

Leave Administration Policies, Procedures, and Guidelines

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PLEASE NOTE: This document is a general information publication only and is intended as reference material. It is not intended to nor does it contain all rules, regulations, collective bargaining provisions, or statutes concerning leave accrual, usage, and administration. You are asked to review the appropriate law, rule, regulation or collective bargaining agreement for complete information. You may also confer with the Office of Human Resources should you have questions or need assistance. In the event anything in this document is inconsistent with rules, regulations, collective bargaining provisions, or statutes governing leave accrual, usage or administration, the rule, regulation, collective bargaining provisions, or statute shall apply and supersede the information contained in this document.

Vacation and Sick Leave Accrual and Eligibility

Classified Employees

Vacation Leave

- Vacation leave accrual begins immediately upon employment, prorated for the portion of the month the employee is in paid status.
- Vacation leave is accrued to the employee on the last day of the month and **is available for use the first day of the next calendar month**, following the initial six full calendar months of service for a full-time classified employee. A part-time classified employee may also use vacation leave after six full calendar months.
- Vacation leave accrual rate is based on the classified employee's years of service and is prorated according to his/her appointment percentage. See Article 43: Vacation Leave, in the SEIU collective bargaining agreement for accrual rates.
- Vacation leave may accumulate to a maximum of 250 hours. Hours accrued in excess of this amount are forfeited by the classified employee and cannot be reinstated.
- Vacation leave is earned during sick leave with pay and during other periods of paid leave.
- A classified employee may not borrow vacation leave against future vacation leave accrual.
- A classified employee who terminates employment or is laid off is entitled to compensation for his/her unused vacation leave balance to a maximum of 250 hours at his/her current rate of pay.
- A classified employee who terminates employment before completing the six-month wait period will not receive vacation leave nor will he/she be compensated for vacation leave accrued.
- Upon termination a classified employee will receive prorated leave accruals if not in paid status the full last month.
- Vacation leaves are scheduled with the approval of the classified employee's supervisor and should be planned cooperatively with the employee, in such a manner as to minimize disruption to the organization. Supervisors must be reasonable in allowing the use of vacation leave and may not unreasonably deny vacation requests where the result would be the forfeiture of accrued vacation.
- Intermittent and seasonal classified employees: see Article 43: Vacation Leave, Section 1, of the SEIU collective bargaining agreement.
- If a retiree is hired into a leave eligible classified position, he/she begins employment with zero (0) vacation leave accrual balances regardless of their previous employment at the University, if any. The six-month wait period applies before leave is available for usage.

Sick Leave

- Sick leave accrual begins immediately upon employment, prorated for the portion of the month the employee is in paid status.
- **Sick leave is not available for use until the 1st of the month following the month or pay period in which it was earned.**
- Actual time worked and all leave with pay is counted in determining the prorated accrual of sick leave credits each month.
- There is no limit to the amount of sick leave that may be accrued by a classified employee.

- Employees who have earned sick leave credits shall be eligible for sick leave for any period of absence from employment which is due to the employee's illness, bodily injury, disability resulting from pregnancy, necessity for medical or dental care, attendance at an employee assistance program, exposure to contagious disease, attendance upon members of the employee's family member (child, spouse, domestic partner, custodial parent, non-custodial parent, adoptive parent, foster parent, biological parent, step parent, parent-in-law, parent of domestic partner, grandparent or grandchild of the employee, or a person with whom the employee is or was in a relationship of in loco parentis. It also includes the biological, adopted, foster or stepchild of an employee or the child of an employee's domestic partner, or any other member deemed eligible pursuant to Federal or State law) where the employee's presence is required because of illness or death in the immediate family of the employee or the employee's spouse or domestic partner. The employee has the duty to ensure that the employee makes other arrangements, within a reasonable period of time, for the attendance upon children or other persons in the employee's care. When an employee is physically able, the employee will provide reasonable notice, as appropriate to the unit/department, to the supervisor or designee of an absence due to illness. For scheduled healthcare, an employee will provide reasonable notice, as appropriate to the unit/department, to the supervisor or designee.
- Certification of a physician or practitioner may be required to support the classified employee's claim for sick leave.
- A classified employee who is in paid status for less than 1.0 FTE for the month will accrue sick leave with pay on a prorated basis.
- A classified employee who has been separated from one of the former OUS universities and returns to a position in the bargaining unit at the same university within two (2) years shall have unused sick leave credits accrued during previous employment restored. Employees who have been separated from one of the former OUS universities and return to a position in the bargaining unit at a different university within two (2) years shall have unused sick leave credits accrued during previous employment restored pursuant to PERS and the university's policies.
- A classified employee who terminates employment is not entitled to compensation for his/her unused sick leave balance.
- See the section **Other Leaves** for information regarding hardship leave for classified employees.
- If a retiree is hired into a post-retirement position, he/she begins their employment with 40 hours of sick leave regardless of their previous employment at the University.

Unclassified Employees

Vacation Leave

- An unclassified employee appointed into a 12-month appointment at 0.50 FTE or above will receive vacation leave accrual, proportional to the employee's appointment percentage, at the rate of 15 hours per month.
- An unclassified employee appointed into a 9-month appointment is not eligible to receive vacation leave accrual.
- A leave eligible unclassified employee who is FLSA exempt must use the appropriate type of accrued leave or, if they do not have leave, be placed on leave without pay if he/she is not engaged in assigned work responsibilities during their professional workweek.
- Vacation leave accrual begins the first of the month following date of hire or on the first of the month if the unclassified employee was hired on the first working day of the month.
- Vacation leave accrued is available for usage following six full calendar months of service. The six full calendar months of service do not have to be continuous (i.e., employee goes on leave without pay during first six months of employment, time worked before and after the leave is counted toward the six full calendar months of service).

- ***Vacation leave is not available for use until the 1st of the month following the month or pay period in which it was earned.***
- Vacation leave may accumulate to a maximum accrual of 260 hours. Hours accrued in excess of this amount are forfeited by the unclassified employee and cannot be reinstated.
- Vacation leaves are scheduled with the approval of the unclassified employee's supervisor and should be planned cooperatively with the employee, in such a manner as to minimize disruption to the organization. Supervisors must be reasonable in allowing the use of vacation leave and may not unreasonably deny vacation requests where the result would be the forfeiture of accrued vacation.
- A 9-month unclassified employee appointed to a 12-month appointment receives credit for the previous 9-month appointment period on a pro-rata basis if there has not been a break in service between the 9- and 12-month appointments.
- An unclassified employee may not borrow vacation leave against future vacation leave accrual.
- An unclassified employee who terminates employment before completing the six month wait period will not receive vacation leave nor will they be compensated for vacation accrued.
- An unclassified employee who terminates employment is entitled to compensation for his/her unused vacation leave balance to a maximum of 180 hours at his/her current rate of pay.
- Accrual of vacation leave is adjusted on a prorated basis for periods of leave without pay, sabbatical leave, and educational leave.
- An unclassified employee must be in paid status the entire last month to get their last month of accrual.
- An unclassified employee is not permitted to transfer vacation leave for use by another employee, either classified or unclassified.
- If a retiree is hired into a leave eligible unclassified position, he/she begins their employment with zero (0) vacation leave accrual balances regardless of their previous employment at the University, if any. The six-month wait period applies before leave is available for usage.

Sick Leave

- An unclassified employee appointed at 0.50 FTE or above receives sick leave accrual, proportional to the employee's appointment percentage, at the rate of 8 hours per month.
- Sick leave accrual begins immediately upon employment, prorated for the portion of the month the unclassified employee is in paid status.
- An unclassified employee whose appointment is less than .50 FTE is not eligible to accrue sick leave, but is eligible to use a prorated portion, based on current FTE, of sick leave accrued but unused while previously employed at .50 FTE or more. ***Note: This action must be entered by the Office of Human Resources into Banner HRIS.***
- A 9-month academic year unclassified employee employed .50 FTE or more who is appointed to an academic wage appointment during summer session is eligible to accrue and use sick leave during the summer appointment. Accrual rate and usage rules are the same as those that apply during the regular academic year.
- A 9-month academic year unclassified employee employed less than .50 FTE on an academic wage appointment during summer session is not eligible to accrue sick leave, but is eligible to use a prorated portion of sick leave earned but unused while previously eligible to accrue leave. ***Note: This action must be entered by the Office of Human Resources into Banner HRIS.***

- **Sick leave is not available for use until the 1st of the month following the month or pay period in which it was earned.**
- Sick leave is earned during sick leave with pay and during other periods of paid leave.
- Sick leave is not earned during periods of leave without pay.
- Employees hired only to teach or work during summer session are not eligible to accrue or use sick leave.
- There is no limit to the amount of sick leave that may be accrued by an unclassified employee.
- An unclassified employee who has earned sick leave must use his/her sick leave accrual for any period of absence from service that is due to the employee's illness, injury, disability resulting from pregnancy, necessity for medical or dental care, exposure to contagious disease or attendance upon members of the employee's immediate family (employee's parents, spouse, children, brother, sister, grandmother, grandfather, son-in-law, daughter-in-law or another member of the immediate household) where the employee's presence is required because of illness or death in the immediate family of the unclassified employee or the employee's spouse. As an alternative, the employee may submit a request to be on sick leave without pay, upon approval of his or her dean, director or department head. The University may require a physician's certificate to support the sick leave claim.
- An unclassified employee who terminates employment is not entitled to compensation for his/her unused sick leave balance.
- An unclassified employee cannot be returned from leave without pay solely for the purpose of being put on sick leave to be in paid status for benefits eligibility.
- **Sick leave without pay:** An unclassified employee may make a written request to the Vice Provost for Academic Affairs to be on sick leave without pay for up to one year when he/she has used all accrued sick leave with pay. The employee must submit a written request for the leave and is required to submit a physician's certificate attesting to the need for the requested leave period. Approval of such a request is at the discretion of the Vice Provost for Academic Affairs. Absences covered under the Federal Family and Medical Leave Act (FMLA) may have additional requirements for medical certifications.
- **Unearned sick leave advance:** A full-time tenured or tenure-track employee may receive a sick leave with pay advance as needed to provide the difference between sick leave earned at the onset of an illness or injury and 520 hours. A part-time tenured or tenure-track employee may receive a sick leave with pay advance proportional to his/her FTE. As sick leave is earned, the amount shall replace any sick leave advanced until all advanced time is replaced with earned time. No more than a 520 hour sick leave advance is available during a seven year period beginning with the first sick leave advance. A fixed-term unclassified employee may receive an advance so long as it does not 1) extend beyond the end date of their current appointment and 2) it can be repaid before the end of their current appointment, except upon written approval of the Vice Provost for Academic Affairs.
- An unclassified employee is not permitted to transfer sick leave for use by another employee, either classified or unclassified.
- If a retiree is hired into a leave eligible unclassified position, the employee's final sick leave balance in the pre-retirement position is recorded in Banner for retirement purposes, and then a balance of 40 hours is reinstated in the post-retirement position. Sick leave is available for usage, as outlined in this section.

Academic Wage Appointment Employees – Salaried

- A salaried academic wage appointment employee appointed at 0.50 FTE or above for a period of 90 days or longer receives vacation and sick leave accrual, proportional to the employee's appointment percentage, at the rates outlined for an unclassified employee.

- For benefits-eligible employees, vacation leave accrual begins the first of the month following date of hire or on the first of the month if the academic wage employee was hired on the first working day of the month.
- Accrued vacation leave is available for usage following six full calendar months of service.
- Vacation leave is accrued on the last day of the month and is available for use the first day of the next month, following the initial six full calendar months of service. Vacation leave cannot be used the same month in which it is earned.
- Sick leave accrues on the last day of the month and is available for use the first day of the next month. Sick leave cannot be used in the same month in which it is earned.
- A salaried academic wage appointment employee (non-returning retiree) is entitled to compensation for his/her unused vacation leave (up to 180 hours) upon completion of the appointment, termination or resignation if he/she has completed the six-month wait period.
- A returning retiree appointed to a salaried academic wage appointment does not receive terminal vacation payout upon termination from the academic wage appointment.
- Should an academic wage employee move directly from a salaried academic wage appointment to a regular classified or unclassified appointment, his/her leave balances will be transferred to his/her regular appointment. Vacation balances are available to the academic wage employee for use without a waiting period **if** the employee has already been employed in an academic wage appointment for six full calendar months immediately preceding the regular appointment. If not, the employee must fulfill the six month wait period before they may use accrued vacation leave.
- A salaried academic wage appointment solely for teaching summer session courses is not eligible to accrue or use vacation or sick leave.
- If a retiree is hired into a leave eligible unclassified position, the employee's final sick leave balance in the pre-retirement position is recorded in Banner for retirement purposes, and then a balance of 40 hours is reinstated in the post-retirement position. Sick leave is available for usage, as outlined in this section.

Academic Wage Appointment Employees – Hourly

- An hourly academic wage appointment employee appointed at 0.50 FTE or above for a period of 90 days or longer receives vacation and sick leave accrual, based on hours paid, at the rates outlined for an unclassified employee.
- An hourly academic wage appointment employee (non-returning retiree) is entitled to compensation for his/her unused vacation leave (up to 180 hours) upon completion of the appointment, termination or resignation.
- A returning retiree who is appointed in an hourly academic wage appointment does not receive terminal vacation payout upon termination from the academic wage appointment.
- If a retiree is hired into a leave eligible unclassified position, the employee's final sick leave balance in the pre-retirement position is recorded in Banner for retirement purposes, and then a balance of 40 hours is reinstated in the post-retirement position. Sick leave is available for usage, as outlined in this section.

Temporary Employees

- Temporary employees are ineligible to receive vacation accruals.
- Temporary employees will accrue and use sick leave based on the rules and requirements of the Oregon Sick Time Law. Rate of accrual will be one (1) hour for every thirty (30) hours worked. Temporary employees are to request sick leave in advance when appropriate and report sick leave used on their timesheet in EmpCenter.

Courtesy and Affiliate Faculty

- Courtesy and Affiliate Faculty are ineligible to receive vacation and sick leave accrual.

Graduate Assistant Employees

- See Article 30 - Sick Leave in the CGE collective bargaining agreement.

Student Employees

- Student employees are ineligible to receive vacation.
- Student employees will accrue and use sick leave based on the rules and requirements of the Oregon Sick Time Law. Rate of accrual will be one (1) hour for every thirty (30) hours worked.

Vacation and Sick Leave Accrual and Eligibility for an Employee Holding Multiple Positions

Employed in Multiple Classified Positions

- Vacation and sick leave is accrued based on the total aggregate appointment percent of the multiple classified positions held by the employee. If the aggregate is less than 1.0 FTE, then vacation and sick leave accruals are prorated.

Employed in Multiple Unclassified Positions

- Vacation and sick leave is accrued based on the total aggregate appointment percent of the multiple unclassified positions held by the employee. If the aggregate is less than 1.0 FTE, then vacation and sick leave accruals are prorated.

Employed in a Classified Position and an Unclassified Position

- Classified and unclassified positions do not aggregate for determination of leave eligibility or accrual rate. Eligibility is determined by the terms and conditions of the employment type for the position – either classified or unclassified.
- A classified position accrues leave on a prorated basis based on appointment percentage.
- An unclassified position must be leave eligible (0.50 FTE or above) in order to accrue vacation leave. Leave accrues on a prorated basis based on appointment percentage. An employee in a 12-month position is eligible to accrue vacation and sick leave; an employee in a 9-month position is eligible to accrue sick leave only. Refer to the section Unclassified Employee – Vacation and Sick Leave Accrual and Eligibility. **Note: Contact the Office of Human Resources before appointing an employee into both a classified and unclassified position or 9- and 12-month appointment at the same time.**

Transfer of Leave Balances

Employees Transferring between positions at OSU

From Classified Leave Eligible Position to Unclassified Leave Eligible Position (at OSU)

- The employee may transfer up to 80 hours of his/her unused vacation leave balance to the receiving department. The receiving department may elect to accept up to 250 hours of vacation leave.
- The former classified employee will receive cash compensation from the sending department for any remaining accrued vacation leave beyond 80 hours that is not transferred. This payout is not optional for the sending department.
- The former classified employee may use accrued vacation leave without serving a six month wait period.
- Employees are entitled to transfer all unused sick leave earned providing there has not been a break in service that exceeds two years.
- Unused exchange time accrued as a classified employee is forfeited upon transfer.

- Compensatory time accrued as a classified employee will be paid out by the sending department to the employee at the time of transfer at the employee's current rate of pay.
- Personal leave is forfeited upon transfer to an unclassified position.

From an Unclassified Leave Eligible Position to Classified Leave Eligible Position (at OSU)

- The employee may transfer up to 80 hours of his/her unused vacation leave balance to the hiring department. The hiring department may elect to accept up to 250 hours of vacation leave.
- The former unclassified employee will receive cash compensation from the sending department for any remaining accrued vacation leave beyond 80 hours that is not transferred.
- Vacation accrued during the first six months of the classified position may not be used until the seventh month of service. If the employee has transferred vacation leave hours from their former unclassified position, he/she may use these hours during the six month wait period, if approved by their supervisor.
- Employees are entitled to transfer all unused sick leave balance, including sick leave earned in unclassified service, provided the break in service upon transfer has not exceeded two years.

From a Classified Leave Eligible Position to a Different Classified Leave Eligible Position (at OSU)

- The full amount of the classified employee's vacation leave, sick leave, compensatory time, exchange time, and personal leave accrual balances transfer with the employee to the new classified leave eligible position.

From an Unclassified Leave Eligible Position to a Different Unclassified Leave Eligible Position (at OSU)

- The unclassified employee's vacation leave, sick leave, and compensatory time accrued balances transfer with the employee to the new unclassified leave eligible position.

Employees Transferring between prior OUS Institutions

From a Classified Leave Eligible Position to an Unclassified Leave Eligible Position

- The hiring institutional department is required to accept up to 80 hours of vacation leave accrual, and may accept up to 250 hours of vacation leave accrual. The former classified employee may use accrued vacation leave without serving a six month wait period as an unclassified employee.
- The full balance of the employee's sick leave accrual is transferred to the hiring institutional department.

From an Unclassified Leave Eligible Position to an Classified Leave Eligible Position

- The hiring institutional department is required to accept up to 80 hours of vacation leave accrual, and may accept up to 250 hours of vacation leave accrual. The former unclassified employee may not use accrued vacation leave without serving a six month wait period as a classified employee.
- The full balance of the employee's sick leave accrual is transferred to the hiring institutional department.

From an Unclassified to an Unclassified Position

- If a vacation leave eligible unclassified employee is transferring to another vacation leave eligible unclassified position, all accrued vacation leave **may** be transferred to the new position in the hiring institution. If, however, there is a break in service of more than 30 days between the end of the former position and the beginning of the new position, all accrued vacation leave will be paid out up to the maximum of 180 hours by the sending institution and the employee will be considered a new hire at the hiring institution.
- The full balance of the unclassified employee's sick leave accrual is transferred to the hiring institution department, regardless of the length of a break in service, if any.

From a Classified to a Classified Position

- Upon transfer of an employee with six (6) full months of service at a University covered by the collective bargaining agreement to a different University also covered by the collective bargaining agreement, the employee may elect to

have accrued vacation credits transferred to the gaining University, pursuant to that University's vacation policy. The employee shall be paid in cash from the departed University for that portion of accrued vacation credits not transferred, up to the maximum number of hours specified in Article 43: Vacation Leave, Section 11.

- Upon transfer of an employee with less than six (6) full months of service, all vacation credits accrued shall be transferred to the gaining university.
- The full balance of the classified employee's sick leave accrual is transferred to the hiring institution, regardless of the length of a break in service, if any.
- The full balance of the classified employee's personal leave balance is transferred to the hiring institutional department if there is no break in service.
- The classified employee's compensatory time does not transfer to the hiring institutional department. The employee will be paid by the sending institution all accrued compensatory time.
- The classified employee's exchange time does not transfer to the hiring institutional department. Exchange time is not compensable.

Employees Transferring to OSU from a State Agency

- Vacation and sick leave cannot be transferred to or from OSU.

Employee to Employee (at OSU)

- A classified employee may transfer vacation and compensatory leave to another eligible University classified employee for use as sick leave through the hardship leave provisions of the collective bargaining agreement. See the section **Other Leaves** for information regarding hardship leave for a classified employee.
- An unclassified employee is not permitted to transfer leave to another employee, unclassified or classified.

Vacation Leave Accrual Payout

Classified and Unclassified Employees

- An employee (classified or unclassified) who terminates employment before completing the six-month wait period, as specified by their employment type, is not eligible to receive vacation leave accrual and, therefore, is not eligible for vacation leave accrual payout.
- If a classified or unclassified employee has completed the six-month wait period and terminates employment or retires, he/she must be paid their vacation leave accrual balances by their department(s), up to the applicable maximum pay-out balance.
- If a classified or unclassified employee transfers to a leave ineligible position (such as 9-month, graduate assistant, student, less than 0.50 FTE, temporary, etc.), they must be paid their vacation leave accrual balances by their department(s), up to the applicable maximum pay-out balance.
- If an employee is retiring and being appointed to a post-retirement appointment or temporary position, he/she must be paid their vacation leave balances as noted above.
- An unclassified employee must repay his/her vacation pay-out if he/she returns to a vacation leave eligible unclassified position within 30 days of the date of his/her termination date; the employee's vacation leave balance is then reinstated. This provision is not applicable or available to a classified employee.
- If an unclassified employee is paid on grant, contract, or gift funds the department/unit may adjust the employee's termination date in order to have sufficient funds to cover the employee's salary and benefits, including terminal vacation payout.

Retirees

- Returning retirees who leave their post-retirement position do not receive vacation payout upon termination.

Vacation and Sick Leave Usage While on Leave of Absence

Classified Employees

- A classified employee must use all available applicable leave before going on authorized leave without pay. The only exception is if the employee is not out for a sick leave reason as defined in Article 36: Sick Leave, Section 2(A) of the collective bargaining agreement. The employee can go on leave without pay with a remaining sick leave balance.

Unclassified Employees

- An unclassified employee who has earned sick leave must use it for any period of absence as defined in University Policy: 580-021 Conditions of Service.
- Should the employee exhaust all of his/her accrued sick leave with pay, he/she may make a written request to the Vice Provost for Academic Affairs to be on sick leave without pay for up to one year (refer to University policy 580-021-0040 (4)). The employee must submit a physician's certificate attesting to the need for the requested leave period. Approval of such a request is at the discretion of the Vice Provost for Academic Affairs. Absences covered under the Federal Family and Medical Leave Act (FMLA) may have additional requirements for medical certifications.

Unclassified Employees on Sabbatical Leave

- While an unclassified employee is on sabbatical leave, vacation leave is accrued at a prorated amount on the portion of the employee's position that is in regular, active status if this portion meets eligibility criteria.
- While an unclassified employee is on sabbatical leave, sick leave is accrued at a prorated amount on the portion of the employee's position that is in regular, active status.

Status of Prior Leave Balances upon Return to Employment

Former Classified or Unclassified Employees Returning to OSU within Two Years Into a Leave Eligible Classified Position

- Sick leave balances are reinstated and may be used immediately by a classified employee.

Into a Leave Eligible Unclassified Position

- Sick leave balances are reinstated and may be used immediately by an unclassified employee.

Former Classified or Unclassified Employees Returning to OSU after a Two Year Break in Service Into a Leave Eligible Classified Position

- Prior unused sick leave accrual is not reinstated to the employee.

Into a Leave Eligible Unclassified Position

- Prior unused sick leave balances are reinstated and may be used immediately by the employee.

Other Leaves

Unless otherwise noted below, employee types not listed are ineligible for the leaves outlined.

Bereavement Leave

Classified Employees

- Classified employees shall be eligible for a maximum of four (4) work days of paid bereavement leave arising from a death in the immediate family of the employee or the employee's spouse or domestic partner. For purposes of this Article "immediate family" shall be defined as in Article 36: Sick Leave, Section 2(A) of the collective bargaining agreement. If necessary, an employee may use no more than ten (10) additional days of accrued leave, including sick leave, or if leave is not available, leave without pay, at the time of death of an immediate family member. Additional leave, other than sick leave, may be granted to discharge additional

customary obligations, arising from the death of an immediate family member and such request shall not unreasonably be denied.

Unclassified Employees

- An unclassified employee may use a reasonable amount of accrued sick leave for a period of absence due to attendance upon members of the employee's immediate family (employee's parents, spouse, children, brother, sister, grandmother, grandfather, son-in-law, daughter-in-law or another member of the immediate household) where the unclassified employee's presence is required because of death in the immediate family of the unclassified employee or the death of the unclassified employee's spouse. Vacation leave or leave without pay may be granted to discharge additional customary obligations, arising from the death of an immediate family member.

Career Development and Educational Leave

- Career development and educational leave is available to unclassified and classified employees as approved by supervisor.

Compensatory (Comp) Time

Classified Employees

- Compensatory (comp) time is leave time accrued in lieu of payment for hours worked in excess of eight (8) hours in a day or forty (40) in a single work week by an FLSA non-exempt, classified employee. Comp time is accrued at the rate of time-and-one-half up to a maximum accrual of 120 hours. The sum of all comp time and all exchange time accrued and available to an employee may not exceed a total of 120 hours maximum.

Unclassified – FLSA non-exempt Employees

- Compensatory (comp) time is leave time accrued in lieu of payment for hours worked in excess of forty (40) in a single work week by an **FLSA non-exempt**, unclassified employee. Comp time is accrued at the rate of time-and-one-half up to a maximum accrual of 240 hours.
- Comp time is to be "cashed out" upon an employee's termination from the University or transfer to another department or work unit.
- All overtime worked, overtime paid, comp time accrued, and comp time used must be reported on the employee's monthly timesheet.

Unclassified – FLSA Exempt Employees

- FLSA exempt unclassified employees are expected to work without regard to overtime.
- FLSA exempt unclassified employees are **not** eligible for comp time or payment of overtime (except for work on a holiday as noted below).
- FLSA exempt unclassified employees who have been designated "Essential" and required to work on a University recognized holiday are to be compensated at the rate of time-and-one-half. Compensation may be in the form of pay or comp time at the discretion of the employee's department. An employee must have his/her supervisor's prior approval to work on a University recognized holiday.
- An FLSA exempt unclassified employee must use the appropriate type of accrued leave or, if they do not have leave, be placed on leave without pay if he/she is not engaged in assigned work responsibilities during their professional workweek.

Crime Victim Leave

Classified and Unclassified Employees

- In compliance with the provisions of ORS 659A.190 – 659A.198, the University will grant a classified or unclassified employee leave without pay or vacation leave, compensatory time, or personal leave at the option of the employee, to attend a criminal proceeding when the employee or a member of the employee's immediate family is a crime victim.

Exchange Leave

Classified Employees

- Exchange time is leave accrued at the rate of an hour for each hour worked in excess of eight (8) hours in a day or forty (40) hours in a week by an FLSA exempt, classified employee. The sum of all comp time and all exchange time accrued and available to an employee may not exceed a total of 120 hours maximum.
- Exchange time must be used within the fiscal year earned or it is lost. However, time earned in the last 90 days of the fiscal year may, at the department's discretion, be carried forward to the next fiscal year. Such carry-forward will not increase the 120-hour maximum accrual amount for the next fiscal year.
- It is the employee's responsibility to take all necessary steps to request the use of exchange time during the fiscal year. If the employee's request for use of exchange time prior to the end of the fiscal year is denied, the accrued leave shall be paid as compensation.

Unclassified Employees

- Not eligible for exchange leave.

Family Medical Leave Act (FMLA) and Oregon Family Leave Act (OFLA)

- Refer to <http://oregonstate.edu/admin/hr/fmla.html> for rules and provisions regarding FMLA and OFLA for classified and unclassified employees. You may also contact FMLA@oregonstate.edu

Hardship Leave

- A classified employee may make an irrevocable donation of accumulated vacation leave and compensatory time to another classified employee as sick leave. The receiving employee must make application for donated leave with the Office of Human Resources and provide a treating physician's certification that the employee's illness or injury will continue for at least thirty (30) days following the employee's projected exhaustion of his/her accumulated leave. Refer to Article 36: Sick Leave, Section 8. Hardship Leave, of the collective bargaining agreement for provisions covering hardship leave.

Holidays

- Classified and unclassified employees do not receive a paid holiday if the holiday occurs while they are on leave without pay.
- Refer to <http://oregonstate.edu/admin/hr/holidays.html> for rules and provisions regarding University holidays for classified and unclassified employees.
- Salaried academic wage appointment employees receive paid holidays if they have worked the day before or will be working the day after the holiday.
- Hourly academic wage appointment employees do not receive paid holidays.
- Temporary employees do not receive paid holidays.
- Courtesy and Affiliate Faculty do not receive paid holidays.
- Graduate assistants and student employees do not receive paid holidays.

Inclement Weather, Hazardous Conditions or Events Causing Work Curtailment - Leave Usage and Reporting

Classified Employees

- Classified employees shall be granted forty-eight (48) hours of paid time to use in the event an entire campus receives a delayed opening or is closed due to inclement weather or hazardous conditions as per Article 58: Inclement Weather or Hazardous Conditions, Section 2(C).

Unclassified Employees

- Refer to http://oregonstate.edu/admin/hr/incl_weather_matrix.pdf and <http://oregonstate.edu/admin/hr/inclementweathertimereporting.pdf>.

Jury Duty

Classified Employees

- A classified employee will be granted leave with pay for service on a jury. The classified employee may keep any money paid by the court for serving on a jury. The University reserves the right to petition for removal of the employee from jury duty if, in the University's judgment, the operating requirements of the University would be hampered. Whenever possible, subject to University operating requirements, employees selected by proper authority for jury duty will be placed on a day shift, Monday through Friday, during the period they are obligated to jury duty. The University will not suffer any penalty payments for the change in the work schedule of the classified employee on jury duty.
- When a classified employee is not the plaintiff or defendant, he/she will be granted leave with pay for appearance before a court, legislative committee, or judicial or quasi-judicial body as a witness in response to a subpoena or other direction by proper authority for matters other than the employee's officially assigned duties. The classified employee may keep any money paid in connection with the appearance.
- A classified employee will be granted leave with pay for attendance in court in connection with an employee's officially assigned duties, including the time required going to court and returning to his/her work-station. When the classified employee is granted leave with pay, he/she will turn into the University any money received for such attendance during duty hours.
- In the event a night or swing shift classified employee is called to appear under the instances outlined above, he/she will have release time the day of attendance. Time spent in attendance and in travel to and from his/her work-station will be deducted from the regular shift following the attendance with no loss of wages or benefits.

Unclassified Employees

- The supervisor, department chair, or unit head must be informed in writing by an unclassified employee when he/she has been selected for jury duty. Time spent in jury duty is considered leave with pay.
- Appearance before a court, legislative committee, or quasi-judicial body as a witness must be in response to a subpoena or other directive from the proper court authority. The supervisor, department chair, or unit head must be informed in writing by the unclassified employee that he/she has been subpoenaed or directed to appear.
- If an unclassified employee is making a court or legislative appearance as part of his/her consulting or other similar "outside activities," the appearance must comply with University policies and procedures for outside activities. In all cases, the supervisor, department chair, or unit head must be informed in writing and court appearances scheduled to provide minimal disruption to the University.
- Jury duty leave with pay does not apply if the unclassified employee has been charged with a crime.

Leave Without Pay

Classified Employees

- Classified employees are subject to the provisions of the SEIU collective bargaining agreement regarding leave without pay. Refer to Article 40: Leaves of Absence Without Pay.
- A classified employee must use all of their leave balances prior to going on authorized leave without pay.

Unclassified Employees

- Refer to Faculty Requested Leave Without Pay Policy and Procedures located at <https://hr.oregonstate.edu/manual/faculty-requested-leave-without-pay>

Military Leave

Classified Employees

- A classified employee who has served with one of the Universities, the State of Oregon, or the states' counties, municipalities or other political subdivisions for six (6) months or more immediately preceding an application for military leave, and who is a member of the National Guard or of any reserve components of the armed forces of the United States is entitled to a leave of absence with pay for a period not exceeding fifteen (15) calendar days

or eleven (11) work days in any training year. If the training time for which the employee is called to active duty is no longer than fifteen (15) calendar days, the employee may be paid for the first fifteen (15) days only if such time is served for the purpose of discharging an obligation of annual active duty for training in the military reserves or National Guard.

- A classified employee voluntarily or involuntarily seeking military leave without pay to attend service school will be entitled to such leave during a period of active duty training.
- Leaves of absence without pay will be granted to regular classified employees who enter the military service of the United States. Such employees will be returned to service in compliance with the Veterans' Reemployment Rights Law, Title 38, USC Chapter 43.

Unclassified Employees

- An Unclassified employee who has served with one of the Universities, the State of Oregon, or the states' counties, municipalities or other political subdivisions for six (6) months or more immediately preceding an application for military leave, and who is a member of the National Guard or of any reserve components of the armed forces of the United States is entitled to a leave of absence with pay for a period not exceeding fifteen (15) calendar days or eleven (11) work days in any training year. If the training time for which the employee is called to active duty is no longer than fifteen (15) calendar days, the employee may be paid for the first fifteen (15) days only if such time is served for the purpose of discharging an obligation of annual active duty for training in the military reserves or National Guard.
- Leaves of absence without pay will be granted to regular unclassified employees who enter the military service of the United States. Such employees will be returned to service in compliance with the Veterans' Reemployment Rights Law, Title 38, USC Chapter 43.

Parental Leave

Classified Employees

- A classified employee will be granted a leave of absence up to twelve (12) weeks to care for a new baby. Such leave can be less than twelve (12) weeks, if so requested by the classified employee, or at the discretion of management more than twelve (12) weeks, depending on the needs of the University/college. During the period of parental leave, the classified employee is entitled to use accrued vacation leave, compensatory time, leave without pay, or consistent with BOLI regulations, sick leave. Please contact the Office of Human Resources for additional information regarding Oregon Family Medical Leave Act (OFLA) and Family Medical Leave Act (FMLA) as it pertains to parental leave.

Unclassified Employees

- An unclassified employee has the right to parental leave under State of Oregon and Federal laws if they meet the qualifications. According to University Policy: 05-035 Paid Parental Leave for Faculty - Oregon State University will provide eligible faculty members with 60 hours of paid parental leave upon the birth or adoption of a child to care for and bond with their newborn or newly-adopted child.

Peace Corps Leave

Classified Employees

- Leaves of absence without pay for at least two (2) years will be granted automatically to all regular classified employees who serve in the Peace Corps as volunteers. Upon expiration of the leave, the classified employee will have the right to be reinstated to the position held before the leave was granted and at the salary rates prevailing for such positions on the date of resumption of work without loss of seniority or other employment rights. Failure of the employee to report within ninety (90) days after termination of his/her service will be deemed to be a resignation.

Personal Leave

Classified Employees

- After completion of six months of service, a classified employee is entitled to receive personal leave days in the following manner:
 - A full-time classified employee will be credited with twenty-four hours of personal leave with pay each fiscal year;

- A part-time or seasonal classified employee will be credited with personal leave in a prorated amount of twenty-four hours based on the same percentage or fraction of month they are hired to work, provided it is anticipated that they will work 1,040 hours during the fiscal year. Should the classified employee fail to work 1,040 hours for the fiscal year, the value of personal leave time used may be recovered from the employee by the University.
- Personal leave is not cumulative from year to year nor is any unused leave compensable in any other manner.
- Personal leave may be used by the classified employee for any purpose he/she desires and may be taken at times mutually agreeable to the classified employee and his/her supervisor.
- Personal leave is forfeited by a classified employee if he/she becomes employed in an unclassified position.

Unclassified Employees

- An unclassified employee is not eligible for personal leave.

Pre-Retirement Counseling
Classified Employees

- If an employee is within five (5) years of the employee’s retirement eligibility date, the employee shall be granted up to three and one-half (3-1/2) days leave with pay to pursue bona fide pre-retirement counseling programs. However, an employee may draw up to four (4) hours of the employee’s three and one-half (3-1/2) days of pre-retirement counseling leave after completion of ten (10) years of service prior to reaching five (5) years from retirement. Employees shall request the use of leave provided in Article 41: Pre-Retirement Counseling Leave at least five (5) calendar days prior to the intended date of use.
- Authorization for the use of pre-retirement counseling leave shall not be withheld unless the university determines that the use of such leave shall not interfere with the efficiency of the employee’s work unit.
- When the dates requested for pre-retirement leave cannot be granted for the above reason, the university shall offer the employee a choice from three (3) other sets of dates. The leave herein discussed may be used to investigate and assemble the employee’s retirement program, including PERS, Social Security, insurance and other retirement income.

Unclassified Employees

- An unclassified employee seeking pre-retirement counseling may use vacation leave or leave without pay upon approval of their supervisor in such a manner as to minimize disruption to the department/unit.

Public Emergency Leave
Classified Employees

- An employee shall be allowed to take leave with pay to volunteer at no further cost to the university, in a public emergency operation within the State of Oregon that is at the request of a Local, State, or Federal agency. The leave shall be for a period of no more than ten (10) work days per calendar year. The employee, within ten (10) work days of returning to duty at the university, will provide to the university documented evidence of participation in the operation and accurately report the time in the Employer’s timekeeping system.
- Accrued leave, except for sick leave, for additional days may be approved subject to the operating requirements of the employee’s department.

Sabbatical Leave

- Refer to Sabbatical Leave Application and Contract Policy and Procedures located at <https://hr.oregonstate.edu/manual/sabbatical-leave>

Special Day

Classified Employees

- Full time employees shall receive eight (8) hours of paid leave. Part-time, seasonal and job share employees shall receive a prorated share of eight (8) hours of paid leave at their regular straight time rate of pay based upon the same percentage or fraction of month, as they are normally scheduled to work. Paid leave granted as

specified in Article 38: Holidays, Section 2 Special Day(s) in the collective bargaining agreement, shall be accrued by all classified employees employed as of November 15 of each year. Employees may request the option of using this paid leave on any mutually agreeable day between, and including, the day before Thanksgiving and January 31. Where no day during this time can be mutually agreed upon, another day of the employee's choice shall be granted; provided that approved usage does not create the closure of facilities. This day must be used no later than June 30 of that fiscal year or it is forfeited and is not compensable.

Unclassified 12-Month Employees Only

- Unclassified 12-month employees shall receive eight (8) hours (pro-rated based on FTE for part-time employees) to be taken between the day before Thanksgiving and January 31. The OSU Unclassified Special Day is to be taken in a single block of time. Eligible unclassified employees should record this leave using Pay Code Special Day in EmpCenter. Unclassified employees who are unable to be away from their duties to take the additional day of paid leave are to be allowed to use the paid leave prior to June 30 of the current fiscal year. The employee must coordinate schedules with his/her supervisor to maintain regularly scheduled services.
- Employees not employed between the day before Thanksgiving and January 31 are ineligible to receive this additional day of paid leave.

References

Classified Employees

SEIU Collective Bargaining Agreement

<https://hr.oregonstate.edu/employees/current-employees/bargaining-contracts>

- Article 35 Personal Leave Days
- Article 36 Sick Leave
- Article 37 Bereavement Leave
- Article 38 Holidays
- Article 39 Leaves With Pay
- Article 40 Leaves of Absence Without Pay
- Article 41 Pre-Retirement Counseling Leave
- Article 42 Public Emergency Leave
- Article 43 Vacation Leave

Unclassified Employees

Vacations - Oregon Administrative Rule 580-021-0030

http://arcweb.sos.state.or.us/rules/OARS_500/OAR_580/580_021.html

Sick Leave Plan for Academic Personnel - Oregon Administrative Rule 580-021-0040

http://arcweb.sos.state.or.us/rules/OARS_500/OAR_580/580_021.html

Transfer of Accumulated, Unused Sick Leave - Oregon Administrative Rule 580-021-0041

http://arcweb.sos.state.or.us/rules/OARS_500/OAR_580/580_021.html

Academic Staff Holidays - Oregon Administrative Rule 580-022-0025

http://arcweb.sos.state.or.us/rules/OARS_500/OAR_580/580_022.html

Other Guidelines, Policies and Procedures

Crime Victim Leave <http://www.leg.state.or.us/ors/659a.html>

Fair Labor Standards Act (FLSA) Reporting and Overtime Compensation Guidelines

<http://oregonstate.edu/admin/hr/flsa.pdf>

<http://oregonstate.edu/admin/hr/flsaclass.pdf>

Family Medical Leave Act (FMLA) and Oregon Family Leave Act (OFLA)

<http://oregonstate.edu/admin/hr/fmla.html>

Holidays <http://oregonstate.edu/admin/hr/holidays.html>

Inclement Weather, Hazardous Conditions or Events Causing Work Curtailment - Leave Usage and Reporting http://oregonstate.edu/admin/hr/incl_weather_matrix.pdf

<http://oregonstate.edu/admin/hr/inclementweathertimereporting.pdf>

Office of Human Resources <http://oregonstate.edu/admin/hr>

Sabbatical Leave <http://oregonstate.edu/admin/hr/sabbapp.pdf>