



# UTAH VALLEY UNIVERSITY

## Policies and Procedures

<b>POLICY TITLE</b>	Employee Leave ( <b>TEMPORARY</b> )	<b>Policy Number</b>	361
<b>Section</b>	People and Culture	<b>Approval Date</b>	December 5, 2024
<b>Subsection</b>	Compensation and Benefits	<b>Effective Date</b>	December 5, 2024
<b>Responsible Office</b>	Office of the Vice President of People and Culture		

### 1.0 PURPOSE

1.1 An important component of Utah Valley University’s compensation program for full-time employees is the provision of leave (paid and unpaid) to support employees’ wellness and work/life balance.

### 2.0 REFERENCES

- 2.1 *Family and Medical Leave Act of 1993 (FMLA)*
- 2.2 *Uniformed Services Employment and Reemployment Rights Act (USERRA)*
- 2.3 *Bereavement Leave for Miscarriage and Stillbirth, Utah Code § 53B-1-116*
- 2.4 *Utah Board of Higher Education Policy R821 Employee Benefits*
- 2.5 *UVU Policy 162 Title IX Sexual Harassment*
- 2.6 *UVU Policy 165 Discrimination, Harassment, and Affirmative Action*
- 2.7 *UVU Policy 371 Performance Management and Development for Full-Time Staff Employees*
- 2.8 *UVU Policy 325 FLSA Compliance: Exempt/Nonexempt Classification, Wages, and Work Hours*
- 2.9 *UVU Policy 601 Classroom Instruction and Management*
- 2.10 *UVU Policy 640 Faculty Sabbatical Leave*



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### 3.0 DEFINITIONS

**3.1 Child:** A biological child, adopted or foster child, stepchild, legal ward, or a child of a person standing in loco parentis, as defined in the related federal regulation.

**3.2 Full-time employee:** An employee hired into a position in which the University has a reasonable belief that the employee will work at least 130 hours per month (30 hours per week) in a 12-month measurement period. A full-time employee is eligible for benefits, including medical insurance.

**3.2.1 Full-time exempt employee:** A classification of employees who meet the applicable FLSA salary level, salary basis, and duties test of one or more of the executive, administrative, academic administrative, or professional exemptions, or an employee performing non-manual work and paid a total annual compensation that meets the highly compensated employee exemption.

**3.2.2 Full-time nonexempt employee:** A classification of employees who are paid either by a wage rate or by a salary that is based on a per hour wage rate who primarily perform work that is subject to the overtime provisions of the FLSA and who receive time and a half for hours worked beyond 40 hours a week.

**3.3 Immediate family:** Employee's grandparent, parent, sibling, spouse, child, or grandchild; in-law, foster or step relatives in the relationships listed; relatives of the employee's spouse in the relationships listed; and next of kin.

**3.4 Miscarriage:** The spontaneous or accidental loss of a fetus, regardless of the gestational age or duration of the pregnancy.

**3.5 Serious health condition:** An illness, injury, impairment, or physical or mental condition as defined in the *Family and Medical Leave Act*.

**3.6 Service:** Performance of duty on a voluntary or involuntary basis in a uniformed service, including active duty, inactive duty, and full-time National Guard duty.

### 4.0 POLICY

#### 4.1 Scope of Policy

**4.1.1** This policy applies to full-time exempt and nonexempt employees including executives, faculty, and staff.

#### 4.2 Policy Statement



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**4.2.1** Utah Valley University provides employees the following health-related leaves of absence with or without pay and benefits:

**4.2.1.1** Family and Medical Leave Act (FMLA) (Section 5.3);

**4.2.1.2** Sick leave (Section 5.11).

**4.2.2** Utah Valley University provides employees the following non-health-related leaves of absence with or without pay and benefits:

**4.2.2.1** Administrative leave (Section 5.1);

**4.2.2.2** Community service leave (Section 5.2);

**4.2.2.3** Bereavement leave (Section 5.4);

**4.2.2.4** Jury and witness leave (Section 5.5);

**4.2.2.5** Leave without pay (Section 5.6);

**4.2.2.6** Military leave (Section 5.8);

**4.2.2.7** Parental leave (Section 5.9);

**4.2.2.8** Personal leave (Section 5.10);

**4.2.2.9** Sabbatical leave (Section 5.11 and UVU Policy 640 *Faculty Sabbatical Leave*); and

**4.2.2.10** Vacation leave (Section 5.13).

**4.2.3** Employees are expected to request and receive prior authorization for leave from their immediate supervisor or, in certain cases, the appropriate leave administrator. To minimize disruption, employees shall notify their immediate supervisor before their scheduled work time of an unexpected absence.

**4.2.4** Authorization of paid leave is subject to a reasonable assumption and expectation that the employee granted leave will return to active work upon conclusion of the approved paid leave.

**4.2.5** People and Culture maintains official leave records in UVU's time management system. Employees must submit all leave requests through UVU's time management system, rounded to the nearest  $\frac{1}{4}$  hour.

**4.2.6** Employees are responsible for submitting leave requests in a timely manner and in accordance with this policy. Supervisors are responsible for reviewing and approving or denying leave requests in a timely manner and in accordance with this policy.



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### 4.3 Relationship with Other Policies

4.3.1 Utah Valley University has separate policies that govern the administration of the following forms of leave:

4.3.1.1 UVU Policy 365 *Consulting Leave*, and

4.3.1.2 UVU Policy 640 *Faculty Sabbatical Leave*.

4.3.2 This policy does not apply to administrative suspensions, with or without pay and benefits, implemented in accordance with UVU Policy 162 *Title IX Sexual Harassment*; UVU Policy 165 *Discrimination, Harassment, and Affirmative Action*; UVU Policy 371 *Performance Management and Development for Full-Time Staff Employees*; or UVU Policy 648 *Faculty Personnel Reduction*.

## 5.0 PROCEDURES

### 5.1 Administrative Leave (Leave with Pay)

5.1.1 Full-time executive and exempt staff employees who wish to pursue full-time programs of study, training, or experience related to their position at the University may be granted administrative leave for a maximum of 12 consecutive calendar months. Administrative leave is not considered a reward for outstanding service but is a part of a professional development plan designed to improve the employee's service to the University. The granting of administrative leave is made upon recommendation of the President with approval of the Board of Trustees.

5.1.2 By accepting administrative leave, the employee certifies their agreement to return to the University and complete at least one full year of service following the conclusion of the approved leave period. Employees who fail to complete one year of university service following the conclusion of the administrative leave are required to repay the University the value of the administrative leave pay received during the leave period.

### 5.1.3 Eligibility for Administrative Leave

5.1.3.1 Full-time executive and exempt staff employees are eligible to apply for administrative leave after three full years of continuous full-time service at the University, provided no other administrative or sabbatical leave with pay or partial pay has been taken during this three-year period.

### 5.1.4 Application for Administrative Leave

5.1.4.1 Employees requesting administrative leave must file an application at least three calendar months prior to the requested beginning date of the leave. The application shall contain a statement of the applicant's educational, training, or experience plan; the reason for requesting



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the leave; the benefit of the leave to the University; the period of leave time requested; and other information or data to justify the requested administrative leave. Contact the Office of People and Culture to begin application process.

**5.1.4.2** The request must be supported by the employee's direct supervisor, second-level supervisor, and appropriate Vice President/Provost for submission to the President. The President will consider the administrative leave application and, if supportive, will present the request to the Board of Trustees for their review and action.

**5.1.4.3** Administrative leave requests are subject to availability of funds and anticipated impact on programs, services, and processes.

### **5.1.5 Pay During Administrative Leave**

**5.1.5.1** Pay for employees on approved administrative leave is calculated on the annual base salary for the period during which the leave takes place as follows:

- 1) Three consecutive years of service—30 percent of base salary
- 2) Four consecutive years of service—40 percent of base salary
- 3) Five consecutive years of service—50 percent of base salary
- 4) Six or more consecutive years of service—60 percent of base salary

**5.1.5.2** Employees on approved administrative leave may utilize accrued vacation leave in combination with administrative leave to receive pay up to 100 percent of their annual base salary during the administrative leave.

### **5.1.6 Employment Status While on Administrative Leave**

**5.1.6.1** While on administrative leave, executives and exempt staff employees may be eligible for all general salary adjustments for which they would otherwise qualify.

**5.1.6.2** Employees on administrative leave retain UVU benefits in accordance with UVU benefits plans and policies.

**5.1.6.3** While on administrative leave, an employee may not accept or perform any compensated additional assignments for UVU.

### **5.2 Community Service Leave (Leave with Pay)**

**5.2.1** Each calendar year, full-time executive and exempt/nonexempt staff and faculty employees are allowed the equivalent of one working day (eight hours for staff and seven hours for faculty)



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of community service leave with pay to perform voluntary, uncompensated community service. This voluntary community service may be performed on an individual basis or with a group.

**5.2.2** Employees must request and receive prior approval from their supervisor for community service leave. Such community service leave for faculty must not alter or interfere with course schedules, content, or delivery, in accordance with UVU Policy 601.

### **5.3 Family and Medical Leave Act (FMLA)**

**5.3.1** In accordance with federal law, the University provides leave for eligible employees pursuant to the provisions under the *Family and Medical Leave Act of 1993* and all subsequent amendments.

**5.3.2** People and Culture is responsible for providing information about FMLA to university employees and administering UVU's FMLA program in compliance with the law.

**5.3.3** Employees shall contact People and Culture for information on eligibility requirements, leave entitlements and protections, employee and institutional rights and responsibilities, and leave usage.

**5.3.4** Supervisors are responsible to report, as soon as possible, to People and Culture any employee request for sick leave due to illness or injury requiring more than three (3) consecutive full-calendar days for substantiation of illness or injury and consideration of FMLA requirements.

**5.3.5** If an employee is on sick leave for a period of more than three (3) consecutive full-calendar days or for a reason that qualifies as a serious health condition, such leave may be designated as Family and Medical Leave Act (FMLA) leave in accordance with the FMLA.

**5.3.5.1** People and Culture will notify the employee in writing that such leave is being designated as FMLA leave. People and Culture will make this written notification within five business days of becoming aware that such sick leave may also qualify as FMLA leave.

**5.3.5.1.1** All conditions of FMLA leave, including certification and notice of intent to return to work, may apply to such leave.

**5.3.5.1.2** Under certain circumstances, the University may retroactively designate sick leave as FMLA leave.

**5.3.5.1.3** Leave under the FMLA is not an additional leave; rather, it is provided concurrently with sick leave.



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### **5.4 Bereavement Leave (Leave with Pay)**

**5.4.1** Full-time employees may request bereavement leave in the case of the death of an immediate family member or in the case of miscarriage or stillbirth (see section 3.4) as provided under section 5.4.2. An employee must submit their request to their supervisor at the earliest possible time. The immediate supervisor may grant bereavement leave to the extent they deem reasonable and necessary up to three (3) working days.

**5.4.2** Employees may request bereavement leave immediately following a miscarriage or stillbirth if

**5.4.2.1** the employee, or the employee's spouse or partner experienced miscarriage or stillbirth;

**5.4.2.2** the employee's former spouse or partner experienced the miscarriage or stillbirth and the employee would have been the biological parent of a child born from the pregnancy;

**5.4.2.3** the employee provides documentation to the Office of People and Culture to show that the individual who experienced the miscarriage or stillbirth intended the employee to be the adoptive parent of a child born from the pregnancy; or

**5.4.2.4** the employee would have been a parent of the child born of the pregnancy under a valid gestational agreement.

**5.4.3** Bereavement leave may be granted by an immediate supervisor to full-time employees (typically one day or less) to attend the funeral or memorial service for a university colleague. The granting of such leave is subject to the operational needs of the department as determined by the immediate supervisor.

### **5.5 Jury and Witness Leave (Leave with Pay)**

**5.5.1** Jury and witness leave with pay may be granted to full-time employees for the period during which the employee is absent from work in compliance with an official requirement to appear for jury service or a subpoena to appear as a witness at a trial, deposition, or other official proceeding. Employees must notify their immediate supervisor prior to the leave.

**5.5.2** Leave time for jury and witness service covers only time lost while actually engaged in jury service or in attendance as a witness and reasonable travel to and from the place of such service or attendance.

**5.5.3** When feasible, employees are expected to report daily to work before and/or after jury service or attendance as a witness.

**5.5.4** Employees are not entitled to jury and witness leave when the employee appears in court or participates in a court proceeding on their own behalf.



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### 5.6 Leave Without Pay

**5.6.1** A leave without pay may be granted for the following purposes:

**5.6.1.1** *Educational/Professional Leave:* Full-time employees may be granted educational/professional leave without pay to pursue a formal course of study or other professional/technical activity that will increase the value of the employee's service to the University upon return. This period of leave may not exceed 12 consecutive months.

**5.6.1.2** *Emergency Service Leave:* Full-time employees may be granted emergency service leave to perform technical or specialized service for the State of Utah or the United States government during a period of emergency. This period of leave may not exceed 12 consecutive months.

**5.6.1.3** *Special Leave Without Pay:* Full-time employees may be granted special leave without pay at the discretion of the President upon recommendation from the employee's supervisor and the Provost/Vice President. This period of leave may not exceed 12 consecutive months.

### 5.6.2 Eligibility for Leave Without Pay

**5.6.2.1** Full-time employees are eligible to apply for leave without pay after six (6) consecutive months of continuous full-time service at the University.

### 5.6.3 Application for Leave Without Pay

**5.6.3.1** Leave without pay may be requested by the employee through the Office of People and Culture. The application must be supported by the employee's direct supervisor, second-level supervisor, and Provost or appropriate Vice President and will be submitted to the President for review and action.

**5.6.3.2** Leave without pay requests are subject to the anticipated impact on programs, services, and processes.

### 5.6.4 Employment Status While on Leave Without Pay

**5.6.4.1** While on approved leave without pay, employees are not eligible for UVU benefits or for salary adjustments.

**5.6.4.2** Employees on approved leave without pay may not accept or perform any compensated assignments for UVU.

### 5.6.5 Intention to Return

**5.6.5.1** Leave without pay shall not be granted unless the employee fully expects to return to active service at the expiration of the leave. For leave without pay of less than nine months, the employee is expected to notify the University of their intention to return at least 30 days prior to





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the expiration of the leave. For leave without pay of nine months or longer, the employee is expected to notify the University of their intention to return at least 60 days prior to the expiration of the leave. Failure to provide timely notification of intention to return may result in voluntary termination by resignation.

### **5.6.6 Status Upon Return**

**5.6.6.1** An employee who has been granted a leave of absence without pay and who returns to active service on or before the expiration of the leave is entitled 1) to a position in the same classification or status and at the same level of seniority as the position they had at the commencement of the leave, and 2) to the amount of sick and/or vacation leave they had accrued at the commencement of the leave.

### **5.7 Military Leaves**

#### **5.7.1 Annual Military Training (Leave with Pay)**

**5.7.1.1** Eligible university employees who are members of the National Guard or organized reserve branch of the United States uniformed services are entitled to a leave with pay not to exceed fifteen (15) working days per year for time spent on duty at annual encampments, rifle competitions, or other duties in connection with the reserve training and instruction requirements of the United States uniformed services or National Guard.

#### **5.7.2 Military Leave (Leave Without Pay)**

**5.7.2.1** Eligible university employees who perform service in the Uniformed Services shall be granted a military leave without pay not to exceed five (5) years for such service (except as otherwise required by USERRA).

**5.7.2.2** Upon honorable completion of the period of service, an employee on military leave shall be restored to the position of employment held when the leave commenced or an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment, provided that

**5.7.2.2.1** The employee gave their supervisor advance notice of such service and provided People and Culture with a copy of their orders prior to the beginning of their leave;

**5.7.2.2.2** The cumulative length of such leave and all prior military leaves from the University do not exceed five (5) years (unless exceptions outlined in USERRA apply);

**5.7.2.2.3** The employee provides timely notice for reemployment to their supervisor; and

**5.7.2.2.4** The employee fulfills any other terms and conditions for reemployment required by law.



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**5.7.2.3** Retirement benefits will be paid for an employee on military leave pursuant to USERRA.

### **5.8 Parental Leave (Leave with Pay)**

**5.8.1** Full-time employees (or their legal spouse) expecting a new child through either birth or adoption are eligible for up to eight consecutive weeks of paid parental leave. Employees shall contact People and Culture and provide the required documentation at least 30 days prior to the expected date of birth or adoption to receive approval. Requested documentation may include proof of birth or proof of adoption.

**5.8.2** Parental leave may be used only in a single block of up to eight consecutive weeks, not intermittently. Extension of paid parental leave beyond the eight consecutive weeks will not be granted when the eight consecutive weeks include paid holidays or campus closures or, for faculty, non-faculty working days (such as breaks between semesters or summer).

**5.8.3** Parental leave will be available once on a rolling 12-month basis. Rare exceptions may be authorized by the employee's supervising executive leader upon recommendation of the Vice President of People and Culture.

**5.8.4** Parental leave must be completed within 12 months from the date of birth/adoption of the child (run consecutively with FMLA for eligible employees). Medical-related exceptions to begin parental leave early will be facilitated by People and Culture for an employee with accompanying medical documentation.

**5.8.5** In cases of miscarriage, stillbirth, or surrogacy (see section 5.4) birthing employees (or their spouse) who experience a miscarriage or stillbirth are eligible for parental leave with accompanying medical documentation. (See section 5.4.2.3.)

**5.8.6** Employees qualify for parental leave regardless of FMLA eligibility. FMLA-eligible employees will use FMLA concurrently with parental leave. Eligible employees may take a total of up to 12 weeks of job-protected leave in a rolling calendar year for pregnancy-related conditions, birth, and/or baby bonding. If an FMLA-eligible employee requests more than eight weeks, the additional leave shall be charged alongside remaining FMLA leave in the following order: 1) Sick leave (paid) 2) Personal leave (paid) 3) Compensatory time, if available (paid) 4) Vacation leave (paid) 5) Any remaining FMLA leave (unpaid)

**5.8.7** Employees who have exhausted available FMLA may be eligible for paid parental leave dependent on staffing needs as authorized by the employee's supervising executive leader upon recommendation of the Vice President of People and Culture.

**5.8.8** Employees on paid parental leave are not expected to perform work for UVU during the leave. Any voluntary work during parental leave will not extend the leave time or receive additional compensation. Employees may not accept or perform any additional compensated assignments for UVU.



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**5.8.9** Upon termination, an employee will not be compensated for any unused parental leave.

**5.8.10** This paid leave option will be available for leaves that begin on or after January 1, 2025. Please note that this benefit cannot be applied retroactively to any leaves taken before this date.

### **5.9 Personal Leave (Leave with Pay)**

**5.9.1** Personal leave may be granted to eligible full-time employees for personal business and emergencies that require the employee's absence from work.

**5.9.2** Full-time executives and exempt/nonexempt staff employees receive two days (16 hours) of personal leave per calendar year.

**5.9.3** Full-time faculty employees receive 1.5 days (10.5 hours) of personal leave for each full academic semester worked (21 hours) per fiscal year (July 1 to June 30).

**5.9.4** Pro-rated personal leave becomes available to new full-time employees after two full semi-monthly pay periods.

**5.9.5** Unused personal leave may not be carried forward from one leave year to the next.

**5.9.6** Upon termination, an employee will not be compensated for unused personal leave.

### **5.10 Sabbatical Leave (Leave with Pay)**

**5.10.1** Eligible full-time faculty may be granted sabbatical leave in accordance with UVU Policy 640 *Faculty Sabbatical Leave*.

### **5.11 Sick Leave (Leave with Pay)**

**5.11.1** Sick leave may be granted to eligible full-time employees who are unable to perform the functions of their position because of an illness, injury, or serious health condition, or because they are needed to care for an immediate family member with an illness, injury, or serious health condition.

**5.11.2** As possible, employees should arrange routine health care appointments during nonworking hours or try to schedule appointments at times that minimize disruption of work. Whenever possible, supervisors should be notified of such appointments in advance.

### **5.11.3 Accrual of Sick Leave**

**5.11.3.1** Full-time employees accrue sick leave at the rate of one-half day per semi-monthly pay period (faculty 3.5 hours, executives/staff 4 hours). Full-time employees with reduced assignments (less than 1.0 FTE) accrue sick leave in proportion to the reduced assignment.



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**5.11.3.2** Sick leave accrual begins for new full-time employees with their first semi-monthly pay period.

**5.11.3.3** Unused sick leave accrues continuously, and the balance remaining at the end of the leave year carries forward to the next leave year.

**5.11.3.4** Full-time employees hired directly from another Utah System of Higher Education institution will be able to transfer any accrued sick leave balance (maximum of 80 hours).

**5.11.3.5** Upon termination from the University, an employee will not be compensated for any accrued sick leave. Full-time employees who are rehired after termination (voluntary or involuntary) from the University shall not have sick leave accrued during prior university employment reinstated.

### **5.11.4 Use of Sick Leave**

**5.11.4.1** Sick leave may not be used for vacation purposes; however, employees may choose to use vacation or personal leave for absences otherwise eligible for sick leave.

**5.11.4.2** Sick leave requested in excess of the amount accrued shall be charged to any remaining leave in the following order:

- 1) Personal leave (paid)
- 2) Compensatory time, if available (paid)
- 3) Vacation leave (paid)
- 4) If eligible, any remaining FMLA leave (unpaid)
- 5) Unpaid leave resulting in a pay reduction for time not worked

**5.11.4.3** The University reserves the right to require medical documentation for absences due to illness or injury and designate leave in accordance with FMLA.

**5.11.4.4** If an employee is on sick leave for a period of more than three (3) consecutive full-calendar days or for a reason that qualifies as a serious health condition, such leave may be designated as Family and Medical Leave Act (FMLA) leave in accordance with the FMLA.

**5.11.4.4.1** People and Culture will notify the employee in writing that such leave is being designated as FMLA leave. People and Culture will make this written notification within five business days of becoming aware that such sick leave may also qualify as FMLA leave.



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**5.11.4.4.2** All conditions of FMLA leave, including certification and notice of intent to return to work, may apply to such leave.

**5.11.4.4.3** Under certain circumstances, the University may retroactively designate sick leave as FMLA leave.

**5.11.4.4.4** Leave under the FMLA is not an additional leave; sick leave runs concurrently with FMLA leave.

**5.11.4.5** An employee may not use their sick leave for longer than 120 consecutive calendar days without applying for Long-Term Disability and Social Security Disability. Approval or denial of disability benefits may affect an employee's use of accrued sick leave.

### **5.11.5 Sick Leave Conversion to Vacation Leave**

**5.11.5.1** After a full-time executive, exempt staff, or nonexempt staff employee has accumulated 18 unused sick leave days (144 hours), that employee is eligible to convert a limited amount of accrued sick leave to vacation leave at the beginning of the next calendar year.

**5.11.5.2** Qualifying employees shall be notified annually by People and Culture of the opportunity to convert unused sick leave days accumulated during the previous calendar year on a two-to-one basis for a maximum of four vacation days (32 hours). Notification shall include instructions for submitting a request for sick leave conversion.

**5.11.5.3** Employee requests for sick leave conversion must be submitted by February 15 each year.

### **5.11.6 Extended Sick Leave**

**5.11.6.1** In exceptional cases, after all personal leave, compensatory time (if applicable), accrued sick leave, and earned vacation leave has been exhausted, an employee can request extended sick leave with pay may be authorized by the employee's supervising executive leader upon recommendation of the Vice President for People and Culture. This leave is subject to the following:

**5.11.6.1.1** The employee is in good standing with the University.

**5.11.6.1.2** Extended sick leave is based on a serious health condition of the employee supported by medical documentation provided to People and Culture. Extended sick leave is not available for the care of a member of the employee's immediate family with an illness, injury, or serious health condition.



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**5.11.6.1.3** Extended sick leave may not exceed thirty (30) working days unless authorized by the employee's senior executive leader (Provost or vice president) upon recommendation of the Vice President for People and Culture and the employee's supervising executive leader.

**5.11.6.1.4** An employee may not use any combination of personal leave, compensatory time (if applicable), accrued sick leave, earned vacation leave, and extended sick leave longer than a continuous 4 months (120 days) without applying for Long-Term Disability and Social Security Disability.

**5.11.6.1.5** An employee may not use any combination of personal leave, compensatory time (if applicable), accrued sick leave, earned vacation leave, and extended sick leave longer than a continuous six (6) consecutive month period.

**5.11.6.1.6** If an employee is on sick leave and extended sick leave for a period of more than three (3) consecutive full-calendar days or for a reason that qualifies as a serious health condition, such leave may be designated as Family and Medical Leave Act (FMLA) leave in accordance with the FMLA.

**5.11.6.1.7** In no event shall extended sick leave be granted for a period extending beyond the earliest day on which benefits under either the University's disability insurance program or the Social Security Act are expected to become payable to the employee.

**5.11.6.2** If the employee returns to work or terminates employment before the expiration of authorized extended sick leave, the unused portion of the leave will be canceled.

### **5.12 Vacation (Leave with Pay)**

**5.12.1** Full-time executive and staff employees accrue vacation leave time and are encouraged to take vacation leave periodically as approved in advance by their immediate supervisor.

**5.12.2** Use of accrued vacation leave shall be arranged in advance and authorized by the responsible supervisor so that the efficiency and effectiveness of the organizational unit is not compromised.

**5.12.2.1** Vacation leave may be used with the approval of the supervisor upon completion of two (2) full semi-monthly periods of satisfactory employment.

**5.12.2.2** Vacation leave shall be submitted and approved through UVU's time management system prior to the leave request date.



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### 5.12.3 Eligibility and Accrual

**5.12.3.1** Full-time executives and staff (with the exception of contract-based athletic coaches) are eligible to accrue vacation leave. Full-time employees with reduced assignments (less than 1.0 FTE) accrue vacation leave in proportion to the reduced assignment.

**5.12.3.2** Vacation accrual occurs semi-monthly with each pay period.

**5.12.3.2.1** Eligible employees hired on or before the 10th of a month will receive vacation accrual for the first half of the month; eligible employees hired on or before the 25th of a month will receive vacation accrual for the second half of the month.

**5.12.3.2.2** Terminating employees working through the 10th of a month will receive vacation accrual for the first half of the month; terminating employees working through the 25th of a month will receive vacation accrual for the second half of the month.

**5.12.3.3** Executives accrue vacation at the rate of one day (8 hours) per semi-monthly pay period for a total of 24 days (192 hours) per 12-month period.

**5.12.3.4** As of January 1, 2025, full-time staff accrue vacation based on their date of employment as follows. For each three-year step, the increased rate for vacation accrual begins in the first month following the initial vacation leave service date. For example, if an employee begins working on July 1, 2020, the employee will accrue at the 0 to 3 years rate until July 1, 2023, when the employee will begin accruing at the 4 to 7 years rate.



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Years of Service	Rate at Which Vacation Is Accrued
0-3	15 days per 12 months (120 hours) 1.25 days per month (10 hours) 0.625 days semi-monthly (5 hours)
4-6	18 days per 12 months (144 hours) 1.5 days per month (12 hours) 0.75 days semi-monthly (6 hours)
7-9	21 days per 12 months (168 hours) 1.75 days per month (14 hours) 0.875 days semi-monthly (7 hours)
10+	24 days per 12 months (192 hours) 2 days per month (16 hours) 1 day semi-monthly (8 hours)

**5.12.3.5** Eligible full-time employees who are re-employed into an eligible full-time position shall have their prior years of service reinstated upon request to People and Culture. The vacation accrual rate shall be adjusted in accordance with the adjusted service date.

**5.12.3.6** Vacation leave continues to accrue during leaves of absence with pay, but it does not continue to accrue during a leave of absence without pay.

**5.12.3.7** Employees are encouraged to use rather than accumulate vacation leave. A maximum vacation leave accrual of 30 days (240 hours) may be carried forward from one calendar year to the next.

### **5.12.4 Payment for Unused Accrued Vacation Leave**

**5.12.4.1** Upon termination from the University or upon a change of assignment from a vacation leave eligible position to a non-vacation leave eligible position (such as a change of assignment from exempt staff to faculty), an employee shall be paid for all accrued vacation leave as of the termination date.

**5.12.4.2** Payment for unused vacation leave is computed by multiplying the terminating employee's current hourly rate of pay by the actual number of accrued hours. Payment for unused





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vacation leave shall not exceed the maximum of 240 hours plus the employee's current annual accrued vacation leave.

**5.12.4.3** Authorized compensation for unused vacation leave is normally included in the employee's final pay.

**5.12.4.4** Payment for unused vacation leave is a form of deferred compensation and, as such, cannot be withheld from an eligible individual who has been terminated from employment for any reason but is subject to deductions and offsets authorized by university policy or by legal requirements.

<b>POLICY HISTORY</b>		
March 6, 2003	Approved for Policy Manual.	UVU Board of Trustees
January 17, 2019	Approved for Policy Manual as a temporary emergency policy.	UVU Board of Trustees
December 5, 2019	Temporary Emergency policy renewed.	UVU Board of Trustees
March 25, 2020	Under a newly approved section of Policy 101 and due to the COVID-19 situation, all currently established Temporary Emergency policies have been extended six months beyond their original expiration date. This policy will now expire June 5, 2021	UVU Board of Trustees
June 24, 2021	Revised regular policy approved.	UVU Board of Trustees
January 29, 2024	Non-substantive changes to remove the use of "Human Resources"	UVU Policy Office
April 25, 2024	Compliance change mandated by SB 192, Utah Legislature 2024.	UVU President's Council
May 6, 2024	Compliance change ratified.	UVU Board of Trustees
December 5, 2024	Temporary policy approved.	UVU Board of Trustees