



UTAH VALLEY UNIVERSITY Policies and Procedures

Proposed Policy Number and Title: 361 Employee Leave		
Current Policy Number and Title: 361 Employee Leave		
Approval Process*		
<input checked="" type="checkbox"/> Regular	<input type="checkbox"/> Temporary	<input type="checkbox"/> Compliance Change
<input type="checkbox"/> New <input checked="" type="checkbox"/> Revision <input type="checkbox"/> Revision—Limited Scope <input type="checkbox"/> Deletion	<input type="checkbox"/> New <input type="checkbox"/> Revision <input type="checkbox"/> Revision—Limited Scope	<input type="checkbox"/> New <input type="checkbox"/> Revision—Limited Scope <input type="checkbox"/> Deletion
*See UVU Policy 101 <i>Policy Governing Policies</i> for process details.		

Draft Number and Date:	<u>Stage 2 Regular, February 6, 2026</u>
President’s Council Sponsor:	<u>Marilyn Meyer</u>
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POLICY APPROVAL PROCESS DATES		
REGULAR	TEMPORARY	COMPLIANCE
Drafting and Revision Entrance Date: <u>10/16/2024</u>	Drafting and Revision Entrance Date: <u>N/A</u>	President’s Council Approval Approval Date: <u>N/A</u>
University Entities Review Entrance Date: <u>2/12/2026</u> Close Feedback: <u>4/16/2026</u>	Board of Trustees Review Entrance Date: <u>N/A</u> Approval Date: <u>N/A</u>	Board of Trustees Ratification Ratification Date: <u>N/A</u>
Board of Trustees Review Entrance Date: _____ Approval Date: _____		



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POLICY TITLE	Employee Leave	Policy Number	361
Section	People and Culture	Approval Date	December 5, 2024
Subsection	Compensation and Benefits	Effective Date	December 5, 2024
Responsible Office	Office of the Vice President of People and Culture	Last Review	December 5, 2024

1.0 PURPOSE

1 **1.1** An important component of Utah Valley University’s compensation program for full-time
 2 employees is the provision of leave (paid and unpaid) to support employees’ wellness and
 3 work/life balance.

2.0 REFERENCES

- 4 **2.1** *Family and Medical Leave Act of 1993 (FMLA)*
- 5 **2.2** *Uniformed Services Employment and Reemployment Rights Act (USERRA)*
- 6 **2.3** *Bereavement Leave for Miscarriage and Stillbirth, Utah Code § 53B-1-116*
- 7 **2.4** *Utah Board of Higher Education Policy R821 Employee Benefits*
- 8 **2.5** *UVU Policy 162 Title IX Sexual Harassment*
- 9 **2.6** *UVU Policy 165 Discrimination and Harassment*
- 10 **2.7** *UVU Policy 371 Performance Management and Development for Full-Time Staff Employees*
- 11 **2.8** *UVU Policy 325 FLSA Compliance: Exempt/Nonexempt Classification, Wages, and Work*
 12 *Hours*
- 13 **2.9** *UVU Policy 601 Classroom Instruction and Management*
- 14 **2.10** *UVU Policy 640 Faculty Sabbatical Leave*
- 15



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3.0 DEFINITIONS

16 **3.1 Child:** A biological child, adopted or foster child, stepchild, legal ward, or a child of a person
17 standing in loco parentis, as defined in the related federal regulation.

18 **3.2 Extended family member:** An eEmployee’s aunts, uncles, nieces, nephews, and cousins.

19 **3.3 Full-time employee:** An employee hired into a position in which the University has a
20 reasonable belief that the employee will work at least 130 hours per month (30 hours per week)
21 in a 12-month measurement period. A full-time employee is eligible for benefits, including
22 medical insurance.

23 **3.2.1 Full-time exempt employee:** A classification of employees who meet the applicable FLSA
24 salary level, salary basis, and duties test of one or more of the executive, administrative,
25 academic administrative, or professional exemptions, or an employee performing non-manual
26 work and paid a total annual compensation that meets the highly compensated employee
27 exemption.

28 **3.2.2 Full-time nonexempt employee:** A classification of employees who are paid either by a
29 wage rate or by a salary that is based on a per hour wage rate who primarily perform work that is
30 subject to the overtime provisions of the FLSA and who receive time and a half for hours worked
31 beyond 40 hours a week.

32 **3.4 Immediate family:** Employee’s grandparent, parent, sibling, spouse, child, or grandchild; in-
33 law, foster or step relatives in the relationships listed; relatives of the employee’s spouse in the
34 relationships listed; and next of kin.

35 **3.5 Miscarriage/Stillborne:** The spontaneous or accidental loss of a fetus, regardless of the
36 gestational age or duration of the pregnancy a pregnancy as defined by medical documentation.-

37 **3.6 Serious health condition:** An illness, injury, impairment, or physical or mental condition as
38 defined in the *Family and Medical Leave Act*.

39 **3.7 Service:** Performance of duty on a voluntary or involuntary basis in a uniformed service,
40 including active duty, inactive duty, and full-time National Guard duty.

4.0 POLICY

41 **4.1 Scope of Policy**

42 **4.1.1** This policy applies to full-time exempt and nonexempt employees including executives,
43 faculty, and staff.



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44 4.2 Policy Statement

45 4.2.1 Utah Valley University provides employees the following health-related leaves of absence
46 with or without pay and benefits:

47 4.2.1.1 *Family and Medical Leave Act (FMLA)* (Section 5.3);

48 4.2.1.2 Sick leave (Section 5.11).

49 4.2.2 Utah Valley University provides employees the following non-health-related leaves of
50 absence with or without pay and benefits:

51 4.2.2.1 Administrative leave (Section 5.1);

52 4.2.2.2 Community service leave (Section 5.2);

53 4.2.2.3 Bereavement leave (Section 5.4);

54 4.2.2.4 Jury and witness leave (Section 5.5);

55 4.2.2.5 Leave without pay (Section 5.6);

56 4.2.2.6 Military leave (Section 5.78);

57 4.2.2.7 Parental leave (Section 5.89);

58 4.2.2.8 Personal leave (Section 5.940);

59 4.2.2.9 Sabbatical leave (Section 5.104 and UVU Policy 640 *Faculty Sabbatical Leave*); and

60 4.2.2.10 Vacation leave (Section 5.123).

61 4.2.3 Employees are expected to request and receive prior authorization for leave from their
62 immediate supervisor or, in certain cases, the appropriate leave administrator. To minimize
63 disruption, employees shall notify their immediate supervisor before their scheduled work time
64 of an unexpected absence.

65
66 4.2.4 Authorization of paid leave is subject to a reasonable assumption and expectation that the
67 employee granted leave will return to active work upon conclusion of the approved paid leave.

68 4.2.5 People and Culture maintains official leave records in UVU's time management system.
69 Employees must submit all leave requests through UVU's time management system, rounded to
70 the nearest ¼ hour.



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71 **4.2.6** Employees are responsible for submitting leave requests in a timely manner and in
72 accordance with this policy. Supervisors are responsible for reviewing and approving or denying
73 leave requests in a timely manner and in accordance with this policy.

74 **4.3 Relationship with Other Policies**

75 **4.3.1** Utah Valley University has separate policies that govern the administration of the
76 following forms of leave:

77 **4.3.1.1** UVU Policy 365 *Consulting Leave*, and

78 **4.3.1.2** UVU Policy 640 *Faculty Sabbatical Leave*.

79 **4.3.2** This policy does not apply to administrative suspensions, with or without pay and benefits,
80 implemented in accordance with UVU Policy 162 *Title IX Sexual Harassment*; UVU Policy 165
81 *Discrimination and Harassment*; UVU Policy 371 *Performance Management and Development*
82 *for Full-Time Staff Employees*; or UVU Policy 648 *Faculty Personnel Reduction*.

5.0 PROCEDURES

83 **5.1 Administrative Leave (Leave with Pay)**

84 **5.1.1** Full-time executive and exempt staff employees who wish to pursue full-time programs of
85 study, training, or experience related to their position at the University may be granted
86 administrative leave for a maximum of 12 consecutive calendar months. Administrative leave is
87 not considered a reward for outstanding service but is a part of a professional development plan
88 designed to improve the employee's service to the University. The granting of administrative
89 leave is made upon recommendation of the President with approval of the Board of Trustees.

90 **5.1.2** By accepting administrative leave, the employee certifies their agreement to return to the
91 University and complete at least one full year of service following the conclusion of the
92 approved leave period. Employees who fail to complete one year of university service following
93 the conclusion of the administrative leave are required to repay the University the value of the
94 administrative leave pay received during the leave period.

95 **5.1.3 Eligibility for Administrative Leave**

96 **5.1.3.1** Full-time executive and exempt staff employees are eligible to apply for administrative
97 leave after three full years of continuous full-time service at the University, provided no other
98 administrative or sabbatical leave with pay or partial pay has been taken during this three-year
99 period.



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100 **5.1.4 Application for Administrative Leave**

101 **5.1.4.1** Employees requesting administrative leave must file an application at least three calendar
102 months prior to the requested beginning date of the leave. The application shall contain a
103 statement of the applicant's educational, training, or experience plan; the reason for requesting
104 the leave; the benefit of the leave to the University; the period of leave time requested; and other
105 information or data to justify the requested administrative leave. Contact the Office of People
106 and Culture to begin application process.

107 **5.1.4.2** The request must be supported by the employee's direct supervisor, second-level
108 supervisor, and appropriate [v](#)Vice [p](#)President/Provost for submission to the President. The
109 President will consider the administrative leave application and, if supportive, will present the
110 request to the Board of Trustees for their review and action.

111 **5.1.4.3** Administrative leave requests are subject to availability of funds and anticipated impact
112 on programs, services, and processes.

113 **5.1.5 Pay During Administrative Leave**

114 **5.1.5.1** Pay for employees on approved administrative leave is calculated on the annual base
115 salary for the period during which the leave takes place as follows:

- 116
- 117 1) Three consecutive years of service—30 percent of base salary
 - 118 2) Four consecutive years of service—40 percent of base salary
 - 119 3) Five consecutive years of service—50 percent of base salary
 - 120 4) Six or more consecutive years of service—60 percent of base salary

121 **5.1.5.2** Employees on approved administrative leave may utilize accrued vacation leave in
122 combination with administrative leave to receive pay up to 100 percent of their annual base
123 salary during the administrative leave.

124 **5.1.6 Employment Status While on Administrative Leave**

125 **5.1.6.1** While on administrative leave, executives and exempt staff employees may be eligible
126 for all general salary adjustments for which they would otherwise qualify.

127 **5.1.6.2** Employees on administrative leave retain UVU benefits in accordance with UVU
128 benefits plans and policies.

129 **5.1.6.3** While on administrative leave, an employee may not accept or perform any compensated
130 additional assignments for UVU.



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131 **5.2 Community Service Leave (Leave with Pay)**

132 **5.2.1** Each calendar year, full-time executive and exempt/nonexempt staff and faculty employees
133 are allowed the equivalent of one working day (eight hours for staff and seven hours for faculty)
134 of community service leave with pay to perform voluntary, uncompensated community service.
135 This voluntary community service may be performed on an individual basis or with a group.

136 **5.2.2** Employees must request and receive prior approval from their supervisor for community
137 service leave. Such community service leave for faculty must not alter or interfere with course
138 schedules, content, or delivery, in accordance with UVU Policy 601.

139 **5.3 Family and Medical Leave Act (FMLA)**

140 **5.3.1** In accordance with federal law, the University provides leave for eligible employees
141 pursuant to the provisions under the *Family and Medical Leave Act of 1993* and all subsequent
142 amendments.

143 **5.3.2** People and Culture is responsible for providing information about FMLA to university
144 employees and administering UVU's FMLA program in compliance with the law.

145 **5.3.3** Employees shall contact People and Culture for information on eligibility requirements,
146 leave entitlements and protections, employee and institutional rights and responsibilities, and
147 leave usage.

148 **5.3.4** Supervisors are responsible to report, as soon as possible, to People and Culture any
149 employee request for sick leave due to illness or injury requiring more than three (3) consecutive
150 full-calendar days for substantiation of illness or injury and consideration of FMLA
151 requirements.

152 **5.3.5** If an employee is on sick leave for a period of more than three (3) consecutive full-calendar
153 days or for a reason that qualifies as a serious health condition, such leave may be designated as
154 *Family and Medical Leave Act (FMLA)* leave in accordance with the FMLA.

155
156 **5.3.5.1** People and Culture will notify the employee in writing that such leave is being
157 designated as FMLA leave. People and Culture will make this written notification within five
158 business days of becoming aware that such sick leave may also qualify as FMLA leave.

159
160 **5.3.5.1.1** All conditions of FMLA leave, including certification and notice of intent to return to
161 work, may apply to such leave.

162
163 **5.3.5.1.2** Under certain circumstances, the University may retroactively designate sick leave as
164 FMLA leave.

165



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166 **5.3.5.1.3** Leave under the FMLA is not an additional leave; rather, it is provided concurrently
167 with sick leave.

168 **5.4 Bereavement Leave (Leave with Pay)**

169 **5.4.1** Full-time employees are granted up to 10 working days for may request bereavement leave
170 in the case of the death of an immediate family member (as defined in 3.4) or in the case of
171 miscarriage or stillbirth -(see section 3.54) as provided under section 5.4.32. is granted. up to 10
172 working days. An employee must inform submit their request to their supervisor at the earliest
173 possible time and submit leave in the time management system. The immediate supervisor may
174 grant bereavement leave to the extent they deem reasonable and necessary up to three (3)
175 working days. For all bereavement leave requests, an employee must inform their supervisor at
176 the earliest possible time and submit leave in the time management system.

177 **5.4.2** Full-time employees' bereavement leave in the case of the death of an extended family
178 member is granted up to five working days. Employees may request bereavement leave
179 immediately following a miscarriage or stillbirth if

180 **5.4.2.1** the employee, or the employee's spouse or partner experienced miscarriage or stillbirth;

181
182 **5.4.2.2** the employee's former spouse or partner experienced the miscarriage or stillbirth and the
183 employee would have been the biological parent of a child born from the pregnancy;

184
185 **5.4.2.3** the employee provides documentation to the Office of People and Culture to show that
186 the individual who experienced the miscarriage or stillbirth intended the employee to be the
187 adoptive parent of a child born from the pregnancy; or

188
189 **5.4.2.4** the employee would have been a parent of the child born of the pregnancy under a valid
190 gestational agreement.

191
192 **5.4.2.5.4.3** An employee may not combine bereavement leave with parental leave in the event
193 of a stillbirth. However, an employee may combine bereavement leave with other paid time-off
194 options if they have an available balance with approval from their immediate supervisor.

195 **5.4.35.4.4** Bereavement leave may be granted by an immediate supervisor to full-time employees
196 (typically one day or less) to attend the funeral or memorial service for a university colleague.
197 The granting of such leave is subject to the operational needs of the department as determined by
198 the immediate supervisor.

199 **5.4.45.4.5** The University reserves the right to require appropriate documentation for absences
200 when using related to bereavement leave.

201 **5.5 Jury and Witness Leave (Leave with Pay)**



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202 **5.5.1** Jury and witness leave with pay may be granted to full-time employees for the period
203 during which the employee is absent from work in compliance with an official requirement to
204 appear for jury service or a subpoena to appear as a witness at a trial, deposition, or other official
205 proceeding. Employees must notify their immediate supervisor prior to the leave.

206 **5.5.2** Leave time for jury and witness service covers only time lost while actually engaged in
207 jury service or in attendance as a witness and reasonable travel to and from the place of such
208 service or attendance.

209 **5.5.3** When feasible, employees are expected to report daily to work before and/or after jury
210 service or attendance as a witness.

211 **5.5.4** Employees are not entitled to jury and witness leave when the employee appears in court or
212 participates in a court proceeding on their own behalf.

213 **5.6 Leave Without Pay**

214 **5.6.1** A leave without pay may be granted for the following purposes:

215 **5.6.1.1** *Educational/Professional Leave:* Full-time employees may be granted
216 educational/professional leave without pay to pursue a formal course of study or other
217 professional/technical activity that will increase the value of the employee's service to the
218 University upon return. This period of leave may not exceed 12 consecutive months.

219 **5.6.1.2** *Emergency Service Leave:* Full-time employees may be granted emergency service leave
220 to perform technical or specialized service for the State of Utah or the United States government
221 during a period of emergency. This period of leave may not exceed 12 consecutive months.

222 **5.6.1.3** *Special Leave Without Pay:* Full-time employees may be granted special leave without
223 pay at the discretion of the [department's Provost/-vice president](#) upon recommendation from the
224 employee's supervisor ~~and the Provost/Vice President~~. [The President may grant special leave for](#)
225 [senior executive leaders](#). This period of leave may not exceed 12 consecutive months.

226 **5.6.2 Eligibility for Leave Without Pay**

227 **5.6.2.1** Full-time employees are eligible to apply for leave without pay after six (6) consecutive
228 months of continuous full-time service at the University.

229 **5.6.3 Application for Leave Without Pay**

230 **5.6.3.1** Leave without pay may be requested by the employee through the Office of People and
231 Culture. The application must be supported by the employee's direct supervisor, second-level
232 supervisor, and [approved by the Provost or appropriate yVice pPresident](#). ~~and will be submitted~~



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233 ~~to the President for review and action.~~ The President may grant leave without pay to executive
234 senior leaders.

235 **5.6.3.2** Leave without pay requests are subject to the anticipated impact on programs, services,
236 and processes.

237 **5.6.4 Employment Status While on Leave Without Pay**

238 **5.6.4.1** While on approved leave without pay, employees are not eligible for UVU benefits or for
239 salary adjustments.

240 **5.6.4.2** Employees on approved leave without pay may not accept or perform any compensated
241 assignments for UVU.

242 **5.6.5 Intention to Return**

243 **5.6.5.1** Leave without pay shall not be granted unless the employee fully expects to return to
244 active service at the expiration of the leave. For leave without pay of less than nine months, the
245 employee is expected to notify the University of their intention to return at least 30 days prior to
246 the expiration of the leave. For leave without pay of nine months or longer, the employee is
247 expected to notify the University of their intention to return at least 60 days prior to the
248 expiration of the leave. Failure to provide timely notification of intention to return may result in
249 voluntary termination by resignation.

250 **5.6.6 Status Upon Return**

251 **5.6.6.1** An employee who has been granted a leave of absence without pay and who returns to
252 active service on or before the expiration of the leave is entitled 1) to a position in the same
253 classification or status and at the same level of seniority as the position they had at the
254 commencement of the leave, and 2) to the amount of sick and/or vacation leave they had accrued
255 at the commencement of the leave.

256 **5.7 Military Leaves**

257 **5.7.1 Annual Military Training/Encampment (Leave with Pay)**

258 **5.7.1.1** Eligible university employees who are members of the National Guard or organized
259 reserve branch of the United States uniformed services are entitled to a leave with pay not to
260 exceed fifteen (15) working days per year for time spent on duty at annual encampments, rifle
261 competitions, or other duties in connection with the reserve training and instruction requirements
262 of the United States uniformed services or National Guard.

263 **5.7.2 Military Leave (Leave Without Pay)**



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- 264 **5.7.2.1** Eligible university employees who perform service in the Uniformed Services shall be
265 granted a military leave without pay not to exceed five (5) years for such service (except as
266 otherwise required by USERRA).
- 267 **5.7.2.2** Upon honorable completion of the period of service, an employee on military leave shall
268 be restored to the position of employment held when the leave commenced or an equivalent
269 position with equivalent employment benefits, pay, and other terms and conditions of
270 employment, provided that
- 271 **5.7.2.2.1** The employee gave their supervisor advance notice of such service and provided
272 People and Culture with a copy of their orders prior to the beginning of their leave;
- 273 **5.7.2.2.2** The cumulative length of such leave and all prior military leaves from the University do
274 not exceed five (5) years (unless exceptions outlined in USERRA apply);
- 275 **5.7.2.2.3** The employee provides timely notice for reemployment to their supervisor; and
- 276 **5.7.2.2.4** The employee fulfills any other terms and conditions for reemployment required by
277 law.
- 278 **5.7.2.3** Retirement benefits will be paid for an employee on military leave pursuant to USERRA.
- 279 **5.8 Parental Leave (Leave with Pay)**
- 280 **5.8.1** Full-time employees (or their legal spouse) expecting a new child through either birth or
281 adoption are eligible for up to eight consecutive weeks of paid parental leave. Employees shall
282 contact People and Culture and provide the required documentation at least 30 days prior to the
283 expected date of birth or adoption to receive approval [regardless of when the time will be used](#).
284 Requested documentation may include proof of birth or proof of adoption.
- 285 **5.8.2** Parental leave may be used only in a single block of up to eight consecutive weeks, not
286 intermittently. Extension of paid parental leave beyond the eight consecutive weeks will not be
287 granted when the eight consecutive weeks include paid holidays or campus closures or, for
288 faculty, non-faculty working days (such as breaks between semesters or summer). [Faculty may
289 request a reasonable adjustment to the paid parental leave with approval from People and
290 Culture and their department to minimize the impact on students and classes.](#)
- 291 **5.8.3** Parental leave will be available once on a rolling 12-month basis. Rare exceptions may be
292 authorized by the employee's supervising executive leader upon recommendation of the Vice
293 President of People and Culture.
- 294 **5.8.4** Parental leave must be completed within 12 months from the date of birth/adoption of the
295 child (run consecutively with FMLA for eligible employees). Medical-related exceptions to



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296 begin parental leave early will be facilitated by People and Culture for an employee with
297 accompanying medical documentation.

298 **5.8.5** In cases of ~~miscarriage~~, stillbirth, ~~as defined by medical documentation or surrogacy (see~~
299 ~~section 5.4)~~, birthing employees (or their spouse) who experience a ~~miscarriage or~~ stillbirth are
300 eligible for parental leave with accompanying medical documentation for immediate leave and
301 not used at a later date. (See section 5.4.2.3.) Parental leave cannot be combined with
302 bereavement leave for the same event. Employees who experience a miscarriage are eligible for
303 bereavement leave (see section 5.4).

304 **5.8.6** Employees qualify for parental leave regardless of FMLA eligibility. FMLA-eligible
305 employees will use FMLA concurrently with parental leave. Eligible employees may take a total
306 of up to 12 weeks of job-protected leave in a rolling calendar year for pregnancy-related
307 conditions, birth, and/or baby bonding. If an FMLA-eligible employee requests more than eight
308 weeks, the additional leave shall be charged alongside remaining FMLA leave in the following
309 order: 1) Sick leave (paid) 2) Personal leave (paid) 3) Compensatory time, if available (paid) 4)
310 Vacation leave (paid) 5) Any remaining FMLA leave (unpaid)

311 **5.8.7** Employees who have exhausted available FMLA may be eligible for paid parental leave
312 dependent on staffing needs as authorized by the employee's supervising executive leader upon
313 recommendation of the Vice President of People and Culture.

314 **5.8.8** Employees on paid parental leave are not expected to perform work for UVU during the
315 leave. Any voluntary work during parental leave will not extend the leave time or receive
316 additional compensation. Employees may not accept or perform any additional compensated
317 assignments for UVU.

318 **5.8.9** Upon termination, an employee will not be compensated for any unused parental leave.

319 **5.8.10** This paid leave option will be available for leaves that begin on or after January 1, 2025.
320 Please note that this benefit cannot be applied retroactively to any leaves taken before this date.

321 **5.9 Personal Leave (Leave with Pay)**

322 **5.9.1** Personal leave may be granted to eligible full-time employees for personal business and
323 emergencies that require the employee's absence from work.

324 **5.9.2** Full-time executives and exempt/nonexempt staff employees receive two days (16 hours)
325 of personal leave per calendar year.

326 **5.9.3** Full-time faculty employees receive 1.5 days (10.5 hours) of personal leave for each full
327 academic semester worked (21 hours) per fiscal year (July 1 to June 30).



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328 **5.9.4** Pro-rated personal leave becomes available to new full-time employees after two full semi-
329 monthly pay periods.

330 **5.9.5** Unused personal leave may not be carried forward from one leave year to the next.

331 **5.9.6** Upon termination, an employee will not be compensated for unused personal leave.

332 **5.10 Sabbatical Leave (Leave with Pay)**

333 **5.10.1** Eligible full-time faculty may be granted sabbatical leave in accordance with UVU Policy
334 640 *Faculty Sabbatical Leave*.

335 **5.11 Sick Leave (Leave with Pay)**

336 **5.11.1** Sick leave may be granted to eligible full-time employees who are unable to perform the
337 functions of their position because of an illness, injury, or serious health condition, or because
338 they are needed to care for an immediate family member with an illness, injury, or serious health
339 condition.

340 **5.11.2** As possible, employees should arrange routine health care appointments during
341 nonworking hours or try to schedule appointments at times that minimize disruption of work.
342 Whenever possible, supervisors should be notified of such appointments in advance.

343 **5.11.3 Accrual of Sick Leave**

344 **5.11.3.1** Full-time employees accrue sick leave at the [equivalent](#) rate of one-half day per semi-
345 monthly pay period (faculty 3.5 hours, executives/staff 4 hours) [based on a twelve-month time](#)
346 [period](#). Full-time employees with reduced assignments (less than 1.0 FTE) accrue sick leave in
347 proportion to the reduced assignment.

348 **5.11.3.2** Sick leave accrual begins for new full-time employees with their first semi-monthly pay
349 period.

350 **5.11.3.3** Unused sick leave accrues continuously, and the balance remaining at the end of the
351 leave year carries forward to the next leave year.

352 **5.11.3.4** Full-time employees hired directly from another Utah System of Higher Education
353 institution will be able to transfer any accrued sick leave balance (maximum of 80 hours).

354 **5.11.3.5** Upon termination from the University, an employee will not be compensated for any
355 accrued sick leave. Full-time employees who are rehired after termination (voluntary or
356 involuntary) from the University shall not have sick leave accrued during prior university
357 employment reinstated.

358 **5.11.4 Use of Sick Leave**



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359 **5.11.4.1** Sick leave may not be used for vacation purposes; however, employees may choose to
360 use vacation or personal leave for absences otherwise eligible for sick leave.

361 **5.11.4.2** Sick leave requested in excess of the amount accrued shall be charged to any remaining
362 leave in the following order:

363 1) Personal leave (paid)

364 2) Compensatory time, if available (paid)

365 3) Vacation leave (paid)

366 4) If eligible, any remaining FMLA leave (unpaid)

367 5) Unpaid leave resulting in a pay reduction for time not worked

368 **5.11.4.3** The University reserves the right to require medical documentation for absences due to
369 illness or injury and designate leave in accordance with FMLA.

370 **5.11.4.4** If an employee is on sick leave for a period of more than three (3) consecutive full-
371 calendar days or for a reason that qualifies as a serious health condition, such leave may be
372 designated as *Family and Medical Leave Act (FMLA)* leave in accordance with the FMLA.

373
374 **5.11.4.4.1** People and Culture will notify the employee in writing that such leave is being
375 designated as FMLA leave. People and Culture will make this written notification within five
376 business days of becoming aware that such sick leave may also qualify as FMLA leave.

377
378 **5.11.4.4.2** All conditions of FMLA leave, including certification and notice of intent to return to
379 work, may apply to such leave.

380
381 **5.11.4.4.3** Under certain circumstances, the University may retroactively designate sick leave as
382 FMLA leave.

383
384 **5.11.4.4.4** Leave under the FMLA is not an additional leave; sick leave runs concurrently with
385 FMLA leave.

386
387 **5.11.4.4.5** An employee may not use any combination of personal leave, compensatory time (if
388 applicable), accrued sick leave, earned vacation leave, and/or extended sick leave for their own
389 medical condition longer than a continuous 4 months (120 days or 960 hours) without applying
390 for Long-Term Disability and Social Security Disability.~~An employee may not use their sick~~
391 ~~leave for longer than 120 consecutive calendar days without applying for Long-Term Disability~~
392 ~~and Social Security Disability. Approval or denial of disability benefits may affect an~~
393 ~~employee's use of accrued sick leave.~~



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394 5.11.5 Sick Leave Conversion to Vacation Leave

395 5.11.5.1 After a full-time executive, exempt staff, or nonexempt staff employee has accumulated
396 18 unused sick leave days (144 hours), that employee is eligible to convert a limited amount of
397 accrued sick leave to vacation leave at the beginning of the next calendar year.

398 5.11.5.2 Qualifying employees shall be notified annually by People and Culture of the
399 opportunity to convert unused sick leave days accumulated during the previous calendar year on
400 a two-to-one basis for a maximum of four vacation days (32 hours). Notification shall include
401 instructions for submitting a request for sick leave conversion.

402 5.11.5.3 Employee requests for sick leave conversion must be submitted by February 15 each
403 year.

404 5.11.6 Extended Sick Leave

405 5.11.6.1 In exceptional cases, after all personal leave, compensatory time (if applicable), accrued
406 sick leave, and earned vacation leave has been exhausted, an employee can request extended sick
407 leave with pay may be authorized by the employee's supervising executive leader upon
408 recommendation of the Vice President for People and Culture. This leave is subject to the
409 following:

410 5.11.6.1.1 The employee is in good standing with the University.

411 5.11.6.1.2 Extended sick leave is based on a serious health condition of the employee supported
412 by medical documentation provided to People and Culture. Extended sick leave is not available
413 for the care of a member of the employee's immediate family with an illness, injury, or serious
414 health condition.

415 5.11.6.1.3 Extended sick leave may not exceed ~~thirty (30)~~ working days unless authorized by the
416 employee's senior executive leader (Provost or vice president) upon recommendation of the Vice
417 President for People and Culture and the employee's supervising executive leader. Extended sick
418 leave cannot exceed ninety (90) working days, given in up to thirty (30) working day increments
419 with approvals. Additional medical information will be required.

420 5.11.6.1.4 An employee may not use any combination of personal leave, compensatory time (if
421 applicable), accrued sick leave, earned vacation leave, and/or extended sick leave for their own
422 medical condition longer than a continuous 4 months (120 days or 960 hours) without applying
423 for Long-Term Disability and Social Security Disability.

424 5.11.6.1.5 An employee may not use any combination of personal leave, compensatory time (if
425 applicable), accrued sick leave, earned vacation leave, and extended sick leave longer than a
426 continuous six-~~(6)~~ consecutive month period.



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427 **5.11.6.1.6** If an employee is on sick leave and extended sick leave for a period of more than three
428 (3) consecutive full-calendar days or for a reason that qualifies as a serious health condition, such
429 leave may be designated as Family and Medical Leave Act (FMLA) leave in accordance with the
430 FMLA.

431 **5.11.6.1.7** In no event shall extended sick leave be granted for a period extending beyond the
432 earliest day on which benefits under either the University's disability insurance program or the
433 Social Security Act are expected to become payable to the employee.

434 **5.11.6.2** If the employee returns to work or terminates employment before the expiration of
435 authorized extended sick leave, the unused portion of the leave will be canceled.

436 **5.12 Vacation (Leave with Pay)**

437 **5.12.1** Full-time executive and staff employees accrue vacation leave time and are encouraged to
438 take vacation leave periodically as approved in advance by their immediate supervisor.

439 **5.12.2** Use of accrued vacation leave shall be arranged in advance and authorized by the
440 responsible supervisor so that the efficiency and effectiveness of the organizational unit is not
441 compromised.

442 **5.12.2.1** Vacation leave may be used with the approval of the supervisor upon completion of two
443 (2) full semi-monthly periods of satisfactory employment.

444 **5.12.2.2** Vacation leave shall be submitted and approved through UVU's time management
445 system prior to the leave request date.



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446 5.12.3 Eligibility and Accrual

447 5.12.3.1 Full-time executives and staff (with the exception of contract-based athletic coaches),
448 are eligible to accrue vacation leave. Full-time employees with reduced assignments (less than
449 1.0 FTE) accrue vacation leave in proportion to the reduced assignment.

450 5.12.3.2 Vacation accrual occurs semi-monthly with each pay period.

451 5.12.3.2.1 Eligible employees hired on or before the 10th of a month will receive vacation
452 accrual for the first half of the month; eligible employees hired on or before the 25th of a month
453 will receive vacation accrual for the second half of the month.

454 5.12.3.2.2 Terminating employees working through the 10th of a month will receive vacation
455 accrual for the first half of the month; terminating employees working through the 25th of a
456 month will receive vacation accrual for the second half of the month.

457 5.12.3.3 Executives accrue vacation at the rate of one day (8 hours) per semi-monthly pay period
458 for a total of 24 days (192 hours) per 12-month period.

459 5.12.3.4 As of January 1, 2025, full-time staff accrue vacation based on their date of employment
460 as follows. For each three-year step, the increased rate for vacation accrual begins in the first
461 month following the initial vacation leave service date. For example, if an employee begins
462 working on July 1, 2020, the employee will accrue at the 0 to 3 years rate until July 1, 2023,
463 when the employee will begin accruing at the 4 to 7-6 years rate.

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)



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10+	24 days per 12 months (192 hours) 2 days per month (16 hours) 1 day semi-monthly (8 hours)
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464 **5.12.4** Eligible full-time employees who are re-employed [or transfer from one Utah System](#)
 465 [Higher Education institution to another](#) ~~into an~~ eligible full-time position shall have their prior
 466 [full-time](#) years of service ~~(for vacation accrual only) reinstated~~ [updated \(for vacation accrual](#)
 467 [only\)](#) upon [the employees'](#) request to People and Culture. The vacation accrual rate [will be based](#)
 468 [on the employee's longest period of continuous service, allowing for no more than one break in](#)
 469 [service. shall be adjusted in accordance with the adjusted service date.](#) Accrual [adjustments will](#)
 470 [be effective when documentation is received and approved by People and Culture. Adjustments](#)
 471 [will not be retroactive.](#)

472 **5.12.4.1** Vacation leave continues to accrue during leaves of absence with pay, but it does not
 473 continue to accrue during a leave of absence without pay.

474 **5.12.4.2** Employees are encouraged to use rather than accumulate vacation leave. A maximum
 475 vacation leave accrual of 30 days (240 hours) may be carried forward from one calendar year to
 476 the next.

477 **5.12.5 Payment for Unused Accrued Vacation Leave**

478 **5.12.5.1** Upon termination from the University or upon a change of assignment from a vacation
 479 leave eligible position to a non-vacation leave eligible position (such as a change of assignment
 480 from exempt staff to faculty), an employee shall be paid for all accrued vacation leave as of the
 481 termination date.

482 **5.12.5.2** Payment for unused vacation leave is computed by multiplying the terminating
 483 employee's current hourly rate of pay by the actual number of accrued hours. Payment for unused
 484 vacation leave shall not exceed the maximum of 240 hours plus the employee's current annual
 485 accrued vacation leave.

486 **5.12.5.3** Authorized compensation for unused vacation leave is normally included in the
 487 employee's final pay.

488 **5.12.5.4** Payment for unused vacation leave is a form of deferred compensation and, as such,
 489 cannot be withheld from an eligible individual who has been terminated from employment for
 490 any reason but is subject to deductions and offsets authorized by university policy or by legal
 491 requirements.

POLICY HISTORY		
March 6, 2003	Approved for Policy Manual.	UVU Board of Trustees



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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
March 20, 2025	6-month extension of temporary policy; new expiration date is June 5, 2026.	UVU Board of Trustees
May 6, 2025	Nonsubstantive change to update reference to Policy 165	UVU Policy Office
	Revised policy approved.	UVU Board of Trustees

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POLICY 361 EXECUTIVE SUMMARY

Policy Number and Title: 361 Employee Leave

Date:	October 16, 2024
Sponsor:	Marilyn Meyer
Steward(s):	Marni Fisher
Policy Process:	Regular
Policy Action:	Revision
Policy Office Editor:	Miranda Christensen
Embedded Attorney:	Cathy Jordan

Issues/Concerns (including fiscal, legal, and compliance impact):

Two issues in the policy will be addressed:

- 1) Parental Leave is 2 weeks and may be taken by new mothers or fathers. Medical maternity is six weeks and can only be taken by the birthing parent. Fathers receive less leave than mothers.
- 2) The Department of Labor has issued a new rule for the *Fair Labor Standards Act (FLSA)*, increasing the minimum salary threshold for exempt employees for January 1, 2025, January 1, 2027, and every three years after. Due to the new minimum threshold, we will need to adjust the exempt classification to nonexempt classification vacation accruals to keep from negatively impacting employees who will change from exempt to non-exempt status.

Suggested Changes:

- 1) Update both Parental and Medical Maternity Leave into one leave, Parental Leave, allowing eight (8) weeks total for mothers and fathers.
 - Equal treatment: Parental leave will ensure both parents have the same opportunity to bond with heir child and share caregiving responsibilities.
 - Inclusion: Parental leave policies that apply to both mothers and fathers support gender equality in the workplace and promote a more inclusive environment.
- 2) Update for full-time exempt and nonexempt employees to be on the same vacation accrual schedule.
 - The non-exempt schedule will be removed from the policy, and full-time exempt and nonexempt will accrue at the current exempt rate (which is higher). The current policy has exempt and non-exempt employees accruing different vacation hours per pay period based on their years of service. The proposed updated policy establishes the same accrual schedule regardless of FLSA classification.



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- Although current legal challenges may modify the FLSA ruling, we would keep this change as it simplifies and eliminates additional administration and treats employees equally regardless of their FLSA status.

Requested Approval from President's Council: [Click here to choose the appropriate approval.](#)

Proposed Drafting Committee: [Click here to enter the names of the proposed members of the policy drafting committee.](#)

Target Date for Stage 1 Draft to Enter Stage 2: [Click here to enter a date.](#)

Target Date for Board of Trustees Review: [Click here to enter a date.](#)