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 leave, military leave, service member 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. Parental Leave. Parental 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 leave to Benefit Services for documentation. The departmental timekeeper then enters the number of hours as “MIL” on the timesheet (PHAHOUR). Military leave with pay is limited to 15 working days per calendar year [See FSH 3710]. If more than 120 hours per calendar year 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 FSH 3710).

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 15 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 plane, 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 after 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, she 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 Benefit 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 HRPayroll. 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]. [ed. 7-09]

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 FSH 3710 O]. **Personal Leave Without Pay** impacts other benefits [See 55.38] thus—Employees contemplating a period of **Personal Leave Without Pay** need to make application, see "forms" or "leave" at www.hr.uidaho.edu/benefits or contact Benefit Services (208) 885-3697. [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 employee has accrued sick leave. Upon request the employee may alternatively 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 "leave" or "leave 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]