

# GLENVILLE STATE UNIVERSITY POLICIES

## PERSONNEL POLICY 17

### ANNUAL LEAVE, SICK LEAVE, MILITARY LEAVE AND OTHER LEAVES

#### 17.1. General.

1.1. Scope Policy regarding annual leave, military leave, leave of absence without pay, sick leave, special emergency leave, witness and jury leave  
leState University.

1.2. Authority W. Va. Code § 18B-1-6

1.3. Effective Date – August 15, 2018

1.4. Revision of Former Policy Revises and replaces Series 35 of the Board of Directors of the State University System, Glenville State University Board of Governors Policy 17 Annual Leave, Sick Leave, Military Leave and Other Leaves [2003].

#### 17.2. General Leave Coverage.

2.1. Eligibility for annual and sick leaves shall be based on the following:

2.1.1. Employees working on a regular and continuing basis for no less than 1,950 hours within a twelve (12) consecutive month period are considered to be full time employees and are eligible for leave as specified in this document.

2.1.2. Employees working between 1,040 hours and less than 1,950 on a regular and continuing basis during a twelve (12) consecutive month period shall accumulate leave on a pro rata basis.

2.1.3. Employees working less than 1,040 hours are not eligible for leave benefits.

2.2. Faculty members on twelve month appointments are defined as full time employees and accrue leave according to the appropriate sections of this rule. The provisions of this rule related to annual leave, sick leave, catastrophe leave, special emergency leave, and managing work time in areas affected by interruption to utility or similar situations do not apply to faculty members on annual appointments of less than

2.5. Length of services shall be total years of service which includes experience with state institutions of higher education and other state agencies. Continuous service is not required to complete the required term. Annual appointment periods of nine (9) months or more shall be credited for one (1) year of service for annual leave calculation purposes.

2.6. A recognized institutional holiday occurring during an employee's leave period shall not be considered a day of leave, provided the employee is not in a terminal leave period.

2.7. Up to fifteen (15) days of annual leave may be transferred from other agencies of state government and state higher education institutions to Glenville State University. Certification of the balance which existed in the agency or institution from which the employee is transferring must accompany the request for transfer and bear the signature of an officer of that agency. A request for transfer must be made within one (1) year from the last day of employment with the other agency or institution.

2.8. When an employee transfers from other agencies of state government or from other state institutions of higher education to Glenville State University, the employee's accumulated sick leave may be transferred. Written verification of the accumulated amount of sick leave to be transferred must be provided by the state agency or institution of higher education where in the employee accumulated the sick leave within one (1) year of the date of employment with Glenville State University.

2.9. An employee is required to notify his/her supervisor immediately if ill or unable to work for any reason and to follow Glenville State University's established procedures for absence from to with

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employee either to use any accumulated annual leave until it has also expired, rather than being removed from the payroll, or to retain the accumulated annual leave for use after return to work, but be taken off the payroll immediately after the accumulated sick leave has expired.

5.8. On the job injuries or occupational illnesses which involve no more than three (3) days of disability leave or absence from work shall not be charged against the employee's accumulated sick leave as long as they are the next three (3) consecutive working days after injury or illness occurred. If on the job injuries or illnesses require a leave beyond the three day period, it shall be the option of the employee either to use earned and accumulated sick and annual leave until both may be exhausted or to reserve for future use any earned and accumulated sick and annual leave and receive only Workers' Compensation benefits for which adjudged eligible.

5.9. Disabilities caused or contributed to by pregnancy, miscarriage, abortion, childbirth, and recovery therefrom shall be, for all job related purposes, temporary disabilities and shall be treated the same as any other illness or disability would be treated for sick leave entitlement. For this reason, employees shall be entitled to sick leave for their disabilities related to pregnancy and childbirth on the same terms and conditions as they or other employees would be entitled for other illnesses and disabilities. In determining whether an employee is unable to work because of a disability related to pregnancy or childbirth, the same criteria shall be used as would be used in the case of another type of illness or disability.

5.10. Sick leave provisions are contingent upon continued employment. When the services of an employee have terminated, all sick leave credited to the employee shall be considered cancelled as of the last working day with the institution, and no reimbursements shall be provided for unused sick leave except in the event of retirement, in which cases sick leave may be converted to insurance coverage or for provisions lawfully provided for at that time. Employees who resign in good standing and are later reemployed may have their total accumulated sick leave reinstated, provided the date of termination is one (1) year or less from the date of reemployment. However, if the employee returns to work after more than one (1) year from the date of termination, no more than 30 days of accumulated sick leave may be reinstated.

#### 17.6. Medical Leave of Absence Without Pay.

6.1. Any employee requesting a medical leave of absence without pay must provide the president or the president's designee through established procedures with satisfactory medical evidence (such as a statement from the attending physician) that he/she is unable to work. The medical statements shall include a diagnosis, prognosis, and expected date that the employee can return to work. If the evidence is satisfactory, the president or his/her designee may authorize a medical leave of absence without pay only for the period of disability specified by the attending physician.

6.2. The employee shall be expected to report to work on the first workday following expiration of the disability period. Failure of the employee to report promptly at the expiration of a medical leave of absence without pay, except for satisfactory reasons submitted in advance, shall be cause for termination of employment by Glenville State University. An employee, prior

to return to duty, shall obtain satisfactory medical clearance to help ensure adequate protection and which shall indicate the employee's ability to perform his/her duties. Such medical clearances shall be presented in writing.

6.3. A medical leave of absence without pay may be granted for no more than a twelve

## 17.8. Catastrophid Leave.

8.1. Catastrophideave is provided for employees and a catastrophid illness is defined as: a medically verified illness or injury which is expected to incapacitate the employee and which creates a financial hardship because the employee has exhausted all leave and other paid time off. Catastrophid illness or injury shall also include an incapacitated immediate family member if this results in the employee being required to take time off from work to care for the family member and the employee has exhausted all leave and other paid time off.

8.2. The president will have the option to establish a leave bank and/or a procedure for direct transfer of sick or annual leave to an employee who has requested and been approved to receive leave donations due to a catastrophid illness or injury. Glenville State University may develop procedures which limit the amount of deposits an employee may make in any twelve (12) continuous month period.

8.3. A catastrophideave bank provides for the deposit of sick and annual leave into a "bank" from which employees approved for catastrophideave may withdraw leave.

8.4. A direct transfer provides for sick and annual leave to be donated at the request of the employee upon appropriate medical verification that the individual is unable to work due to the catastrophid illness or injury as determined by the president.

8.4.1. Upon approval for an employee to receive direct transfer of catastrophideave, any employee may, upon written notice to the human resources department, donate sick and/or annual leave in one day increments. No employee shall be compelled to donate sick leave. Any leave donated by an employee, but not used by the employee to whom it was donated, shall be returned to the donating employee and reflected in his/her leave balance.

8.5. An employee receiving the transfer of leave shall have any time which is donated credited to such employee's leave record in one day increments and reflected as a day for day addition to the leave balance of the receiving employee. The leave record of the donating employee shall have the donated leave reflected as a day for day reduction of the leave balance.

8.6. Use of donated credits may not exceed a maximum of twelve (12) continuous calendar months for any one catastrophid illness or injury. The total amount of leave received by transfer or withdrawn from a bank may not exceed an amount sufficient to ensure the continuance of regular compensation and shall not be used to extend insurance coverage pursuant to Section 13, Article 16, Chapter 5 of the Code, which relates to insurance coverage for state employees. The employee receiving donations of leave shall use any leave personally accrued on a monthly basis prior to receiving additional donated leave.

8.7. Direct transfer of leave or deposits into a leave bank may be inter institutional. The president or his/her designee shall notify in writing other institutional presidents requesting that the institution consider the transfer of leave by either the direct transfer method or from

the institution's leave bank. Upon approval of the receiving president, transfer leave will be made through appropriate institutional procedures.

8.8. Glenville State University shall be responsible for the administration of catastrophe leave and shall develop and disseminate procedures for the administration of this policy.

#### 17.9. Personal Leave of Absence Without Pay.

9.1. An employee, upon application in writing and upon written approval by the president or his/her designee, may be granted a continuous leave of absence without pay for a period of time not to exceed twelve (12) consecutive months provided all accrued annual leave has been exhausted.

9.2. The president or the president's designee at his/her discretion, may require the written approval of the supervisor before accepting the written application of an employee for a leave of absence without pay.

9.3. The president or the president's designee at his/her discretion, shall determine if the purpose for which such a leave is requested is proper and within sound administrative policy.

9.4. At the expiration of leave of absence without pay, the employee shall be reinstated without loss of any rights, unless the position is no longer available due to a reduction in staff caused by curtailment of funds or a reduced workload. Failure of the employee to report promptly at the expiration of a leave of absence without pay, except for satisfactory reasons submitted in advance, shall be cause for termination of employment.

9.5. During a personal leave, Glenville State University shall continue group health insurance coverage provided that the employee pays the employer the full premium costs of such group health plan.

#### 17.10. Military Leave.

10.1. An employee who is a member of the National Guard or any reserve component of the armed forces of the United States shall be entitled to and shall receive a leave of absence without loss of pay, status, or efficiency rating, for all days in which engaged in drills or parades ordered by proper authority, or for field training or active service for a maximum period of thirty (30) working days ordered or authorized under provisions of state law in any one (1) calendar year. The term "without loss of pay" shall mean that the employee shall continue to receive normal salary or compensation notwithstanding the fact that such employee may receive other compensation from federal sources during the same period. Furthermore, such leave of absence shall be considered as time worked in computing seniority, eligibility for salary increase and experience with Glenville State University. An employee shall be required to submit an order or statement in writing from the appropriate military officer in support of the request for such military leave.

10.2. Benefits of this section shall accrue to individuals ordered or called to active duty by the President of the United States for thirty (30) working days after they report for active service.

17.11. Special Emergency Leave With Pay.

11.1. Special emergency leave with pay may be granted by the president or his/her designee to full time



against an employee's accumulated annual leave. Combinations of the above alternatives may be necessary, but in all cases interruptions of work schedules must be dealt with in accordance with applicable laws, including West Virginia Code 12 B 13. This law is interpreted to mean that if pay is associated with the absence from work, the absence must be charged to accumulated annual leave.

13.2. Emergency Situations In the event that an emergency exists, the president, in conjunction with local or state public safety officials, has the authority to comply with the emergency situation and close Glenville State University. Such a declaration will be transmitted to the chancellor of the Higher Education Policy Commission. The president, working with public safety officials, will determine when the emergency condition no longer exists. Should an employee be required to work by the president or his/her designee during a declared emergency, the time worked shall be compensated according to the provisions of Series 62. Work time lost by any employee during a declared emergency will be considered regular work time for pay purposes and will not require that the time be charged to annual leave nor will there be a requirement that the time be made up.

13.3. Absence from work due to weather conditions other than during a declared emergency must be charged against accumulated annual leave, accumulated compensatory time, or the employee must be removed from the payroll for the time in question. In recognition of the employment of "floating holiday" concept, the holiday record may be charged. Sick leave may not be charged for absence due to weather. Time lost from work may be made up in the same work week at the discretion of the employee's supervisor.

Approvals:

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President

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Chair of the Board