must be submitted to the Department of Human Resources on or before the return-to-work date. Any work restrictions must be identified on the statement and approved prior to returning to work. The work restrictions or modified duty may not be available in all departments. An employee may be dismissed if the employee fails to report to work promptly at the expiration of the approved FMLA period. If the employee is unable to return to work, the employee must contact the Department of Human Resources and the department supervisor prior to the end of the approved leave or the day the employee is scheduled to return to work to discuss leave options. If an accommodation is needed, the employee is encouraged to follow the University's Americans with Disabilities Act (ADA) procedures.

Retaliation

FMLA protects employees from interference and retaliation for exercising or attempting to exercise their FMLA rights.

Leave Abuse

Any employee who knowingly and/or purposefully provides false information in an attempt to gain approval of FMLA may be subject to disciplinary action, up to and including termination.

Any employee who knowingly abuses the use of approved FMLA leave for the purpose of monetary gain, recreational pleasures, or any such actions that are deemed contrary to the basic intent of the Family and Medical Leave Act (FMLA) may be subject to disciplinary action, up to and including termination.

Working While on FMLA

Employees approved for FMLA are expected to be unable to perform their job duties while on leave. If an employee performs work during continuous FMLA or outside of the agreed upon intermittent period, the employee may be subject to disciplinary action, up to and including termination. If an employee works for another employer during the approved leave period, the employee may be subject to disciplinary action, up to and including termination.

Employees forfeit the benefits of FMLA by resignation or termination of employment with the University.

REPORTING LEAVE AND ABSENCE HOURS

Timekeeper

A timekeeper is a designated individual within a department who is responsible for maintaining employees' leave records for the department through the Workday System. The timekeeper will be granted the Workday security needed by the Director of Administrative Services.

Only **Supervisors are authorized to approve leave**. The employee must submit leave within the Workday System. If an employee must be absent from work for any reason, the employee is responsible for notifying the supervisor and placing the request into Workday. If the employee cannot notify the supervisor or the timekeeper, the employee may ask a family member to do so on their behalf. At that time, the timekeeper should place the employee on leave in Workday. If the department is not notified, the absences will be considered unauthorized and may result in disciplinary action.

Annual Leave (Vacation)

Annual leave hours are requested through the Workday system and must be approved by the supervisor. It is the responsibility of the supervisor to grant annual leave. Annual leave is granted based on workdays, not calendar days. Non-workdays, such as holidays and weekends, are not charged as annual leave. **Annual Leave** should be requested in the Workday system and approved by the supervisor prior to it being taken.

Employees' pay will be adjusted for any negative leave balances. Employees are not allowed to borrow from anticipated future accruals or use annual leave accrued by other employees.

Sick Leave

Sick leave hours are requested through the Workday system. Employees who are on sick leave for five (5) or more consecutive days must furnish a certificate of illness from an attending physician to the supervisor. A supervisor or department under certain circumstances may require a certification form from an attending physician for other reasons.

Notification of absences due to illness for the employee (self, family) shall be given to the employee's supervisor, by the employee or someone designated by the employee within the first hours of the scheduled day or as soon as possible on the first day of absence.

The supervisor should promptly notify the timekeeper to enter the absence into Workday if the employee is unable to do so on their own. If the department does not enter the absence, the employee is responsible for entering into Workday. Once an employee returns to work after sick leave, all sick time must be entered into Workday within two (2) days if the time has not already been entered into Workday.

Employees who are on sick leave for five (5) or more consecutive days must furnish a certificate of illness to the supervisor and timekeeper from an attending physician upon returning to work. This certificate must be entered into the Workday system. Please refer to "Leave Policies" for other instances in which sick leave may be used.

If an employee is on sick leave for three days or if a pattern of continuous usage is evident, please contact Human Resources as soon as possible for further action. The university offers employee Family Medical Leave. The employee must pick up appropriate forms from the Human Resources department and complete all necessary paperwork or request it through e-mail from a Human Resources representative.

IF AN EMPLOYEE EXHAUSTS ALL SICK AND VACATION HOURS, CONTACT HUMAN RESOURCES IMMEDIATELY IN WRITING. IT IS THE RESPONSIBILITY OF THE SUPERVISOR AND TIMEKEEPER TO CONTACT THE HUMAN RESOURCES OFFICE.

Family Medical Leave Act (FMLA)

Require employers with fifty (50) or more workers to provide qualified employees with twelve weeks unpaid leave per year for the birth or adoption of a child, to care for a spouse or an immediate family member with a serious health condition, or when unable to work because of a serious health condition. An employee's pre-existing health coverage during the leave period will continue with the employee paying the appropriate premium. Once the leave period is concluded, an employee may return to the same or a substantially equivalent job. This leave may be reported with pay or without pay, depending on the number of hours the employee has available. Paid leave for personal and family medical needs is available under sick leave, annual leave, and catastrophic leave. These leaves can run concurrently with FMLA. Notation should be given for leave as FMLA. For more information, rules, regulations and policies on FMLA, please contact Human Resources. Human

Resources will send e-mails to participants and to the manager with the instructions of entering leave hours into Workday.

Workers' Compensation

It is reported if an employee becomes injured or ill while at work due to a work-related incident/accident. The employee may be eligible for worker's compensation, please contact Human Resources as soon as possible. Workers' compensation hours are charged in the following order 1) earned sick leave 2) all earned compensatory time 3) earned annual leave, and 4) leave without pay.

When and if payments are made by the workers' compensation carrier, applicable adjustments will be made to the employee's leave balance. When this happens, the payroll department will contact Human Resources and the department for the purpose of making the necessary adjustments. The number of hours is placed in the Workday System according to the available hours or leave without pay by a Human Resources representative.

Sick leave hours should be entered in in Workday by department using Worker's Compensation as the reason. If an employee exhausts all sick and vacation hours, the employee shall be placed on Leave Without Pay by the department through Workday.

Leave without Pay

It should be requested in Workday and must be approved by the employee's supervisor. A justification for leave without pay must be submitted at the time of the request. Once approved, the request will be forwarded to the President of the University of Arkansas System for consideration and decision. This leave is entered into Workday by the department once it is granted by the appropriate individuals.

University Holiday

It is reported in Workday. All "regular salaried" and "extra help" employees are eligible to receive Holiday pay. Extra help employees must be in a paying status and must work the last scheduled workday before the holiday and the first scheduled workday after the holiday.

If an employee is scheduled to work on a holiday (e.g. public safety, facilities management) the employee is granted another day equivalent to the number of hours worked. Workday keeps track of unused Holiday hours. The supervisor must send an e-mail or letter to Human Resources stating the time, date, hours and work assignment for the employee as soon as possible. Also, the department must upload the letter or e-mail in Workday under the category, "Other Documents". All University Holidays are to be entered into Workday by the employee or the department through Workday.

Court and Jury Leave

It is reported in Workday. Leave usage is based on the employee serving as a witness, juror, or expert witness. See Court and Jury Leave **Board Policy 420.5**. Where service on a jury would

substantially interfere with the execution of the University's work schedule, the chief administrative officer of the campus may petition the judge in writing for an exception from service. However, if an exemption is denied or if no response is received prior to the date jury duty is to begin, the individual must report for jury duty. The number of hours is to be entered in Workday for annual leave or jury duty. A document showing court date, time and place must be submitted to the supervisor with uploaded into Workday.

Military Leave

It is reported for twelve-month employees, nine-month academic and administrative employees. Twelve-month employees who are members of the National Guard or any of the Reserve branches of the Armed Forces of the United States shall be granted a maximum of two weeks (14) days leave annually plus travel time for annual training requirements. Such leave shall be granted without loss of pay and in addition to regular vacation time. Military personnel called to duty in emergencies by the Governor or by the President of the United States shall be granted leave with pay not to exceed 30 working days per calendar year after which leave without pay will be granted. The number of hours is placed in Workday. After the 30 days have been exhausted, the employee will be placed on leave without pay. **See Military Leave Board Policy 420.4**

Paid Parental Leave

It is reported in Workday as Parental Leave hours. This leave runs only six weeks for 12 months and 9 months employees. Paid Parental Leave hours cannot be granted for nine-months if it is not in their appointment period. Nine month appointment period is August 16 through May 15.

Leave Exchange

If you have student loans in your name, you can cash in unused annual leave to reimburse your loan payments. The payments you receive after converting your annual leave are taxable and will be added to your paycheck.

To convert your annual leave to taxable cash reimbursements, you must:

- Have an annual leave balance of at least 80 hours after an exchange.
- Make a payment toward an eligible student loan. Eligible student loans include loans that you took out to pay for qualified higher education expenses that were for you, your spouse or your dependent. The loan must be **in your name**, even if it was for someone else.
- Have no disciplinary warnings or actions related to leave within the previous 12 months.

You can exchange your accrued annual leave for payments toward qualified student loans up to \$7,500 per year. These payments are considered taxable under federal law.

The IRS does not allow a dollar-for-dollar exchange of annual leave. When you exchange your annual leave time for cash payments, there will be a 14% exchange reduction.

The university is working with PTO Exchange to facilitate the annual leave exchanges. To submit your request, follow these steps:

- [Log in to Azure](#) and select the Workday icon.
- Once in Workday, in the global navigation menu on the left, hover over **Personal** and select **Benefits and Pay**.
- On the Benefits and Pay dashboard menu, select **PTO Exchange** under selected links.
- On the PTO Exchange website, enter your primary work email address.

The Human Resources Department will enter all leave exchange hours into Workday from Azure.

Employee's Leave Balance

Employees can retrieve leave balances through the Workday system. Employees should make sure that all their leave requests have been approved for accurate accounting of balances in Workday. An employee's request for leave over thirty (30) days will be manually advanced by a Human Resources Representative in the Workday system.

Reporting Inclement Weather in Workday as Extra Help Hours Worked and Full-Time Benefit Eligible

Employee and Departmental Timekeepers

Employees required to enter time worked every day are required to enter time in Workday for inclement weather days if the University is closed. The type of time entered in Workday is Inclement Weather/Emergency Situation. This type is in the drop down menu of Time Entry Code. The number of hours entered are the hours for a regular scheduled day.

Full-Time Benefit Eligible Employees

Full-time benefit eligible employees are required to enter the numbers of hours in time off leave for Inclement Weather/Emergency.