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SUBJECT: Leave Guidelines for Academic, Professional and Classified Employees

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**I. PURPOSE**

To define the various leaves of absence policies and procedures in order that the granting of leave and the maintenance of records may be accomplished in accordance with University and Civil Service regulations.

**II. DEFINITIONS**

A. Academic Employee

1. Faculty - full-time members of the academic staff with the rank of Instructor or above and equivalent ranks.
2. Other Academic - part-time members of the academic staff; members of the academic staff below the rank of Instructor or equivalent; and other personnel with academic responsibilities not holding faculty rank.

B. Annual Leave is leave with pay granted an employee for the purpose of rehabilitation, restoration, and maintenance of work efficiency, Family and Medical Leave (FMLA) or the transaction of any personal affairs.

C. Civil Leave is leave with pay without loss of annual leave or sick leave granted an employee to perform jury duty, to appear as a subpoenaed witness before a court, public body, or commission, to perform civil duties in connection with national defense or other civil emergencies, or to vote.

D. Classified Employee All employees in positions covered by the provisions of the Civil Service System of the State of Louisiana.

E. Compensatory Leave is leave granted to eligible classified employees in lieu of cash compensation for overtime work.

- F. Contingent Employee is an employee appointed in accordance with **PS-28** for temporary, seasonal or intermittent service.
- G. Emergency Leave is leave with pay granted by the Chancellor to employees who have been affected by extraordinary conditions which are defined at the time of the emergency.
- H. Family Medical Leave is leave granted to eligible employees which enables employees to take up to twelve work weeks for qualifying events. It provides for continuation of health care premiums when the employee has and wishes to continue health care coverage during the period of approved leave.
- I. Full-time Academic or Professional Employee A member of the academic or professional staff on full-time status as defined on the appointment form. For the purposes of leave accrual and use, the work day is deemed to be 8 hours and the work week is deemed to be 40 hours.
- J. Full-time Classified Employee A classified employee who works a standard work week of 40 hours.
- K. Gratis Appointment is an appointment without monetary compensation.
- L. Holidays are leave with pay as specified in **PS-31**.
- M. Intermittent Appointment is an appointment that provides for the employee to work intermittently on an as-needed basis, sometimes referred to as "W.A.E." appointment referring to the pay basis which stands for "when actually employed."
- N. Leave of Absence Without Pay is unpaid leave granted to employees under stipulated conditions.
- O. Leave to Obtain Advanced Degree (formerly Educational Leave) is leave granted to eligible academic and professional employees for study which will culminate in the receipt of an advanced degree.
- P. Maternity Leave see Sick Leave and Family Medical Leave.
- Q. Military Leave is leave granted to an employee who is ordered to duty with troops or at field exercises or for instruction with any branch of the Armed Forces, including the National Guard.
- R. Professional Employee
  - 1. Administrative officers and professional staff, and employees in positions specifically exempt from the classified service under Article X of the Constitution of the State of Louisiana. These employees are sometimes referred to as "unclassified."

- 2. Other positions exempt from the classified service by special action of the State of Louisiana, Department of Civil Service.
- S. Regular Employee an employee whose appointment is for a period of more than 180 calendar days or who has been employed for more than 180 consecutive calendar days by successive uninterrupted appointment.
- T. Sabbatical Leave is leave granted to faculty for study and research, the object of which is to enable the faculty to increase their professional efficiency and usefulness to the University.
- U. Sick Leave is leave with pay granted an employee who is suffering with a disability as a result of accident, illness, psychological problems or childbearing which prevents the employee from performing usual duties and responsibilities or who requires medical, dental, or optical consultation or treatment.
- V. Special Leave is leave with pay without loss of annual leave or sick leave granted under stipulated conditions, such as leave to conduct official business for the University.
- W. Temporary Employee is an employee who is appointed for 180 calendar days or less.

**III. GENERAL POLICY**

Employees shall not absent themselves from their duties without proper authorization. It is the responsibility of the department head or his/her designee to receive and review requests for all leaves of absence and approve or disapprove such requests in accordance with University policy. If paid leave is neither available nor appropriate, leave without pay shall be charged. If an employee fails to submit a leave slip, leave must be administratively deducted from his/her record. The department head or his/her designee shall ensure that the department staff keeps accurate leave records on all departmental employees and reports information on leave accrued, leave taken and leave denied. No employee shall approve or maintain records for his/her own leave.

Because of the nature of their appointments, it may be difficult to determine when faculty should be charged leave. As a minimum, faculty who miss an assigned class or scheduled meeting must be charged leave appropriate to the circumstances regardless of whether arrangements are made for someone else to meet the class.

**IV. ANNUAL LEAVE**

A. Annual Leave Accrual Conditions

- 1. Leave accrual for academic and professional employees on fiscal pay basis begins with the paid appointment or continuation at greater than 50% effort that extends employment beyond 180 days. (Note: Contingent employees do not accrue annual leave.)
- 2. Classified employees begin accruing leave from their first day of appointment on a regular tour of duty (Note: Classified employees do not accrue leave while serving on a restricted appointment or on intermittent appointment).

3. For leave accrual purposes, years of service is based on full-time equivalent state service in pay status.

For **academic or professional** appointments beginning on or after January 1, 1999, the following types of state service shall count toward service for leave accrual purposes.

- a. All service as a classified employee.
- b. Service as an academic or unclassified employee at a Louisiana public institution of higher education, excluding service as a student, graduate assistant, resident, or fellow.
- c. Service as an unclassified employee under Civil Service Rules 4.1(d)2 and 11.19(d).
- d. The Chancellor may at his/her discretion authorize the counting of other unclassified state service when it was earned on an appointment that was of a recurring and essentially full-time nature (e.g., unclassified undersecretary at a major state agency).

For **academic or professional** appointments beginning on or after November 8, 2004, full-time equivalent service in pay status in a parish school system will also count toward service for leave accrual purposes.

4. Accrual - full month's service:
- a. For eligible **professional** and **academic** personnel, if an appointment is effective on the first working day of the month, leave accrual shall be based on a full month's service.
  - b. Eligible **classified** employees will accrue leave from the effective date of appointment.
5. Accrual - partial month's service:
- a. **Professional** or **academic** employees who are appointed, terminated, or begin or return from leave without pay on a date such that the employee is in pay status or whose percent effort is increased on a date such that the employee is in pay status at more than 50% effort:
    - 1) at least one-half the working days in the calendar month, but less than the entire month, will accrue a half-month's leave credit,
    - 2) fewer than one-half the working days in the calendar month, will accrue no leave credit for that month.
  - b. **Classified** employees will accrue leave based on the exact number of hours in pay status.

- 6. Changes with anniversary date of appointment:
  - a. As an employee's years of service increase, the leave accrual rate will increase according to Leave Accrual Schedules I and II of this Section.
  - b. A **professional** or **academic** employee whose anniversary date of appointment falls on:
    - 1) the 1st through the 15th of a month will accrue leave at the higher rate for the entire month,
    - 2) the 16th through the end of a month will accrue leave at the present rate for that month and will begin to accrue at the higher rate the following month.
  - c. For **classified** employees, leave accrual rate increase is effective on the anniversary date.
  
- 7. No employee shall be credited with annual leave:
  - a. For any overtime hour;
  - b. For any hour of leave without pay except if he/she is on unpaid military leave;
  - c. While on paid leave, until such time as he/she returns to active working status, except where inability to return is caused by illness or incapacity (classified only);
  - d. For any hour in on-call status outside regular duty hours;
  - e. For any hour of travel or other activity outside regular duty hours;
  - f. For any hour of a holiday or other non-work day which occurs while he/she is on leave without pay.
  - g. For any period of sabbatical leave or educational leave. However, time spent on sabbatical or educational leave does count as service toward leave accrual rate change.
  - h. For any hour on crisis leave.
  
- 8. Recording of leave:
  - a. Leave requests must be submitted on a standardized leave slip,
  - b. The minimum charge to annual leave is one-half hour. Beyond the first one-half hour, annual leave may be taken in quarter-hour increments. In the case of Family

and Medical Leave, the minimum charge and subsequent increments may be as low as one-tenth of an hour.

- c. For purposes of the FMLA, the leave to be taken must be designated as "FMLA" in the remarks section of leave tracking and on all leave slips.

9. Advance of leave:

No advance of annual leave can be granted. Employees who have exhausted their annual leave may request, in writing, that they be placed on leave without pay.

- B. Accrual Schedules: Annual leave is allotted on two schedules. Each new eligible **academic** and **professional** employee shall make a choice between Annual Leave Accrual Schedule I and Annual Leave Accrual Schedule II. The choice must be made, in writing, within 30 days of appointment and is irrevocable.

Employees who are appointed for less than full-time but who are eligible to earn leave shall accrue leave in proportion to their percentage of full-time.

1. **ANNUAL LEAVE ACCRUAL SCHEDULE I** - Applies to:

- a. Annual leave for regular academic and professional employees appointed on fiscal year basis who elected to be covered by Civil Service annual leave regulations, with no limitation on total accumulation.
- b. Annual leave for classified employees.

<u>YEARS OF SERVICE</u>	<u>CLASSIFIED</u>	<u>PROF &amp; ACADEMIC</u>
Less than three (3) years	.0461 hour per hour in pay status	8 hours per month
Three (3) years but less than five (5)	.0576 hour per hour in pay status	10 hours per month
Five (5) years but less than ten (10)	.0692 hour per hour in pay status	12 hours per month
Ten (10) years but less than fifteen (15)	.0807 hour per hour in pay status	14 hours per month

Fifteen (15) years or more	.0923 hour per hour in pay status	16 hours per month
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2. **ANNUAL LEAVE ACCRUAL SCHEDULE II** - Applies to:

Annual leave for academic and professional employees on fiscal year basis who elected to be covered by the LSU Leave Schedule.

YEARS OF SERVICE

PROF & ACADEMIC

Less than ten (10)

14 hours per month with total accumulation limited to 22 working days. After 22 days (176 hours) are accumulated, no additional annual leave time is earned until annual leave time is used.

Ten (10) years but less  
than fifteen (15)

14 hours per month with no limit on total accumulation.

Fifteen (15) years or more

16 hours per month with no limit on total accumulation.

3. One academic year equals one full year of service for the purpose of computing leave accrual rate for employees who have worked on academic pay basis.

C. Restoration of Leave Credits upon Reemployment - all employees

1. Reemployment after military service: all annual leave accrued by an employee for which payment was not made at time of separation from the LSU System to enter military service will be credited upon reemployment within the LSU System immediately following such military service.
2. Reemployment after resignation or layoff: all annual leave accrued by an employee for which payment was not made upon resignation or upon layoff will be credited to the employee if reemployed in a leave-accruing status by the University System within a period of five years from date of separation, provided that separation was not made for cause (disciplinary action).
3. Reemployment after termination: annual leave accrued by an employee whose separation was by termination for cause. Annual leave accrued by a classified employee whose separation was by resignation to avoid termination for cause will not be credited upon reemployment.

4. Reemployment after retirement: unused unpaid annual leave is not reccredited to individuals reemployed after retirement from LSU or any other state agency.

D. Status of Leave upon Change in Pay Basis - all employees

Employees on a fiscal pay basis who are to be transferred to an academic basis should be permitted, where feasible, to take any accumulated annual leave prior to the effective date of such change in status. Any annual leave not taken by the effective date of such change in status is to be retained to the credit of the employee for future use if the employee changes back to a fiscal year appointment, or for payment and/or service credit upon separation or retirement in accordance with applicable policies.

E. Status of Annual Leave upon Change in Percent Effort - academic and professional employees

Employees on a fiscal pay basis who were first employed or were reemployed by LSU after a break in service January 1, 1999 or later, and whose percent of effort drops to 50% or below cease to accrue and are not eligible to use annual leave for the duration of the period they are appointed for less than 51% effort. When/if the employee returns to 51% or greater effort, he/she will begin to accrue and is eligible to use leave again.

F. Transferring Annual Leave

1. Within the LSU System or from another state agency or parish school system to LSU<sup>1</sup>:

When a classified employee transfers to a classified job within the LSU System or from another state agency to a classified job in the LSU System, within a period of thirty (30) calendar days, accrued annual leave credits of the employee shall be certified and credited to the employee's leave record.

In the case of academic or professional employees transferring within the LSU System to an annual leave-accruing status, accrued annual leave credits of the employee shall be certified and credited to the employee's leave record. When an academic or professional employee transfers to a non-annual leave-accruing status within the LSU System and without a break in service, accrued annual leave credits of the employee shall be certified and credited to the employee's leave record but may not be used unless the employee changes to an annual leave-accruing status.

In the case of academic or professional employees transferring from another state agency or a parish school system to LSU, annual leave cannot be accepted unless the appointment at LSU is in an annual leave-accruing status. When the appointment is in an annual leave-accruing status, the leave accepted cannot exceed the leave that he/she could have accrued

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<sup>1</sup>LSU refers to Louisiana State University and A&M College rather than LSU System.



had he/she performed the service in an annual leave-accruing status under the LSU accrual regulations and there can be no break in service. Employees transferring to professional or academic positions at LSU are allowed to elect Annual Leave Accrual Schedule I or Annual Leave Accrual Schedule II.

Note: Employees with less than ten years full-time equivalent state service who elect Annual Leave Accrual Schedule II and who have in excess of 176 hours of annual leave, will NOT earn additional leave until such time as their balance is reduced below 176 hours.

2. From LSU to state agencies outside the LSU System:

Annual leave earned by academic and professional employees at LSU may not be accepted if the transfer is to a classified position. Whether such leave will be accepted when the transfer is to an unclassified position outside the LSU System is dependent upon the rules and policies set forth by the management board of the new agency.

G. Use of Annual Leave - all employees

1. Annual leave may be used for any personal purpose (including care of a family member) any time after it is earned **contingent upon departmental or other designated approval.** The granting of annual leave is **not** automatic and may be denied or restricted based on business necessity. The term of the leave may not extend beyond the period for which support is committed to the position or contract.
2. Under no circumstances may an employee be advanced leave. When employees exhaust their annual leave they may, with supervisory approval and by making written request, request to remain on leave without pay. The granting of leave without pay is not automatic; however, employees who fail or refuse to request leave without pay shall administratively be placed on unauthorized leave without pay and may be subject to disciplinary action, including termination.
3. The minimum charge to leave records shall not be less than one-half hour. Beyond the first one-half hour, annual leave may be taken in quarter-hour increments. In the case of Family and Medical Leave the minimum charge to annual leave and subsequent increments may be as little as one-tenth (.1) of an hour, or six minutes.
4. The use of annual leave immediately preceding resignation, termination or retirement of **professional, academic or classified** personnel will be limited to the amount of annual leave the employee earns during a calendar year. Where justifiable, exceptions may be made by the Chancellor.
5. Annual leave shall not be charged for non-work days.

6. Academic and professional employees on a fiscal year appointment must take leave to earn additional compensation if the work is performed during normal work hours (See PS-43 for details).

#### H. Enforcement of Annual Leave - applies to professional and classified employees

1. Upon approval by Human Resource Management, a department head may require an employee to take annual leave whenever, in the administrator's judgement, such action would be in the best interest of the department.

However, no classified employee shall be required to reduce accrued annual leave to less than 240 hours except:

- a. prior to being granted leave without pay, but subject to the right granted classified employees by the military leave provisions of Civil Service rules;
- b. where it is determined that the need to be absent from work is because of a condition covered by the Family and Medical Leave Act (FMLA).

#### I. Application and Certification Required When Using Leave

1. Periods of one week or more: granting of this leave by the supervisor will be based upon the department's work load, and scheduled vacations of other employees. Written application for this type of leave should be made at least one week in advance, except in the case of Family and Medical Leave when medical necessity makes it impractical to make the request in advance.
2. Periods of less than one work week: normally leaves for periods of short duration are more disruptive than leaves of longer periods because of difficulties with work schedules. Approval will be based upon the department's work load and the employee's work, attendance record and applicable Family and Medical Leave regulations.
3. Application for leave must be made, in writing, to the appropriate supervisor for approval at least one day prior to the requested leave date. When justifiable emergency situations occur (including Family and Medical Leave), the supervisor may waive the one day prior notice. The supervisor may request reasons for leave should the circumstances warrant.
4. Any employee not reporting to work when a request for leave has been denied will be considered on unauthorized leave without pay and will be subject to disciplinary action.
5. Leave sanctions to restrict the use of annual leave may be implemented when circumstances justify such an action with the approval of Human Resource Management. FMLA leave may not be used as a basis to implement leave sanctions.

6. Annual leave requests exceeding two weeks must include the reason for the request in order to determine FMLA status.
7. Physician certification is required when requesting annual leave for care of a family member consistent with the Family and Medical Leave Act.

J. Cancellation or Continuance of Annual Leave Credits upon Separation

1. Except that for which he/she must be paid (up to 300 hours), all annual leave accrued by an employee whose services are terminated for cause shall be canceled.
2. All annual leave accrued by an employee for which he/she is not paid upon being laid off shall again be credited if the individual is reemployed within five years following the separation (except in the case of dismissal or resignation to avoid dismissal).
3. All annual leave accrued by an employee for which he/she is not paid upon resignation shall again be credited if the individual is reemployed within a period of five years from date of separation; provided, that the privileges of this rule shall not extend to any employee whose last separation from the Classified Service was by dismissal or resignation to avoid dismissal.
4. All annual leave accrued by an employee for which he/she was not paid at time of separation to enter military service shall be credited upon reemployment following such military service, regardless of the length of separation from the University [Reference Section X on Military Leave for more details].

K. Payment of Leave upon Separation

1. Terminal payment for leave may not exceed an amount representing 300 hours of unused annual leave at time of separation of employees for any reason.
2. Terminal payment for annual leave will disregard any fraction of an hour.
3. No payment for annual leave upon separation shall operate to continue the payee as an employee beyond the last day of active duty.
4. Classified employees dismissed for theft of agency funds or property shall not receive terminal payment for annual leave.
5. An employee who is retiring from employment as a member of Louisiana State Employees' Retirement System (LASERS) will receive payment for all terminal annual leave credits to which he/she is entitled (not to exceed 300 hours). LASERS members also have the option to receive a lump sum payment from LASERS for the actuarial value of their unused annual

leave in excess of 300 hours that would otherwise be converted to service credit. Employees interested in this option should inform the Benefits Service Center well in advance of their projected retirement date (L.R.S. 11:424).

An employee retiring as a member of Teachers' Retirement System of Louisiana (TRSL) is entitled to receive payment for terminal annual leave credits not to exceed 300 hours. TRSL members who enter the DROP Program may elect to be paid upon entering the DROP Program (L.R.S. 17:425.1) or at final separation from employment.

An employee who is retiring from employment as a member of an Optional Retirement Plan (ORP) will receive payment for all terminal annual leave credits to which he/she is entitled (not to exceed 300 hours). ORP members will not receive credit for unused, unpaid annual leave upon separation or retirement.

6. Employees who are members of TRSL or LASERS, upon retirement from active duty, shall receive service credit for computation of retirement stipend for unpaid accumulated annual leave according to the provisions of each retirement system. Unpaid leave is not added for determination of retirement eligibility. Employees who are members of an ORP do not receive credit for unpaid annual leave upon retirement.

In accordance with the provisions of each retirement system, employees who are members of TRSL or LASERS and who enter DROP will not receive service credit for computation of their retirement stipend for unpaid accumulated annual leave upon entering DROP.

7. All personnel action forms processed to effect termination, retirements or transfers must show the amount of unpaid annual leave.

## V. SICK LEAVE

Sick leave is leave with pay granted to employees who are suffering a temporary disability or condition which prevents them from performing their usual duties and responsibilities or who require medical, psychological, dental or optical consultation or treatment. It is the policy of LSU to grant sick leave so that employees will not suffer the loss of pay when unable to work because of such circumstances. The policy is intended to help relieve the financial worries which often occur during a period of incapacitation. For these reasons, it is expected that sick leave will only be used as appropriate. Abuse of this benefit is cause for disciplinary action.

Because of the nature of their appointments, it may be difficult to determine when faculty should be charged leave.

For the purpose of sick leave reporting only, state law (L.R.S. 17:3311) requires the University to establish a forty-hour work week for faculty. State law does not control the faculty member's actual work schedule or hours spent on campus nor does this policy seek to do so. Each faculty member's work week, for the purpose of recording sick leave, is determined by their class schedule and other on-campus responsibilities e.g. student advising and committee work. These schedules may vary from semester to semester depending on

class schedules and other on-campus responsibilities. At a minimum, faculty who miss an assigned class or scheduled meeting must be charged leave appropriate to the circumstances regardless of whether arrangements are made for someone else to meet the class. If paid sick leave is neither available nor appropriate, leave without pay shall be charged. If a faculty member does not submit a leave slip in such circumstances, the leave must be administratively deducted from his/her record.

A. Sick Leave Accrual Conditions

1. Academic and professional employees begin to accrue sick leave with the paid appointment or continuation at greater than 50% effort that extends employment beyond 180 days. (Note: Contingent employees do not accrue sick leave.)
2. Classified employees begin accruing leave from their first day of appointment on a regular tour of duty (Note: Classified employees do not accrue leave while serving on an emergency appointment, restricted appointment or intermittent appointment).
3. For leave accrual purposes, years of service is based on full-time equivalent state service in pay status and, for academic. For **academic and professional** employees appointed November 8, 2004 or later, full-time equivalent service in a parish school system in pay status will also count toward service for leave accrual purposes. Employees appointed for less than full-time shall accrue leave in proportion to their percentage of full-time.
4. Accrual - full month's service:
  - a. **Professional** and **academic** personnel: if an appointment is effective on the first working day of the month, leave accrual shall be based on a full month's service.
  - b. **Classified** employees will accrue leave from the effective date of appointment.
5. Accrual - partial month's service:
  - a. **Professional** or **academic** employees who are appointed, or begin or return from leave without pay on a date such that the employee is in pay status:
    - 1) at least one-half the working days in the calendar month, but less than the whole month, will accrue a half-month's leave credit,
    - 2) fewer than one-half the working days in the calendar month, will accrue no leave credit for that month.
  - b. **Classified** employees will accrue leave credit based on the exact date of appointment, separation or return from leave without pay.

6. Changes with anniversary date of appointment:
  - a. As an employee's years of service increase, the leave accrual rate will increase according to the leave accrual schedule in this Section.
  - b. **Professional** or **academic** employees whose anniversary date of appointment falls on:
    - 1) the 1st through the 15th of a month will accrue leave at the higher rate for the entire month,
    - 2) the 16th through the end of a month will accrue leave at the present rate for that month and will begin to accrue at the higher rate the following month.
  - c. For **classified** employees, leave accrual rate increase is effective on the anniversary date.
7. No employee shall be credited with sick leave:
  - a. For any overtime hour;
  - b. For any hour of leave without pay except if he/she is on unpaid military leave;
  - c. For any hour in on-call status outside regular duty hours;
  - d. For any hour of travel or other activity outside regular duty hours;
  - e. For any hour of a holiday or other non-work day which occurs while he/she is on leave without pay.
  - f. For any period of sabbatical leave or educational leave. However, time spent on sabbatical or educational leave does count as service toward leave accrual rate change.
  - g. For any hour on crisis leave.
8. Academic year appointments:
  - a. For purposes of computing leave accrual rate change under the "Sick Leave Accrual Schedule," one semester equals one-half year.
  - b. For each semester worked, the employee is credited (earns) leave for a period of 4 1/2 months. For example, an employee with less than three years service earns eight hours per month for 4 1/2 months for each semester worked.

- c. A regular employee accrues sick leave when appointed for the summer school session(s) or for summer research in proportion to the full-time equivalent of the summer appointment.
- d. A new employee begins to accrue leave if appointed concurrently for the summer school session or summer research and the succeeding academic year. A new employee appointed for the summer session only or one semester only does not accrue sick leave.

9. Recording of leave:

- a. Leave requests must be submitted on a standardized leave slip.
- b. The minimum charge to sick leave is one-half hour. Beyond the first one-half hour, sick leave may be taken in quarter-hour increments. In the case of Family and Medical Leave, the minimum charge to sick leave may be as low as one-tenth (.1) of an hour, or six minutes.
- c. For purposes of the Family and Medical Leave Act, the leave to be taken must be designated as "FMLA" on leave tracking and all applicable leave slips.

10. Advance of leave:

No advance of sick leave can be granted. Employees who have exhausted sick leave but who have annual leave may be allowed, with supervisory approval, to make use of their annual leave to continue their leave status or they may request leave without pay.

B. Sick Leave Accrual Schedule - all employees

<u>YEARS OF SERVICE</u>	<u>CLASSIFIED</u>	<u>PROF &amp; ACADEMIC</u>
Less than three (3) years	.0461 hour per hour in pay status	8 hours per month
Three (3) years but less than five (5)	.0576 hour per hour in pay status	10 hours per month
Five (5) years but less than ten (10)	.0692 hour per hour in pay status	12 hours per month
Ten (10) years but less than fifteen (15)	.0807 hour per hour in pay status	14 hours per month

Fifteen (15) years or more	.0923 hour per hour in pay status	16 hours per month
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C. Restoration of Leave Credits upon Reemployment - all employees

1. Reemployment after military service: all sick leave credited to an employee at time of separation from the LSU System to enter military service will be credited upon reemployment at the LSU System immediately following such military service.
2. Reemployment after resignation or layoff: all sick leave credited to an employee at time of separation by resignation or lay-off will be credited to the employee if reemployed within the LSU System within a period of five years from date of separation, provided that the resignation was not to avoid dismissal.
3. Reemployment after termination for cause: all sick leave accrued by any employee whose separation was by dismissal or resignation to avoid dismissal will be canceled.
4. Reemployment after retirement: unused unpaid sick leave is not recredited to individuals reemployed after retirement from LSU or any other state agency.

D. Status of Sick Leave upon Change in Percent Effort - academic and professional employees

Employees who were first employed or were reemployed after a break in service by LSU January 1, 1999 or later and whose percent of effort drops to 50% or below cease to accrue and are not eligible to use sick leave for the duration of the period they are appointed for less than 51% effort. When/if the employee returns to 51% or greater effort, he/she will begin to accrue and is eligible to use leave again.

E. Transferring Sick Leave:

1. Within the LSU System or from another state agency or parish school system to LSU<sup>2</sup>:  
  
When a classified employee transfers to a classified job within the LSU System or from another state agency to a classified job in the LSU System, within a period of thirty (30) calendar days, accrued sick leave credits of the employee shall be certified and credited to the employee's leave record.

In the case of academic or professional employees transferring within the LSU System to sick leave-accruing status, accrued sick leave credits of the employee shall be certified and

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<sup>2</sup>LSU refers to Louisiana State University and A&M College rather than the LSU System.



credited to the employee's leave record. When an academic or professional employee transfers to a non-sick leave-accruing status within the LSU System, accrued sick leave credits of the employee shall be certified and credited to the employee's leave record but may not be used unless the employee changes to sick leave-accruing status.

In the case of academic or professional employees transferring from another state agency or a parish school system to LSU, sick leave cannot be accepted unless the appointment at LSU is in a sick leave-accruing status. When the appointment is in a sick leave-accruing status, the credit given cannot exceed the leave that he/she could have accrued had he/she performed the service under the LSU accrual regulations and there can be no break in service.

2. From LSU to state agencies outside the LSU System:

Sick leave earned by academic and professional employees at LSU will not be accepted if the transfer is to a classified position. Whether such leave will be accepted when the transfer is to an unclassified position outside the LSU System is dependent upon the rules and policies set forth by the management board of the new agency.

#### F. Use of Sick Leave

1. Sick leave may be used any time after it is earned with supervisory approval except that faculty employed on an academic pay basis may not use sick leave during the summer except for days for which they are appointed and only after they have worked at least one day of their summer appointment. The term of the leave may not extend beyond the period for which support is committed to the position or contract.
2. Minimum charge to leave records shall not be less than one-half hour. Beyond the first one-half hour, sick leave may be taken in quarter-hour increments. In the case of Family and Medical Leave, the minimum charge to sick leave and subsequent increments may be as brief as one-tenth (.1) of an hour, or six minutes.
3. Sick leave may only be used for personal illness (includes psychological illnesses), or injury. Sick leave may not be used to care for a child or family member.
4. **For faculty only:**
  - a. Absence due to medical or dental appointments that do not conflict with scheduled meetings or classes do not need to be reported.
  - b. Absence due to medical or dental appointments, illness or injury that conflicts with scheduled meetings or classes but does not prevent the faculty member from performing other duties must be reported only for scheduled meetings or classes missed.

- c. If the illness or injury prevents the faculty member from performing any of his or her responsibilities (including teaching, research and service), sick leave should be recorded in increments of 8 hours per day not worked and prorated for partial days not worked.
- 5. There is no maximum accrual. Unused sick leave may be used to extend years of service for purposes of retirement credit for employees who are members of LASERS or TRSL (does not apply to employees who are members of an ORP). Unused sick leave cannot be used to attain eligibility for retirement.
- 6. An employee on annual leave may not retroactively have hours originally approved as annual leave charged to sick leave unless the charge to annual leave was through administrative error, except in the following case: if, during an approved period of annual leave, an event occurs that qualifies for sick leave and the employee immediately reports this occurrence to the appropriate individual(s), an adjustment may be made to the leave records as to all leave taken after the notice was given.
- 7. Sick leave may not be charged for non-work days.

G. General Procedures for Reporting Sick Leave

- 1. To qualify for paid sick leave employees must follow the sick leave procedures set by his/her department, except that departmental procedures cannot conflict with Civil Service Rules or University policies.
- 2. In order to qualify for paid sick leave, an employee must follow the call-in procedures established by his/her department.
- 3. Should the employee fail to call in or notify the supervisor, all hours absent will be charged as unauthorized leave without pay, unless it is shown that it was medically impossible or impractical to follow the established procedure.
- 4. Unjustified absence may be cause for leave sanctions and/or disciplinary action.
- 5. All leave information should be submitted immediately upon return to work. Failure to submit information on a timely basis may result in the time away from work being considered leave without pay.

H. Application and/or Certification Required When Using Sick Leave

An employee who is absent from work because of illness or disability or other circumstances for which sick leave is appropriate shall immediately report the absence to a designated department

official, and upon return to duty, file written certification for the amount of sick leave taken. Except in the case of Family and Medical Leave, the following shall apply:

1. **Classified employees** absent from work for two consecutive work days or less, will not normally be required to provide certification; however, if the employee is absent for more than two consecutive work days, but not more than five consecutive work days, the supervisor may require certification from a registered physician or other acceptable proof of illness; any employee absent for more than five consecutive work days will be required to submit written certification from a registered physician or other acceptable proof of disability. The employee must be advised, in advance, that written certification is required or in sufficient time to allow the employee to produce the certification. The need for written proof of short term illness, including those of two days or less, will be determined by the employee's attendance record and other matters of which the supervisor may have knowledge.

The abuse of sick leave privileges may result in sick leave sanctions and/or disciplinary action regardless of the length of absence. Such sanctions require employees to present a medical certification for any period of absence. Sick leave sanctions may not be imposed for leave covered by the Family and Medical Leave Act. All sick leave sanctions require HRM approval.

2. **Professional and academic employees** are required to provide a doctor's certificate for periods of absence exceeding five consecutive working days. As justified, certificates may be required for shorter time periods.
3. **Family and Medical Leave** (all employees)
  - a. Employees are required to provide thirty (30) days notice for Family and Medical Leave unless it is medically impossible or impractical to provide such notice.
  - b. Employees are required to provide physician certification form FMLA-1 for all such leave to be taken. Such certification must be provided within fifteen (15) calendar days of notice to use the leave.

#### I. Exhaustion of Sick Leave

Classified employees may be removed, with prior approval of HRM and written notification to the employee, when, on the effective date of removal:

1. the employee is unable to perform the essential function of his/her job due to illness or medical disability, and

2. the employee has no usable sick leave to his/her credit, the employee has exhausted their FMLA leave entitlement and the employee's job must be performed without further interruption, and
3. it is documented in HRM that an accommodation to return the employee to duty is not practical.

J. Payment of Sick Leave upon Retirement from Active Duty, Entry into Deferred Retirement Option Plan (Drop), or Death in Service

1. **Academic** or **professional** employees who are members of LASERS or ORP will receive payment for all terminal sick leave credits to which he/she is entitled (not to exceed 200 hours or 25 days).

An employee retiring as a member of TRSL is entitled to receive the value of all or any portion of the terminal sick leave credits not to exceed 200 hours upon retirement or death. TRSL members who enter DROP may elect to be paid either upon entering DROP (L.R.S. 17:425.1) or at final separation from employment.

Employees who are members of LASERS also have the option to receive a lump sum payment from LASERS for the actuarial value of their unused, unpaid sick leave that would otherwise be converted to service credit. Employees interested in this option should inform the Benefits Office well in advance of their projected retirement date (L.R.S. 11:424)

2. **Classified** employees are not paid terminal leave for sick leave.
3. Employees who are members of TRSL or LASERS, upon retirement, shall receive service credit for unpaid sick leave for computation of retirement stipend according to the provisions of each retirement system. Unpaid sick leave is not added for determination of retirement eligibility. Employees who are members of ORP do not receive credit for unpaid sick leave upon retirement.

In accordance with the provisions of each retirement system, employees who are members of TRSL or LASERS and who enter DROP will not receive service credit for computation of their retirement stipend for unpaid accumulated sick leave upon entering DROP.

## VI. CIVIL LEAVE

A. Leave With Pay May be Granted to an Employee

In the following circumstances, leave with pay may be granted:

1. when performing jury duty;

2. when summoned to appear as a witness before a court, grand jury or other public body or commission provided that for purposes of this rule a plaintiff or defendant shall not be considered a witness, nor shall this apply to an employee summoned as a witness as a result of employment other than that employee's state employment;
3. when performing emergency civil duties in connection with national defense or other civil emergencies;
4. when an employee who is a member of the National Guard is ordered to active duty in connection with occurrences of an extraordinary or emergency nature which threaten peace and property;
5. when the Chancellor determines an employee is prevented by an act of God from performing duties;
6. when an employee is ordered to report for a pre-induction physical examination incident to possible entry into the military forces of the United States,
7. when an employee is a current member of a Civil Air Patrol and incident to such membership is ordered to perform duty with troops or field exercises or training (may not exceed 15 working days in any one calendar year).
8. when an employee certified as an American Red Cross Trained Disaster Volunteer participates in Level III designated American Red Cross relief services in Louisiana (may not exceed 15 working days in any calendar year).

**B. Voting on Election Day**

University employees whose scheduled work day is between the hours of 7:30 a.m. to 5:00 p.m. on an election day, **and who are unable to vote prior to or after** their work day, shall be allowed, upon request of the employee and approval of the department head, time off with pay for voting in accordance with the following schedule:

<b>VOTING RESIDENCE WITHIN:</b>	<b>UP TO:</b>
0-30 mile radius of the campus or within parish where employed	2 hours leave
31-60 mile radius of the campus	4 hours leave
61 or more mile radius of the campus	1 day

The department head in accordance with the above schedule will have the discretion of determining the amount and when time off will be granted during the election day. Nothing in this policy would

prevent a department head from inquiring as to the reasons why the employee cannot vote prior to or after the work day.

## **VII. COMPENSATORY TIME (See PS-61 for further information on overtime)**

### **A. No Compensatory Time for Academic and Professional Employees**

There is no provision for compensatory time or overtime payment when extra duty is required.

### **B. Earning of Compensatory Time**

Compensatory time may be earned by classified employees who perform work beyond their normal work schedule with the approval of or at the direction of their supervisor or other administrator. The employee may be given compensatory time off in lieu of payment for the time worked.

1. Exempt, classified employees earn compensatory time at a straight time rate (i.e., one hour worked equates to one hour of compensatory time). Non-exempt, classified employees earn compensatory time at a time and one-half rate provided that the employee actually works more than forty (40) hours in the work week.
2. Compensatory time must be credited in the payroll period in which it is earned.
3. An employee must be paid for compensatory time earned over 240 hours (100 hours for Police).

### **C. Use of Compensatory Time**

1. Compensatory time use is limited to those instances in which granting the time is not in conflict with University regulations or the efficiency of the department.
2. Compensatory time off may be used for any personal purpose, at any time after it is earned, contingent upon departmental or other designated approval.
3. Minimum charge to compensatory time records shall not be less than one-half hour. Beyond the first one-half hour, compensatory time may be used in quarter-hour increments.
4. A department head may require an employee to take compensatory time off whenever, in the administrator's judgement, such action would be in the best interest of the department.

### **D. Payment of Compensatory Time**

Employees separated from the University will receive payment for all unused compensatory time up to a maximum of 240 hours.

## **VIII. HOLIDAYS**

University holidays, which may differ from those of other state agencies, are provided for annually by the LSU System and communicated in PS-31.

A. Eligible Employees

Individuals employed on a **fiscal** pay basis shall be eligible for compensation on holidays observed except:

1. When the employee's regular work schedule averages less than 20 hours per week or the employee works an intermittent work schedule;
2. When the employee is on restricted or contingent (transient) appointment;
3. When the employee is on leave without pay immediately preceding **and** following the holiday period.

B. Separation on Holidays

Employees on a **fiscal** pay basis who are leaving the University work force are eligible for holiday pay if:

1. They are otherwise eligible for holiday pay; and
2. They are in a pay status the last working day before the holiday(s) except if the holiday crosses into the next pay period for salaried employees, such as in the case of the Christmas/New Year's holiday when the separation would be effective December 31.

C. Overtime Compensation on Holidays

See **PS-61** for overtime compensation on holidays.

D. Holidays Not Included on the Schedule.

Faculty and staff unable, because of religious beliefs, to work on a religious holiday not included on the schedule are to provide that information to their supervisor or department head/chair well in advance. Annual leave, leave without pay or adjusted work schedules will be approved unless doing so creates an unusual burden upon the employing unit.

## IX. LEAVE OF ABSENCE WITHOUT PAY

A. Cause for Leave

Leave of absence without pay may be granted to employees for good cause. Such leaves must be applied for in writing and will be approved based upon the ability of the granting department to continue to provide on-going and necessary services. The term of the leave may not extend beyond the period for which support is committed to the position or contract. Employees approved for leave of absence without pay are expected to return to the University on the next work day after the approved leave period. Failure to return to work could result in job termination. Good cause for granting leave of absence without pay<sup>3</sup> may be interpreted to include but not be limited by the following: extended illness; need to provide care for family members; education which will directly increase job effectiveness; adoption of children; or in special situations, temporary employment outside the University when it is in the interest of public service and/or will be beneficial to the University upon the employee's return.

B. Leave Without Pay to Pursue Employment

Leave without pay is a privilege, not a right and it is of a lesser priority than the future of the University, providing service to students, and promoting the well-being of the unit. Therefore, requests for leave without pay to take permanent jobs elsewhere will not be approved.

C. Criteria to be Used to Evaluate Leave Without Pay Requests

1. The effect upon the department if leave without pay is granted;
2. The recommendation of the immediate supervisor;
3. The length of University employment and prior leave history;
4. The probable effect of the leave as it will benefit or disadvantage the University.

D. Service Credit and Leave Accrual

1. Service before and after leave without pay will be combined to determine leave accrual rates and total service. Leave without pay does not count as credited service for leave accrual except when the employee is on unpaid military leave.
2. Sick and annual leave are not accrued while an employee is on leave without pay except when the employee is on unpaid military leave.

E. Reporting of Leave Without Pay

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<sup>3</sup>Usually, but not necessarily, sick and/or annual leave are exhausted before requests for leave of absence without pay will be approved.



1. Leave without pay must be reported on a personnel action form under the following conditions:
  - a. A PAF-2 form or an EZ-form is required for classified employees on leave without pay when the period of leave extends beyond a payroll period. [Leave without pay for tardiness need only be reported on the time sheet.]
  - b. A PAF-2 form or an EZ-form is required for academic or professional employees for any period of leave without pay.
  - c. A PAF-2 form or an EZ-form is required for unauthorized leave without pay of any duration for any employee whether classified, academic, or professional.
2. When leave without pay is taken for 30 days or more, the GI-1 form concerning disposition of insurance must be completed, signed by the employee and submitted with the PAF-2 form or EZ-form.
3. When an employee is on leave without pay and the employee requests additional leave, the personnel action form should state "Leave without pay for \_\_\_\_\_[state reason]\_\_\_\_\_."

F. Official Requests and Maintenance of Records

1. All requests for leave without pay and responses to such requests must be in writing, and
2. all written records pertaining to the leave request must be maintained in departmental files.
3. Requests from tenure-track faculty must address whether the requester desires to have the period of leave counted toward tenure

G. Failure to Return to Work at the Expiration of Leave

1. If a classified employee on probational appointment fails to return to duty in pay status on or before the first working day following the expiration date of any period of leave without pay, the employee will be considered as having deserted his/her position and the appointment shall terminate as of the close of business on such expiration date. In such removals, the employee shall (after approval from Human Resource Management) be furnished a letter of termination.
2. If an academic, a professional or permanent classified employee fails to report for or refuses to be restored to duty in pay status on the first working day following the expiration of the approved leave of absence without pay, or at an earlier date, upon reasonable and proper notice from department head, the employee may be considered as having deserted his/her position and shall be removed. Such removal of permanent employees requires prior approval from Human Resource Management (see **PS-8** for disciplinary procedures).

H. Review/Approval Levels

Employee Group	Length of Leave	Final Approval Authority
Faculty, Other Academic and Professional	One academic year or more; or one fiscal year or more	Board of Supervisors
Tenured Faculty	One semester AY or six months FY or more but less than one year	Vice Chancellor/Vice Provost
	Less than one semester AY or six months FY	Chair
Tenure-Track Faculty	31 days or more but less than one year	Vice Chancellor/Vice Provost
	30 days or less	Dean
Non Tenure-Track Faculty, Other Academic, and Professional Staff	One semester AY or six months FY or more but less than one year	Vice Chancellor/Vice Provost
	Less than one semester AY or six months FY	Chair
Classified	More than 180 days	Vice Chancellor

	31 days or more but less than 181 days	Dean
	30 days or less	Chair

A department head may initiate or, at the request of the employee, may curtail a period of leave of absence without pay, provided such curtailment is in the best interest of the University, reasonable and proper notice thereof is furnished to the employee, and prior approval is received from HRM (except in the case of Family and Medical Leave).

I. Leave Without Pay in Lieu of Annual Leave

Employees may be required to take any part or all of accrued annual leave prior to being granted leave without pay.

J. Leave of Absence for Holidays

Employees eligible for holiday pay must be in a paid work status (i.e. actually work the day or be on paid leave) the last normal work day before a holiday or the first normal work day after the holiday in order to receive pay for the holiday. Employees on leave without pay before and after the holiday shall not receive pay for the holiday.

K. Unapproved Leave Without Pay

Employees who absent themselves from the work place without prior supervisory approval will be considered to be on unauthorized leave without pay. Disciplinary action may be imposed against an employee for an unapproved absence and/or for unauthorized leave without pay.

**X. MILITARY LEAVE**

A. Eligibility Requirements

Employees who are members of a reserve component of the Armed Forces of the United States or of the National Guard are eligible for military leave.

B. Duration of Leave

Eligible employees shall be granted leave for periods not to exceed fifteen working days in any calendar year when ordered to active duty. Such leave shall be given without loss of pay, annual or sick leave, or performance rating; and when relieved from duty, the employee shall be restored to his/her position.

C. Pay Status

Any portion of a military leave in excess of fifteen working days during a calendar year shall be unpaid/without pay, unless chargeable against accrued annual leave or compensatory time.

Upon receipt of military pay documentation, LSU will pay employees whose military base pay is less than his/her LSU base pay the difference between their military base pay and their LSU base pay in their regular position while on military leave (L.R.S. 29:405).

D. Use of Annual Leave/Compensatory Leave

An employee will be given military leave for military service as required by the Uniformed Service Employment and Reemployment Rights Act of 1994. The employee may use accrued annual leave, or accrued compensatory time, if available, for the military leave period.

E. Annual/Sick Leave Accrual

Employees who were in leave-accruing status continue to earn annual and/or sick leave while on military leave (L.R.S. 29:406) and the military leave period is counted toward the computation of leave accrual rates.

## **XI. SPECIAL LEAVE**

A. Conditions for Special Leave

1. Leave with pay may be granted an employee by a department head or other appropriate administrative authority:
  - a. If the Chancellor determines that because of local conditions, it would be impossible or impractical for the employee to report to work.
  - b. For limited periods, if assignments to other than regular duties at regular locations (such as training or official travel) will prove beneficial to both the employee and the University. In the case of academic deans, the Office of Academic Affairs must review and approve such an action.

- c. To participate in a State Civil Service examination or to take other examinations pertinent to the employee's position. A department may set a reasonable cap on such participation for exams.
2. Leave with partial pay may be granted to faculty to accept distinguished fellowships. Requests must be made in writing and approved through channels by the LSU System President.

**XII. WORKER'S COMPENSATION PAYMENT** (See **PS-90** for Administration of Worker's Compensation)

A. Use of Sick and Annual Leave to Supplement Worker's Compensation

1. When an employee is absent from work due to disabilities for which he/she is entitled to Worker's Compensation, the employee must use sick leave to supplement Worker's Compensation payments so long as the combination of the value of the leave and Worker's Compensation payments does not exceed the employee's regular salary.
2. An employee may be granted annual leave, when appropriate, so long as the combination of annual leave and Worker's Compensation payments do not exceed the employee's regular salary.

B. Acceptance of Other Employment While Receiving Worker's Compensation

In the event an individual receiving Worker's Compensation payments and/or sick or annual leave payments should accept other employment, the Worker's Compensation payments and the sick or annual leave payments may or may not be continued, depending upon the circumstances and in accordance with the law.

**XIII. SABBATICAL LEAVE** (see Section 3-1 of the By-laws and Regulations of the Board of Supervisors)

A. Criteria for Eligibility

Full-time academic employees at the rank of Instructor (or equivalent) or above, who have completed six years of service on the campus without having received leave with pay, may petition for sabbatical leave for study and research, the object of which is to enable them to increase their professional efficiency and usefulness to the University. A condition for the granting of sabbatical is the potential benefit the university will receive as a result of the sabbatical. Adequate justification setting forth the plans for each sabbatical leave shall be stated, and report of the accomplishments under each leave granted shall be made promptly upon return from sabbatical leave. Sabbatical leave will normally be approved for the purpose of seeking a higher degree only under unusual circum-stances.

B. Term and Level of Pay

Persons employed on a 12-month pay basis may be granted 12 months of leave with one-half pay or six months of leave with full pay. Persons employed on a nine-month pay basis may be granted nine months of leave with one-half pay or four and one-half months of leave with full pay. Faculty employed on academic pay basis may not be granted paid sabbatical leave during the period after the Spring semester ends and before the Fall semester begins.

C. Positions Supported by Non-recurring Funds

Persons in positions supported by non-recurring funds may qualify for sabbatical leave only if the guaranteed period of support for the position is sufficient to cover the period of leave and the required service subsequent to the leave (see item F below). Persons paid from grant or non-recurring funds will usually need documentation that the cost of the leave is supportable by the funding source.

D. Review/Approval Levels

The Chancellor shall, after receiving requests from the appropriate chair/head, dean or other administrative head, and Provost, make recommendations for sabbatical leave through the President to the Board.

E. Changes in Sabbatical Leave Proposals After Administrative Approval

Any change in the purpose, dates, compensation, itinerary of an approved sabbatical leave requires approval through administrative channels by the Provost. Substantial changes require the further approval by the President of the LSU System.

F. Requirement to Return to Duties

A member of the academic staff who is granted sabbatical leave shall be required to return to his/her University duties for at least one academic or fiscal year before accepting employment elsewhere and/or leaving employment of the University. A faculty member who fails to fulfill his/her commitment to return to his/her University duties for at least one year following sabbatical leave will be responsible for reimbursing LSU for any pay, insurance premiums and retirement contributions made on his/her behalf during the period of the leave.

G. Employment During Sabbatical Leave

Under unusual circumstances, persons may accept employment during sabbatical leave if approval is requested in writing and granted in advance by the Chancellor and the President, through administrative channels, as supportive of the purposes of the leave.

H. Cycle for Review

Requests for sabbatical leave are due at the department level during the Fall semester of the year prior to the proposed sabbatical leave, in accordance with a schedule issued annually by the Office of Human Resource Management.

I. Right to Withdraw Approval

Sabbatical leave requests will be disapproved or rescinded when financial or other considerations make such action appropriate.

**XIV. LEAVE TO OBTAIN AN ADVANCED DEGREE**

A. Criteria for Eligibility

Full-time academic employees at the rank of Instructor (or equivalent) or above, and full-time professional employees, who have completed three consecutive years of service may petition for a leave of absence with part pay for not more than one year of study which will culminate in the receipt of an advanced degree within five years.

B. Limitation for Ranks Above Instructor

Persons holding a rank above the level of Instructor (or an equivalent rank) may not become a candidate for an earned degree on the campus of employment.

C. Positions Supported by Non-recurring Funds

Individuals in positions supported by non-recurring funds may qualify for educational leave only if the guaranteed period of support for the position is sufficient to cover the period of leave and the required service subsequent to the leave (see item F below).

D. Information Required

The petition for a leave of absence to obtain an advanced degree shall set forth the course of study to be pursued, the institution to be attended, an account of the petitioner's prospect for securing an advanced degree, and such other information as may be required.

E. Pay Allowance

The amount of pay allowed on educational leave shall be determined in each individual case but in no event shall the pay exceed one-half of the regular salary that would accrue to the petitioner during the period of leave. For the employee on academic pay basis, the term "regular" refers to the salary for the academic year without presumption of summer-term appointment.

F. Review/Approval Levels

1. Educational leave requests require approval, through administrative channels, of the Board of Supervisors.
2. Petitions for educational leave shall be granted only after the Chancellor, the Executive Vice Chancellor and Provost and the appropriate academic dean or administrative officer have determined that the interests of the University System will best be served by granting such leave.

G. Requirement to Return to Duties

Employees granted educational leave shall be required to return to their University duties for at least two years before accepting employment elsewhere and/or leaving employment of the University. An employee who fails to fulfill his/her commitment to return to his/her University duties for at least two years following leave to obtain advanced degree will be responsible for reimbursing LSU for any pay, insurance premiums and retirement contributions made on his/her behalf during the period of the leave.

H. Coursework Not Covered Under "Leave to Obtain Advanced Degree"

Academic employees with faculty rank who wish to request time off to pursue formal academic coursework beyond what is described under Leave to Obtain an Advanced Degree, may request leave without pay for such purposes. The request will be routed through normal administrative channels and will be approved on a case by case basis if approval of the request is in the best interest of the University. The Chancellor makes the final determination as to whether or not the request is in the best interest of the University.

**XV. EDUCATIONAL PRIVILEGES FOR OTHER ACADEMIC, PROFESSIONAL AND CLASSIFIED EMPLOYEES**

A. Eligibility Criteria for Tuition Exemption

**Full-time classified, professional and other academic (excluding faculty) employees**, who have been employed full-time for at least one year and have the approval from their immediate supervisor and department head, may register for job-related courses for up to 6 college credit hours per regular semester and receive full tuition and fee exemption for these hours. For the entire period between the Spring and Fall semesters (i.e., intersession and summer term), a total of 3 hours credit can be exempt from tuition. Only three clock hours per week of the approved job-related courses may be taken during work time without charge to leave or an approved flex schedule on file with department head or Human Resource Management as required by **PS-79**.

Note: The provisions of this policy do not apply to specialized self-supported educational programs such as the Executive MBA Program.



B. Criteria for Evaluation

To assist immediate supervisors and department heads in determining "job relatedness", the following points are useful guidelines:

1. If the course would be beneficial to the employee in performing the functions outlined in her/his position description, it may be approved.
2. If the course would be beneficial to the employee to advance to the next higher position to which she/he might logically aspire to within the unit, it may be approved.
3. If the course is required for a degree program being pursued for the reasons stated in points 1 and 2 above, the course may be approved.

C. Continuation of Tuition Exemption

Continued participation in this tuition exemption program will be based on making satisfactory progress as determined by the employee's supervisor. Satisfactory progress shall generally be interpreted to include completion of the course with a passing grade.

D. Eligibility Requirements for Coursework Not Covered by Tuition Exemption

Full-time classified, professional and other academic (excluding faculty) employees, during their first year of full-time employment who have approval from their immediate supervisor and department head, may register, at their own expense, for a job related course and be allowed to take the college credit course during work hours without charge to annual leave for no more than one hour per day up to three clock hours per week.

E. Pursuit of Doctoral Degrees

Professional or "other academic" employees may pursue a doctorate at the University provided there is no conflict of interest with the position held by the employee. The Chancellor makes the final determination regarding the existence of a conflict.

F. Limitation on Hours

1. Normally, employees will not be permitted to take courses for more than three clock hours per week during regular work hours.
2. Employees may take coursework beyond their normal work hours provided that it does not adversely impact their work.
3. Employees must notify their supervisors if they drop a course. Time away from the workplace is granted for class attendance only.

## **XVI. FAMILY AND MEDICAL LEAVE (FMLA) -all categories of employees**

### **A. Eligibility Requirements**

Eligible employees are entitled to up to twelve (12) work weeks of leave, in any year, for one or more of the following qualifying events:

1. For the birth of a child and/or to care for the child,
2. For placement of a child through adoption or foster care,
3. For the care of the employee's spouse (wife or husband), son, daughter or parent who has a serious health condition,
4. For the employee's own serious health condition which prevents the employee from performing their essential duties.

### **B. Length of Service Eligibility**

Employees who have worked for a Louisiana state agency for twelve (12) months and who have worked 1,250 hours in the preceding twelve (12) month period from the time the leave is to begin are considered eligible employees for the purposes of Family and Medical Leave.

### **C. Definition of "Any year"**

For the purposes of this law and University policy, a year is defined as the twelve month period beginning with the date the employee first uses FMLA designated leave. This shall be referred to as a "first use year".

### **D. Notice Requirements**

1. **Advance Notice Requirement:** Employees are required to provide thirty (30) days advance notice, unless the qualifying event is unforeseeable or a medical emergency.
2. **Waiver of Advance Notice Requirement:** When advance notice is impossible or impractical, employees are required to notify their supervisors or other appropriate departmental authority at the earliest possible time (at least one or two business days from when the need for leave is known). Verbal approval must be granted contingent upon submission of the FMLA-1 and verification of the qualifying event.
3. **Notice to Human Resource Management:** Departments must report all notifications of FMLA to Human Resource Management, ideally, within one to two business days of receipt of the notice.

E. Physician Certification

Employees invoking Family and Medical Leave are required to have their physician or the physician of record complete the FMLA-1 form (medical certification). This form must be submitted within fifteen (15) calendar days of notice to use leave. In the case of Worker's Compensation, standard physician certification in lieu of the FMLA-1 form is acceptable.

F. Automatic Designation as FMLA

Sick leave absences in excess of five (5) consecutive days will be automatically designated as FMLA leave from the first day of the leave (unless medical certification shows the absence was not a qualifying event under FMLA) and will require a medical certificate as permitted by FMLA.

G. Intermittent Leave or a Reduced Leave Schedule

Intermittent leave or a reduced leave schedule must be approved in the following circumstances:

1. For birth or placement of a child through adoption or for foster care, with mutual agreement between the department and the employee, or, when medically necessary and certified by the physician on the FMLA-1 form or other acceptable medical documentation.
2. In all other events, when medically necessary and certified by the physician on the FMLA-1 form or other acceptable medical documentation.

H. Requirement to Take Paid Leave

Employees are required to take Annual or Sick Leave, depending on the nature of the absence. The appropriate type of leave must be exhausted before approval will be granted to use leave without pay for Family and Medical Leave.

I. Continuation of Health Care Benefits

1. Employees who have their health coverage with the state and who go on leave without pay for Family and Medical Leave and who wish to continue their health care coverage will have the employer portion of the premium paid by the University.
2. In such circumstances, employees are required to submit a GI-1 form (see page 19, Section IX, E, 2).

J. Requirement to Document All FMLA Leave

1. Whether or not the employee requests FMLA leave specifically, if the reason for the leave qualifies as FMLA, it must be approved and documented as FMLA leave.

2. FMLA leave must appear in the "Remarks" Section of Leave Tracking.
3. For recordkeeping purposes, FMLA leave requires that a leave slip be completed and submitted by the employee unless the employee is not available in the work place or it would otherwise be impractical or impossible to obtain such a slip (in these cases, the FMLA-1 form should be maintained with the employee's leave record).

K. Restoration after FMLA

Employees returning from Family and Medical Leave must be restored to their former positions or equivalent positions with equivalent benefits.

L. Prohibition Against Retaliation

It is unlawful for any employer to interfere with, restrain or deny the exercise of any right provided for under FMLA. Employees may not be retaliated against for invoking the Family and Medical Leave.

M. Questionable Certifications for Medical Leave

If an employee submits a completed certification signed by a health care provider, the employer may not request additional information from the employee's health care provider, but may, through its health care provider request clarification and authentication of the certification. If the employer doubts the validity of the certification, it may proceed as follows:

1. Second Opinion - With the approval of Human Resource Management, the employee may be required to be examined by a health care provider of the **employer's designation and at the employer's expense**. If the second opinion does not agree with the employee's certification, the employer can require a third opinion.
2. Third Opinion - With the approval of Human Resource Management, the employee may be required to be examined by a **health care provider mutually approved by the employer and the employee at the employer's expense**. The **third opinion is final and binding**.

N. Submitting False Information

Any employee who submits false information regarding this Act shall be subject to disciplinary action.

O. Impact of FMLA on Leave Sanctions

No leave (annual or sick) approved under FMLA may be used as a basis for, or in the calculation of leave usage, for imposing leave sanctions.

## **XVII. CRISIS LEAVE PROGRAM**

### **A. Purpose**

The Crisis Leave Program is a means of providing paid leave to an eligible employee who has experienced a catastrophic illness or injury to themselves or eligible family member. The intent of the program is to assist employees who, through no fault of their own, have insufficient paid leave to cover the crisis leave period.

### **B. Crisis Leave Terms**

Within the context of crisis leave, terms have the meanings indicated below:

1. Eligible employee is an employee of Louisiana State University (the “University”) who is eligible to earn annual leave in accordance with section IV of this policy. Classified employees must have attained permanent status to donate or use crisis leave.
2. Eligible family member:
  - a. an individual living in the same household who is related to the employee by kinship, adoption, or marriage or a foster child so certified by the Louisiana Office of Children’s Services, or
  - b. an individual not living in the same household who is related to the employee by kinship, adoption or marriage, and is totally dependent upon the employee for personal care or services on a continuing basis.
3. Licensed Medical Service Provider (LMSP) is a practitioner, as defined in the Louisiana State Licensing Law (relative to that LMSP’s field of service), who is practicing within the scope of his or her license. This is to include licensed Physicians (a doctor of medicine) or M.D., doctor of osteopathy or D.O., or licensed Chiropractors, Counselors, or Therapists as recognized and licensed by appropriate state boards or authorities.
4. Catastrophic Injury or Illness is a severe condition or combination of conditions that:
  - a. affects the physical or mental health of the employee or the employee’s eligible family member; and
  - b. requires the services of a licensed medical service provider for a prolonged period of time; and

- c. prevents the employee from performing his/her duties for a period of more than ten consecutive days and forces the employee to exhaust all appropriate leave described in other parts of this policy and to lose compensation from the state.
- 5. Leave Pool Manager is the Executive Director of Human Resource Management (HRM) or his/her designee.
- 6. Crisis Leave Committee is a committee comprised of three members (staff and/or faculty) and the Leave Pool Manager or designee. The Committee acts to support the administration of the Crisis Leave program, review the pool and program management practices by the Leave Pool Manager. When not otherwise specified in written policy, the Committee may recommend operational guidelines and procedures for the Crisis Leave Program.

C. Eligibility Requirements

An employee is not required to contribute to the Crisis Leave Pool to be eligible to receive crisis leave. An eligible employee may apply to receive crisis leave if the following requirements are met:

- 1. the employee or employee's eligible family member suffers from a catastrophic illness or injury; and
- 2. the employee has exhausted all appropriate leave in accordance with this policy; and
- 3. the employee has exhibited satisfactory attendance (with no history of leave abuse), and is not absent from work due to disciplinary reasons; and
- 4. the catastrophic injury or illness is not occupationally related (therefore making that employee eligible for workers' compensation) or was not attained in the commission of an assault or felony; and
- 5. the appropriate documentation from a LMSP is provided to the Leave Pool Manager.

D. Amount of Crisis Leave that May Be Approved

The amount of crisis leave granted for each catastrophic illness or injury is determined by the Leave Pool Manager. The amount of leave granted to an employee will generally reflect the recommendations of the LMSP, subject to the following limits:

- 1. a maximum of 240 hours may be granted to an eligible employee during one calendar year;
- 2. crisis leave may not be granted to any individual to extend paid leave status beyond a total time in leave status of 12 weeks;

3. the total amount of leave granted will not exceed the balance of hours in the leave pool at the time of the employee's request;
4. the value of the annual leave granted as crisis leave may not exceed 75% of the employee's pay received in a regular workweek and the employee will not accrue leave while using crisis leave.

E. Donation Procedures

Contributions to the Crisis Leave Pool are strictly voluntary; no employee shall be coerced or pressured to donate leave. An employee donating to the pool may not designate a particular employee to receive donated time. The donor must complete a *Donation to Crisis Leave* form and submit it to his/her department/unit leavekeeper who forwards the form to the Leave Pool Manager. Donations are accumulated in the pool and awarded on a first-come, first-served basis to eligible employees. Donations are restricted as follows:

1. an employee may donate a minimum of 4 hours of annual leave, donations beyond 4 hours must be made in whole hour increments;
2. normally, the donor must have a balance of at least 120 hours of annual leave remaining after the contribution;
3. donations are limited to 240 hours of annual leave per employee per calendar year;
4. donations are limited to 120 hours of annual leave upon separation or retirement.

F. Request Procedures

An employee may request leave from the Crisis Leave Pool by completing a *Crisis Leave Request* form. The request must be submitted to the Leave Pool Manager with a copy of the employee's *Certification of Physician or Practitioner* (FMLA-1) form. The Leave Pool Manager reviews the request to make sure that the employee is eligible to receive crisis leave. The employee requesting crisis leave must provide all requested information necessary to make a final determination of eligibility.

G. Confidentiality of Requests

All requests for crisis leave must be treated as confidential. All requests and documentation for crisis leave are to be submitted in envelopes marked "confidential."

H. Adjudication of Requests

Each request will be stamped with date and time received by the Leave Pool Manager, and handled on a first-come, first-served basis. When possible, a request is to be submitted at least 10 days before the crisis leave is needed. The Leave Pool Manager is allowed five working days from the

date a request is received (with the required documentation) to approve all or part of the request, or deny the request, and communicate such approval or denial to the employee.

If the request is approved, the Leave Pool Manager will credit the approved time to the employee's leave record.

I. Use of Crisis Leave

Approved crisis leave is used for a maximum of 75% effort and is documented in accordance with the same procedures as regular paid leave taken by the employee.

J. Changes in Status Affecting Crisis Leave

1. Crisis leave may be used only for the circumstances for which it was requested. If any change occurs in the nature or severity of an illness or injury, or of any other factor on which the approval was based, the employee must provide documentation describing the change to the Leave Pool Manager. The employee may request additional crisis leave subject to the limits outlined above. Extensions of crisis leave are not automatic. Each request for extension will be addressed on a first-come, first-served basis.
2. Use of leave from the Crisis Leave Pool for reasons other than those stipulated and approved by the Leave Pool Manager and/or failure to abide by procedures and requirements outlined in this policy may constitute payroll fraud and will be addressed accordingly.
3. Employees who are able to return to work before using all crisis leave granted must return the unused crisis leave to the Crisis Leave Pool.

K. Compensation and Benefits

1. Crisis leave will be paid at the receiving employee's rate of pay .
2. An employee in crisis leave status will be considered in partial paid leave status and will continue to receive benefits as appropriate.
3. Employees on crisis leave will not accrue paid leave.

L. Financial Impact

1. The cost of the crisis leave period will be borne by the recipient's employing unit.
2. HRM will maintain records on crisis leave donated and used on a dollar value basis.

M. Appeals



The decision to approve or deny crisis leave requests by the Leave Pool Manager is final and not subject to appeal.

### **XVIII. FUNERAL LEAVE**

Employees may be granted leave with pay when attending the funeral or burial rites of a parent, step-parent, child, step-child, brother, step-brother, sister, step-sister, spouse, mother-in-law, father-in-law, grandparent, or grandchild; provided such time off shall not exceed two days on any one occasion. Employees may request annual leave or leave without pay to attend funeral or burial rites of friends or of relatives not specified.

### **SOURCE**

PM-5 Holiday Schedule; PM-20 Leave Policies Academic & Unclassified & Classified Employees; Family and Medical Leave Act of 1993, Chapter 11 of the Civil Service Rules, Uniformed Service Employment and Reemployment Rights Act of 1994, La. R.S. 42:441, Act 327 of 2003 Regular Session.