University of Idaho  
2014-2015 FACULTY SENATE AGENDA  
Meeting #26  
3:30 p.m. - Tuesday, April 14, 2015  
Brink Hall Faculty-Staff Lounge  

Order of Business  

I. Call to Order.  

II. Consent Agenda.  

III. Minutes.  
   • Minutes of the 2014-15 Faculty Senate Meeting #25, April 7, 2015 (vote)  

IV. Chair’s Report.  

V. Provost’s Report.  

VI. Committee Reports.  

   Alternative Compensation Task Force  
   • FS-15-060: FSH 3780 – Dependent Tuition (Wolf)(vote)  

VII. Other Announcements and Communications.  

VIII. Special Orders.  

   Faculty Secretary/Policy Coordinator – Policies – Crowley  

      Leave Policy Related (FYI):  
      • FS-15-051: FSH 3710 – Leave Policy for All Employees (clarification edit)  
      • FS-15-052: APM 55.07 – Shared Leave  
      • FS-15-053: APM 55.09 – Employee Leave Benefits  

      Changes due to New Classification System (introduction):  
      • FS-15-061: APM 50.50, 50.51, 50.35, 50.55  
      • FS-15-062: FSH 3080, 3360, 3370, 3440, 3460  

IX. Unfinished Business and General Orders.  

X. New Business.  

XI. Adjournment.  

Professor Marty Ytreberg, Chair 2014-2015, Faculty Senate  

Attachments: Minutes of 2014-2015 FS Meeting #25  
FS-15-052 & 053; 060 through 062
Present: Aiken (w/o vote), Brandt, Brewick, Caplan, Chung, Couture (Boise), Crowley (w/o vote), Flores, Frey, Hiromoto (Idaho Falls), Jeffery, Karsky, Kennelly, Lowe, Mahoney, Murphy, Qualls, Safaii, Stauffer, Stoll, Wolf, B., Wolf, K., Ytreberg. Absent: Boschetti, Earl, Foster, Godfrey (Coeur d’Alene), Karsky, Nyavor, Perret, Teal, Guests: 7

The Chair called the meeting to order at 3:34. A motion (Chung/ Jeffery) to approve the minutes for meeting #24 were approved without dissent (3 abstentions).

Chair’s Report: Chair Ytreberg drew attention to next week where the Senate will look at changes to FSH and APM regarding the staff classification system. Two weeks from now will be the last chance to vote on policy changes. Committees that have changes need to make sure that they are on the agenda. Regarding last week’s call for possible name changes for the monthly faculty interdisciplinary research gathering, the Chair never received any suggestions. Please consider possible name changes. Senate elections for next year should be taking place. When these are completed please let the Faculty Secretary’s Office know the results. Returning senators and new senators will meet on the last meeting of the semester to vote for a new chair and vice chair.

Provost’s Report: Provost Aiken noted that the Borah Symposium is ongoing this week with the Keynote Address Wednesday night. She lamented the cancelation of the Bellwood Lecture which would have been today. The Provost called attention to the communication she sent out last night regarding the proposed change in employee compensation. The state legislature will be finishing up work on the budget in the next couple of weeks and we are looking forward to making decisions regarding the CEC. She noted that consistent with the UBFC and Senate proposals they were planning on raising the compensation level for the lowest paid among us. She was also pleased that they were looking at longevity raises for staff which is long overdue and important to retention.

FS-15-060: FSH 3780 – Dependent Tuition Waiver. The Chair introduced Senator Kat Wolf in her role as co-chair of the Alternative Compensation Task Force, an ad hoc committee appointed by the Senate to look at enhancing benefits. She noted the complexity of the committee charge which essentially amounted to looking at enhancing benefits without having an impact on possible salary increases. Professor Wolf commented on the problem of low morale and high turnover rates among both faculty and staff. The committee discussed a wide variety of ideas and collected a lot of information specifically on the costs of losing someone. As discussed in previous Senate meetings losing faculty and staff has a high cost so they focused on what type of actionable item they could propose that might make a meaningful difference. Thus next week they will bring a specific proposal regarding an increase in the tuition waiver from the current 50% to 100% for all dependents (the current policy is limited to one dependent at a time). There are currently 282 individuals who have dependents who are attending or planning to attend college with 180 who already attend the UI. The committee thought that increasing the dependent tuition waiver would provide a significant benefit for some faculty and staff and increase morale even though it would not benefit everyone. Professor Wolf stated that this proposal would be better than any of our peers except Utah State and noted that it would be nice to be better than our peers on some area of benefits. They are estimating that this program would cost $300,000 in lost tuition per year. This estimate was arrived at by doubling the current cost. The Provost pointed out that this was a change that, if passed, would have to be approved by the President and then by the Board of Regents. She did not think this was a budgetary change that President Staben would support.

A senator asked about scholarships. He stated that in the current policy if a student received scholarships they couldn’t take the waiver. He wondered whether the committee had looked at allowing students to take the half waiver plus receive scholarships. Another senator stated that it was possible to get some scholarships coupled with the current half waiver. In any case, Professor Wolf said that they hadn’t thought seriously about this option. It was stated that students receiving the full waiver would free up scholarships for others. Another senator wondered if they had looked at making this proposal need based. Professor Wolf suggested that they had briefly discussed this but it got very messy real fast. The Chair brought the discussion to a close with the assurance that the policy would be on the agenda for a vote next week.

Faculty Affairs: FS-15-051: FSH 3710—Leave Policies for All Employees. The Chair invited Ruth Funabiki (Chair of FAC) and Kent Nelson (General Counsel) to the table to continue discussion of the leave policies started last week.
Ms. Funabiki began by reviewing the major elements of the changes being proposed by FAC for FSH 3710. She noted that the major changes are (1) expansion of the 12 weeks required by FMLA to 16 weeks, (2) if both parents are employed by UI they are both entitled to the 16 weeks of parenting leave, (3) allowing sick leave to be used for parenting beyond the 10 days allowed in current policy. The reason for expanding to 16 weeks instead of the currently allowed 12 weeks is that 16 weeks corresponds to the reality of university semesters. Mr. Nelson noted that we should try to distinguish the medical aspects of birth with the parenting/bonding needs that arise after birth. He raised a concern about whether the new proposal would result in allowing shared leave, which has traditionally been used for serious medical issues, to be used for bonding. To address this concern a motion (Brandt/Mahoney) was made to delete the phrase at the end of E-2 “or shared leave (if eligible see 3710 L). The sentence in E-2 would now read "The remainder of the job protected leave will be unpaid, unless the employee chooses to use a combination of accrued annual leave or compensatory time.” This was accepted as a friendly amendment. The Faculty Secretary/Policy Coordinator voiced his view that this change didn’t actually change anything since a person would only be able to obtain shared leave if they meet the “serious health condition” criteria outlined in the shared leave policy. However, if deleting this phrase would help to avoid confusion than it was desirable to delete it.

Several Senators stated that this proposal was a vast improvement over what we have had in the past. Two individuals not having to split 12 weeks but being able to obtain 16 weeks each was a significant advance. Being able to use more than 10 sick leave days for parenting including adoption was also an important advance. However, several lamented the fact that the University doesn’t provide any sort of paid parenting leave apart from whatever sick or annual leave the individual might have. There also was some discussion as to whether the justification of moving to 16 weeks to match the semester format was overly simplistic. That is, births weren’t usually perfectly timed to the semester format. Nevertheless other Senators noted that 16 weeks was developmentally appropriate and parents are just getting out of the zombie stage. The proposal to approve the changes to FSH 3710 passed unanimously.

Drones: FS-15-057-APM 45.XX- Unmanned Aircraft Systems, FS-15-058-APM 95.XX-Personal Use of Unmanned Aircraft Systems, and FS-15-059-APM 35.35-Public Use & Liabilities. The Chair introduced Jack McIver and Casey Inge to speak to the APMs being introduced. The three APM’s involve the use of “unmanned aircraft systems” or what are commonly referred to as “Drones”. The use of drones are becoming very popular for various types of research. The FAA has expanded its regulation of drones. Thus the university needs to change its regulations to ensure compliance. The FAA has issued restrictions on the types of unmanned aircraft, the height they can fly at, as well as the type of use. The university will be setting up a compliance committee. A person cannot use drones on university property or use them on behalf of the university without approval. The user will have to apply to the committee with final approval by the Vice President for Research and Economic Development.

A senator asked a question regarding the definition of university property. Does this include the airspace above university property? Mr. Inge suggested that this would probably be the case although there are court cases raising this question. A couple of related questions were asked about university farms or the Kibbie Dome. Since the FAA regulations cover the airspace above the farms the policy would apply but it wouldn’t apply to space within the Kibbie Dome. However, a different type of approval would be necessary for the Kibbie Dome. The university can contract with others although they would have to have the proper FAA authorization.

A question was asked about 35.35 F-1 p.36 of the packet which seems to apply to model airplanes. The FAA does allow an exception for a hobby but the university will still require approval for personal use. The question was asked as to why the university would want to regulate model aircraft when the FAA allows an exemption. Mr. Inge stated that the reason was safety. The university could designate an area for such activities and several members of the Senate urged them to consider designating such an area.

Adjournment: Perhaps to ensure that the conversation did not drone on the Chair said he would entertain a motion to adjourn. The motion (Brewick/K. Wolf) passed unanimously and the Senate adjourned at 4:47.

Don Crowley, Faculty Secretary and Secretary to the Faculty Senate
POLICY COVER SHEET
(See Faculty Staff Handbook 1460 for instructions at UI policy website: www.webs.uidaho.edu/uipolicy)

<table>
<thead>
<tr>
<th>Faculty/Staff Handbook [FSH]</th>
<th>Addition</th>
<th>Revision*</th>
<th>Deletion*</th>
<th>Emergency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minor Amendment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Chapter & Title: FSH 3780 – Dependent Educational Tuition Reduction- Change

All policies must be reviewed, approved and returned by a policy sponsor, with a cover sheet attached to apm@uidaho.edu or fsh@uidaho.edu respectively.

*Note: If revision/deletion request original document from apm@uidaho.edu or fsh@uidaho.edu, all changes must be made using “track changes.”

Originator(s):
(Please see FSH 1460 C)
Name Date
kwolf@uidaho.edu

Policy Sponsor: (If different than originator.)
Telephone & Email:

Reviewed by General Counsel _ ____ Name & Date: __________________________

I. Policy/Procedure Statement: Briefly explain the purpose/reason of proposed addition, revision, and/or deletion to the Faculty/Staff Handbook or the Administrative Procedures Manual.

To promote employee recruitment and retention, and improve culture and climate at the university, by means of expanding dependent tuition benefit to 100% and adding multiple dependents.

II. Fiscal Impact: What fiscal impact, if any, will this addition, revision, or deletion have?

See attached documentation.

III. Related Policies/Procedures: Describe other policies or procedures existing that are related or similar to this proposed change.

IV. Effective Date: This policy shall be effective on July 1, or January 1, whichever arrives first after final approval (see FSH 1460 D) unless otherwise specified in the policy.

If not a minor amendment forward to: ___________________________________________
Track # _______________
Date Rec.: _____________
Posted: t-sheet ___________ h/c ___________ web ___________
Register: ______________ (Office Use Only)
DEPENDENT EDUCATIONAL TUITION AND FEE REDUCTION

Preamble: This policy was created in 2012 with employee recruitment and retention purposes in mind as well as improving the culture and climate at the University.

A. General: The dependent educational tuition and fee reduction benefit (benefit) is a 105% reduction in residential (in-state) student tuition and fees for dependents of eligible employees enrolled in University of Idaho undergraduate or graduate academic credit courses. No other fees are waived by this benefit; for example, the benefit does not include additional fees associated with specific courses (e.g., web-based courses), specific academic programs (e.g., professional fees), or specific services (e.g., insurance or student activities). The benefit does not apply to noncredit courses, intersession or summer session courses, continuing education courses, or courses offered through, but not limited to, Independent Study in Idaho, the College of Law, the Executive MBA Program, the Doctorate of Athletic Training, Professional Practices Doctorate, the McCall Outdoor Science School, or the WWAMI Medical Program. There is no limitation on the number of credits that may be taken per semester.

B. Employee: A board-appointed University employee on regular appointment who works at least half-time (including those on official leave) is eligible for the dependent educational tuition reduction benefit. A dependent may receive the benefit if the employee is eligible on the first day of the academic term. Only a single dependent per household at a time is eligible for this benefit.

C. Dependent: A dependent of a University employee is eligible as defined by the Federal income tax code, Section 152. The University reserves the right to request copies of tax returns or other supporting documentation.

C-1. An eligible dependent:

(a) must be an admitted student who has met all normal academic requirements for the course(s) taken;
(b) may receive only one 50% dependent educational tuition and fee reduction per semester, and may use the tuition and fee reduction benefit for a maximum of eight semesters (applies to both full and part time students);
(c) of an employee whose employment terminates due to death or permanent disability shall continue to be eligible for this program until the dependent meets one of the below, whichever comes first:
   • completes a degree
   • reaches the maximum number of eight semesters

D. Application: Applications require approvals/signatures of the employee, the dependent, and Human Resources. Applications must be filed before tuition is paid for the semester in which the benefit will be applied. The benefit is not automatically renewed; it must be applied for each semester. Fraudulent certification of dependent eligibility by an employee is grounds for discharge and the employee shall be required to repay all costs associated with the benefit.

E. Termination: If an employee’s appointment is terminated during a semester for which the employee’s dependent is registered for academic work under this policy, the academic work must be terminated unless the applicable tuition is paid, except in the case where employment is terminated due to death or permanent disability.
UI FACULTY-STAFF HANDBOOK
CHAPTER THREE:
EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF
July 2011

3710

LEAVE POLICIES FOR ALL EMPLOYEES

PREAMBLE: This section describes the various kinds of leaves that are available for all UI employees. (See section 3720 for Sabbatical Leaves limited to faculty members.) This section and the following one were original parts of the 1979 Handbook. The most substantive changes since that time have been the addition (under Governor Andrus) and subsequent deletion (under Governor Batt) of service leave for children at school and changes to subsection L that reflect changes in federal regulations. In 2002 extensive changes were made to subsection K that reflected Regent policy and current practice. In 2008 extensive changes to this policy were approved following many years of committee work involving Faculty and Staff Affairs, General Counsel, and Human Resources and a new section M was added on servicemember family leave due to a federal law change. In July 2010 a section R was added to address the Fiscal Year 2010 Furlough and in July 2011section R was removed and a new policy, FSH 3450, was created to address employment actions such as temporary furloughs. Unless explicitly noted, the text is as of July 1996. Further information is available from Human Resources (208-885-3609). [ed. 7-97, 7-05, rev. 7-98, 7-02, 2-08, 7-10, 7-11]

CONTENTS:
A. General
B. Annual Leave
C. Sick Leave
D. Holidays
E. Parenting Leave
F. Military Leave
G. Leave for Court Required Service and Voting
H. Leave for Campaigning for or Service in Public Office
J. Administrative Leave
K. Academic Transitional Leave
L. Terminal Leave
M. Shared Leave
N. Family Medical Leave
O. Servicemember Family and Medical Leave [add. 2-08]
P. Personal Leave
Q. Extended Family Medical Leave
R. Leave for Professional Improvement
S. Exceptions

A. GENERAL.

A-1. The university (hereinafter referred to as university) strives to offer leave programs that are both comprehensive and flexible to meet employee needs. Leave with or without pay is extended to employees under a variety of circumstances described below. Exceptions may be granted in special circumstances [QR; APM 55.09, 55.07, 55.38; FSH 3120, 3720 and 6230] [ed. 2-08, 7-10]

A-2. The term “leave” refers to an employee’s absence from duty. Each leave type as contained in this policy discusses circumstances in which such an absence may be continued with pay when leave accruals are available or when leave is approved without pay. Certain types of leave may require or provide options to take one leave concurrent with another. For example, sick and annual leave may be taken or may be required to be taken concurrently with other types of leave. All leaves are subject to approval.

A-3. Unless otherwise noted, for purposes of this policy, “immediate family member” includes: your spouse, your child, parent, brother, sister, grandparent, and these same relationships of a spouse, by marriage, adoption, or foster arrangement. An immediate family member may also include an individual who has assumed a similar relationship to those above, other than the relationship of spouse*, and for whom the employee or the individual has had financial responsibility for the other. An immediate family member also may include any individual who is a qualified
dependent under IRS regulations. The university reserves the right to request documentation establishing financial responsibility or qualifying status as an IRS dependent.

*Due to the 2006 “marriage amendment” to the Idaho Constitution the university, despite the wishes of the Faculty Senate, is unable to include domestic partnerships. [ed. 1-10]

A-4. Separation from employment or the term terminating employee refers to an employee’s separation from all employment.

A-5. A break in State of Idaho service is defined as job termination that is separated by at least three (3) business days prior to re-employment with the university or any other State of Idaho employer.

A-6. Full and part-time employees are eligible for some or all leaves discussed in this policy.

a. Benefit-eligible employees are those who hold a board-appointed position [FSH 3080] and are employed at least half time or greater.

b. Individuals who are employed at least half time or greater as temporary help (TH) and who are expected to complete five (5) months or more of continuous university service and are eligible to participate in the Public Employers Retirement Plan for Idaho (PERSI) are eligible for limited benefits, including annual leave, sick leave and pay for holidays on which they do not work [FSH 3090].

A-7. Leave may not be taken in advance of accrual and may not be taken in excess of 80 hours in a pay period.

A-8. Leave may not be taken on an employee’s first day of employment. If an employee is unable to report for work on their specified first day of employment; employment will not begin until the first day that the employee reports for active duty.

A-9. All employees, including faculty and exempt employees, are responsible for recording all leave taken on bi-weekly time reports and complying with the terms of leave policies, including, but not limited to:

a. completing application for leave and providing medical evidence and other requested information;

b. abiding by any and all return-to-work restrictions; and

c. returning to work following expiration of approved leave.

Failure to uphold these responsibilities may result in absence without approved leave. Eligibility to preserve employment may be affected and/or the employee may be subject to disciplinary action, up to and including termination from employment as provided in appropriate university policies [FSH 3910, 3920 and 3930].

A-10. Employees who are exempt from overtime accrual or payments may be absent from work for approved periods of less than ½ work day without charge to sick or annual leave. Sick, annual or other paid time off must be charged in ½-day increments when ½ day of work or more is not performed, except when alternative work has been performed in conjunction with an approved flexible schedule.

Employees who are not exempt from earning overtime accrual or payments shall record all approved absences in 1/4-hour increments, except when time loss has been made up through an approved flexible schedule.

A-11. Absent written agreement to the contrary, an eligible employee typically earns credit toward retirement plan vesting (see your PERSI, IORP or federal retirement plan document for details) and earns annual and sick leave accruals during the portion of any leave that is paid, except that sick and annual leave do not accrue during terminal leave [J], or in some circumstances during administrative leave [H-5]. An employee typically will not be given such credit for any periods of unpaid leave.
A-12. No break in service will occur during any approved paid or unpaid leave for the purposes of determining eligibility for retiree health benefits.

A-13. Departmental administrators are responsible for approving and ensuring the reporting of leave, via Banner, taken by the employees in their respective units. For procedures regarding reporting and monitoring leave see APM 55.08. The Banner system and Human Resources records are the official university leave records. [ed. 7-10]

A-14. Human Resources is responsible for coordinating requests and reviewing compliance with all types of leave other than sick, annual and medical appointment leave discussed in this section. [APM 55.09] [ed. 7-10]

B. ANNUAL LEAVE.

B-1. Employees receive annual leave based on their classification of employment. [FSH 3080]

a. Classified Employees on full-time fiscal-year appointments accrue annual leave based on hours worked at the rate of approximately 3.7 hours bi-weekly for the first five full years of service, with a maximum accumulation of 192 hours; 4.6 hours bi-weekly up to 10 years of service, with a maximum accumulation of 240 hours; 5.5 hours bi-weekly up to 15 years of service with a maximum accumulation of 288 hours; and 6.5 hours bi-weekly for more than 15 years of service with a maximum accumulation of 336 hours. [RGPP II.E.3; FSH 3080; APM 55.08 and 55.09] [ed. 7-10]

b. Faculty on full-time fiscal-year appointments and exempt employees, including postdoctoral fellows, accrue annual leave at the rate of 7.4 hours bi-weekly and may accumulate a maximum of 240 hours. [RGPP II.F.3, FSH 3080, APM 55.09] [ed. 7-10]

c. Faculty who hold academic-year appointments do not accrue annual leave. Their periods of obligation and leave are governed primarily by the academic calendar, subject to stipulation by the employee’s dean. [FSH 3120]

B-2. Annual leave for classified and exempt appointment of less than 100% full-time, but equal to or greater than half-time, is accrued based on hours worked and at a rate based on the employee’s classification [B-1]. No annual leave is accrued for less than half-time service.

B-3. Temporary employees who are eligible for PERSI accrue annual leave beginning on the first day of employment in an eligible position at a rate of .0462 times hours worked within each bi-week, however leave is not earned until the benefit qualification period has been satisfied.

Annual leave for qualified temporary employees accrues, but is not earned until the employee has worked at least 20 hours per week and for a period of at least five (5) months (the benefit qualification period). Approval to use accrued, but unearned annual leave may be approved by the employee’s supervisor under special circumstances. However, in the event that accrued annual leave is taken before it is earned and the employee also voluntaritly separates or is terminated for cause before annual leave is earned, the value of unearned annual leave taken will be withheld from pay, other earning or payments or must otherwise be repaid to university.

Leave Accrual Example:
Annual leave accrues based only on hours worked.
62 hours worked times .0462 results in 2.90 hours of accrual and may accumulate to a maximum of 192 hours.

B-4. Annual leave accrual is temporarily suspended when the accumulation reaches the maximum allowance. Once the leave accumulation drops below the allowed maximum, accruals resume.

B-5. Employees eligible for overtime earn overtime based on only hours worked. There is no overtime accrual based on annual leave, sick leave, compensatory time, holidays or any other paid time off.
B-6. Annual leave continues to accrue while on any paid leave, except that annual leave does not accrue on hours of compensatory time used; during terminal leave [K]; during academic transitional leave [J] or for temporary employees who accrue annual leave based only on hours worked.

B-7. At the employee’s option, accrued annual leave may be used during any approved leave that could otherwise be taken as sick leave. [RGPP II.I.2.b.]

B-8. Annual leave must be scheduled in advance and requested in writing by the employee. Annual leave may not be taken without the supervisor’s written approval. Both the employee’s vacation preference and business needs of the unit must be considered in establishing mutually agreed periods of leave [APM 55.09].

   a. Supervisors are responsible for coordinating and approving requests for annual leave of all employees in their respective units.

   b. An employee on approved annual leave, who becomes eligible to use sick leave through unforeseen events, may use sick leave in lieu of annual leave with approval from his/her supervisor. Documentation to support the use of sick leave may be required.

B-9. Leave balances are paid to employees upon separation (i.e. resignation, retirement layoff, non-renewal, termination) from all State of Idaho employment [IC 67-5334]. Leave balances are transferred from the university to other State of Idaho employers when the university employment ends and a new position is accepted with any State of Idaho employer when there is no break in state service [A-5]. However, the university reserves the right to require an employee to exhaust some or all annual leave prior to any job or employment separation.

Employees separating upon the expiration or termination of a grant will be required to use annual leave before the last day of employment.

In the event of an employee’s death, payment is made to his or her estate.

The effective date of the employee’s separation is the last day on which he or she reports to work for the university, unless the Assistant Vice President (AVP) for Human Resources or designee has approved a written request for alternative termination arrangements that are in the best interests of the university.

A termination extended through the use of accrued annual leave must be approved in advance, in writing, by the AVP for Human Resources or designee and unit administrator and shall be treated as terminal leave. [J and APM 50.20].

In the event that an academic administrator transitions from a position eligible for annual leave to a faculty position in which annual leave does not accrue, balances should be exhausted prior to the start of the new appointment. Leave balances that cannot be used will be carried forward. If not used, the balance of unused annual leave will be paid at the time of separation of all State of Idaho service. Carry forward of annual leave balances exceeding eighty (80) hours must be approved in advance by the AVP for Human Resources, or designee.

B-10. Any individual, regardless of type of appointment, with an annual leave balance who transfers or who is reassigned to another unit within the university may be required to exhaust all existing annual leave prior to starting the new assignment.

B-11. Payment in lieu of annual leave taken for any reason other than separation from employment is granted only by exception or under other special circumstances within the business needs of the university.

B-12. Eligibility requirements for annual leave for temporary help (TH) can be found in FSH 3090.
C. SICK LEAVE.

C-1. Employees that work at least 40 hours in a bi-weekly pay period for at least five (5) consecutive months accrue sick leave. Accrual is approximately 3.7 hours bi-weekly for full-time service. [FSH 3090 C]

C-2. Sick leave accumulation for half-time but less than full-time service is accrued proportionately based on hours worked and earned at the rate of .0462 for each hour worked.

C-3. Sick-leave may be accumulated without limit.

C-4. Sick leave cannot be taken in advance of accrual. If, at the end of a bi-weekly pay cycle, absences exceed sick leave accumulation, the hours will be charged to compensatory time first, if available, and then to annual leave. If there is no leave accumulation, time will be unpaid. If sick leave or other types of paid leave are available for an approved absence of any duration, time-off must be taken using available paid leave and may not be taken as unpaid leave, unless such absence has been approved as a personal leave [N] without pay in accordance with the guidelines of this policy.[ed. 2-08]

C-5. Sick leave continues to accrue while on any paid leave, except for hours of compensatory time used; during terminal leave; and/or during academic transitional leave [I].

C-6. Sick leave may not be used in lieu of annual leave, except when the conditions of B-8. b. above have been met.

C-7. Sick leave may be taken only as follows:

   a. Illness of Employee. An employee’s own illness, injury, or childbirth-parenting (see FSH 3710 E) that prevents the employee from performing his or her assigned duties; or in the event of exposure to contagious disease if, in the opinion of responsible authority, the health of others would be jeopardized in the work place.

   b. Illness of an Immediate Family Member. When the illness or injury of an immediately family member as defined in [A-3] of this policy requires the attendance of another, the employee may use his or her own available sick leave.

   c. Death of an Immediate Family Member. In the event of a death of an immediate family member as defined in [A-3] of this policy; up to fifteen (15) days of sick leave may be used immediately following the event, but can be extended if there are special circumstances. The unit administrator and the AVP for Human Resources or designee may approve an extension of leave for up to a total of thirty (30) days of sick leave.

   d. Death of a Family Member. Sick leave usage for the death of a family member other than a member of the immediate family as defined in [A-3] of this policy is limited to a maximum of five (5) days of sick leave immediately following the event.

   e. Medical Appointments. Personal or family appointments for medical, dental, optical treatment or examination, or meeting with an Employee Assistance Program professional, including time for travel to and from such appointments. An employee is allowed up to two hours of time off per month for such appointments without charge to sick leave provided satisfactory arrangements have been made with the employee’s supervisor. If the employee has absences totaling more than two hours in a month, such absences must be reported and charged to sick leave. There is no carryover balance from month to month.

   f. Parenting/Adoption. Up to ten (10) days of sick leave may be used during an approved family medical leave for either parent for parenting as defined in L-5 of this policy. In the case of adoption, the child must be younger than 18 years of age and may not be a stepchild.

   f. Organ Donation. Full- and part-time benefit eligible employees may use up to five (5) days of sick leave for bone marrow donation and may use up to thirty (30) days of sick leave to serve as a human donation organ donor during an approved family medical [L] or personal leave [N]. [ed. 2-08]
C-8. Attendance at work is a job requirement for all positions at the university. Excessive absenteeism can affect job performance. Supervisors have the right to set attendance standards and require medical evidence to support absences that exceed these standards. Absences that occur during an approved family medical leave (FML) are exempt from these requirements.

C-9. The federal Family Medical Leave Act of 1993 (FMLA) was adopted as law to protect the best interest and job security of employees. The university may initiate family medical leave (FML) and will apply FML concurrently with sick leave when the employee’s own illness, work-related injuries, or an illness of a family member is covered by FML. In these circumstances, sick leave must be used before unpaid FML is taken.

C-10. An employee may be eligible for FML after three (3) consecutive days of sick leave, unpaid or other absence and may initiate a request for FML at any time prior to an absence which they suspect may qualify. However, the university may also initiate FML and will typically take steps to determine if an absence qualifies as FML when an employee has missed five (5) consecutive workdays or longer by providing the employee with an absence questionnaire and FML application. A failure to comply with a request to complete the absence questionnaire and/or the FML application (if applicable) may result in absence without pay and/or disciplinary action, up to and including dismissal from employment as provided in relevant university policies.

C-11. Employees transferring without a break in service from a qualified Idaho state agency or from the university to another state agency will be credited with their accrued sick leave by the receiving agency. All unused sick leave is forfeited when an employee is separated from state service. No compensation is made for such unused leave, except as provided in C-12 in the case of employees who are retiring from the university. If an employee returns to state service or to the university within three (3) years after separation, sick leave forfeited at the time of separation will be reinstated.

C-12. Employees who retire and then return to work at the university may not be entitled to reinstatement of sick leave balances. In this instance, only the unused portion of sick leave that was converted at the time of retirement to pay for retiree health benefits may be reinstated for employees who separate for retirement purposes and later return to work at the university.

C-13. An employee who retires under the eligibility conditions for retirement or disability retirement as stated in FSH 3730 may apply a pre-determined amount of unused sick leave accrued since July 1, 1976, as payment for continued coverage under the university retiree health program.

D. HOLIDAYS.

D-1. The university is closed at least eleven (11) holidays each fiscal year.

D-2. Board-appointed employees (FSH 3080) and temporary help employees participating in PERSI (FSH 3090) are eligible to receive holiday pay.

D-3. Benefit-eligible employees (A-6.a.) who are employed full time (87.5 percent or greater) receive holiday pay based on eight (8) hours for each holiday. An employee who works a compressed work schedule to include more than eight (8) hours each day, such as four (4) ten-hour workdays in one week, will still receive only eight (8) hours of holiday pay. With supervisor approval, the employee may make up the difference between their regular hours of work and the holiday pay for that day (two [2] hours in this example) through a flexible work schedule within the same work week [FSH 3460], or may use accrued compensatory time or annual leave, or take the time as unpaid.

D-4. Benefit-eligible employees (A-6.a.) who are employed at least half time but less than full-time, are entitled to receive holiday pay, pro-rated based on the average number of hours scheduled each week. The number of hours scheduled on a routine basis (not the hours worked in the week in which the holiday falls) is divided by five (5) days. For example:
20 hours per week / 5 = 4 hours of holiday pay  
25 hours per week / 5 = 5 hours of holiday pay  
30 hours per week / 5 = 6 hours of holiday pay

D-5. The university embraces diversity and recognizes that our workforce is derived from many diverse cultures to include many different religious preferences. An individual may be absent from work to observe a religious holiday consistent with his or her own religious beliefs and practices when the day is not consistent with the university’s official holidays, provided advance notice is given. Pay for these absences are as follows:

a. Benefit-eligible employees may use their accrued compensatory time or annual leave to receive pay for an observed religious holiday that is not an official university holiday.

b. Employees who are not benefit-eligible, or who do not have compensatory or annual leave available, may observe the holiday without pay; or, with advance supervisory approval, employees may make up the hours in the same work week [FSH 3460].

D-6. Benefit-eligible employees are entitled to holiday pay while they are on other approved paid leave, or during any portion of paid or unpaid family medical leave.

E. PARENTING LEAVE.

E-1. Employees who meet FMLA eligibility requirements (see FSH 3710 M-3) are entitled to 16 weeks of job protected leave with continuation of group health insurance coverage within 12 months of the birth, adoption, or foster placement of a son or daughter.

Son or daughter means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age 18, or age 18 or older and “incapable” of self-care because of a mental or “physical disability” at the time of the FMLA leave request.

E-2. If both parents are employees of the university each is entitled to take the same amount of parenting leave as allowed for a single employee.

E-23. Employees can choose to use a combination of accrued paid leave or unpaid leave. Employees must first use accrued sick leave (see FSH 3710 M-2) before going on leave without pay. The remainder of the job protected leave will be unpaid, unless the employee chooses to use a combination of accrued annual leave, or compensatory time, or shared leave (if eligible see 3710 L).

E-34. Employees are encouraged to familiarize themselves with FMLA guidelines before requesting or granting Parenting Leave. “Fact Sheets” that explain FMLA (numbers 28 through 28M) may be found on the United States Department of Labor Wage and Hour Division website.

E-45. Leave may not be used for both foster care and adoption consecutively if foster placement leads to the adoption of the son or daughter.

E-56. Alternate or reduced work schedules are addressed in FSH 3710 M-13 b.

E-67. See FSH 3710 R-1 for exceptions to University leave policies.

EE. MILITARY LEAVE.

EF-1. Faculty and staff, regardless of whether or not they hold a fiscal-year or academic-year appointment are eligible for leave of up to fifteen (15) working days in a twelve (12) month period for active duty or military training. Leave for State of Idaho military duty or training is limited to fifteen (15) days within a calendar year. Employees who are in board-appointed positions [FSH 3080] are eligible for paid military leave. When called to active duty or training, the university will pay the difference between military pay received from the U.S. or State government, but cannot duplicate pay. This is accomplished by full pay during an approved military leave. The employee
must provide documentation of military pay received during leave, within ninety (90) days of return from leave or upon earlier job separation. The employee is required to repay to the university any amount which exceeds their regular base pay for the same period. Unpaid military leave may be requested if the employee knows their military pay will exceed their university pay. Annual and sick leave credit towards length of service for retirement plan, and other vesting will continue to accrue during the fifteen (15) working days of military leave and eligibility for employee health benefits will continue whether military leave is requested with or without pay. An employee at their own option may instead request annual leave on the same basis as any other vacation or other time off and if approved, may use annual leave and retain full military pay. [APM 55.09 and 55.38] [ed. 7-10]

**EF-2.** Any employee who is called to active duty and/or is required to serve more than fifteen (15) working days is eligible for up to five (5) years of military leave. Eligibility for employee health coverage will continue at a minimum through the first thirty (30) calendar days of service while on an approved military leave. The employee will be required to pay the employee share of the health care costs, as well as the costs for his/her dependents.

**EF-3.** An employee may use annual leave and/or accrued compensatory time for military service and continue to receive pay and benefits before commencement of military leave.

**EF-4.** Military leave beyond the first fifteen (15) working days is generally granted without pay and benefits. Health care coverage will end for the individual who is called to active duty after the first thirty (30) days of service. However, coverage for his/her dependents may continue for up to an additional six (6) months, provided that the employee has made arrangements with Benefit Services to pay the full cost of coverage, on at least a monthly basis. In this instance, any other coverage provided by U.S. military programs will be primary.

**EF-5.** When on military leave or when his/her dependents are not eligible for coverage elsewhere, the employee or his/her dependents, individually or as a family, may be eligible to continue health care coverage through COBRA.

**EF-6.** An employee may elect to continue group life insurance benefits in effect for the employee or his/her dependents on the date the employee is called to active duty for a maximum period of thirty (30) days. However, the employee must self-pay the full cost, based on rates and eligibility rules afforded to others who are actively at work. Benefits from these programs generally exclude losses resulting from participation in a military organization or from an act of war. An employee may also have the right to life insurance portability or conversion to an individual life insurance policy following termination of benefits in the group plan.

**EF-7.** Upon reinstatement, the employee’s health plan will resume as if their employment had not been interrupted.

**EF-8.** In accordance with state and federal law, an employee upon return will be reinstated to his/her former position or a comparable position without loss of seniority, status or pay rate provided the employee returns with an honorable discharge and within five (5) years from departure date from the university.

a. In some situations, re-employment may not be possible, such as when there has been a significant change in circumstances, if re-employment would impose an undue hardship on the university or department, or if the person’s employment was temporary in nature, such as positions that are grant-funded for a specific duration and/or temporary help (TH) positions.

1. If the returning employee's skills need upgrading to meet the requirements for a prior or promoted position, the university will make reasonable efforts to refresh or update these skills unless such efforts would create undue hardship for the university.

2. When an employee with a service-related disability is not qualified to perform the essential functions of his/her job after the university has made reasonable efforts to accommodate the disability, the employee may be placed in another position of comparable pay, rank, and seniority.

b. Employees returning from military leave must provide the university with written timely notification of intent to return to their position. The university may require documentation that the person’s application for
reemployment is timely and that the person’s discharge from uniformed services was under honorable conditions. University procedures will follow the applicable state and federal law, including but not limited to the Uniformed Services Employment & Reemployment Rights Act (USERRA), 38 U.S.C. 4301-4333, enforced by Department of Labor’s Veterans’ Employment & Training Services (VETS) (www.dol.gov/vets.)

**EF-9.** Retirement benefit contributions are suspended while the employee is on unpaid military leave. Upon reinstatement after military leave, reenrollment in the retirement plan will be immediate.

a. Credited state service continues during military leave as though no break in employment has occurred.

b. The employee may elect to make up any employee contributions missed during an approved military leave. Such contributions must be paid into the plan within a period not to exceed three (3) times the length of the military leave, up to a maximum of five (5) years.

c. The university will contribute the regularly scheduled match contributions for any employee make-up payments made in connection with an approved military leave.

d. For purposes of determining eligibility for retiree health coverage, military leave will not count as a break in service provided that re-employment occurs within the parameters of this policy. Further, an employee will receive university service credit for purposes of determining eligibility under the Retiree Health Program [FSH 3730] during the fifteen (15) days of approved paid military leave; however, the employee will not receive service credit for purposes of determining eligibility under the Retiree Health Program [FSH 3730] for any unpaid military leave.

**EF-10.** The university will not discharge an employee without cause, as that term is defined by federal USERRA regulations, who is reinstated under the provisions of the USERRA and has served thirty-one (31) to one hundred and eighty (180) days without cause for six (6) months following reinstatement. If the length of military service was more than one hundred and eighty (180) days, but less than five (5) years, the employee will not be discharged without cause for one (1) year following reinstatement.

**E-11.** This policy is intended to comply with applicable state and federal laws, including the Uniformed Services Employment and Reemployment Rights Act (USERRA) of 1994. To the extent that any provision of this policy is ambiguous and/or contradicts the Act or any other law, the applicable law or Act will prevail.

**GF. LEAVE FOR COURT REQUIRED SERVICE AND VOTING.**

**GF-1.** Any employee who is summoned for jury duty or subpoenaed as a witness before a court of competent jurisdiction or as a witness in a proceeding before any federal or state administrative agency will be granted leave. Benefit-eligible employees will be granted leave with pay, except as provided below in E-2. Travel expenses in connection with this duty are not subject to reimbursement by the university. [RGPP II.I.5.a.2; APM 55.09] [ed. 7-10]

**GF-2.** An employee must request annual leave or personal leave without pay for the following:

- appearing as a party in a non-job-related proceeding involving the employee;
- appearing as an expert witness when the employee is compensated for such appearance; or
- appearing as a plaintiff or complainant, or as counsel for a plaintiff or complainant, in a proceeding in which the Board of Regents or any of its institutions, agencies, school or office is a defendant or respondent. [RGPP II.I.5.a.]

**GF-3.** Polling places are typically open extended hours and absentee voting is widely available. However, employees who are unable to vote outside of scheduled hours will be allowed time off to vote. If available, an employee may use accrued annual leave, compensatory time or, if approved in advance, may be able to make up
time lost to vote within the same work week [FSH 3460] through a flexible work schedule. Otherwise, time off will be approved, but unpaid.

HG. LEAVE FOR CAMPAIGNING FOR OR SERVING IN PUBLIC OFFICE.

HG-1. The president approves requests for leave of absence for the purpose of campaigning for or serving in public office [RGPP II. I.5.c.]. See FSH 6230 E for provisions concerning leave for campaigning and serving in public office.

HG-2. It is the Board of Regent’s intent that state salary not be duplicated to an employee serving as a member of the Idaho Legislature. Any leave for serving as a member of the Idaho State Legislature will be unpaid when the Legislature is in session [RGPP II.I.5.c.2.]. Certain benefits may continue during the unpaid leave; however, the employee must pay the full cost of coverage.

IH. ADMINISTRATIVE LEAVE.

IH-1. Administrative Leave is leave with pay and benefits. An employee will continue to receive pay and leave accruals in accordance with their regular rate and maintain eligibility for other benefit programs. (Terminal leave (J) and academic transitional leave (I) are not considered administrative leave.)

IH-2. At the discretion of the president or his/her designee, an employee may be granted administrative leave when the state or the university will benefit as a result of such leave. [RGPP II.I.5.d; 3470 B]

IH-3. Examples of circumstances that may qualify an employee for administrative leave are volunteer fire fighters attending class off campus, official delegates to the annual general convention of Idaho Public Employees’ Association, and members of state or local committees, such as the Human Rights Commission, attending official meetings.

IH-4. With the approval of the president or designee, an administrator may also use administrative leave to remove an employee from the workplace (for example during an investigation or to mediate an employee relations issue), if approved in advance by Human Resources. The President’s Office or Provost’s Office, as appropriate must be notified.

IH-5. In all cases involving administrative leave with a duration that is more than one bi-week, an electronic personnel action form (EPAF) must be processed. When leave is less than one full bi-week, hours attributed to administrative leave shall be coded as “ADL” on the time/leave record and in the payroll system.

IH-6. In the absence of a written agreement to the contrary, an employee on administrative leave must be available for recall to work during regular university business hours in the event that the employee’s services are required or he/she is otherwise requested to return to work.

IH-7. Under certain circumstances, the university may require the use of accrued annual leave and/or compensatory time.

JI. ACADEMIC TRANSITIONAL LEAVE.

JI-1. Academic transitional leave may apply when an academic administrator steps down from his/her administrative appointment and assumes a faculty appointment. The purpose of academic transitional leave is to prepare the employee for a new faculty appointment. Transition leave is not available in the event of transition from academic faculty to an administrative appointment. Academic transitional leave is granted at the discretion of the university, must be approved by the provost, and approved by the president or designee.

JI-2. There is no accrual of annual leave during the period of academic transitional leave. All other benefits and leave accruals are provided on the same basis as afforded to similarly situated employees in a faculty job classification. Annual leave balances should be exhausted prior to a new academic faculty appointment. Leave balances that cannot be used will be carried forward. If not used, the balance of unused annual leave will be
paid at the time of separation of all State of Idaho service. Carry forward of annual leave balances exceeding eighty (80) hours must be approved in advance by the AVP for Human Resources or designee.

**KJ. TERMINAL LEAVE.**

**KJ-1.** Terminal leave is paid leave received by a terminating employee in lieu of wages at the employer’s discretion. An example of terminal leave is leave paid to an employee who is not completing the term of his/her contract at the request of the employer. Sick and annual leave is not accrued during the terminal leave period. Time toward length of service for retirement vesting and eligibility for university retiree health benefits [FSH 3730] will continue. The duration of terminal leave is determined at the discretion of the university.

**KJ-2.** During terminal leave, health benefits continue for an employee and his/her covered family members on the same basis as employees of the same classification who are actively at work. The employee’s share of all health care contributions, including employee and dependent medical/dental, supplemental life, and/or any other costs of coverage, will be withheld from the employee’s pay. Upon separation from employment, the employee and/or his/her covered family members, as a family or individually, may have rights to medical/dental coverage through COBRA.

**KJ-3.** The university may require the use of accrued annual leave and/or compensatory time during the terminal leave period or may pay out some or all accrued, but unused balances at the time of termination.

**LK. SHARED LEAVE.**

**LK-1.** University employees who earn annual leave may donate annual leave hours to a fellow employee who has an extraordinary need for leave. Annual leave donated becomes shared leave. Shared leave may be donated to a shared leave pool or to the benefit of a specific eligible recipient. See FSH 3710 L-5 below and APM 55.07 C-3 for conversion of donated leave to shared leave.

**a. Qualifying Events.** If any benefit-eligible employee [A-6. a.] who has a health condition [KL-2.a.1] or whose immediate family member [A-3] has such a condition and the employee is required to take time away from work, and has exhausted all leave, the employee may apply for shared leave when time away from work is a qualified absence as described below (KL-2.a.1) but will not be compensated by paid leave or wage replacement programs such as disability and workers’ compensation benefits.

1. The health condition of the affected individual must be certified by a competent health care provider to be considered as acceptable evidence by the university, and qualify as a serious health condition as defined by family medical leave [Mk] to include a need resulting from human organ or bone marrow donation. This provision applies only to the acceptable medical conditions of family medical leave. An employee need not meet the service and other requirements of family medical leave to be considered as an absence eligible for shared leave.

2. Shared leave may be requested for routine pregnancy-related disability and complications of childbirth and pregnancy, but not for parenting or parent-child bonding. Sick leave benefits for eligible employees may be available for parenting [C-7.2].

3. An applicant for shared leave who has used his or her own annual leave for purposes other than attending to a medical condition that is known to create potential for an extraordinary need for leave typically is not eligible for leave from the shared leave pool. Under extraordinary circumstances, such an applicant may request an exception to receive shared leave from directed donations.

4. Shared leave that is donated from the shared leave pool is intended for use by employees who intend to return to work. An applicant who wishes to receive shared leave and otherwise meets the criteria of
the program and does not intend to return to work may apply for shared leave; however, shared leave in this instance is available only from donations directed specifically to that one recipient.

b. Prerequisites. An employee must have used all other available leave such as sick leave, annual leave, and compensatory time to qualify as a recipient of shared leave.

c. Disability Income. To be eligible for shared leave for the employee’s own medical condition, employees must first apply for wage replacement benefits that may be available through workers’ compensation or disability coverage. Once such benefits begin eligibility for shared leave benefits end. However, an otherwise eligible employee may use shared leave while satisfying the waiting period or after exceeding maximum disability periods for income replacement programs.

LK-3. Donating Shared Leave.

a. Employees who have an accrued annual leave balance may donate to shared leave regardless of their funding source. Donations may be made to the shared leave pool and accessed by any eligible recipient or donated directly to a specific shared leave recipient.

b. Shared leave donations are restricted to direct donation when the donor’s annual leave balance is less than forty (40) hours from the maximum leave accumulation limit. In this instance only, the amount of leave actually used by the recipient will be deducted from the donor’s account before any balance is taken from the shared leave pool. Donated leave not used by the recipient will be returned to the donor’s account or forfeited if the maximum accrual has been reached. Donors can choose to designate any unused direct donations to be added to the general shared leave pool.

c. Leave donations made for a specific individual will be drawn from donors’ accounts based on a first-received basis. The first donation request received by Benefit Services will be processed before a second donation from other recipients or before hours are withdrawn from the shared leave pool. Donations will be drawn from the donor’s annual leave account as the time is transferred and used by the recipient. No leave donation in excess of the recipient’s shared leave needs will be taken, unless contributions to the shared leave pool also have been authorized, except as noted above in section b., when donations to the shared pool are restricted.

d. Leave donations may be made in any amount of not less than ½-hour (.50) increments.

e. Shared leave donations may not cause the donor’s annual leave balance to fall below forty (40) hours at the time the donation is processed, unless the donor is terminating active employment from the University. Donors should be aware that any shared leave not used by the intended recipient will be returned to the Shared Leave Pool, not returned to the donor.


a. Maximum Benefit. The maximum shared leave benefit is limited to four (4) working weeks of leave within a rolling twelve (12) month period. Shared leave hours that are granted will be reflective of the employee’s regular percentage of appointment.

b. Shared leave requests are reviewed and granted by the Director of Benefit Services or designee in accordance with this policy. Applicants awarded shared leave will be notified in writing; if the request is denied, the reason(s) for denial shall also be stated in writing. The requestor may appeal a denied request for shared leave. Appeals must be made in writing to the AVP for Human Resources within thirty (30) days from the date of denial and must reference the applicable sections of policy and reasons why there is disagreement. The AVP for Human Resources will respond to appeals within thirty (30) days.

LK-5. Funding and Conversion.
UI FACULTY-STAFF HANDBOOK
Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF
Section 3710: Leave Policies for All Employees

a. Donation Conversion. Hours of donated shared leave are multiplied by the hourly rate of the donor; that amount is recorded as a deposit to the shared leave pool or the directed recipient’s account and subtracted as hours from the donor’s annual leave balance.

b. Recipients Conversion. The recipient’s hours of shared leave need is multiplied by the recipient’s hourly rate and subtracted from the shared leave pool.

Sick leave is a liability that is funded only through base salary. Funding for a full year of base salary is provided for most positions. If an employee is absent without pay the department typically has received funding for the duration of the employee’s full appointment and would achieve salary savings as a result. The only exceptions would apply to those working from certain special funding sources or who hire a temporary replacement during the period of unpaid leave. Consequently, the department of the employee who will receive shared leave is responsible for funding the pay its employee will receive during leave from shared leave donations.

c. Donors may donate annual leave regardless of their salary-funding source. The department or sponsored research project gains the hours the employee would have taken for annual leave when their employee makes a donation.

ML. FAMILY MEDICAL LEAVE.

ML-1. Family medical leave may be requested by an eligible employee for the following reasons:

a. birth, adoption or foster care placement of a child (see FSH 3710 E);

b. parenting to care for or bond with a child within twelve (12) months following the birth, adoption or foster care placement of a child;

c. to care for an immediate family member as defined in [A-3] of this policy with a serious health condition as defined in [LM-5] of this policy;

d. because of the employee’s own serious health condition [ML-5]; or

e. to serve as a human organ or bone marrow donor.

ML-2. Family medical leave and/or servicemember family medical leave is leave without pay. However, when the absence also qualifies for the use of sick leave, if available, sick leave must be used first in conjunction with family medical leave before any period of unpaid absence. Once sick leave has been exhausted or when the type of absence does not qualify for the use of sick leave, the entire absence or remainder of the approved family medical leave will be unpaid, unless the employee chooses to use any combination of compensatory time, annual leave, or shared leave (if eligible; KL). [rev. 2-08]

ML-3. Eligibility. If the employee has been employed by the university for a minimum of twelve (12) months and has worked at least 1250 hours during the previous twelve (12) month period prior to the requested leave, the employee is eligible for family medical leave.

ML-4. Length of Leave. A maximum of up to twelve (12) weeks or a total of 480 hours of family medical leave may be granted to eligible full-time employees during a rolling twelve (12) month period. Eligible part-time employees may be granted up to twelve (12) working weeks of leave or a total number of hours consistent with their regular work schedule within a twelve (12) week period. (i.e. 20 hours per week x 12 weeks = 240 hours). The period is measured from the date the employee last used/exhausted family medical leave or became employed by the university to the date leave is to begin. Family medical leave may be taken on a continuous, intermittent, or reduced-hour basis.

When both parents are university employees, family medical leave taken for childbirth/parenting consists of a single benefit of up to a total of twelve (12) weeks for either parent (but not both parents, see 1-15) or the single benefit may
be shared between the parents. Up to ten (10) days of sick leave may be available to either parent for “parenting” (the bonding period after child birth related disability or for a non birth mother or father. [C-7, f.]

ML-6. Health benefits continued during family medical leave on the same basis as for any similarly situated employee who is actively at work, regardless of whether the employee is using other forms of accrued leave or taking leave unpaid. The employee’s share of cost for health coverage is the amount that is typically payroll-deducted for the employee’s own coverage and/or coverage for his/her dependents. The employee is responsible for payment of these amounts during leave. Payroll deductions will be continued for any portion of the leave that is paid. During any portion of leave when no pay is received, the employee must make arrangements to self-pay these amounts. Retirement plan contributions, accruals for sick and annual leave and credit toward vesting are suspended during unpaid portions of family medical leave.

ML-7. All qualified absences, including those due to a work-related injury, will be considered as family medical leave.

ML-8. If there are reasonable circumstances to support that an employee’s absence qualifies as family medical leave, the university has the right to classify such absence as family medical leave.

Commented [TA(12)]: FMLA allows both parents to take this leave.

Commented [TA(13)]: Duplicate of M-3 above.

a. “Serious health condition” is defined as an illness, injury, impairment or physical or mental condition that involves any period of incapacity or treatment connected with in-patient care (i.e. overnight stay) in a hospital, hospice, or residential medical-care facility, and any period of incapacity or subsequent treatment in connection with such in-patient care; continuing treatment by a health care provider, which includes any period of incapacity (i.e. inability to work, attend school, or perform other regular daily activities) due to a health condition (including treatment for or recovery from) lasting more than three (3) consecutive days; and any subsequent treatment or period of incapacity relating to the same condition, that also includes:

1. treatment two (2) or more times by or under the supervision of a health care provider; or one treatment by a health care provider with a continuing regimen of treatment; or
2. pregnancy or prenatal care. A visit to the health care provider is not necessary for each absence; or
3. chronic serious health condition, which continues over an extended period of time, requires periodic visits to a health care provider, and may involve occasional episodes of incapacity (e.g. asthma, diabetes). A visit to a health care provider is not necessary for each absence; or
4. permanent or long-term condition for which treatment may not be effective (e.g. Alzheimer’s, a severe stroke, terminal cancer). Only supervision by a health care provider is required, rather than active treatment; or
5. absences to receive multiple treatments for restorative surgery or for a condition which would likely result in a period of incapacity of more than three days if not treated (e.g. chemotherapy or radiation treatments for cancer).

6. “Parenting” is defined as the period of bonding that occurs within the first twelve (12) months of the birth, adoption or foster placement of a child in the family and ends twelve (12) months after birth or placement of an adopted or foster child for either parent. An employee who has given birth may be eligible for family medical leave related to child birth disability and may continue leave followed by a period of bonding or parenting which begins at the expiration of the disability of the birth mother and/or child if applicable. Up to ten (10) days of sick leave may be used by either parent for the bonding/parenting period (C, E-7 and L-3).

b. An eligible employee includes any employee who meets all of the following criteria:

1. has completed twelve (12) months of service with the university, and
2. has worked at least 1250 hours during the twelve (12) month period prior to the commencement of the requested leave, and
3. return to work from the approved leave for at least thirty (30) calendar days.

Commented [TA(13)]: Duplicate of M-3 above.
ML-9. When the need for family medical leave is foreseeable, an employee must request an application for family medical leave at least thirty (30) days in advance of the need for leave. Application assistance is available from Benefit Services. When events are not foreseeable, employees must provide as much notice as is possible. Application for family medical leave after a return from absence is not recommended; rights to preserved employment and benefits may be adversely affected. In any event, absent extraordinary circumstances, an employee may not claim an absence as a qualified family medical leave event unless done so within the first two (2) days of return from an absence.

ML-10. When leave is taken for personal illness or to care for an immediate family member with a serious health condition, leave may be continuous or intermittent and may include a reduction in hours worked. For intermittent leave, the employee must provide certification from the health care provider caring for the employee and/or family member stating the leave must be taken intermittently. Employees needing intermittent leave must attempt to schedule their leave so as not to disrupt university operations. The university reserves the right to assign an employee to an alternative position with equivalent pay and benefits that better accommodates the employee’s intermittent or reduced leave schedule.

ML-11. Employees on family medical leave are required to provide documentation to Benefit Services as requested, including intent to return to work. During leave, the university may require an employee to re-certify the medical condition that caused him/her to take leave. A return-to-work release from the health care provider is required before an employee absent due to his or her own serious health condition may return to work.

ML-12. Family medical leave requests for medical treatment or care giving requires certification from the health care provider documenting medical necessity.

ML-13. Family medical leave requests for parenting must be approved in advance and completed within twelve (12) months of the birth, adoption, or foster care placement of a child.

  a. Shared leave under I of this policy may not be used for the purpose of parenting; however, shared leave (if granted) may be used for the disability period related to childbirth.

  b. Intermittent leave or reduced work schedule requests for parenting may not be granted, or may be cancelled by the university with thirty (30) days written notice, based on business needs of the university.

ML-14. Family medical leave taken by two (2) university employees to care for a new born child or child placed for adoption or foster care or to care for a family member who has a serious health condition consists of a maximum twelve (12) weeks of leave for each employee. Family medical leave for parenting is addressed in FSH 3710 E.

ML-15. If the university obtains information from a credible source, such as the workers’ compensation authority, disability carrier, or a medical practitioner, that alters, changes, casts doubt, or fails to support continued leave or the leave application, the university has the right to:

  a. revoke leave;

  b. not grant leave;

  c. require new evidence to support the leave request;

  d. require the employee to return to work if the leave is not substantiated; and/or

  e. when appropriate under applicable employee discipline policies [FSH 3910, 3920, and 3930], take disciplinary action, up to and including dismissal.

ML-16. Upon return from family medical leave, employees will be assigned to their same or similar position with equivalent pay and status with or without reasonable accommodation, as appropriate, in accordance with the Americans with Disabilities Act. Job reassignment must be coordinated with Employment Services and approved by
Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF
Section 3710: Leave Policies for All Employees

the AVP for Human Resources or designee. The university has no obligation to restore employment to temporary hourly (TH) or other employees if the employment term or project is over and the university would not otherwise have continued employment.

ML-17. Family medical leave is not intended for individuals who do not plan to return to work. An employee who applies for and is granted family medical leave and fails to return to work for at least thirty (30) days upon the expiration of their family medical leave period may be obligated to repay the costs of health coverage provided by the university during any portion of family medical leave. If the university is notified that the employee does not intend to return to work, the family medical leave period will terminate immediately and the employee will be separated from employment on that date. Medical, dental and under some circumstances Health Care Spending Accounts may be continued through the Consolidated Omnibus Budget Reconciliation Act (COBRA). Options for life insurance portability or conversion may also be available. Job separation under these circumstances will result in a lump sum payment of annual leave and/or compensatory balances. In addition, the employee will no longer have a right to restoration to the same or equivalent position. The employee is responsible for contacting Employment Services to arrange for an exit interview.

NM. SERVICEMEMBER FAMILY AND MEDICAL LEAVE. The federal Family and Medical Leave Act (FMLA) now entitles eligible employees to take leave for covered family member’s service in the Armed Forces (Servicemember Family and Medical Leave) in two instances. This section of the policy supplements the above family medical leave policy and provides general notice of employee rights to such leave. Except as stated below, an employee’s rights and obligations to servicemember family and medical leave are governed by the general family medical leave policy. [add. 2-08]

NM-1. Definitions: The following definitions are applicable to this section of the policy.

a. “Eligible employee” is a spouse, son, daughter, parent, or for purposes of caring for a family member, the next of kin of a covered family member.

b. “Next of kin” is the nearest blood relative of a family member who is in the Armed Forces.

c. “Covered family member” means any family member who is a member of the Armed Forces, including a member of the National Guard or Reserves, regardless of where stationed and regardless of combative activities.

NM-2. Leave Entitlement: Eligible employees are entitled to take servicemember family and medical leave for any one, or for a combination of the following reasons:

a. Any “qualifying exigency” (as defined by the Secretary of Labor) arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on active duty or has been notified of an impending call or order to active duty in the Armed Forces in support of a “contingency operation,” and/or

b. To care for a covered family member who has incurred an injury or illness in the line of duty while on active duty in the Armed Forces, provided that such injury or illness may render the covered family member medically unfit to perform duties of the family member’s office, grade, rank or rating.

NM-3. Duration of servicemember family and medical leave:

a. When leave is due to a qualifying exigency: an eligible employee may take up to 12 work weeks of leave during any 12-month period.

b. When leave is to care for a covered family member: an eligible employee may take up to 26 workweeks of leave during a single 12-month period to care for the covered family member. Leave to care for a covered family member, when combined with other qualifying family medical leave may not exceed 26 weeks in a single 12-month period.

c. Concurrent leave: servicemember family and medical leave runs concurrent with other leave entitlements provided under federal, state and local law.

ON. PERSONAL LEAVE. [ren. 2-08]
ON-1. Any employee not covered by another university leave type within this policy may request a personal leave of absence.

ON-2. Personal leave is leave without pay and without benefits. However, the supervisor may require the use of sick, annual or any other type of accrued leave if the absence qualifies and leave is available. Personal leave may be taken with pay and benefits when other paid leave such as annual leave is taken concurrently. In rare circumstances, leave may be approved without pay, with continued benefits, but only when approved as an exception and only when doing so meets the business needs of the university. Hiring units are responsible for funding the benefits under these circumstances. APM 55.38 [ed. 7-10]

ON-3. Reasons for requesting a personal leave may include, but are not limited to, religious, personal, and educational matters or for extension of any leave when all other leaves have been exhausted.

ON-4. All requests for personal leave must be made to the supervisor in writing. A leave of three (3) working days or less can be approved by the supervisor and are recorded by the timekeeper on the employee’s time record as LWB. The president or his/her designee (i.e., provost) must approve a personal leave which exceeds three (3) working days. Personal leave is not guaranteed and is granted on a case-by-case basis, with the approval of the supervisor and the unit administrator, based on the business needs of the university.

ON-5. The president or designee (i.e. provost) may grant personal leave without pay with or without benefits for a period of up to one (1) calendar year, with extensions not to exceed a total of three (3) successive calendar years [RGPP II.I.5.c.1]. Consideration is given to such requests on an individual basis in the light of the reason for which it is requested, whether it is leave with or without paid benefits and the effect that granting it will have on the employee’s unit or program.

ON-6. When a personal leave of absence is granted, the university assures reinstatement of the individual to a position of similar status and pay, but only to the extent that such position continues to exist and would have continued to exist had no leave been taken. Return to work in the same job within the same department is not promised.

ON-7. During personal leave without pay an employee is not eligible for holiday pay, the accrual of sick or annual leave, or the use of medical appointment leave, and may not be granted any other type of leave of absence such as family medical or military leave until the employee has first returned to work under active status and otherwise qualifies for such leave.

ON-8. An employee who has received approval from the president or his/her designee for a personal leave without pay without benefits may continue to contribute toward and receive the benefits of the institution’s insurance and retirement programs, if the laws, rules, regulations, policies and procedures governing the administration of such insurance and retirement programs permit. [RGPP II.I.5.c.3]. Employees should consult Benefits Services for more detailed information on how personal leave without pay will impact their benefits and their rights to continue coverage through COBRA and life insurance conversion or portability. [APM 55.09 and 55.38] [ed. 7-10]

ON-9. Employees who are granted a personal leave of absence without pay are responsible for making arrangements with Benefit Services, before the leave begins, for the continuation or discontinuation of benefits. Also, they should call Benefit Services on their return to active status to make sure that any benefits that had been discontinued are reinstated or to adjust for changes that occurred while they were on leave. [APM 55.38] [ed. 7-10]

ON-10. Personal leave is not intended as a vehicle to continue benefits for periods when employees are not working due to academic or seasonal work schedules or for a reduction in hours.

PO. EXTENDED FAMILY MEDICAL LEAVE. [ren. 2-08]

PO-1. Extended family medical leave (EFML) extends job protection and health benefits beyond the expiration of family medical leave. EFML is intended for the following:
UI FACULTY-STAFF HANDBOOK
Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF
Section 3710: Leave Policies for All Employees

a. Individuals who plan to return to work and have a prognosis to support return to work with assumption of full duties and responsibilities of their position, with or without reasonable accommodation, within a total absence period of no more than twelve (12) consecutive months; or

b. Individuals who do not have an acceptable prognosis to return to work, but whose absence qualifies for the use of sick leave and who have an unused sick leave balance upon the expiration of family medical leave.

PO-2. EFML and other options for an employee’s return to work following an approved family medical leave must be coordinated through Benefit Services, approved by the supervisor, and are granted at the discretion of the university, but are not guaranteed. EFML may not exceed nine (9) consecutive months. [ed. 2-08]

PO-3. Acceptable medical certification and/or other documentation to support a prognosis for return to work must accompany all requests for EFML. If acceptable medical certification and/or other documentation are not provided, notice of contemplated job action to separate the employee from employment at the expiration of family medical leave may be served upon the employee if all sick leave has been exhausted.

PO-4. If there is not a prognosis to return to work as defined above [O-1], notice of contemplated action for job separation will be issued. However, if the employee has a remaining sick leave balance and his/her condition qualifies for the use of sick leave, employment and EFML leave will be extended through the earlier of:

a. the date in which all sick leave will be exhausted; or

b. expiration of six (6) months of accumulated leave, measured from the date in which leave was first granted for the same condition.

All sick leave is forfeited upon separation from employment, except as provided in O-6, or as provided in (Idaho State Code 53-4001) rights to reinstate sick leave upon return to work for any State of Idaho agency. [ed. 2-08]

PO-5. Sick and all other available paid leave must be used concurrently with and taken first before any period on unpaid leave during EFML. EFML is leave with benefits but without pay, unless accrued sick or annual leave or compensatory time is used.

PO-6. An employee with a sick leave balance who separates from employment upon the expiration of EFML and qualifies as a disabled retiree, or as a retiree eligible for any tier of university retiree medical coverage that requires retiree cost sharing, may convert a predetermined amount of the unused sick leave to pay for the retiree’s share of the cost for their own university medical coverage. [FSH 3730]

PO-7. Health benefits will continue during an approved EFML in the same manner afforded to any employee of the same classification who is actively at work.

a. The employee must make arrangements to self-pay his/her share of employee and dependent benefit costs during any portion of EFML that is unpaid.

b. Sick leave, annual leave, holiday pay and credited service hours toward vesting of annual leave accruals and retirement are not continued during any portion of leave that is unpaid.

c. Short and/or long-term disability wage replacement payments and/or actively at work provisions for death and other benefits provisions within PERSI and similar contracts refers to an employee being actively at work (employed and not on leave) on the date in which the disability has first begun. An employee whose condition began before taking a leave of absence and who has qualified or met the conditions in accordance with provisions set by the carrier will continue to receive benefits and/or remain eligible for such benefits during Extended Family Medical Leave, and/or upon separation from employment if unable to return to work. [Refer to Disability and Retirement Plan Handbooks. www.hr.uidaho.edu/benefits]
PO-8. Employees who have been granted EFML are required to provide documentation to support progressive medical improvement. Medical certification and other documentation may include temporary restrictions of duties and/or periods of part-time work. However, restrictions of job duties and/or part-time work restrictions must be approved by Human Resources and the hiring authority, and must intend and attempt to phase an employee back to work to a level of full assumption of job duties, with or without reasonable accommodation.

PO-9. During EFML, the university may require reasonable periodic re-certification and updates regarding the employee’s medical condition, prognosis for improvement, and fitness for duty. A release to return-to-work from the health care provider is required before an employee may return to work. The university, at its own expense, may require medical pre-screening for return to work in a position that includes pre-employment medical pre-screening to ensure the safety and fitness for prescribed job duties before an employee is allowed to return to work with or without restriction of job duty.

PO-10. If an employee’s own medical condition or restriction is expected to be chronic, or when the condition fails to progressively improve, notice of contemplated action and job separation or accommodation of disability under ADA should be explored.

PO-11. If at the expiration of the EFML period the employee is still unable to perform the essential duties of his/her position with or without reasonable accommodation, the university has the right to separate any employee from employment and/or to end EFML and begin job separation when the medical prognosis ceases to support a return to work within EFML limits. [FSH 3910, 3920 and 3930]

QP. LEAVE FOR PROFESSIONAL IMPROVEMENT. [ren. 2-08]

QP-1. Leave for professional improvement is paid leave with benefits for the purpose of participating in professional development programs or experiences for an extended period of more than two (2) weeks to attain or enhance a skill set that will result in a mutual benefit to the both the university and the employee.

QP-2. Members of the faculty who hold the rank of instructor or above, exempt employees, and classified staff are encouraged to participate in programs of professional improvement. (Tenured faculty may also be eligible for sabbatical leave and should refer to FSH 3720.) Generally, on the recommendation of an applicant’s administrative supervisor, and with the approval of the dean/director and the provost/vice president, professional improvement leave may be granted under the following conditions (individual departments may have additional requirements and restrictions):

a. To participate in this plan, the faculty or staff member must have completed four (4) years of service before the time the leave is to begin.

b. Generally, at least two (2) years of service must intervene between a sabbatical leave and a leave for professional improvement or at least five (5) years of service must intervene between a leave for professional improvement and a subsequent request for the same type of leave.

QP-3. The employee requests professional improvement leave with pay by submitting a letter of application to the supervisor at least three (3) months before the leave is to begin. The letter should address the professional development to be derived from the leave, what activities (i.e. research, writing, experience, etc.) will be involved to achieve the professional goals, the duration of the leave, the level of support requested, and the source of funds, if known.

QP-4. Persons granted leave under this policy are expected either to return to the active service of the university for at least one academic or other full work year after completion of the leave, or are required to repay the money received from the university for the period of professional improvement leave granted.

QP-5. The employee must submit a report to the supervisor, the dean/director, and the provost/president regarding his or her developmental experience upon return to active work status.
The employee may request approval to use accrued annual leave and to have an equal amount of administrative leave with pay granted to permit his or her participation in a program of professional improvement.

**RQ. EXCEPTIONS.** [ren. 2-08]

Exceptions to these policies may be considered to the extent that such an exception is not contrary to state and federal laws, the Board of Regent policies and procedures, and are considered in the best interest of the university. The respective unit administrator, the AVP for Human Resources or designee, and the president or designee as required, can grant exceptions. A request for exception must be submitted and approved by the supervisor and forwarded to the AVP for Human Resources for further consideration of all approvals.
POLICY COVER SHEET
(See Faculty Staff Handbook 1460 for instructions at UI policy website: www.webs.uidaho.edu/uipolicy)

<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Chapter &amp; Title:</td>
<td>Employee Leave Benefits 55.09/Shared Leave Appl./Donation 55.07</td>
</tr>
</tbody>
</table>

All policies must be reviewed, approved and returned by a policy sponsor, with a cover sheet attached to apm@uidaho.edu or fsh@uidaho.edu respectively.

*Note: If revision/deletion request original document from apm@uidaho.edu or fsh@uidaho.edu, all changes must be made using “track changes.”

<table>
<thead>
<tr>
<th>Originator(s):</th>
<th>Don Crowley, Faculty Secretary</th>
<th>3/10/15</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Please see FSH 1460 C)</td>
<td>Name Date</td>
<td><a href="mailto:crowley@uidaho.edu">crowley@uidaho.edu</a></td>
</tr>
<tr>
<td>Telephone &amp; Email:</td>
<td>____________________________</td>
<td><a href="mailto:crowley@uidaho.edu">crowley@uidaho.edu</a></td>
</tr>
<tr>
<td>Policy Sponsor:</td>
<td>(If different than originator.)</td>
<td>____________________________</td>
</tr>
<tr>
<td>Telephone &amp; Email:</td>
<td>____________________________</td>
<td>____________________________</td>
</tr>
</tbody>
</table>

Reviewed by General Counsel ___Yes X___No Name & Date: __________________________________________

I. **Policy/Procedure Statement:** Briefly explain the purpose/reason of proposed addition, revision, and/or deletion to the Faculty/Staff Handbook or the Administrative Procedures Manual.

Faculty Affairs Committee (FAC) members reviewed proposed changes to FSH 3710, APM 55.07 & 55.09 sent from Human Resources Oct. 2014. FAC’s focus was on leave associated with childbirth/adoption/foster care placement in FSH 3710. FAC requested the Faculty Secretary’s Office review APM 55.07 & 55.09 in relation to FAC’s proposed parenting changes. Faculty Secretary Office and HR met and reviewed both APMs. Changes are to clear up differences between APM and FSH and ensure current processes are addressed. E.g. 1) Shared Leave Committee no longer exists and has not met for many years. Rarely is shared leave denied and FSH 3710 provides an appeal process if denied, so reference is made to FSH 3710; 2) entire sections for military leave duplicated in FSH 3710 was removed from 55.09.

II. **Fiscal Impact:** What fiscal impact, if any, will this addition, revision, or deletion have?

III. **Related Policies/Procedures:** Describe other policies or procedures existing that are related or similar to this proposed change.

FSH 3710.

IV. **Effective Date:** This policy shall be effective on July 1, or January 1, whichever arrives first after final approval (see FSH 1460 D) unless otherwise specified in the policy.

If not a minor amendment forward to: __________________________________________

| Track # | ____________________________ | ____________________________ | ____________________________ |
| Date Rec.: | ____________________________ | ____________________________ | ____________________________ |
| Posted: t-sheet | ____________________________ | ____________________________ | ____________________________ |
| h/c | ____________________________ | ____________________________ | ____________________________ |
| web | ____________________________ | ____________________________ | ____________________________ |
| Register: | ____________________________ | ____________________________ | ____________________________ |

Policy Coordinator

Appl. & Date:

[Office Use Only]

FSH

Appr. ____________________

FC ____________________

GFM ____________________

Pres./Prov. ____________________

[Office Use Only]

APM

F&A Appr.: ____________________

[Office Use Only]

[Office Use Only]
55.07 -- Shared Leave Application/Donation Procedures

A. General. The UI Shared Leave Program allows employees to donate annual leave hours into a general shared leave pool or directly to fellow employees suffering their own, a relative’s or a household member’s extraordinary or severe illness, injury, impairment, or physical or mental condition which has caused or is likely to cause the employee to take Personal Leave (leave Wwithout Ppay, FSH 3710 O) or to terminate employment. Employee donations fund the program so that income may continue for other employees who are experiencing a difficult period in their lives. Employees have the opportunity to target their donations to a specific co-worker or they may make their donations to the general pool. See FSH 3710 for shared leave eligibility and requirements.

B. Process. Shared Leave is an employee-administered program. Employees who wish to donate annual leave and employees who wish to apply to receive shared leave submit requests on the appropriate forms to Human Resources (HR). Applications are reviewed by HR Benefit Services staff for completeness, see also FSH 3710 L., then forwarded to the Shared Leave Committee where they are reviewed and acted upon pursuant to the Shared Leave Policy [See FSH 3710]. The Shared Leave Committee includes two faculty members appointed by the Faculty Affairs Committee and two staff members appointed by the Staff Affairs Committee. The Director of Human Resources (or designee from HR) serves as chair, without vote academic year faculty, who do not accrue annual leave, are eligible to receive Shared Leave the same as other board-appointed employees.

C. Procedure. A board appointed employee must have used all other leave balances such as sick leave, annual leave and compensatory time to qualify as a recipient of Shared Leave. The employee may not be receiving other employer provided benefits that supply income such as disability or worker’s compensation.

D. Eligibility. See FSH 3710 K-2.

GB-1. Application to Receive Shared Leave. To be eligible to receive Shared Leave hours, an employee (or his or her designated representative) must submit an Application to Receive Shared Leave form [See Sample Form] and certification from a licensed health care provider that describes the illness, injury, impairment or physical or mental condition. Forms need to be returned to Human Resources no later than the first Monday of a pay period to be considered for Shared Leave during that pay period. Forms are available from Human Resources. Exceptions to the deadline will be considered by Benefit Services staff the committee in very extenuating circumstances.
**BC-2. Donating Annual Leave.** UI board appointed employees (see FSH 3710 A-6) who accrue annual leave may donate a minimum of eight hours of annual leave to another UI employee who is eligible to receive Shared Leave, or they may donate leave to the Shared Leave Pool (see FSH 3710 L). Shared Leave donors must complete a Donation of Annual Leave Hours form [See Sample Form].

i) A Shared Leave donation may not cause the donor’s annual leave balance to fall below 40 hours at the time the donation is processed, unless the donor is terminating active employment from the University. If a donor is within 8 hours of reaching his or her maximum annual leave accrual, the minimum donation is 16 hours. Annual leave donations and uses may not exceed 80 hours per pay period.

**CB-3. Shared Leave Conversion Rate.** Hours of contributed shared leave are multiplied by the donor’s hourly rate and placed in the Shared Leave pool. Shared Leave is awarded in hours. Leave is withdrawn from the pool as hours, reconverted by multiplying the hours awarded times the recipient’s hourly rate and subtracted from the

i) Shared leave that is awarded but not used by the intended recipient will be returned to the Shared Leave Pool. It is not returned to the donor(s).

   i) Donation conversion. Hours of donated shared leave are multiplied by the hourly rate of the donor; that amount is recorded as a deposit to the shared leave pool or the directed recipient’s account and subtracted as hours from the donor’s annual leave balance.

   ii) Recipients conversion. The recipient’s hours of shared leave need is multiplied by the recipient’s hourly rate and subtracted from the shared leave pool.

   iii) Donors may donate annual leave regardless of their salary funding source.

**CB-4. Recording Shared Leave Donations and Uses.** Human Resources adjusts leave balances in the Banner HRIS to reflect Shared Leave donations and enters Electronic Personnel Action Forms (EPAF) for Shared Leave uses. No departmental action is needed to reduce annual leave or to transfer an employee to Shared Leave. [ed. 7-10]

**DC. Information.** Application to donate and receive Shared Leave are available from Human Resources. For further information or questions on the Shared Leave Program, call HR (208) 885-3100 or [See FSH 3710-KFSH 3710-L].
55.09 -- Employee Leave Benefits
July 21, 2009 (formerly 50.06)

NOTICE: This section is currently in review due to recent approved changes to Faculty-Staff Handbook 3710. Should any conflicts arise between these two, the governing policy is FSH 3710.

A. General. The following Leave benefits are available to board-appointed UI employees, if eligible: Annual (vacation) leave, sick leave, parental leave, military leave, jury or other legal duty leave, leave for campaigning for or serving in public office, sabbatical leave, leave for professional improvement, leave without pay, administrative leave, shared leave, and family and medical leave. Benefits for specific leave types available are fully described in FSH 3710. [See 55.07, 55.38, and FSH 3710, 3020, 3720 and 6230] [ed. 7-09]

B. Process. Annual (vacation) and compensatory leave is generally to be taken at times mutually agreeable between the employee and the supervisor. Sick leave, family medical leave, military leave, servicemember family medical leave, parenting, jury leave and shared leave accommodate the personal needs and responsibilities of the employee outside the work environment and require communication with, but not necessarily approval of, the employee’s supervisor and Human Resources (HR). See FSH 3710 for the various leave types.

Employees are placed on leave when serving in the Legislature. Requests to take leave when campaigning for or serving in public office, or when elected to part-time municipal or county offices, are considered on an individual basis. [See FSH 6230]. Sabbatical leave, leave for professional improvement, and administrative leave require prior application and approval of the University. The Shared Leave program is an employee-sponsored program; applications for shared leave are submitted to Benefit Services and approved in accordance with policy guidelines (see APM 55.07).

C. Procedure.

C-1. Annual (Vacation) Leave. Employees should submit requests for annual leave, as far in advance of the time leave will be taken as possible this allows the unit sufficient time to cover the employee’s absence is practicable. Longer advance notice is generally expected when leave is desired for more than a week. Annual leave is subject to the approval of the supervisor, such approval not to be unreasonably withheld. Employees whose salaries are funded by grants or contracts are expected to use all annual leave earned while paid from the grant or contract before expiration of the grant or contract or termination of employment. Employees are expected to take all annual leave prior to converting from fiscal year to academic year appointments. [See FSH 3710].

C-2. Sick Leave. Sick leave (FSH 3710 C) is taken when the employee is unable to work because of illness and/or, to a limited extent, when it is necessary for the employee to provide care for a member of the immediate family, or in the event of death of a family member, or on a limited basis for parent-child bonding.
When sick leave is exhausted other leave may be required to be used first before taking personal leave (see FSH 3710 O). However, if on approved FMLA (12 weeks) and parenting leave (16 weeks) a combination of leave may be used, see C-3 below and FSH 3710 M-2 and E-2 and E-3, the department timekeeper will charge further leave to annual leave or place the employee on leave without pay (LWOP) and the employee may apply for shared leave (APM 55.07) if the LWOP is due to illness or injury of the employee or an immediate family member [See FSH 3710].

C-3. Parentingal Leave. Parentingal leave is allowable under the Family and Medical Leave Act (FML) and may be, if the employee is eligible, a combination of accrued leave, sick leave, shared leave, annual leave, accrued overtime (if available) and/or leave without pay may be used. The employee should consult in advance with the supervisor and with Benefit Services. Job and benefit protection available under FML is not afforded until acceptable documentation has been provided and the employee is so advised in writing. [See FSH 3710].

C-4. Military Leave. The employee should present a copy of his or her military orders to their supervisor. The department timekeeper processes the request for military leave on an Electronic Personnel Action Form (EPAF) and provides a copy of the military orders to Benefit Services as documentation. The number of hours is entered as “MIL” on the timesheet, and the number of military leave is entered as “MIL” on the timesheet. Military leave with pay is limited to 15 working days per calendar year [See FSH 3710]. If more than 120 hours per calendar year of military leave are needed, the employee may elect to use eligible paid time off and/or they will be placed on leave without pay for the duration of the military leave [See 55.38].

i) Health Benefits During Military Leave. The UI will continue the employee health care coverage for up to 30 days of service at the normal cost to the employee. Employees going onto military leave may extend their UI paid medical/dental coverage by electing to use annual leave and/or compensatory time (if available) prior to moving onto leave without pay (LWOP) with benefits status. Dependent coverage may also be extended for as long as the employee remains on paid status. The department timekeeper will process the unused 45 days of military leave first, then may exhaust any compensatory time, followed by any annual leave if the employee elects to use it. After this initial UI paid period, an employee on military leave may elect to continue enrollment in the university group health plan for an additional six months, provided the employee or his/her designee pays both the employee and employer share of the premiums for each month of coverage.

ii) Life Insurance Benefits During Military Leave. Employees on military leave may elect to continue participation in the University basic life insurance program for a maximum period of six months. Life insurance and disability benefits will not be payable for a loss resulting directly or indirectly, wholly or partly, from...
participation in a military organization or from war or act of war. Employees also may elect to continue self-paying the premiums to keep the dependent life coverage in effect for up to 6 months, by paying the premium by the first of each month in Benefit Services. Employees also have the right to convert these policies to individual policies if they do not return to active UI status within six months from the date they are ordered to active duty. If an employee chooses not to continue the above insurance, then when the employee returns to active UI employment status his or her insurance will be reinstated as if there had been no break in service or coverage. Employees with questions should contact the Benefits Services in HR at (208) 885-3697.

iii) Reemployment Upon Completion of Military Duty. In accordance with state and federal law, employees upon their return will be reinstated to their former positions or a comparable position without loss of seniority, status or pay rate provided the employee returns with an honorable discharge and within five years from departure date. In some situations, reemployment may not be possible, such as when there has been a significant change in circumstances, if reemployment would impose an undue hardship on the university or department, or if the person’s employment was temporary in nature. Employees returning from military leave must provide the university timely notification of their intent to return to their position. The university may require documentation that the person’s application for reemployment is timely and that the person’s discharge from uniformed service was under honorable conditions. UI procedures will follow the Uniformed Services Employment & Reemployment Rights Act (USERRA), 38 U.S.C. §§ 4301-4333, enforced by Department of Labor’s Veterans’ Employment & Training Service (VETS). Details may be found at www.dol.gov/vets.

iv) Retirement Plan Benefits While on Military Leave Retirement benefit contributions are suspended while the employee is on MLWOP status. Upon reemployment following military leave, re-enrollment in the retirement plan will be immediate. For purposes of retirement benefits, employees shall be treated as not having incurred a break in service by reason of their absence for military leave. If an employee so chooses, s/he can retroactively make the employee contributions to the retirement plan for the unpaid military time and will have three times the period of military service, up to five years, to make contributions. The employer match will also be paid, contingent upon employee’s retirement contributions being paid. Employees with questions about their retirement plan benefits should contact the Benefits Services at (208) 885-3697.

C-5. Leave for Jury or Other Legal Duty. The employee should inform his or her supervisor, and provide a copy of the legal document requiring the employee’s presence for jury or other legal duty to HR/Payroll. Departments Employees process a leave of absence with pay for the required period by entering the code “JRY” on the timesheet PHAHOUR. The employee is entitled to keep fees and mileage reimbursement in addition to regular salary [See FSH 3710].
C-6. Leave for Campaigning for or Serving in Public Office. [See FSH 3710, 6620, also RGPP2 Board of Education Policy]. If leave for campaigning or for serving in public office involves personal leave without pay: [See 55.38]. [ed. 7-09]

C-7. Sabbatical Leave. [See FSH 3720] If the sabbatical leave involves a reduction in appointment percentage—for example, a full year sabbatical at half pay: [See 55.38].

C-8. Professional Improvement Leave. [See FSH 3710] [ed. 2-08]

C-9. Personal Leave (leave without pay). Employees who have exhausted family medical leave or parenting leave (see FSH 3710 M & E) and are unable to work due to illness or disability, and/or when absent from work and all available leave (sick, and/or annual, compensatory or shared) leave is exhausted or, in some rate situations, at the request of the employee, may be eligible for Personal Leave Without Pay: [See 55.38]. [ed. 7-09]

C-10. Administrative Leave. [See FSH 3710] [ed. 2-08]

C-11. Shared Leave. Forms for donating and receiving shared leave are available on the Benefits website, www.hr.uidaho.edu/benefits, see “forms” and within the appropriate section under “time away from work”. [Also see 55.07 and FSH 3710]. [ed. 7-09]

C-12. Family and Medical Leave. FML is leave without pay with continuation of group health insurance benefits. See FSH 3710 M for requirements of using accrued sick and other leave, unless the leave has accrued sick leave. Upon request the employee may additionally use annual leave, or accrued overtime compensatory time and is eligible for holiday pay that occurs during an approved leave period. Job and benefit protection available under FML is not afforded until acceptable documentation has been provided and the employee is so advised in writing. Leave request and medical certification forms are available on Benefit Services website at www.hr.uidaho.edu/benefits; see “forms” within the appropriate section under “time away from work”. [See FSH 3710]. If family and medical leave involves leave without pay: [See 55.38]. [ed. 7-09]

D. Information. All leave benefits are discussed weekly at Employee Benefits Orientation [See 55.31]. For further information or questions on leave benefits, call Benefit Services at (208) 885-3697. [ed. 7-09]
A. **General.** A table of all university job titles is maintained and updated by Human Resources (HR). Several university reports are generated from information provided on the table.

B. **Process.** Job title names for positions within a college, department or other administrative unit are established by the departmental administrator. A job title may be changed by the administrator—usually with a change in duties—or the title may change if the position is determined to be incorrectly classified and the department authorizes reclassification. Job title names may be selected from existing state of Idaho or UI-unique job titles; in the event no existing job title appropriately characterizes a position, a new UI-unique job title may be defined.

C. **Procedure.**

C-1. **New title.** To establish a new title, or to change a title, the administrator or designee of the requesting department submits a memorandum to Employment Services in HR which includes the following information:

i) Name of proposed new title and name of employee if the position is currently filled. (Note: The title length, including spaces, cannot exceed 30 characters.)

ii) Reason for requesting the change if a title already exists.

iii) Written approval of the immediate supervisor, and next higher administrator, director, dean, vice president, or provost as appropriate.

iv) Current results-oriented job description which includes the proposed new title (blank forms are available from the HR website at www.uidaho.edu/hrs/downloads), signed by the employee, supervisor and next higher administrator.

C-2. **Title change with change of duties.** If the requested title change is in response to a change in a classified employee’s duties, a formal classification analysis may need to be conducted [See 50.51]. Contact Employment Services at (208) 885-3611.

C-3. **Title change following classification review.** If a classification review determines that an employee is improperly classified, and the departmental administrator approves reclassification (rather than removing duties), the employee’s title will be changed as recommended in the review.

D. **Information.** Information on university job titles may be obtained from Employment Services at (208) 885-3611.
50.51 -- Requests for Job Reclassifications
DRAFT October 2, 2014, GCW

A. General. The classification of a position determines the pay grade to which it is assigned. Classification decisions are not based on an employee's job performance but on job value factors (see FSH 3360). They are based on identifying and analyzing the established job value factors within the current job and comparing those job value factors to other positions in the same and higher (or lower) classifications. At UI, classification reviews are performed in Employment Services in Human Resources (HR). Reclassification decisions may be appealed. (see C-2 below). Procedures for requesting a reclassification appear in section C-1. Procedures for appealing reclassifications appear in C-2.

The reclassification process is for classified (CL) employees and exempt staff only. Human Resources will review the position description for a vacant position prior to recruiting for that position to determine the correct classification.

B. Process. The classification analyst (HR business partner) will perform a job analysis to determine the appropriate classification at the time the position is established, or subsequently when an approved request is received in HR. Reasons for reclassification may include: a significant change in job responsibilities and tasks, and may require higher level of lesser level knowledge, skills and abilities. Reclassifications may result in a position moving to a higher or lower pay grade. See APM 50.21 for information regarding demotion of classified employees. See APM 50.35 for reclassification and a change of FLSA status. New duties assigned to the position must be permanent and if an incumbent exists, be performed currently. The reclassification request may be made at any time after these two criteria are met. The division or unit submitting a request for reclassification provides the funds for any necessary salary increase resulting from the review. If a reclassification and pay change are warranted, the effective date of the pay change will be the date the complete reclassification package was submitted to Human Resources. Classification decisions may be appealed. [rev. 11-06]

C. Procedure.

C-1. Procedure for requesting job reclassification. The following procedures should be followed to request a job reclassification for university staff. A reclassification request can be made by the incumbent or the supervisor. The supervisor should understand the unit's internal processes and be sure to consult with personnel within the unit to ensure all their unit processes are followed. A reclassification request for a position with an incumbent may be made no sooner than nine (9) months after the incumbent's hire date into that position.

i) Obtain Reclassification Packet. After new or expanded duties have been permanently assigned and the employee has begun performing them, the supervisor should review the reclassification process and obtain any related forms on the HR website: http://www.uidaho.edu/human-resources/managers/classification or call HR at (208) 885-3638 for directions.

ii) Complete Job Description. Complete a job description in the PeopleAdmin current employment system accessed and follow the directions on the HR website. The job descriptions may be sent to Human Resources prior to submission of the reclassification for a preliminary review. If Human Resources to estimate whether requesting a reclassification is appropriate. [rev. 11-06]

iii) Additional Steps. Follow the guidelines on the HR website for completion of the Reclassification Request Form and Questionnaire located on the HR website. It is the supervisor's responsibility to confirm with appropriate department unit and budgeting personnel that adequate funding will be available if the reclassification is successful.

iv) Desk Audit. A classification analyst from Employment Services may conduct a desk audit of the position by meeting in person or over the telephone with the incumbent and/or the supervisor to review the reclassification questionnaire and job description.

v) Reclassification Review. A comprehensive analysis of the position is completed by:
a) Reviewing the current and proposed job description to identify if the changes in
duties, responsibilities and required knowledges and skills are significant; and
b) If so, identifying and analyzing the established job value factors in the proposed job
description and reclassification materials and then comparing them to positions in the
current and higher grades. The job value factors include Knowledges and Skills (What
is needed to effectively perform the duties of the position?), Scope of Responsibility
(What ability does this position have to make or control contributions?), and Range of
Impact (How "big" is the function, department-unit or processes touched?). More
information is available on HR’s website.

viii) Written Recommendation. A written recommendation is made by the executive director of
human resources or designee and is sent to the related vice-president, dean or director of the
unit with a copy to the supervisor and the incumbent. The recommendation will include the
appropriate wage change and effective date if the reclassification is implemented. [ed. 11-06]

ix) Action by Department. Within thirty (30) calendar days of receiving the reclassification
recommendations from Employment Services, the dean or director has the responsibility to take
one of the following courses of action:

a) Implement the recommendation; or
b) Return the recommendation to the analyst in Employment Services asking which duties
should be removed from the job to sustain the current title and pay grade; or

c) The supervisor and employee may meet with the analyst for a further explanation of the
classification decision and discuss any information not already contained in the reclassification
materials; or

d) Appeal the classification decision (see C-2 below).

If the reclassification is accepted by the related vice president, the department-unit will need to
initiate an Electronic Personnel Action Form (EPAF) on the University Banner HR system to start
the new rate on the effective date outlined in HR’s recommendation. The effective date may be
retroactive to the date Human Resources received the full reclassification packet. The supervisor
should inform the employee and any other department-unit personnel responsible for
implementing the outcome of the outcome.

C-2. Procedure for appealing a reclassification.

i) Notice of Appeal. The appeal process may be initiated if the supervisor or the employee do
not agree with the final classification decision made by HR. Appeals of Employment Services
classification decisions are submitted directly to the vice president of finance and administration.
A Notice of Appeal form must be filed with the vice president for finance and administration, with
a copy to the Classified Position Appeals Board (CPAB) chair. The notice must be filed within
thirty (30) calendar days of Human Resources issuance of the outcome notification to the
employee and supervisor.

ii) Hearing Schedule. The vice president for finance and administration will notify the director of
Employment Services that a Notice of Appeal form has been received and that an advisory
opinion is being requested from the CPAB. The vice president will request that Employment
Services supply seven copies of available documentation to the CPAB chair within ten (10)
working days. CPAB will schedule a hearing at the earliest time convenient for all parties.

iii) Hearing. The director of Employment Services, the classification analyst, the employee, and
his or her supervisor will be notified of the date, time, and place of the hearing by the CPAB
chair. The hearing will proceed as follows: the analyst from Employment Services will present
the basis for the recommendation that was made; the employee or supervisor, or both, will present
reasons for disagreement; the classification analyst will be given time for closing comments as
will the employee and the supervisor. The board may ask questions for further clarification after
the presentations. The board will then meet in closed session for deliberation and to develop a
recommendation to be submitted to the vice president.
iv) **Decision.** The CPAB will forward its recommendation to the vice president for finance and administration. The vice president will review the recommendation, make a decision, and notify the employee, the employee's supervisor, the director of employment services, the classification analyst and the CPAB chair of the final decision. The vice president's decision is final, and not subject to further appeal.

D. **Information.** Information regarding position classification procedures, requests for reclassifications, and appeals of classifications may be obtained from Human Resources, (208) 885-3612 or hr-classcomp@uidaho.edu.
50.35 -- Compensation Guidelines for Exempt Positions
Last updated November 7, 2006

A. General. Upon request, Employment Services in Human Resources assists administrators in establishing appropriate salaries for exempt positions by working with departments to suggest appropriate titles and create or update effective, results-oriented job descriptions and by analyzing duties of a position and comparing those duties with similar positions at comparable universities.

Employment Services also assists in reviewing vacant positions to ensure that each appointment that is submitted for Board of Regents approval meets the criteria for exempt employment status and ensures that the university is in compliance with federal and state regulations. [ed. 11-06]

A-1. Evaluation Criteria. Criteria used for this review and analysis include applicable provisions of the federal Fair Labor Standards Act (FLSA), the Americans with Disabilities Act of 1990, and state of Idaho codes. [ed. 11-06]

B. Process. Administrators desiring assistance in establishing or reviewing salaries for exempt positions should contact Employment Services at (208) 885-3611. [ed. 11-06]

C. Procedure.

C-1. Procedures for Initiating Review

   i) Departmental Action. The departmental administrator provides the classification and compensation analyst with an electronic copy of a draft job description. The information should include an approximate percentage of time needed to accomplish each element, notations by each element designating whether it is essential or marginal, and minimum and desirable qualifications needed to successfully perform the position duties [See 50.55].

   ii) Employment Services Response. Based on the results anticipated and the duties described in the draft job description, Employment Services will consult with peer institutions’ data and refer to salary surveys. The analyst will also perform Hay point factoring (Idaho’s job evaluation system) for the position. A salary range, including a minimum, market, and maximum rate of pay is then recommended to the hiring administrator. If the position does not comply with state or federal law as an exempt position, alternative courses of action will be recommended to the hiring administrator.

   iii) Exception. University initiated review. Exempt positions may be reviewed at any time upon the written request of a departmental administrator which bears the written approval of the appropriate dean, vice president, or the provost, or when Employment Services has received information that the position may not comply with federal laws or regents policies regarding exempt employment. [ed. 11-06]

C-2. Actions following Review

   i) Actions Relating to FLSA Requirements.

      a) Positions subject to FLSA Wage and Hour Requirements. If the Employment Services review determines that the position is subject to the wage and hour requirements of the FLSA, the administrator will be advised that the position needs to be converted to classified status. (This is necessary because the FLSA requires payment of overtime compensation at the time-and-a-half rate for hours worked over 40 hours in a workweek whereas persons in exempt positions are not eligible to earn overtime compensation.) To correct this situation and comply with FLSA requirements, the conversion to classified status must occur the following pay period and it is necessary to track hours worked each week. [ed. 11-06]

      (1) In some situations, it is possible that all overtime worked during the prior three years would be payable or banked at the time-and-a-half rate if requirements of the FLSA had applied to the duties of the position during that time.
b) Positions not subject to FLSA Wage and Hour Requirements. If the Employment Services review confirms that the position is not subject to FLSA wage and hour requirements, the position will remain exempt. [rev. 11-06]

ii) Salary Adjustments.

a) Exempt Positions Converted to Classified Positions. If the exempt position is to be converted to a classified position, the conversion and salary adjustment (if any) must occur at the beginning of the first pay period after approval in writing by the dean or vice president. The salary must be within the range of the classified pay grade to which the position is assigned. [ed. 11-06]

b) Exempt Positions Not Converted to Classified Positions. Because exempt employees work on annual contracts wherein the annual salary has been agreed to in advance by both the employer and employee, absent a written statement explaining compelling justification, salary increases are offered to exempt employees only at the beginning of the next contract period (assuming the employee is re-appointed). Compelling justification warranting a salary increase during the contract period could include, but is not limited to, reasons such as: [ed. 11-06]

(1) A finding by the affirmative action officer that the salary is inequitable on the basis of protected status;

(2) Determination by Employment Services that the salary is below the minimum salary prescribed by Idaho code for exempt employees. [ed. 11-06]

(3) Temporary assignment of additional duties on a short term basis.

(4) Verification that, because of constraints on external support salary sources, the employee's annual salary increase occurs on a date other than at the beginning of the University fiscal year.

(5) Significant additional responsibilities.

c) All Salary Adjustments for Exempt Positions Require Regents Approval. Pursuant to Idaho State Board of Education Governing Policies and Procedures Section II, D, 3, any mid-year salary adjustments for exempt employees require regents approval. [ed. 11-06]

D. Information. Any questions regarding compensation guidelines for exempt positions should be addressed to Employment Services at (208) 885-3611. [ed. 11-06]
A. General. Results-oriented job descriptions are written statements of the results that must be accomplished, the duties that must be performed in order to accomplish the results, and the minimum qualifications needed to perform those duties. Job descriptions provide a base to which management and employees can refer when questions arise. They provide the employee with a clear definition of the skills needed, the duties expected to be performed, the relative importance of priority of duties and responsibilities, the results that are expected, and the criteria to be considered in evaluation of performance.

B. Process. Job descriptions for new positions are prepared prior to recruitment by the administrator responsible for hiring, with assistance from Employment Services in Human Resources. Job descriptions are the “measuring stick” by which employee performance is evaluated; therefore, job descriptions for continuing employees are reviewed annually by the supervisor, with the employee, and revised if necessary.

C. Procedures. To prepare a results-oriented job description (or to convert an existing job description to the results-oriented format), the administrator determines the desired results and identifies representative duties which will accomplish each result. Included are examples of specific tasks, types of equipment that must be operated and the frequency of operation; potential exposure to chemicals, human or animal fluids or secretions, vapors, dust or hazardous materials; educational requirements, certificates or licenses; work schedules; skill requirements, and necessary physical abilities. Essential and marginal functions, and the approximate percent of time allocated to each process, are identified. All job descriptions should contain the following specific elements of information:

C-1. Job Title. Use the official title of the position. Each title has a title number. Employment Services maintains the university's title table and this information is available by contacting Employment Services at (208) 885-3611.

C-2. Job Summary. A statement that highlights the major purpose and functions of the position. The purpose of the job summary is to give the employee an overall impression of the scope of work.

C-3. Reporting Relationship. Include an organization chart which shows where the position fits into the department or unit. The chart should show the title to which the position reports and the titles of employees supervised, if any.

C-4. Responsibilities. Identify the results to be accomplished and provide examples of major duties and responsibilities which will accomplish those results, listing them in order of importance. Also include the percentage of time to accomplish each result. The sum of the percentages must equal 100%. Identify each duty or result as essential or marginal. Essential elements of a position identify the need for the position, i.e., the reason the position exists. Marginal elements are required to be performed, but are not the reason for which this particular position exists and usually require a small percentage of time.

C-5. Minimum Qualifications. Summarize the knowledge required, the experience and education, the physical demands, any licenses or certificates required, and the equipment to be used on the job. Minimum qualifications must be tied to the essential duties and responsibilities. Applicants who do not meet minimum qualifications cannot be forwarded to the search committee.

C-6. Additional Desirable Qualifications. Education or experience that is desired but not required. Examples might include specific scores on clerical exams, typing speed, knowledge of a particular software product.

D. Information.

D-1. Equal Opportunity Employer. The University of Idaho follows federal and state regulations in the employment process. These include but are not limited to the Fair Labor Standards Act, Affirmative Action, Equal Employment Opportunity, Americans With Disabilities Act, Age Discrimination in Employment Act, Vietnam Era Veterans Readjustment Assistance Act, State of Idaho Codes affecting employment and other applicable regulations. Employment Services, the Affirmative Action Office, and Auditing Services assure that the University of Idaho is in compliance with these regulations. Questions
about any of these codes, regulations or procedures may be addressed to the compensation and classification analyst in Employment Services.

D-2. **Preparation of Results-Oriented Job Descriptions.** The Employment Services analyst is available to offer assistance in the development or revision of the results-oriented job descriptions. Forms are available at [www.hr.uidaho.edu/downloads](http://www.hr.uidaho.edu/downloads) to help organize the material in the standard UI format. Contact Employment Services at (208) 885-3611 or [employment@uidaho.edu](mailto:employment@uidaho.edu).
PREAMBLE: This section defines the types of employment positions at UI, how they are created, and the terms and instruments of appointment. It was revised in 1983, 1988, and again in 1996. In 2002 many sections of the handbook, including this one, underwent comprehensive review and substantial revision to bring them in line with revised SBOE/Regents policy. Further information may be obtained from Human Resources (208-885-3609) [ed. 7-97, 7-00, 7-02, 9-06].

CONTENTS:

A. Positions Classified on the Basis of Duration
B. Employee Classifications
C. Appointing Authority and Legal Compliance
D. Terms of Appointment
E. Instruments of Appointment

A. POSITIONS CLASSIFIED ON THE BASIS OF DURATION.

A-1. Permanent Positions. A permanent position is one that is established with the intention that it will continue indefinitely. Once established, it continues to exist, whether filled or vacant, until abolished. In summary, a position is designated as “permanent” solely on the basis of intent as to its duration, irrespective of the duties, the appointment, the funding source, or any other consideration. [ed. 1-08]

a. A permanent position may be a faculty (teaching, research, extension, or service) position or a staff (exempt or classified) position. [ed. 1-02, rev. 1-08]

b. A permanent position may be part time (50% or greater) or full time and it may be filled by an appointment that is temporary, probationary, fixed-term, continuing, or at the pleasure of the president or the regents. It is the position, not the appointment, that is permanent. [rev. 1-08]

c. A permanent position may be supported by appropriated or nonappropriated funds.

A-2. Authorization of Permanent Positions. Any permanent new position, regardless of funding source, requires Board approval prior to any form or manner of recruitment of applicants. [RGPII.B.3.a(1)] [rev. 7-02, ed. 1-08]

A-3. Temporary Positions. A temporary position is one that is established for a definite period: typically, the duration corresponds to the period of a grant, contract, or duration of work or project. Temporary hourly positions are governed by FSH 3090. [rev. 7-02, 1-08]

A-4. Authorization of Temporary Positions. Temporary positions may be established by the president or designee. There can be no commitment to continue a temporary position beyond the length of time specified when it is established; in particular, there can be no commitment to continue on appropriated funds a position initially established with nonappropriated funding. [ed. 7-02, rev. 1-08]

B. EMPLOYEE CLASSIFICATIONS. Every UI employee, belongs to one of two categories--classified or exempt--that are defined as follows: [rev. 1-08]

B-1. Classified Employees. “Classified employees at the University of Idaho are subject to the policies and procedures of the University of Idaho for its classified employees. Such policies and procedures require approval by the Board, and should be, in so much as practical, parallel to the provisions provided for state of Idaho classified employees in Chapter 53, Title 67, Idaho Code.” [RPG ILD1.h] [rev. 7-02]
B-2. Exempt Employees. Exempts means any person appointed to or holding a position at an institution, agency, or school designated by the Board as non-classified and thus is not subject to the provisions of Chapter 53, Title 67, Idaho Code or the policies and procedures of the University of Idaho for its classified employees. The Board's designation of a position or employee as non-classified constitutes any designation necessary under Idaho law to designate such position or employee as an exempt. [RGP II.D.2, see also FSH 3460 A-3.] Faculty employees comprise a large and unique subset of the Board's exempt employees. Thus, faculty employees are addressed specifically throughout these policies and procedures. [RGP II.D.2.e] [rev. 7-02, ed. 1-08]

B-3. Staff Titles. Job title names for positions within a college, department or other administrative unit are listed on the Human Resources website under classification established by the department's administrative authorities. A job title may be changed by the administrator—usually with a change in duties—or the title may change if the position is determined to be incorrectly classified and the department authorizes reclassification (see FSH 3360 D). Faculty titles are covered in FSH 1565. Job title names may be selected from existing state of Idaho or UI-unique job titles; in the event no existing job title appropriately characterizes a position, a new UI-unique job title may be defined.

C. APPOINTING AUTHORITY AND LEGAL COMPLIANCE. In the case of all appointments, compliance with UI’s affirmative action and equal employment opportunity policy (see FSH 3065) and with the requirements of all applicable immigration and naturalization laws (see FSH 3070) is required. These procedures must be followed to ensure legal compliance. [red. 7-02, 1-08]

C-1. Regents policy provides: “The Board [Regents] delegates all authority for personnel management not specifically retained to the executive director [of the State Board of Education] and the chief executive officers consistent with the personnel policies and procedures adopted by the Board. In fulfilling this responsibility, the executive director and chief executive officers, or their designees, may exercise their authority consistent with those policies and procedures provided, however, that the Board retains the authority for taking final action on any matter so identified anywhere in these policies and procedures.” [RGP II.B.2.] [rev. 7-02, ed. 1-08]

C-2. The Regents specifically retain the authority to make the initial appointment of all employees to any type of position at a salary that is equal to or higher than 75% of president’s annual salary. In addition the Regents specifically retain the authority to approve, for longer than one year, the employment agreement of any head coach or athletic director and all amendments thereto. [RGP II.B.3.b and c.] [rev. 7-02, 1-08]

D. TERMS OF APPOINTMENT.

D-1. Classified Employees. UI classified employees are appointed subject to the policies of the University and the Regents. Initial appointment procedures are included in FSH 3065. [rev. 7-02, ed. 1-08]

D-2. Exempt Employees. All salaried employees of UI, except faculty members with tenure [see FSH 3520], and the category described in b below, have fixed terms of employment. A contract for a fixed term of employment may not exceed one year without prior approval by the Regents. Employment beyond the contract period cannot legally be presumed. Reappointment to an additional fixed-term contract is at the discretion of the president and where applicable of the Regents. Policies and procedures covering reappointment or nonreappointment of these employees are included in FSH 3900. [rev. 7-02, 1-08]

a. A category of exempt employees, referred to as “temporary or special project nonclassified employees,” is recognized by the Regents. This category includes (1) employees who are appointed to positions that are either temporary or for special projects [see A-3 above], and who generally meet specific position requirements for (a) grants or contracts of specified duration, or (b) part-time teaching or other responsibilities, and (2) employees who are appointed to fill the responsibilities of continuing positions on an emergency or temporary basis. [RGP II.D.2.d(1)] These employees have no expectation of continuing employment beyond an existing contract period, and their service in no way qualifies them for
consideration for tenure in that position. In no case are such employees legally entitled to advance notice of or reasons for a decision not to enter into another contract of employment for another period and such decision is not grievable or appealable in any way. [rev. 7-02, 1-08]

b. The UI president serves as such at the pleasure of the Board of Regents and may be dismissed from that position at any time with or without cause or written notice. [See also FSH 1420 A-1.] [ed. 7-02]

E. INSTRUMENTS OF APPOINTMENT.

E-1. Classified Employees. Each classified employee receives on appointment a letter from the department that defines his or her appointment and specifies the terms of employment. [ed. 7-02]

E-2. Exempt Employees. Each salaried exempt employee serves pursuant to a letter of appointment and a salary agreement. The employee acknowledges receipt and acceptance of the terms of the letter and salary agreement by signing and returning a copy of each to the administrator who initiated the offer of appointment. Failure or refusal of the employee to sign and return a copy of the letter and salary agreement within the specified time is deemed rejection of the offer of employment unless the parties have mutually agreed to extend the time. If the employee does not sign and return the initial offer within the specified time UI may, at its discretion, extend another offer to the employee. Any alteration by the employee of the offer is deemed a counteroffer requiring an affirmative act of acceptance by the president or the president’s designee. [ed. 7-02]

E-3. Faculty Members. Offers of academic employment are made by academic colleges. Every faculty hire is approved by the dean to ensure consistent and diligent hiring practices have been followed. The letter offering the position should indicate: (1) that the offer is made on recommendation of the appropriate department faculty and with the approval of the president and Regents, (2) the specific salary, (3) the term of service and date of entry on duty, and (4) any special conditions of employment applying to this appointment. In addition, in the case of joint academic appointments, the letter of appointment will specify a single tenure-granting department. The letter may also specify such other matters as are desirable in order to define the primary elements of the contract of employment. In the case of joint academic appointments, the letter of appointment will specify a single tenure-granting department for the faculty member to advance in rank. The department administrator of the tenure-granting department will be responsible for coordinating the annual performance evaluation and other performance reviews with the other department(s) participating in the joint appointment. [rev. 7-97, 7-02, 1-08]

(Form on next page.)
This agreement confirms the concurrence of the University and the employee regarding the compensation to be provided to the employee for services rendered during the period indicated. The employee is subject to, and responsible for compliance with, the Idaho State Board of Education and Regents of the University of Idaho Governing Policies and Procedures Manual and Rule Manual, as well as the University of Idaho Faculty-Staff Handbook, as all may be amended from time-to-time without notice. The employee specifically recognizes and agrees to abide by the terms set forth in Faculty-Staff Handbook Section 5400, Employment Agreement concerning Patents and Copyrights, as all may be amended from time-to-time without notice.

Academic-year appointees are committed to fulfill duties and assignments for 1,560 hours (19.5 bi-weeks or 39 weeks – nine-month appointments). The majority of the faculty will fulfill this assignment during the fall and spring semesters, beginning on August __________ and ending on May __________. Payroll dates for academic year employees are June ______________ through June ______________.

It is further agreed that any academic-year appointee who ceases to work for the University during the term of employment provided herein and has received more than a pro-rata portion of the salary to which that person is entitled must repay the University the excess payment within 30 days after the termination of his or her service. This provision is applicable to persons who resign, are discharged for cause, or are granted leave of absence without pay.

All fiscal-year employees are subject to regular assignment throughout the year. Appointment and payroll dates for fiscal year employees are June ______________ through June ______________.

Salary will be paid in bi-weekly installments on the usual paydays of the University.

This agreement constitutes the entire agreement of the parties, and there are no oral or other written agreements existing relative to the employment relationship of the parties unless specifically incorporated under “Other Conditions” below. This agreement may be modified only in writing when signed by all parties and approved by the Regents of the University of Idaho.

This agreement is subject to final approval by the Regents of the University of Idaho and must be signed by the employee and returned to your college/unit administrator by ____________, to make the appointment effective.

OTHER CONDITIONS:

ACCEPTED:

Employee Date For the University Date
PROBATION, PROMOTION, DEMOTION, RECLASSIFICATION, AND TRANSFER OF CLASSIFIED EMPLOYEES

PREAMBLE: An original part of the 1979 Handbook, this section underwent a full revision in 2003 to bring it in line with Regents policy. In 2009 a definitions section was added, APM 50.15 was incorporated into this policy and various minor edits were made. For further information, contact Human Resources (208-885-3638). [ed 7-97, 7-03, rev. 7-09]

CONTENTS:
A. Definitions
B. Probation
C. Promotion
D. Demotion
E. Transfer

A. DEFINITIONS.

A-1. Certified Status. In this section and related policy statements, reference to “certified status” means that the employee has successfully completed the probationary period.

A-2. Demotion. Reassignment of an employee from his or her present position to one that is in a lower pay grade and in which the employee has previously held certified status or for which he or she has the minimum qualifications.

A-3. Probation. A working test period to provide unit administrators with an opportunity to evaluate a person’s work performance and suitability for the position. The probationary period for classified employees beginning a new position is six months.

A-4. Promotion. A career opportunity that involves greater responsibilities, and may also involve an increase in salary and a change in title. Promotions are not intended to be used where duties are changed on a temporary basis. A promotion is distinct from a reclassification in that it moves the employee into a different position, retaining little, if any, of the responsibilities of his or her previous position, as long as the employee meets the minimum qualifications of the position.

A-5. Reclassification. An employee retains the majority of his/her original responsibilities while accepting duties requiring a higher level of knowledge, skills or abilities.

A-6. Transfer. An opportunity for an employee to move into a different unit at the university with the same classification and title.

B. PROBATION.

B-1. Each employee, following initial appointment or promotion to a classified position, must successfully complete a probationary period of at least six full months. The probationary period in a given class must be completed within a single unit and not be interrupted by resignation or dismissal. An employee who has been separated during the probationary period, other than by “layoff” [see 3930 B], must begin a new probationary period upon being rehired or promoted to that class. [ed. 7-03, 7-09]

B-2. The unit administrator is encouraged to complete an employee performance development plan available on the Human Resource Development website at www.hr.uidaho.edu/hrd, and a 3-month and 6-month evaluation using the “Staff Personnel Evaluation” form [see 3340] available on the HR website at http://www.uidaho.edu/humanresources.aspx. The 6-month evaluation must be completed, discussed with the probationary employee, and reviewed by the second-level supervisor before the probationary period ends. A
probationary employee may be dismissed or returned to his or her former classification, without cause being assigned, upon the recommendation of the unit administrator at any time before the completion of the probationary period with prior approval of the executive director for human resources or designee. Normally, a probationary employee whose appointment is to be terminated will be given two weeks' notice. Dismissal under these circumstances is not a basis for recourse to the grievance procedures described in 3860. [rev. 7-02, 7-03, 7-09]

C. PROMOTION.

C-1. An employee may be considered for promotion on the basis of his or her past record, length of service, performance in the present position, and qualification to perform the duties of the higher position. [See also 3380D] [ren. 7-09]

C-2. A supervisor may promote an employee into a vacant position in the unit if the employee has demonstrated exceptional competency and skill for that position. [rev. & ren. 7-09]

C-3. A promotion may occur in a unit that is undergoing reorganization. In this case, an explanation of the office or unit changes and the reasons why the employee is qualified for the promotion is necessary. [rev. & ren. 7-09]

C-4. If the employee is promoted into a classification for which he or she is not certified, a 6-month probationary period is required (see FSH 3360, B-1). [rev. 7-03, ed. 7-09]

C-5. When there is more than one internal candidate who meets the minimum qualifications for the position within the unit, the hiring administrator must, at a minimum, conduct a UI-only search to document the candidate’s qualifications and identify the most qualified individual. The hiring administrator must send an email to the Director of Human Rights, Access and Inclusion as hrai@uidaho.edu requesting a UI-only search stating that there is one promotional opportunity and more than one qualified internal candidate. [add. 7-03, rev. 7-09]

C-6. Process. The Director of Human Rights, Access and Inclusion is the approving authority for all promotions of classified employees. [add. 7-03, ed. 7-09]

a. To promote an employee, the unit follows all affirmative action and equal employment opportunity policies by posting the position in the Applicant Tracking System (ATS) and evaluating the applicants. The employee applies for the position using the ATS. See APM 50.02. [add. 7-09]

b. Exceptions to posting internal promotional opportunities require the review and approval of the Director of Human Rights, Access and Inclusion. The unit administrator must e-mail the Director of Human Rights, Access and Inclusion at hrai@uidaho.edu to request an internal promotion, stating the justification for waiver of a search. The unit must provide:

1) A current Results Oriented Job Description (ROJD), reviewed and approved by the classification and compensation analyst in Human Resources;
2) A resume from the promotion candidate;
3) The plans for the "to be vacant" position;
4) A salary recommendation (optional).

C-6. The unit must complete a standard Position Authorization Form, which must then be processed through regular approval channels. This includes any processes unique to the unit. [add. 7-09]

C-7. The Director of Human Rights, Access and Inclusion or designee will review and provide a written response to the request for promotion. The unit CANNOT offer the position until it receives approval from the Director of Human Rights, Access and Inclusion. For additional information call (208) 885-4285. [add. 7-09]
D. RECLASSIFICATION (see APM 50.51).

D-1. The classification of a position determines the pay grade to which it is assigned and is only for classified and exempt staff. Classification decisions are not based on an employee’s job performance. They are based on identifying and analyzing the established job value factors within the current job and comparing those job value factors to other positions in the same and higher (or lower) classifications. At UI, classification reviews are performed in Employment Services in Human Resources (HR) see APM 50.51. Reclassification decisions may be appealed (see APM 50.51 C-2).

D-2. Reasons for a reclassification may include a significant change in job responsibilities and tasks, and may require higher level or lesser level knowledge, skills and abilities. Reclassifications may result in a position moving to a higher or lower pay grade.

D-3. New duties assigned to the position must be permanent and if an incumbent exists, be performed currently. The reclassification request may be made at any time after these two criteria are met. The division or unit submitting a request for reclassification provides the funds for any necessary salary increase resulting from the review. If a reclassification and pay change are warranted, the effective date of the pay change will be the date the complete reclassification package was submitted to Human Resources. Classification decisions may be appealed.

D-4. A reclassification request for a position with an incumbent may be made no sooner than nine (9) months after the incumbent’s hire date into that position.

D-5. Title change following classification review. If a classification review determines that an employee is improperly classified, and the departmental administrator approves reclassification (rather than removing duties), the employee’s title will be changed as recommended in the review.

DE. DEMOTION (see also APM 50.21).

[ed. 7-02]

ED-1. An employee may be demoted, subject to the approval of the unit administrator and the executive director for human resources or designee. The unit administrator may recommend the demotion of an employee for any of the following reasons. [ed. 7-02, ren. & ed. 7-09]

a. The reallocation or reclassification of a class or position to a lower pay grade.

b. The elimination of the employee's position because of lack of work or lack of funds.

c. Expiration of a temporary promotional assignment. [add. 7-03]

d. The failure of the employee to complete successfully the probationary requirements of a higher position.

e. Disciplinary action for causes stated in 3930 C-1 but not of a degree of severity that would warrant suspension or dismissal.

f. At the request of the employee. [rev. 7-02]

DE-3. Procedure. A unit administrator's recommendation that an employee be demoted is submitted through the dean or equivalent administrator. Concurrently, written notice is given to the employee and to the executive director for human resources or designee. An employee with certified status must be given notice of demotion at least 15 calendar days before its effective date and must be given the reasons for the demotion. [ed. 7-03, ren. & ed. 7-09]
D-E. Effect of Demotion on Salary. When an employee is demoted, his or her salary is reduced to a step in the lower pay grade as recommended by the unit administrator and the executive director for human resources or designee. If demotion is due to failure to successfully complete the probationary requirements of the higher position to which he or she had been provisionally promoted, the salary after demotion will normally coincide with the salary the employee was receiving before promotion. [ed. 7-02, ren. & ed. 7-09]

E-F. TRANSFER.

E-F-1. An employee may voluntarily transfer from one unit to another in the exact same title and pay grade. An employee who wishes to be transferred should make a written request to his or her unit administrator and Employment Services. UI may involuntarily transfer an employee as long as there is no loss of compensation. [rev. 7-02, 7-03, rev. & ren. 7-09]

E-F-2. An employee requesting transfer between units must complete application materials through Employment Services in HR before a transfer request will be considered. [rev. 7-03, ren. & ed. 7-09]

E-F-3. An employee-requested transfer between units also requires the written approval of the unit administrators concerned, the employee, and the director of employment services. [add. 7-03, ren. & ed. 7-09]

E-F-4. A transfer is made without reduction in hourly wage unless such reduction is agreed to by the employee and the unit administrator. [ed. 7-02, ren. 7-03, ren. & ed. 7-09]

E-F-5. The transfer of an employee does not affect his or her prior earned credited state service. However, the transfer may affect the employee's leave accrual rate, which is based on years of service, hours worked, and percentage of appointment. [rev. 7-02, 7-03, ren. 7-03, 7-09]
PREAMBLE: This section was added July 2003. For further information, contact Human Resources (208-885-3609).

CONTENTS:
A. General
B. Promotion
C. Reassignment

A. GENERAL. The classification "exempt" includes employees with academic rank and employees without academic rank. Exempt employees with academic rank are classified in two ways: 1) as faculty members with academic rank and 2) as exempt with administrative responsibilities. This policy applies only to the exempt classification and does not affect promotions in academic rank.

B. PROMOTION.

B-1. A promotion is a career opportunity for an employee that involves greater responsibilities, and may also involve an increase in salary, and a change in title. Promotions are intended to be non-interim. Promotions may occur only within the employee’s unit (i.e. college or division); an employee may not be promoted to a position outside his or her unit.

B-2. A promotion may occur in a unit that has a vacancy or is undergoing reorganization. A supervisor may wish to promote an employee into a vacant position in the unit if the employee has demonstrated exceptional competency and skill for that position. In other circumstances, a supervisor may wish to assign additional, higher-level responsibilities to an employee as a result of an internal reorganization or change in workflow in the unit. In either case, the employee may be considered for the promotion on the basis of his or her past record, length of service, performance in the present position, and qualification to perform the duties of the higher position.

B-3. To ensure compliance with the University of Idaho’s equal opportunity policy, a UI-only search may be required (see FSH 3065 B-1).

B-4. HR works with the approving authority for all exempt promotions for positions without academic rank. The Provost is the approving authority for all exempt positions with academic rank and works with the Director of Human Rights, Access and Inclusion and Employment Services to coordinate the process for exempt employees with academic rank.

B-5. Salary recommendations for a promotion made by the hiring authority must be reviewed by Employment Services. Employment Services will compare the market value of the position and the salaries of similar positions at the University, and where appropriate, comparisons of salaries of similar positions at peer institutions, prior to a final salary recommendation.

B-6. To promote an employee, the hiring authority or designee must take the following steps:

a. If the promotion is a result of the assignment of additional higher-level responsibilities, send a memo of justification to the director of Employment Services stating the name of the employee considered for promotion, the proposed increase, an explanation of the office or unit changes, and the reasons why the employee is qualified for the promotion. Include the employee’s current job description, the new job description, and the employee’s resume with the documentation.
b. If the promotion involves a vacant position, the position authorization form and justification must be sent to the Director of Human Rights, Access and Inclusion for review and approval before it is sent to Employment Services. [add. 1-08, 6-09]

c. Employment Services will review the promotional job description for the responsibilities, job title and salary range, and review the individual's minimum qualifications with the minimum qualifications stated in the job description. [ren. 1-08]

d. Employment Services will communicate to the hiring authority the results of the review. [ren. 1-08]

B-7. When there is more than one internal candidate who meets the minimum qualifications for the position within the unit, the hiring authority must, at a minimum, conduct a UI-only search. [rev. 1-08]

C. REASSIGNMENT.

C-1. Reassignment of an exempt employee may occur when required for administrative reasons such as the combining of positions, or the elimination of positions. [Refer to FSH 3065]. Reassignments must be coordinated through Employment Services in HR and reviewed by the Director of Human Rights, Access and Inclusion. Employees who are reassigned due to unit restructuring are not entitled to use the grievance procedures outlined in 3890. [rev. 1-08, ed. 6-09, 2-12]

C-2. Effect of Reassignment on Salary. When an employee is reassigned, his or her salary is not reduced at the time of reassignment, unless agreed upon by the hiring administrator and the employee; however, salary may be affected based on the analysis of the reassigned duties at the beginning of the next annual contract cycle. Recommendations for a salary increase or decrease due to reassignment must be reviewed by Employment Services. Employment Services will compare the market value of the position and the salaries of similar positions at the University, and where appropriate, comparisons of salaries of similar positions at peer institutions, prior to making a final salary recommendation. A revised signed position description noting the change in assignment should be placed in the official personnel file of the employee. [rev. 1-08]

C-3. The reassignment of an employee does not affect his or her prior earned credited state service. However, the reassignment may affect the employee’s leave accrual rate, which is based on years of service and hours worked if the employee is moving from a classified position to an exempt position or if there is a reduction or increase in percentage of appointment. [ed. 1-08]
COMPENSATION OF CLASSIFIED EMPLOYEES

PREAMBLE: This section outlines the policy and procedure by which the compensation of UI's classified employees is determined. In its original shape it appeared in the 1979 Handbook; it was rewritten in July 1994 and again in 2003. In 2004 section G was rewritten to create sections G & H, and H became I. In 2008 the policy was revised to remove reference to classified exempt no longer used at the university. Unless otherwise noted, the text is as of July 1996. Further information is available from Human Resources (208-885-3609). [ed. 7-97, 7-00, 7-03, 12-04, 7-08]

CONTENTS:

A. General Policy
B. Authority for Establishing Compensation Policy for UI Classified Employees
C. Administration of UI Compensation Plan [ed. 7-00]
D. In-Grade Salary Increases
E. Salary Increases
F. Compensation for Night Work
G. Additional Compensation for Classified Staff for Secondary Work Assignments [add. 12-04, ren. 7-08]
H. Questions About Salary Equity [ren. 7-08]

A. GENERAL POLICY.

A-1. The University of Idaho seeks to provide a high level of responsive service in meeting the needs of students, faculty and staff and the general public. To accomplish this mission, it is the policy of the University of Idaho to provide a total compensation system that attracts and retains employees. Recognizing and rewarding employees for performance in the achievement of service delivery goals and objectives is a foundation of this system.

A-2. Compensation practices should be consistent throughout the university, yet flexible to adapt to specific needs. To this end, employees are compensated from a salary schedule that provides pay grades with open ranges.

A-3. The University of Idaho seeks to pay competitive job market average salaries and intends that classified employees with at least satisfactory performance should expect to advance within the salary range for the pay grade assigned to a classification. [rev. 7-03]

A-4. Advancement within the salary range shall be based on performance criteria, as recorded in the performance evaluation and the ability to achieve the goals and objectives of the particular position. [rev. 7-03]

B. AUTHORITY FOR ESTABLISHING COMPENSATION POLICY FOR UNIVERSITY OF IDAHO CLASSIFIED EMPLOYEES. Salary and wage increases for University of Idaho classified employees are made in conformity with state legislation. An annual plan is established by the president in accordance with guidelines issued by the Regents. Initial appointments, promotions, classifications and pay grades, and other matters related to classified employees, are the responsibility of the president or designee. Oversight of the University of Idaho staff personnel system is within the administrative area of the Division of Finance and Administration which reports to the financial vice president. [rev. 7-03]

C. ADMINISTRATION OF UNIVERSITY OF IDAHO COMPENSATION PLAN. The assistant vice president for human resources is responsible for maintaining the compensation plan for UI classified employees in conformity with Regents’ policy. No classified employee is to be paid at a rate that is not within the salary range for the class, except as noted in C-5 below. The current salary schedule is available from the office of Human Resources website www.uidaho.edu/humanresources.aspx. [rev. 7-02, 7-03, 12-04, ed. 7-08, 6-09]

C-1. The classification and pay grade of classified positions are established by Employment Services in consultation with the department administrator and with approval of the dean, director, or vice president. [rev. 7-02, 7-03]
C-2. The entrance salary for new appointees in any class is ordinarily set between minimum rate and market for that class. In unusual circumstances and when supported by acceptable reasons, appointment at a higher rate may be authorized by the director of employment services and the dean or director. All new appointments are made within the salary range. [rev. 7-02, 7-03]

C-3. When an employee is reinstated in a previously-held position or transferred to another position in the same classification, he or she is generally paid at the same salary. Salary adjustments may be agreed upon by the employee, the department administrator, and the director of employment services. [rev. 7-02, 7-03]

C-4. The pay grade of a classified position may be changed by any of the following actions:

a. "Reallocation." A change of an entire class of positions from the current pay grade in the compensation schedule to another pay grade of either higher or lower entrance salary.

b. "Reclassification." A change of a single position from the current class to another class to properly reflect the duties and responsibilities assigned to that position.

c. "Refactoring." A change in the number of Hay Points assigned to a class or position.

C-5. When a particular class or position is reallocated or reclassified to a lower pay grade, the salaries of incumbent employees who are being paid at a rate higher than the maximum provided in the new grade will not be reduced as a result of the reallocation or reclassification. However, the salaries of such employees will generally be held constant and not be increased thereafter so long as they exceed that maximum rate. At the discretion of the dean or director and in consultation with the assistant vice president for human resources, exemplary performance by such employees may be recognized through a bonus adjustment to salary, effective for one fiscal year only. An employee whose position has been reallocated or reclassified is not required to complete a new six-month probationary period. [rev. 7-02]

C-6. When a particular class or position is reallocated to a higher pay grade, the employee will receive a salary equivalent to or higher than his or her current hourly rate. An employee whose position has been reallocated is not required to complete a new six-month probationary period.

C-7. When the position of an employee is reclassified to a higher pay grade, the employee will be assigned a salary in the range of the higher grade that provides a salary increase of not less than five percent. Salary increases must have dean or vice president level approval. The reclassified employee is not required to complete a new six-month probationary period. The employee’s department is responsible for providing the funding necessary for the required salary increase. [ed. 7-02, rev. 7-03, 12-04]

C-8. When an employee applies and is selected for a position in a higher pay grade, he or she may negotiate the starting pay within the pay grade for the new position [see C-2 above]. Each promoted employee must successfully complete a six-month probationary period in his or her new position unless the employee was previously certified in that class. (For the effect of demotion on salary see 3360 C-4; for the effect on salary of a recommendation for a merit increase in the previously held position, see B-3.) [rev. 7-03, rev. 12-04]

D. IN-GRADE SALARY INCREASES.

D-1. In-grade advancement is not a vested right. While employees should expect to advance within their assigned pay range based upon acceptable performance, advancement is within the discretion of the university. Such advancements are considered as a part of the overall UI budget-setting process and are effective at the beginning of the fiscal year. An employee may advance within the salary range only if certified as meeting the satisfactory service requirements on a written performance evaluation approved for the purpose by the president or the president's designee. Normally, an employee receives only one salary increase per year for satisfactory service. [See also 3380 E.]

D-2. Employees who are in probationary status may be recommended for merit increases at the discretion of the department administrator and with the approval of the dean or director; however, merit increases which have
been authorized for employees in probationary status are not effective or awarded until the probationary period has been satisfactorily completed. [ed. 7-02]

E. SALARY INCREASES. Changes in employee compensation are considered annually by the legislature. Salary adjustments reflecting some or all of the following factors may be approved and implemented in accordance with guidelines for UI classified salary adjustments issued annually by the president:

E-1. Changes in the cost of living;

E-2. Fluctuations in the market cost of different types of labor, which are reflected in payline adjustments reallocating some classifications to different pay grades;

E-3. Merit increases based on individual employee performance as documented by written performance evaluation.

F. COMPENSATION FOR NIGHT WORK. A full-time classified employee whose work schedule requires at least 50 percent of his or her working hours during a given pay period to be performed between the hours of 7 p.m. and 4 a.m. is paid an additional shift differential of 5 percent of the employee's hourly rate. The department administrator or designee submits an Electronic "Personnel Action Form" to effect the additional payment. [ed. 7-02, 7-03]

G. ADDITIONAL PAY FOR CLASSIFIED STAFF FOR SECONDARY WORK ASSIGNMENTS. A member of the classified staff must be paid overtime for any work that results in the employee working over 40 hours per week, including a secondary work assignment that is not within his/her current job description and outside the scope of his/her primary appointment and classification. The secondary work assignment must be performed on a temporary basis beyond the regularly scheduled workweek, and limited in scope (for example, if a senior programmer teaches a special course on a one-time basis; or if an administrative support staff provides assistance one weekend with a special research project in another unit or college). Per federal law, the classified employee must be paid at least 1.5 times his or her regular hourly rate for each hour that is worked over 40 hours per week. The secondary hiring authority may not offer compensatory time in lieu of cash payment of overtime. The secondary hiring authority is responsible for tracking the hours the employee has worked and coordinating with the primary hiring authority for processing the employee’s pay via a timesheet in PHAHOUR. If the employee’s wage for the secondary work assignment is set at more than time and a half, the employee should be paid via a Temporary Help – PERSI eligible (IP) appointment. If the employee is less than full-time, call Employment Services at 885-3728 for additional information. [add. 12-04, ren. & ed. 7-08]

H. QUESTIONS ABOUT SALARY EQUITY. An employee who believes that his or her compensation is not equitable first should consult with his or her supervisor, and then with the department administrator and/or the director of employment services. In certain situations, the employee also has recourse to the Director of Human Rights, Access and Inclusion, the Ombuds' office or to the grievance procedure for staff employees. [See 3210 A and 3860 A] [ed. 7-02, 12-04, 7-08, 6-09, rev. 7-03, ren. 7-08]
OVERTIME WORK, COMPENSATORY TIME, AND HOLIDAYS

PREAMBLE: This section outlines the policies and procedures for overtime work and compensatory time. It appeared in the 1979 Handbook and has been rather frequently revised for clarification and so as to reflect changes in federal and state rules and practices. It was substantially revised in July 2005. In 2008 the policy was revised to remove reference to classified exempt no longer used at the university. In 2012 section B-6 was added to align with federal regulations. In 2015 changes were implemented to comply with IRS regulations. Unless otherwise noted, the text is of July 1996. Further information is available from Human Resources (208-885-3889). [ed. 7-97, 7-00, 9-06, rev. 7-05, 7-08, 1-12, 1-15]

CONTENTS:
A. Definitions
B. Time and Leave Reporting
C. Overtime Work
D. Compensation for Overtime Work
E. Compensatory Time
F. Holidays

A. DEFINITIONS.

A-1. "Overtime work" is time worked on holidays and time worked in excess of 40 hours in a period of 168 consecutive hours (defined for UI employees as the seven consecutive 24-hour days beginning at 6 a.m. each Sunday). Overtime must be approved in advance in writing by the employee’s supervisor. [rev. 7-02, 7-05]

A-2. "Compensatory time" is pre-approved time off from duty provided in compensation for overtime hours worked, holidays worked, or other time worked as approved by the president or designee.

A-3. "Exempt employee" (also known as "non-classified employee") is used to describe UI employees who are not classified employees, includes officers, members of the faculty, and members of the non-faculty staff whose positions are exempted from the provisions governing UI’s classified personnel system. [See also 3080.] These positions also are not covered by federal minimum wage and overtime requirements as discussed below in A-5. [rev. 7-05, ed. 7-08]

A-4. "Classified employees" are those holding positions which are subject to merit examination, selection, retention, promotion, and dismissal provisions, and whose compensation rates are determined by the position classification system of the University of Idaho. [ed. 7-02]

A-5. Certain positions, including exempt and faculty, are not covered by the overtime compensation requirements of the Fair Labor Standards Act [29 U.S.C. § 201-263 ("FLSA"), and Department of Labor ("DOL") Regulations, 29 C.F.R. Parts 500-794]. These positions are defined by law and fall into the following categories of exemptions: administrative, professional, computer, executive, outside sales, or creative professional. In all cases, the determination of whether a position is exempt from the FLSA will be made by Human Resources, in consultation with the Office of General Counsel. [rev. 7-05, ed. 7-08]

B. TIME AND LEAVE REPORTING.

B-1. General Information. Employees are required to report time worked and leave taken. Hourly employees must record the hours worked each day as agreed upon by their supervisor. The expectation for full-time, salaried employees is that they will work 40 hours per week or more to meet the needs and expectations of their position. Flexibility of the scheduled workweek is at the discretion of the supervisor, in accordance with the University’s flextime policy [FSH 3250]. Hours worked in excess of 40 do not carry over from one week to the next. Use of annual leave, sick leave, jury leave, medical leave, and other leave must be recorded by the department [see FSH
Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF

Section 3460: Overtime Work, Compensatory Time, and Holidays

3710, A]. Supervisors should treat all employees consistently within their unit. See FSH 3710 to review leave eligibility criteria. The university-approved time report may be used for recording any leave. [rev. 7-05, ed. 7-08]

B-2. Faculty are salaried employees. All benefits-eligible faculty must report leave taken (annual, sick, jury, medical, etc.) of 4 or more consecutive hours via written, signed form to their department chair for signature. The data is recorded and the form kept on file by the unit for three years [see also FSH 3710]. [ed. 7-05, rev. 7-08]

B-3. Exempt employees and administrators (non-classified employees) are salaried employees. All benefits-eligible non-faculty employees and administrators must report leave taken (annual, sick, jury, medical, etc.) of 4 or more consecutive hours via written, signed form to their supervisor for his/her signature. The data is recorded and the form kept on file by the unit for three years [see also FSH 3710]. [ed. 7-05, rev. 7-08]

B-4. Classified employees are hourly employees. The Fair Labor Standards Act and UI policy requires reporting the time arrived for work, the time lunch was taken, the time left for the day, and any leave (annual, sick, jury, medical, etc.) that was used. The employee may use any university-approved form to record these hours consistent with department guidelines. The employee and supervisor must sign the form and keep it on file in the unit for three years [see also FSH 3710]. [rev. 7-05, 7-08]

B-5. Temporary Help employees (Irregular Help and student employees) are hourly employees. The Fair Labor Standards Act requires reporting the time arrived for work, the time lunch was taken, the time left for the day, and any leave (annual or sick for those contributing to PERSI) that was used. The employee and supervisor must sign the form and keep it on file in the unit for three years [see also FSH 3710]. [ed. 7-05]

B-6. With the exception of holiday leave or when an employee (B-4 and B-5 above) is specifically requested to work outside of regular working hours, no leave may be reported if it results in pay in excess of the employee's regular scheduled 40 hour work week. Written approval of both of the employee’s supervisor and unit head is required prior to submitting a time card that exceeds 40 hours with the use of leave. [add. 1-12]

B-7. References. For more information on procedures for these policies see APM 50.06, 50.38 and FSH 3710 and 3090 and Human Resources website at www.uidaho.edu/humanresources.aspx. [ed. 7-05, 7-10, ren. 1-12]

C. OVERTIME WORK.

C-1. Overtime work should be permitted only in emergency or extremely unusual circumstances and requires prior written supervisor approval. The calendar period for determination of eligibility for overtime compensation is the seven-day period beginning on Sunday at 6 a.m. Whenever possible, employees who regularly work four 10-hour days are to receive the same 8-hour holiday compensation. When UI is closed for a holiday, the employee is rescheduled to work four 8-hour days during the week the holiday occurs (taking off only 8 hours for the holiday) or he or she makes other arrangements with his or her department to ensure he or she only works a total of 32 hours during the week that the holiday occurs. [See APM 55.08]. [ed. 7-10]

C-2. When the need for an employee to perform overtime work can be foreseen, prior approval by the dean or director is required. If overtime work is necessitated by a University-wide emergency, the department administrator should immediately request approval via the dean or equivalent administrator. [ed. 7-05]

D. COMPENSATION FOR OVERTIME WORK

D-1. Eligibility and manner of compensation for overtime work differ for the various categories of employees defined in section A. Overtime work must be recorded on an approved University of Idaho Time Report form, approved by the supervisor and recorded.

D-2. Faculty and exempt employees are not eligible for payment of overtime work. However, they may be eligible for equal compensatory time off if they work on official holidays or other times specifically authorized by the president (such as a general state of emergency). [See FSH 3470 and section F-2 of this policy for official UI holidays]. [rev. 7-02, 7-05, ed. 7-08]
D-3. Classified employees are eligible to receive compensation for overtime work in the form of compensatory
time off or cash payment, each at the rate of 1.5 hours for each hour of overtime worked subject to the election
and limitation process described in APM 50.10.B. Absent the employee electing accrual of compensatory
time as described in APM 50.10.B, compensation for overtime work will be in the form of cash paid as overtime is
earned. [ren. 7-08, rev. 1-15]

D-4. Temporary Help (Irregular Help) employees are eligible to receive payment for overtime work. Temporary
Help employees are paid hourly and qualify for overtime pay at the rate of 1.5. Temporary Help employees cannot
accrue or use compensatory time. They are to be compensated in cash for any overtime worked in their next
paycheck. If an employee has a less than full-time classified position, and at the same time has a temporary
position, any overtime worked must be paid to the employee in their next paycheck. Compensation for overtime
hours worked by work-study students must be processed following guidelines by the Financial Aid Office. [rev.
7-02, ren. 7-08, ed. 1-15]

E. COMPENSATORY TIME (see APM 50.10)

E-1. Classified employees are the only employees eligible to earn or accrue compensatory time except as is
described in D-2 above. An employee may not have a compensatory time balance of more than 240 hours pursuant
to the Fair Labor Standards Act. [ed. 7-08, 1-15]

E-2. Classified employees are paid for unused compensatory time under the following circumstances:

a. If a classified employee has a compensatory time balance over the 240-hour limit, he/she automatically
will be paid for the hours over 240. Departments are expected to monitor closely the accrual of compensatory
time. [rev. 1-15]

b. Upon termination of UI employment, classified employees will be paid for the compensatory time balance
at the employee’s current hourly rate or at the average of the hourly rate paid the employee during the final
three years of employment, whichever is higher. [rev. 7-02]

c. If there is a change in the employee’s classification to a non-classified position the classified employee
will be paid for the compensatory time balance or be asked to take time off prior to beginning the new role.
[rev. 1-15]

d. Classified employees with accrued and unused compensatory time in excess of 80 hours at the end of
payroll 25 of each calendar year will receive a mandatory cash payment for the balance in excess of 80 hours
in their payroll 26 paycheck. [add. 1-15]

F. HOLIDAYS.

F-1. Compensation for holidays.

a. On an official UI holiday, full-time benefited UI employees will be paid for the number of hours they
would normally work, up to 8 hours, even though they do not work on that day. Temporary and part-time
employees (excluding employees in the College Work-Study Program) receive the benefit of the paid holiday
provided that they are contributing to the state retirement system. They are credited with a fraction of eight
equal to the fraction of 32 hours that they actually do work during the week in which the holiday occurs.
[ed. 7-05]

b. If an employee works or is on paid sick leave, annual leave or compensatory time the day before or the
day after the holiday, the employee is eligible for holiday pay. If an employee is on leave without pay on
both the day before and the day after the holiday, the employee is not eligible for holiday pay. If an employee
is on a fiscal-year appointment and works in a department or unit that closes down, thus precluding the
employee’s working on the day before and/or after the holiday, the employee is still eligible for holiday pay. See APM 55.08. [renum. 7-05, ed. 7-10]

c. Employees who work on an official UI holiday and who are eligible for overtime payments must be paid at 1.5 times their regular rates of pay or be given compensatory time off at the rate of 1.5 hours for each hour worked. Fiscal year faculty and other exempt employees who work on a holiday may be given equal compensatory time off if authorized by the president [see D-2]. [renum. 7-05, rev. 7-08, 6-09]

d. A new employee whose date of hire normally would fall on a Monday holiday is to be appointed effective on Tuesday. An employee whose employment terminates for any reason is entitled to pay for any holiday observed after his/her last day worked, when the holiday is observed on the last day of the workweek and the employee works the first four days of the workweek or equivalent. [renum. 7-05]

F-2. Official UI Holidays. The following are the official University of Idaho holidays; New Year’s Day (January 1), Martin Luther King Jr.—Idaho Human Rights Day (third Monday in January), President’s Day (third Monday in February), Memorial Day (last Monday in May), Independence Day (July 4), Labor Day (first Monday in September), Thanksgiving Day (fourth Thursday in November), the day after Thanksgiving, the day before Christmas (December 24), Christmas Day (December 25) and New Year’s Eve Day (December 31). In the event that a holiday falls on a Saturday, the preceding Friday is recognized as a holiday; in the event that a holiday falls on a Sunday, the following Monday is recognized as a holiday. The holiday schedule continues from year to year unless the President of the University notifies otherwise. [ed. 1-15]

F-3. Office Closure Around Holidays. The President of the University or official designee has the authority to announce the closure of offices and/or the early dismissal of staff around the holiday seasons. Unless otherwise notified by the president or official designee, regular office hours should be held and staff should not be dismissed early. Staff who must leave early should request the appropriate leave and keep record of this time. For more information on university closures please see APM 95.21. [rev. 7-05, ed. 12-13]