

Governing Body:	Southern Oregon University	Policy Number:	FAD.011
Policy Contact:	Director of Human Resources	Date Revised:	April 2019
Custodial Office:	Finance & Administration	Date Approved:	May 16, 2019
Approved By:	President	Next Review:	April 2025
Related Policy:	ORS 351.070, OAR 580-021-0040, OAR 580-021-0030, OAR 580-021-0029		

Revision History

Revision Number:	Change:	Date:
1	Revision	February 2018
2	Revision	April 2019
3	Revision	March 2022

A. Purpose

This policy defines various types of leave available to unclassified employees and establishes eligibility requirements.

B. Definitions

Academic Year Employee – an employee with an appointment term of less than 12 months (i.e., 9, 10, 11 month appointment basis).

Exempt Employee – employee in a position that is not eligible for overtime compensation under state and federal wage and hour laws.

Faculty – an academic year employee appointed to a professional or professorial teaching position and represented by the Association of Professors, Southern Oregon University (APSOU).

FTE (Full-Time Equivalent) – term used to designate the equivalent of one full-time employee. For example, a 1.0 FTE is a full-time, 40-hour per week appointment. A .50 FTE is a half-time, 20-hour per week appointment.

Monthly Leave Record – record for exempt salaried employees to report use of accrued leave.

Non-exempt Employee – employee in a position that is eligible for overtime compensation under state and federal wage and hour laws.

Overtime – payment for work performed over 40 hours in a workweek. Overtime is calculated at one and one-half of an employee’s hourly rate and is paid as either cash or compensatory time off (CTO). Overtime for multiple positions is calculated using the weighted average of such rates.

Time Sheet – monthly record for non-exempt salaried and hourly employees to report hours worked, leave, and overtime.

Web Time Entry – electronic time entry system for processing hours worked and the use of accrued leave hours.

Work Week – Sunday 12:00 a.m. to Saturday 11:59 p.m.

Unclassified Employee – administrator and faculty appointments represented by APSOU (excludes Term-by-Terms and Irregular Employment Agreements).

C. Policy Statement

This policy is intended to provide clarity on faculty paid and unpaid leaves where the APSOU Collective Bargaining Agreement is silent.

Southern Oregon University provides paid leave to employees to minimize economic hardship when an employee needs to be absent from work for personal or professional reasons. The University may approve short- or long-term unpaid leave for an employee's absence for personal or professional reasons when the employee does not have sufficient paid leave accruals to cover the period of absence.

To ensure accurate recordkeeping, leave records, time sheets or web time entry must be in accordance with the respective pay periods as defined by Payroll Services.

Monthly leave usage, accruals, and balances are reported on earning statements and are available to employees through Banner Self-Service – Employee Leave Balances, via Inside.SOU.edu. Supervisors and employees may use the Notification of Absence from Campus Request Form, found on the Human Resource Services website, to manage absences including those required for approving business travel and reimbursements. In the absence of this form, the Program Manager/Director must use an alternative formal means of requesting and approving absences that is securely tracked and consistently and equally applied to all employees.

Exempt employees receive their full salary for any workweek in which work is performed. Salary reductions are permissible for the following reasons:

- Full day absences for personal reasons, including vacation
- Full day absences for sickness or disability
- Both full or partial day absences that qualify under the Family and Medical Leave Act. FMLA must be documented in Human Resources
- To offset amounts received as payment for jury and witness fees or military pay
- Full day disciplinary suspensions for violation of major workplace conduct and infractions for safety rules of major significance (including those that could cause serious harm to others)
- The first or last week of employment in the event you work less than a full week

Partial day absences for personal reasons are expected to be an exception and the exempt employee and supervisor may agree to exercise flexible work schedules where operationally supported. Exempt employees may have schedules that require their presence during specified hours. Exempt employees shall clearly communicate their anticipated work schedule with and receive approval from their supervisor in advance.

Unclassified non-exempt employees must track all hours worked, be paid at least minimum wage, and are eligible for approved overtime in either cash or CTO. Non-exempt employees must observe rest and meal breaks in accordance with state and federal law. The rest period may not be added to the usual meal period or deducted from the beginning or end of the work period to reduce the overall length of the total work period.

Sick Leave

1. Accrual:

a. Full-time administrators and full-time Academic year faculty covered by this policy (1.0 FTE) earn eight (8) hours of sick leave for each full month in active employment status. Sick leave is prorated for a partially worked month. Sick leave is accrued and prorated for a .50 FTE or greater appointment. Administrators and faculty on a less than .50 FTE appointment accrue one (1) hour of sick leave for every 30 hours worked in accordance with Oregon Sick Time law.

b. Sick leave does not accrue during periods of unpaid leave, inactive employment or sabbatical, but is earned during absences that utilize accrued sick or vacation leave. There is no limit on the amount of sick leave that may be accrued. Sick leave may be taken immediately upon accrual, but not in advance of the accrual. At a time of separation from employment, unused sick leave is not paid out.

2. Use: Sick leave is used for absences that are due to the employee's, or the employee's spouse/domestic partner's, immediate family member's illness/injury, need for medical or dental care, or exposure to contagious disease. Immediate family member is defined as: parent, adoptive parent, stepparent, foster parent, in loco parentis, parent-in-law, spouse, domestic partner, biological child, stepchild, adopted child, foster child, offspring's spouse (i.e. son/daughter-in-law), sibling, grandparent, or another member of the immediate household.

3. Sick Leave Transfer/Restoration: An administrator who transfers within the University, to another institution within the former Oregon University System (OUS), or to a State agency is entitled to transfer unused sick leave pursuant to PERS and the University's policies. Administrators who separate from SOU or from one of the former OUS universities and are hired at SOU within two (2) years shall have unused sick leave credits restored pursuant to PERS and University policies.

4. Hardship Leave:

Any variations to this provision shall be rare and must be reviewed by Human Resources and authorized by the President/Provost/Vice President.

a. Administrator: These provisions shall apply for the purpose of allowing an administrator to donate up to forty (40) accrued vacation leave hours per calendar year for use by another administrator or faculty as sick leave.

Faculty: These provisions shall apply for the purpose of allowing faculty to donate up to sixteen (16) accrued sick leave hours per calendar year for use by another faculty or administrator as sick leave. The maximum amount of leave donations that may be requested for a single qualifying event is 30 working days (six-weeks).

b. Eligibility: Hardship leave provides donated leave accruals when an administrator or faculty has exhausted all forms of accumulated leave and either the employee or the employee's qualifying family member experiences a serious medical condition.

c. Use: The use of Hardship Leave differs from the use of sick leave in item 2 above in that it coincides with the use of FMLA/Oregon Family Leave Act (OFLA) and the Americans with Disabilities Act only and their respective definitions for a qualified family member.

Hardship Leave is not intended to reduce FTE for an undefined period of time and may be used intermittently. For purposes of this policy, hardship leave will be administered under the following stipulations:

- i. Requests for Hardship Leave should be made prior to the employee falling into leave without pay status, must be documented in Human Resources, and shall be accompanied by the treating physician's statement certifying that the specific illness or injury qualifies under FMLA/OFLA. Recertification is required annually.

- ii. Once approved, and in accordance with employee preference for soliciting donations (i.e., individual, department, division, or campus-wide), Human Resources will communicate the request and process for collecting donations.
- iii. Employee must exhaust all monthly accrued leave prior to the use of any donated Hardship Leave.
- iv. Hardship Leave donations are deducted at the time they are needed and shall be credited on an hour for hour basis (not the value of the donor's hourly rate). Notification of unused donations being returned to the donator will be communicated by Human Resources.
- v. Except during required waiting periods, employees receiving Workers' Compensation or short- or long-term disability are not eligible for Hardship Leave donations.
- vi. Employees on FMLA/OFLA parental leave that does not qualify as a serious health condition (e.g., baby bonding or to care for a child who has a non-serious health condition and requires home care) are not eligible to receive Hardship Leave donations.

5. State and Federal Family Medical Leave: The University provides eligible employees protected leave under the federal Family Medical Leave Act and the Oregon Family Leave Act. Information is available through Human Resource Services.

Vacation

1. **Accrual:** Full-time administrators earn fifteen (15) hours of vacation leave for each full month in active employment status. Vacation leave is prorated for a partially worked month. Vacation leave is prorated for administrators on a .50 FTE or greater appointment. Administrators working less than .50 FTE are ineligible for paid vacation leave.
2. **Use:** Vacation leave is scheduled in advance with the approval of the administrator's supervisor and should be planned cooperatively. Vacation leave is scheduled in a manner that minimizes disruption to the department.
3. **Maximum Balance/Pay-Out at Separation:** The maximum amount of vacation hours that may be accrued at any one time is 260. The maximum payout of unused vacation leave upon termination of employment is 180 hours.
4. **Vacation Leave Transfer:** An administrator who is hired at SOU from another institution within the former OUS may negotiate the transfer of a maximum of eighty (80) unused vacation leave hours.

University Holidays/Break Periods

5. Designated Holidays: Human Resources will remind the campus each October of the designated paid holidays the University observes. Employees requesting additional time off for religious observations should arrange for reasonable accommodation through their supervisor

Holiday pay is prorated for administrators on a .50 FTE or greater appointment. Administrators working less than .50 FTE are ineligible for holiday pay.

Generally, the University is closed on a designated holiday, however, individual departments may find it necessary to require employees to work based on operational needs. Administrators on a .50 FTE or greater appointment who are required to work on a day recognized as a designated holiday which falls within their

regular work schedule, shall receive time and one and half (1.5x) their regular rate of pay. Administrators working less than .50 FTE will receive their regular rate of pay for hours required to work on a designated holiday.

A full listing of SOU’s paid holiday observances is below:

• New Year’s Day	• Labor Day
• Martin Luther King Jr.Day	• Veterans Day
• Memorial Day	• Thanksgiving and the day after Thanksgiving
• Juneteenth	• Christmas Day
• Independence Day	

Note: When a holiday falls on a Saturday, the preceding Friday shall be recognized as the holiday. When a holiday falls on a Sunday, the following Monday shall be recognized as the holiday.

1. **Special Day:** The President of the University or the Governor may announce a Special Day to be observed by administrators between the day before Thanksgiving and January 31, subject to supervisor approval. The Special Day is forfeited if not used.

2. **Break Periods and Coverage:** The campus is open during the winter and spring breaks. Directors are responsible for coordinating departmental coverage and service delivery during breaks where individual departments may deem it necessary to close due to a lack of operational demand. In such circumstances, administrators are required to use vacation accruals, leave without pay, work on site or arrange for an approved and documented telecommuting arrangement.

Leave Without Pay

Academic year positions will be placed on leave without pay during periods of inactive employment status and are ineligible to accrue or use vacation, sick leave or CTO during this time.

1. **Short Term Leave:** An administrator may request a leave without pay for absences of short duration (maximum of 2 weeks) when available paid leave accruals are exhausted.

2. **Long Term Leave:** A leave without pay for up to twelve (12) months may be granted to an administrator for purposes such as extended illness, certain family-related needs, educational/professional advancement, or career development. To be eligible for a leave without pay, an administrator must have completed three (3) years of service. The administrator requests a leave without pay in writing, stating the reason for the leave and the proposed start date and date of return. The request is submitted to the Director with final approval by the respective President/Provost/ Vice President. The decision to grant or deny the request is communicated to the employee in writing and is based on operational needs. An administrator is required to use accrued vacation and CTO prior to being placed in leave without pay status. An administrator is required to use accrued sick leave for leaves due to illness and those that qualify for FMLA/OFLA for the use of sick leave. Parental bonding requires the use of vacation leave. If an administrator exhausts sick leave, they may use other forms of paid leave or apply for Hardship Leave donations. If the reason for Long Term Leave is due to the employee’s own health condition or for another reason which may qualify under FMLA/OFLA or the Americans with Disabilities Act, leave must be requested through Human Resource Services and any approval or denial is determined through the interactive process.

3. **Timing:** Leave without pay must be requested and approved in advance, barring any unforeseen

circumstances. Administrators who wish to request an extended leave without pay for short- or long-term absences (not to exceed 12 months in totality) must contact Human Resource Services to complete the necessary paperwork and obtain approval.

Bereavement Leave

Administrators and faculty shall be eligible for up to four (4) work days of paid bereavement leave arising from the death of an immediate family member (as defined in Section 2, Sick Leave Use). If necessary, a request may be made for the use of available and eligible leave accruals to discharge additional customary obligations, arising from the death of an immediate family member.

Jury Duty

Administrators and faculty shall be granted leave with pay for jury duty. The University reserves the right to petition for removal 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, administrators selected by proper authority for jury duty will be placed on a day shift, Monday – Friday, during the period they are obligated to serve on jury duty. Proof of summons/service may be required.

Military Leave

Military leave is governed by state and federal law. Human Resource Services has information for departments and employees regarding military leave.

Furlough

Deductions from the pay of an exempt employee of a public agency for absences due to a budget-required furlough shall not disqualify the employee from being paid on a salary basis except in the workweek in which the furlough occurs and for which the employee's pay is accordingly reduced.

This policy may be revised at any time without notice. All revisions supersede prior policy and are effective immediately upon approval.

D. Policy Consultation

Policy was posted in April 2022 for community comment.

E. Other Information

The Policy Contact, defined above, will write and maintain the procedures related to this policy and these procedures will be made available within the Custodial Office.