
SUBJECT: STAFF PAID LEAVE

1.0 PURPOSE

- 1.1. Paid time off benefits employees by helping them achieve an appropriate work-life balance and to have time for necessary life events. In turn, paid time off Benefits Snow College by helping with employee recruitment, retention and productivity.
- 1.2. A comprehensive Policy regarding paid and unpaid time off helps Employees and administration know what benefits are offered, how they are accessed and the procedures to ask for, take and approve paid time off.
- 1.3. The College reserves all rights afforded to it under applicable law. Nothing in this policy or related policies, procedures, and practices of the College or the College's governing institutions shall be read to offer or constitute a legal agreement or be subject to legal jurisdiction in the law courts of any kind. The College policies, procedures, and practices are subject to change at any time.
- 1.4. This policy supersedes all Staff Paid Leave policies prior to the date of approval listed above.

2.0 References

- 2.1. Utah State Higher Education ([USHE](#)) [Policy Employee Benefits](#), R821
- 2.2. [Snow College FMLA Policy](#), 349
- 2.3. [Family and Medical Leave Act](#)

3.0 DEFINITIONS

- 3.1. Administration Employee: Officers of the administration whose primary responsibilities are management and general business operations including the President, Vice Presidents, Associate Vice Presidents, Assistant Vice Presidents, and other administrative employees as designated by the employee's MOU or LOA.
- 3.2. Birth and Adoption Leave: Leave provided to an Eligible Employee to care for and bond with a newly born or adopted child or foster child.
- 3.3. Eligible Employees: Regular Staff Members who are defined in their MOU or LOA as benefits eligible. Generally, this is a Regular Staff Member who is scheduled to work at least seventy-five percent of a fiscal year which may include nine months of full-time employment.
- 3.4. FMLA Leave: Leave taken in accordance with the Family and Medical Leave Act (FMLA) and Snow College Policy 349.
- 3.5. Human Resources or HR: The office in the College charged with the administration and record maintenance of personnel matter or such other personas may be specially designated by the President to act in regard to this Policy.
- 3.6. Immediate Family: An employee's father, mother, husband, wife, son, daughter, sister, brother, grandchildren, grandparent, equivalent in-law

- relation, a person over which the Employee is a legal guardian or caregiver.
- 3.7. Immediate Supervisor: The lowest level of salaried supervision of an Employee. The Immediate Supervisor may designate a line supervisor or higher level as the Immediate Supervisor for purposes of this Policy.
 - 3.8. Leave: Paid or non-paid time off from work.
 - 3.9. Leave Without Pay (LWOP): A temporary non-pay status and absence from work that, in most cases, is granted at the employee's request. In most instances, granting LWOP is a matter of supervisory discretion and may be limited in accordance with this policy. LWOP status is not a right and termination proceedings may occur.
 - 3.10. Letter of Appointment (LOA): A formal document used to present a candidate with a job offer and outline specific duties and responsibilities that are expected of the employee.
 - 3.11. Memorandum of Understanding (MOU): An agreement or internal guidance between the employee, immediate supervisor, or appropriate vice president, and the Human Resources Office outlining the specific duties and responsibilities that are expected of the employee(s).
 - 3.12. Non-Appointment Period: A period of scheduled time off for employees on a 9-, 10-, or 11-month appointment.
 - 3.13. Non-exempt Employee: Those employees classified as non-exempt due to Fair Labor and Standards Act (FLSA) laws and regulations, typically an employee who is not paid a salary and is eligible for overtime pay.
 - 3.14. Non-Paid Time Off: Time spent away from regular employment duties for which an Employee does not receive pay but does not result in Job Abandonment.
 - 3.15. Paid Time Off: Time spent away from regular employment duties for which an Employee receives pay.
 - 3.16. Probationary Regular Staff Member: Regular Staff Member who is in their initial period and is considered in an at-will Employment status and under evaluation.
 - 3.17. Regular Staff Member: A staff member whose employment is of a continuous nature, initially funded for a non-temporary period, who has successfully completed the probationary period. This includes exempt and non-exempt employees not covered by a similar faculty procedure, but excludes Probationary Regular Staff Employees, At-will Employment Employees, Administration Employees, Part-time Staff Employees, Temporary Employees and Adjunct Faculty. Normally, a Regular Staff Member is one assigned to work 75 percent or more in a position expected to last more than 6 months, that is a full-time benefits eligible position, and defined as a Regular Staff Member in an employment MOU or LOA. May also be referred to as Regular Staff Employee.

4.0 POLICY

- 4.1. The College provides the following types of Leave to Eligible Employees:
 - 4.1.2. Paid Time Off
 - 4.1.2.1 Vacation Leave
 - 4.1.2.2 Holiday Leave

- 4.1.2.3 Paid Family/Medical Leave
 - 4.1.2.4 Birth and Adoption Leave
 - 4.1.2.5 Medical Maternity Leave
 - 4.1.2.6 Compensatory Time
 - 4.1.2.7 Bereavement Leave
 - 4.1.2.8 Jury Leave
 - 4.1.2.9 Military Leave
 - 4.1.3. FMLA Leave which is not itself Paid Time Off but for which other types of Paid Time Off may be used.
 - 4.1.4. In addition, the College may grant other types of Leave, such as Administrative Leave, which may or may not be Paid Time Off.
 - 4.2. Each Eligible Employee is responsible for submitting a monthly leave report according to procedures and deadlines established by the Payroll Office.
 - 4.3. The Employee's Supervisor must approve Leave in advance and is generally at the discretion of the College, with the exception of FMLA Leave or military leave. Upon Termination, the College will pay Eligible Employees a lump-sum amount for certain types of leave subject to caps and forfeiture rules on such accrued Leave and subject to usual withholding and offsets as follows:
 - 4.3.1. Unused Vacation Leave is paid out at the Eligible Employee's rate of pay upon Termination.
 - 4.3.2. Subject to the availability of funds, employees may not be paid for more than 240 hours of Vacation Leave plus that which was accumulated during the current fiscal year.
 - 4.3.3. Accrued Compensatory time will be paid out at the Eligible Employee's then rate of pay upon Termination.
 - 4.3.4. No other leave is eligible for payout at Termination.
 - 4.4. An Eligible Employee who requires more than two weeks off for the employee's own medical condition, or to care for an Immediate Family Member, must apply for FMLA Leave and Short-Term Disability Coverage if available. A failure to apply may result in designating the leave as unpaid. This Policy is intended to work in concert with Snow College's FMLA Policy 349 and the College's obligations to reasonably accommodate employees. All employees are entitled to the minimum protections granted by the FMLA and applicable disability law. This Policy shall be interpreted and applied consistent with those protections. Employees are not eligible to use leave while on LWOP.
- 5.0 VACATION LEAVE
- 5.1. Exempt staff employees will accrue vacation leave at the rate of 14.67 hours per month of service. For each 12 months of employment, 22 days of vacation leave are accrued. Leave will be prorated for employees working between 0.75 to 0.99 FTE.
 - 5.2. Non-exempt full-time staff employees accrue vacation leave according to the following schedule based on the period of time the employee has been employed in a full-time capacity at the College. If an Employee is employed less than 100 percent FTE, that Employee's Vacation Leave is calculated based on the percentage of full-time that they are scheduled to work (using

2,080 hours per year as 100 percent full-time), the most common examples of which are listed here.

Service	Vacation Leave Hours earned per month of 100% FTE*	Vacation Leave Hours earned per month of 92% FTE*	Vacation Leave Hours earned per month of 83% FTE*	Vacation Leave Hours earned per month of 75% FTE*
0-3 years	10.00 hours/month	9.20 hours/month	8.30 hours/month	7.50 hours/month
3-6 years	12.00 hours/month	11.04 hours/month	9.96 hours/month	9.00 hours/month
More than 6 years	14.67 hours/month	13.50 hours/month	12.18 hours/month	11.00 hours/month

*FTE is calculated as a percentage of the amount an employee is scheduled to work compared to a full-time schedule of 2,080 hours/year. For example:

11-month appointment = 92 percent FTE

10-month appointment = 83 percent FTE

9-month appointment = 75 percent FTE

- 5.2. The maximum accrual of unused vacation that can be carried forward to the new fiscal year shall not exceed 240 hours. Hours beyond this are forfeited, and not paid out, at the beginning of each fiscal year. Vacation time is earned by the month and granted on the last day of a month.
- 5.3. Positions funded by special grants and programs may not carry forward any vacation leave beyond the end of each fiscal year and are not eligible for payout upon Termination or the ending of the grant or program.
- 5.4. When an employee terminates from the College or another USHE employing unit and then is rehired after 365 days, Vacation Leave is accrued on the same basis as a newly hired Employee; no credit is given for prior College or USHE service.
- 5.5. Employees who transfer to Snow College from another USHE institution with no gap in employment will retain their accumulative service credits for the purpose of calculating their accumulating vacation benefits earned while employed at Snow College.
- 5.6. Employees hired on or before the 15th of the month shall accrue vacation for that month. Employees hired on or after the 16th day of the month shall begin vacation accrual in the following month.
- 5.7. Employees in an LWOP status shall not accrue Vacation leave during that period.

- 5.8. Employees do not accrue Vacation Leave if they are terminated before the 15th of the month.
- 5.9. It is the responsibility of the employee to manage their Vacation Leave each year.

6.0 HOLIDAY LEAVE

- 6.1. Eligible Employees are entitled to ten (10) holidays plus up to three (3) additional days as declared by the President of Snow College (generally falling during the break between fall and spring semester). The following days are holidays for which Paid Time Off is granted:
 - 6.1.1. New Year's Day – January 1
 - 6.1.2. Martin Luther King Jr. Day – Third Monday in January
 - 6.1.3. Presidents Day – Third Monday in February
 - 6.1.4. Memorial Day – Last Monday in May
 - 6.1.5. Juneteenth – June 19
 - 6.1.6. Independence Day – July 4
 - 6.1.7. Pioneer Day – July 24
 - 6.1.8. Labor Day – The First Monday in September
 - 6.1.9. Thanksgiving Day – The Fourth Thursday in November
 - 6.1.10. Christmas Day – December 25
- 6.2. If an Employee is required to work on a Holiday, eight (8) hours of Paid Time Off may be taken on another day as approved by their Supervisor.
- 6.3. A holiday falling on a Saturday will be observed the previous Friday. A holiday falling on a Sunday will be observed the following Monday.

7.0 PAID FAMILY/MEDICAL LEAVE

- 7.1. Eligibility and Accrual
 - 7.1.1. Eligible Employees shall be granted Paid Family/Medical Leave each month at the rate of 8 hours/month for 100 percent FTE. If an Employee is employed less than 100 percent FTE, that Employee's Paid Family/Medical Leave is calculated based on the percentage of full-time that they are scheduled to work (using 2,080 hours per year as 100 percent full-time), the most common examples of which are listed here.

Paid Family/Medical Leave hours earned per month of 100% FTE*	Paid Family/Medical Leave hours earned per month of 92% FTE*	Paid Family/Medical Leave hours earned per month of 83% FTE*	Paid Family/Medical Leave hours earned per month of 75% FTE*
8.00 hours/month	7.36 hours/month	6.64 hours/month	6.00 hours/month

*FTE is calculated as a percentage of the amount an employee is scheduled to work compared to a full-time schedule of 2080 hours/year. For example:

11-month appointment = 92 percent

FTE 10-month appointment = 83 percent FTE

9-month appointment = 75 percent FTE

- 7.1.2. Maximum accumulation of Paid Family/Medical leave will be 1,040 hours.
- 7.1.3. Employees hired on or before the 15th day of the month, shall accrue Paid Family/Medical leave for that month. Employees hired on or after the 16th day of the month, shall begin Paid Family/Medical Leave accrual in the following month.
- 7.1.4. Employees do not accrue Paid Family/Medical Leave if they are terminated before the last day of the month.
- 7.2. Use of Paid Family/Medical Leave
 - 7.2.1. Paid Family/Medical Leave is a privilege afforded by the College and may only be used when an employee has an illness or injury; is required to care for an immediate family member due to illness or injury; or for absences otherwise protected by the Family and Medical Leave Act (FMLA) and/or Policy 349.
 - 7.2.2. Paid Family/Medical Leave may also be used for dental or doctor visits with a qualified dentist or medical practitioner.
 - 7.2.3. Employees who are ill or injured shall report the absence to their supervisor as soon as possible.
 - 7.2.4. Eligible Employees who miss three or more days because of an illness or injury must, upon request from HR, provide a physician's statement confirming the illness or injury.
 - 7.2.5. When employees exhaust all leave, they convert to an LWOP status. Benefits will continue if applicable under Policy 349. Employees will not accrue vacation or Paid Family/Medical Leave while in an LWOP status.
 - 7.2.6. Employees eligible for and using FMLA leave must first use accrued Paid Family/Medical Leave and then accrued Vacation Leave, (See Policy 349).
- 7.3. Paid Family/Medical Leave Conversion to Vacation:
 - 7.3.1. Employees who have accrued more than 520 hours of Paid Family/Medical Leave may convert up to 32 hours of Paid Family/Medical Leave to the following year's Vacation Leave by following the procedures established by the HR office once a year.
 - 7.3.2. Conversion of Paid Family/Medical Leave to Vacation Leave in a given year will not be granted to an employee who has used more than 40 hours of Paid Family/Medical Leave in that year.

- 7.3.3. Paid Family/Medical Leave converted to Vacation Leave will be included in the maximum accrual balances for Section 3.3.2 and Section 4.2
- 7.4. Paid Family/Medical Leave Pool:
 - 7.4.1. Snow College provides a Paid Family/Medical Leave pool for eligible employees who suffer a planned or unplanned illness, injury, impairment, or physical or mental condition which requires hospitalization and/or convalescence or recuperation in an extended care facility or at home while under the care of a licensed health care provider.
 - 7.4.2. Paid Family/Medical Leave Pool Eligibility
 - 7.4.2.1. All employees who are past their initial six (6) months of employment and eligible to accrue Paid Family/Medical Leave may apply to use Leave from the Paid Family/Medical Leave pool subject to the other provisions of this policy.
 - 7.4.2.2. Employees must first exhaust all accrued vacation and Paid Family/Medical Leave prior to the use of the pool.
 - 7.4.2.3. An Eligible Employee permitted a maximum of 60 calendar days. The pool administrator will manage the draw time according to the employee's typical work schedule within a maximum period of 60 calendar days from the first withdrawal.
 - 7.4.2.4. An employee does not have to contribute to the pool in order to apply to use leave from the pool. Employees granted leave from the pool are not required to pay back the time.
 - 7.4.3. Contribution of Time
 - 7.4.3.1. To contribute Paid Family/Medical Leave to the pool, an employee must notify HR.
 - 7.4.3.2. The employee must have a minimum balance of 144 hours Paid Family/Medical Leave before contributing. An employee may transfer to the pool 8, 16, or 24 hours of their accrued Paid Family/Medical Leave each fiscal year at any time during a fiscal year.
 - 7.4.3.3. Employees may not designate a specific person to receive their contribution.
 - 7.4.3.4. Terminating, retiring, and early retiring employees meeting the criteria will have ten (10) percent of their balance of Paid Family/Medical Leave contributed to the pool upon separation from the college.
 - 7.4.3.5. Contribution of leave to the pool will not affect the eligibility of an employee under the Paid Family/Medical Leave conversion provisions of the Paid Family/Medical Leave Policy.
 - 7.4.4. Withdrawal of time from the Pool.

- 7.4.4.1. Employees eligible for family-medical leave under Policy 349 must apply for FMLA before withdrawal from the pool is considered.
- 7.4.4.2. Employees covered by Short-Term Disability (STD) insurance must submit a claim for STD, if eligible, before withdrawal from the pool is considered.
- 7.4.4.3. An eligible employee or his/her designee may apply, in writing, to the pool administrator through HR for permission to draw time from the sick leave pool.
- 7.4.4.4. Employees are ineligible to use this policy and procedure if they are receiving or have applied to receive workers' compensation benefits.
- 7.4.4.5. Applications to use pool leave will be processed on a first-come, first-served basis.
- 7.4.4.6. Documentation from the employee's medical provider must be attached to the application unless current documentation has already been provided to HR.
- 7.4.4.7. Failure to apply as soon as the need is foreseeable, or to provide supporting medical documentation may result in the denial of use of the pool, it will not be granted retroactively.
- 7.4.4.8. An eligible employee may not draw time from the Paid Family/Medical Leave pool in an amount that exceeds the lesser of one-third of the total amount of time in the pool or 240 hours. The pool administrator will administer the draw time according to the employee's typical work schedule within a maximum period of 60 calendar days from the first withdrawal.
- 7.4.4.9. The pool administrator will review the application and supporting medical documentation. If the employee is eligible to participate and the absence has been approved in accordance with college procedures, the pool administrator will approve the application and notify the employee and supervisor. If the application is not approved, the employee will be advised of the reason.
- 7.4.4.10. The employee may use Paid Family/Medical Leave assigned from the pool in the same manner as accrued Paid Family/Medical Leave and shall be treated in the same manner and shall be entitled to accrue the same benefits as an employee who uses accrued Paid Family/Medical Leave.
- 7.4.4.11. If the employee receives a medical release for return to work on a part-time basis (either fewer hours per day or fewer hours per week than the employee's regular schedule), the employee may continue to receive and use pool leave, up to its maximums, for the balance of the regular work schedule until the sooner of being medically released for full duty or exhaustion of their pool leave. In this instance, pool leave may

be used and will be paid only for the difference between the employee's temporarily reduced work schedule and the employee's regular schedule.

- 7.4.4.12. When an employee using pool hours returns to full duty, any unused hours revert to the pool.
- 7.4.4.13. If the employee does not return to work, the employee does not owe the college for pool hours used nor will the College pay the employee for any pool hours remaining.
- 7.4.4.14. HR shall develop procedures as necessary to implement this Policy and may limit pool leave as necessary for financial reasons of the College.

8.0 BIRTH AND ADOPTION LEAVE

- 8.1. An Employee is eligible for Birth and Adoption Leave of 80 hours if the Employee is an Eligible Employee and becomes a legal parent due to the birth or adoption of a child or the placement of a foster child and meets the other requirements of this Policy. If an Employee is employed less than 100 percent FTE, that Employee's Birth and Adoption Leave is calculated based on the percentage of full time which they are scheduled to work (using 2,080 hours per year as 100 percent full-time).
- 8.2. No other employees, including Part-Time Staff Members, Temporary Employees, or Adjunct Faculty, are eligible for Birth and Adoption Leave.
- 8.3. Birth and Adoption Leave may be used only for the Eligible Employee's own child, it cannot be used for grandchildren or other children even if an Eligible Employee is a de facto parent or legal guardian to that child.
- 8.4. The employee should give their Immediate Supervisor at least 30 days' notice of their intent to take Birth and Adoption leave when possible. Failure to provide 30 days' notice may result in the employee's request for birth and adoption leave being denied.
- 8.5. Birth and Adoption Leave is offered in addition to any other leave available to the employee.
- 8.6. Birth and Adoption Leave may not be used before the birth or actual adoption of a child. Other leave may be used before or after the birth if the employee qualifies under the FMLA or other College leave policies but Birth and Adoption Leave is intended to provide extra time to bond and care for a newborn, adopted or foster child so it must be used only after the birth, adoption or placement.
- 8.7. Birth and Adoption Leave may be used for up to ten (10) consecutive working days or on an intermittent basis as agreed upon in writing with the Immediate Supervisor.
- 8.8. Birth and Adoption Leave must be used within 30 calendar days of the birth, adoption or placement of a child.

9.0 MEDICAL MATERNITY LEAVE

- 9.1. If an Eligible Employee is temporarily disabled due to pregnancy-related conditions or birth, they may request up to an additional 31 consecutive

calendar days of paid leave. This leave is in addition to leave provided for Birth and Adoption Leave, which is provided for bonding regardless of disability. This leave is counted as FMLA leave.

- 9.2. It is to be used during the pregnancy or after the birth during a consecutive period, even if that time period occurs when an Eligible Employee would not normally work due to weekends, college holidays, etc.
- 9.3. Whether the Eligible Employee is “disabled” will be determined in accord with the standards provided by the FMLA and state and federal laws, rules and regulations regarding disabilities. To qualify, the Eligible Employee must submit the necessary FMLA paperwork to HR.
- 9.4. This leave does not preclude seeking additional reasonable accommodations, such as leave, or remaining FMLA leave in accord with disability and FMLA law, rules and regulations.

10.0 COMPENSATORY TIME

- 10.1. Non-Exempt Employees may be asked to receive Compensatory Time in lieu of overtime payment.
- 10.2. Exempt Employees may receive Compensatory Time according to state and federal law.
- 10.3. Compensatory time must be used before Vacation Leave.
- 10.4. While Compensatory Time may be used only with approval, Supervisors should make every reasonable effort to accommodate requests to use Compensatory Time. Supervisors should only deny a request to use Compensatory Time if they reasonably and in good faith anticipate that it would impose an unreasonable burden on the College’s ability to provide services of acceptable quality and quantity for the public during the time requested without the use of the employee’s services.

11.0 BEREAVEMENT LEAVE

- 11.1. Employees are granted 24 business hours of Bereavement Leave in the event of death of an Immediate Family member.
- 11.2. Employees are granted 24 hours of Bereavement Leave following a miscarriage or still birth as long as they meet the criteria defined in USHE Policy R821.

12.0 JURY LEAVE or Witness Leave

- 12.1. Eligible Employees necessarily 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 will receive Paid Time Off.
- 12.2. This allowance covers only time while actually engaged in jury service or attendance as a witness, and reasonable travel time to and from the place of such service.
- 12.3. The employee may be asked to provide proof that they actually served on a jury by providing a copy of the pay stub provided by the state for jury pay. A jury summons or subpoena is insufficient to prove that the employee actually served.

13.0 MILITARY LEAVE

- 13.1. Training Leave. Employees who are members of military reserve units of the U.S. Armed Forces or the National Guard, who are required to attend annual training sessions, will be granted up to 15 work days of leave with pay each fiscal year while on such training duty. Such leave will be in addition to any annual leave entitlement. Employees shall notify their supervisors in advance of such leaves to permit proper scheduling of the workload. .
- 13.2. Active Duty. Employees who are called to active duty will be treated according to State Code. Medical benefits will continue until the College is notified the military insurance has been activated.
- 13.3. Employees requesting Training or Active Duty Military leave shall provide a copy of their orders to the Human Resource Office before taking leave.
- 13.4. Supervisors shall keep an accurate accounting of military leave taken by subordinate employees and shall forward a copy of this report to the Human Resource Office.