

## 10.05 Paid Leaves and Time Off

Original Approval: **DATE**

Last Updated: **DATE**

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### Policy / Purpose:

It is the policy of Wallace Community College – Selma (WCCS) to follow the Alabama Community College System (ACCS) policies related to paid leaves and time off. Refer to ACCS [Board Policy 608.02](#), [Chancellor's Procedures 608.02](#), Code of Alabama 16-60-111.4 and 16-60-111.7, and [Board Policy 610.01](#)

### Scope:

Eligibility for each leave time policy is described separately below.

*Annual Leave:* Applies to eligible employees on the salary schedules referenced in Details Section below.

*Court Attendance Leave:* Applies to all full-time employees.

*Holiday Leave:* Applies to all full-time employees.

*Military Leave:* Applies to all full-time employees and Salary Schedule H employees (as prorated) for paid military leave of up to 168 hours per calendar year in the event of being called to active duty.

*Personal Leave:* The WCCS Personal Leave policy applies to the following:

- Personnel employed on Salary Schedules A, B, C, E, and H: Up to two (2) days of personal leave with pay will be granted to each full-time employee on the above salary schedules during any leave year. Up to two days per year of personal leave is extended to all support personnel on Salary Schedule H as above, with a "day" defined as four (4) hours for persons paid from Salary Schedule H-20, five (5) hours for persons paid from Salary Schedule H-25, six (6) hours for persons paid from Salary Schedule H-30, and seven (7) hours for persons paid from Salary Schedule H-35. Personal leave is noncumulative. A reason for personal leave is not required. However, personal leave with pay will be requested prior to its occurrence. Personal leave will not be paid on resignation or termination of employment.
- Personnel Employed on Salary Schedule D: Up to five (5) days of personal leave with pay will be granted to each full-time employee on the first day of each academic year. Personal leave is noncumulative. A reason for personal leave is not required. However, personal leave with pay will be requested prior to its occurrence. Personal leave will not be paid on resignation or termination of employment.

*Professional Leave:* The WCCS Professional Leave policy applies to full-time employees.

*Sick Leave:* Applies to eligible employees on the salary schedules referenced in Details Section below.

### Definitions:

*Leave Year:* A leave year for earning, accrual, and use of leave by employees is September 1 through August 31.

*Uniformed Service:* Military service duty means the following: Air Force, Army, Air National Guard, Coast Guard, Marine Corps, Navy, Public Health Service Commissioned Corps., State Militia, or other categories designated by the President of the United States or Alabama Governor in time of war or emergency, and absence from work to determine fitness for any of the above types of duty.

*Professional Leave:* Professional Development leave is typically a direct personal benefit to the employee. Examples include but are not limited to leadership programs, training and workshops, local, state, and national board positions or assignments, accreditation activities unrelated to the employee's college.

*Sick Leave:* Sick leave is defined as the absence from regular duty by an employee for one of the following reasons:

- Personal illness or doctor's quarantine;
- Routine physical examinations, dental appointments, eye examinations, etc.;
- Personal injury which incapacitates the employee;
- Attendance on an ill member of the immediate family (husband, wife, father, mother, son, daughter, brother, sister) of the employee or on an individual with a close personal tie to the employee;
- Death of a member of the family of the employee (husband, wife, father, mother, son, daughter, brother, sister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, nephew, niece, granddaughter, grandson, grandfather, grandmother, aunt, uncle);
- Illness, injury, or death of an individual not legally related to but having a unique relationship with the employee. (Where unusually strong personal ties exist due to an employee's having been supported or educated by a person, or some relationship other than those listed, this relationship may be recognized for leave purposes.);
- Persons on maternity leave will be paid for earned sick leave on request.

*Catastrophic Illness:* For purposes of a sick leave bank, the term "catastrophic illness" is defined as any illness, injury, or pregnancy or medical condition related to childbirth, certified by a licensed physician which causes the employee to be absent from work for an extended period of time.

#### **Details:**

1. **Office Coverage of Departments/Divisions:** All departments/divisions must work to ensure proper coverage is in place during peak periods at the College. Employees seeking to use Annual and/or Personal Leave during peak periods must timely submit leave requests in order to ensure sufficient coverage can be arranged during the time of the employee's leave. Leave requests not timely submitted may be denied.
2. **Annual (Vacation) Leave:** Employees eligible to accrue annual leave are those compensated from Salary Schedules A, B, C, E, and H (prorated). Employees compensated from Salary Schedule H will receive annual leave under the same terms and conditions as other eligible employees, except a "day" of annual leave will be as follows: four (4) hours for employees compensated from Schedule H-20, five (5) hours for employees compensated from Schedule H-25, six (6) hours for employees compensated

from Schedule H-30, and seven (7) hours for employees compensated from Schedule H-35. For salary schedules A, B, C, and E, the official table for determining annual leave accrual is as follows:

|          |   |
|----------|---|
| 0-4      | 1.00 day per month, equivalent to 8 hours   |
| 5-9      | 1.25 days per month, equivalent to 10 hours |
| 10-14    | 1.50 days per month, equivalent to 12 hours |
| 15-19    | 1.75 days per month, equivalent to 14 hours |
| 20-above | 2.00 days per month, equivalent to 16 hours |

A “year of service” shall be a completed year of service at the current employing entity, not based on experience or service at other employers.

**a. Use of Annual Leave:**

- 1) Annual Leave must be approved in advance. Annual leave may be taken only to the extent it is earned.
- 2) Employees will not earn annual leave hours during any unpaid leave of absence periods.
- ~~3) Annual leave time may not be taken in increments of less than one quarter hour increments (0.25 or 15 minutes).~~
- 4) All requests for paid annual leave must be submitted to the employee’s immediate supervisor in advance of the planned time off for approval. Annual leave taken without prior approval by the employee’s immediate supervisor will be considered as an unauthorized absence, which may result in loss of pay, disciplinary action, demotion, or termination of employment. Any additional days or periods at no pay after the employee has used all earned annual leave must be approved in advance by the supervisor.
- 5) Annual leave requests and approvals may vary by department at the discretion of the supervisor. In addition, annual leave rules may prohibit certain essential personnel from taking annual leave during certain times. Refer to the Annual (Vacation) Leave Blackout Period Section.
- 6) Employees who have exhausted their paid annual leave but need additional time off or leave without pay will also receive prior approval.
- 7) Annual Leave must be submitted by the end of the first day after returning to work in OneACCS (Banner Employee Self Service ESS).

- b. Annual (Vacation) Leave Blackout Periods:** WCCS reserves the right to identify “blackout periods” where annual leave requests will be denied. Supervisors may determine blackout periods based upon business need. Standard blackout periods may include, but are not limited to, peak enrollment periods, staff professional development, College-wide events, winter recess, audits, etc. Such blackout periods will be communicated to staff in writing a minimum of 30 calendar days in advance of the blackout period; however, blackout periods may be established on a standard scheduled basis. The supervisor may require a return to work note from a doctor’s

office excusing the absence in the case of employee sick time during the blackout period. Exceptions may be granted due to extenuating circumstances by the supervisor. Failure to follow the blackout period policy may result in discipline, per the College's discipline policy.

- c. **Annual (Vacation) Leave Carry-Over:** A maximum of 60 days of annual leave may be accrued and carried forward into each September. Earned annual leave may be taken at appropriate times as approved in advance by the President or designee. Annual leave may exceed 60 days during a year; however, annual leave exceeding 60 days earned but not taken by September 1 is forfeited. Accrued annual leave must be used prior to the beginning of the unpaid portion of an employee's unpaid absence. Annual and sick leave will not accrue while on unpaid leave.
- d. **Annual (Vacation) Leave Payout:** Employees who separate from the College will be paid for any earned but unused vacation hours. Refer to the Terminations of Employment (Offboarding) Policy and Pay and Salary Administration Policy.

### 3. **Court Attendance Leave:**

- a. **Use of Court Attendance Leave:** Full-time employees of System institutions who are required by a court to attend such court in the capacity of jurors or witnesses under subpoena will be granted special leave with pay to attend such court. Upon return from the court appearance (or jury duty) leave, employee must submit the leave in OneACCS (Banner Employee Self Service ESS), with the type of leave as "Jury Duty" listed on it and attach their jury summons.

### 4. **Holiday Leave:**

- a. **College Holidays:** The normal work week for full-time, non-instructional employees on Salary Schedule E is at least forty (40) hours, exclusive of lunch. Days that the institution is officially open are duty days for full-time, non-instructional employees of the College. Employees will be allowed the following official holidays on which days the institutions will be closed:
  - New Year's Day
  - Martin Luther King Day
  - Memorial Day
  - Juneteenth
  - Independence Day
  - Labor Day
  - Veterans Day
  - Thanksgiving Day
  - Day after Thanksgiving Day
  - Christmas Eve
  - Christmas Day

In addition, the President will designate five other days on which the institution will be closed in the official, approved calendar of the institution.

- b. **Use of Holiday Leave:** Eligible employees already on sick or annual leave, or who cannot work prior to or after a holiday due to a verifiable illness, will receive holiday

pay. Employees who are on an unpaid leave of absence that encompasses a holiday will not receive holiday pay. Approved annual leave, or a verifiable illness on a continuing employee's last regularly scheduled workday before or first regularly scheduled workday after a holiday, will be sufficient justification for receiving holiday pay. Unless approved twenty-four (24) hours in advance of the holiday, personal leave will not be granted the day before or after a holiday. Unless given prior approval, an employee is required to work their regularly scheduled workday both the day before and the day after all College-observed holidays.

5. **Military Leave:** WCCS grants leaves of absence to eligible employees serving in the uniformed services, including but not limited to the United States Armed Forces or National Guard and Reserves, for periods of active service military training, mobilization, or deployment. WCCS complies with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA). Military leave is granted for both voluntary and mandatory service. WCCS will comply with all federal and state military and/or uniformed service leave laws, including laws regarding reinstatement of employment.

No employee or prospective employee will be subjected to any form of discrimination on the basis of that person's membership, service, application for service, or obligation for service in any of the Uniformed Services of the United States. Specifically, no person will be denied employment, reemployment, retention in employment, promotion, or other benefit of employment on the basis of such membership, application for membership, performance/application of service, or obligation. Furthermore, no person will be subjected to retaliation or adverse employment action because such person has exercised his or her rights under applicable law or this policy. If any employee believes that he or she has been subjected to discrimination in violation of this policy, the employee will immediately contact the Human Resources Office.

- a. **Benefits, Compensation, and Leave Time During Military Leave:** During the period of paid military leave, the respective employee will continue to accrue all employment benefits, including sick and annual or personal leave, as well as paid medical insurance benefits. Once available paid military leave is exhausted, the employee may take available annual or personal leave and continue to receive all employment benefits.

All full-time employees eligible for paid military leave will also receive up to a maximum of 168 hours of paid military leave each time such eligible employee is called by the Governor of the State of Alabama to duty in the active service of the state.

- b. **Reemployment After Military Leave:** The College will comply with all federal and state military and/or uniformed service leave laws and reinstate employees who have been on a uniformed service leave of absence, provided:
      - The employee returns to work or apply for reemployment in a timely manner after the conclusion of service;
      - The employee has five (5) years or less of cumulative uniformed service while with the College; and
      - The employee did not separate from service with disqualifying discharge or under other than honorable conditions.

## 6. **Personal Leave (Paid):**

- a. **Use of Personal Leave:** Personal Leave must be approved in advance by the supervisor. Personal Leave must be submitted by the end of the first day after returning to work in OneACCS (Banner Employee Self Service ESS).
  - b. **Personal Leave Blackout Periods:** WCCS reserves the right to identify “blackout periods” where personal leave requests will be denied. Supervisors may determine blackout periods based upon business need. Standard blackout periods may include, but are not limited to, peak enrollment periods, professional development, College-wide events, winter recess, audits, etc. Such blackout periods will be communicated to faculty and staff in writing a minimum of 30 calendar days in advance of the blackout period; however, blackout periods may be established on a standard scheduled basis. The supervisor may require a return to work note from a doctor’s office excusing the absence in the case of employee sick time during the blackout period. Exceptions may be granted due to extenuating circumstances by the supervisor. Failure to follow the blackout period policy may result in discipline, per the College’s discipline policy.
  - c. **Unused Personal Leave:** Personal leave not taken will be converted at the end of the leave year to sick leave. Election by the employee otherwise requires timely written notice by the employee to the institution.
7. **Professional Development Leave (Paid):** Full-time personnel will be granted professional and/or vocational leave with pay for up to ten (10) days per year upon approval by the President. Professional and/or vocational leave with pay for more than ten (10) days per year will be granted upon written request of the President and approval of the Chancellor.

Professional leave with pay may be granted when federal or other non-institutional funds are available for such purposes. A person granted a professional development leave with pay must return to the institution for a minimum period of one year or repay the monies received while on leave. The tenure status of persons on professional leave will be not affected. Professional leave will be granted only on written request from the President and approval by the Chancellor. Eligible employees must complete a Professional Leave Request Form prior to scheduling professional leave.

**NOTE:** *The College generally does not approve international travel for Professional Development Leave.*

8. **Sick Leave:** The WCCS Sick Leave policy applies to the following:
- Each full-time employee employed on Salary Schedules A, B, C, E will earn one day of sick leave per month of employment. The maximum accumulated sick leave is authorized pursuant to Section 16-1-18.1, Code of Alabama of 1975, as amended.
  - Each full-time employee on Salary Schedule H will earn one day of sick leave per month of employment with a “day” defined as four (4) hours for persons on H-20, five (5) hours for persons on H-25, six (6) hours for persons on H-30, and seven (7) hours for persons on H-35. Employees on H will be required to request the amount of sick leave equal to the normal amount of hours worked each week for absences totaling an entire work week.
  - Each full-time employee employed on Salary Schedule D will earn one day of sick leave, equivalent to seven (7) hours per month of employment to a maximum of nine

(9) days or 63 hours during the academic year (fall and spring semesters) and up to a maximum of three (3) days or 21 hours during the summer term. For any full-time employee working less than a full load during any semester, sick leave earned will be on a pro-rated basis. See ACCS Fiscal Procedures Manual. Employees on D will be required to request thirty-five (35) hours of sick leave for absences totaling an entire work week.

- a. **Use of Sick Leave:** Sick leave must be taken in the following increments:
- Staff: Eligible staff must report the number sick hours taken in a specific workday. For example, if an employee's workday is 8.5 hours, 8.5 hours of sick leave is reported for the sick leave absence.
  - Faculty: Eligible faculty must report the number of sick hours for an average "workday" of 7 hours.

Sick Leave must be submitted by the end of the first day after returning to work in OneACCS (Banner Employee Self Service ESS).

- b. **Absences Due to Illness:** After three (3) days of absence due to illness, or after five (5) occurrences due to illness within a thirty (30) calendar-day period, the President or designee may require that an employee furnish a medical certificate by a qualified physician acceptable to the institution. This is to be done at the expense of the employee. Any unused balance of sick leave accumulated at the end of the leave year will be carried forward to the next succeeding year.
- c. **Transfer of Sick Leave:** Sick leave earned while employed by a local Alabama public school system, higher education public institutions in Alabama, the Alabama Department of Education, or the Alabama Community College System may be transferred into a two-year college upon employment. The transfer of sick leave is limited to the number of days authorized by statute for two-year Alabama Community College System education institutions.

**NOTE:** Sick leave is reported to the Retirement System of Alabama (RSA) at retirement, if applicable.

- d. **Abuse of Sick Leave:** If the College determines that an employee is abusing the sick leave program, that employee will be subject to appropriate disciplinary action.
- e. **Sick Leave Payout:** Sick leave will not be paid upon separation of employment. Sick leave may not be used to extend the employment period. Eligible RSA members may convert unused sick leave days to service credit to meet the minimum requirement for service retirement. Refer to the [RSA Member Handbook](#) for additional information.
9. **Sick Leave Bank:** Employees may join at the time of employment or during open enrollment. Employee must deposit five (5) sick days to join.
- a. If the employee is a new hire, the first five (5) days will be deposited in the sick bank. The benefits of being a member of the sick bank include:
- Member may borrow days from sick bank, if necessary, in the event of an illness or family illness;

- Member may donate days to another member in the event of a catastrophic situation;
  - Member may receive donated days from another member in the event of a catastrophic situation.
- b. Upon the request of ten percent (10%) of the full-time employees of an institution, the President will establish a sick leave bank plan for full-time instructional/professional/administrative employees and for full-time support employees, either jointly or separately. The decision of whether the sick leave bank will be joint or separate will be made by the employees, using a secret ballot process.
  - c. The Board of Trustees representative on each institution's Sick Leave Bank Committee will be the President of the institution or designee.
  - d. The Chancellor will establish guidelines for operation of a sick leave bank at System institutions.

### Procedure(s):

#### Military Leave Reemployment Procedures

1. **Notification from Employee:** Requests for a military leave of absence should be submitted in writing to the employee's supervisor at least 30 business days prior to the start of the leave or extension period. If advance written notice cannot be provided due to extenuating circumstances, verbal notice is provided via emergency contact and/or family member to the Human Resources Office as soon as possible. As soon as possible, the employee should provide a copy of their military orders. No notice is required under this section if the giving of such notice is precluded by military necessity or, under all of the relevant circumstances, the giving of such notice is otherwise impossible or unreasonable pursuant to regulations prescribed by the Secretary of Defense.

**NOTE:** *The employee is not required to ask for or get the College's permission to leave to perform military service. The employee is only required to give the College notice of pending service.*

2. **Response from Human Resources:** The Human Resources Office will review and initiate the Leave of Absence Request Form, collect any applicable insurance premiums from the employee, generate other applicable documents, and process accordingly.
3. **Benefits:** If the employee will be on uniformed service leave of 31 business days or more, the employee must notify their supervisor and the Human Resources office that: (1) the employee has been called to active duty, and (2) the employee's election to continue health insurance coverage. Failure to satisfy both requirements because advanced notice was not possible, was unreasonable, or was prevented by military necessity; plan coverage will be reinstated retroactively upon the employee's election to continue coverage and the receipt of all premium amounts due.
4. **Re-Employment:** To be eligible for protection under USERRA, the employee must:
  - a. Report back to work or apply for reemployment within the following guidelines:



- If the employee served fewer than 31 business days or was away from the College for other qualified reasons, the employee must return to work by the beginning of the first full regularly scheduled work period on the first full calendar day following the completion of the period of service and the expiration of eight (8) hours after a period allowing for the safe transportation of the person from the place of that service to the person's residence, or, if this reporting is unreasonable through no fault of the employee, then as soon as possible after the expiration of the eight (8) hour period.
- If the employee served more than 30 business days but less than 181 business days, the employee must submit an application for reemployment to the Human Resources Office to return to work within 14 business days after completion of service to determine if their previous position is still available.
- If the employee served more than 180 business days, the employee must contact the Human Resources Office in writing of their intention to return to work within 90 business days after completion of service.

Failure to follow these guidelines for reporting to duty in a timely manner following military service may result in loss of eligibility for rehire.

- Upon notification of intent to return to work, the employee must provide military discharge documentation to the Human Resources Office that establishes timeliness of application for reemployment and length and character of the employee's military service.
- Whenever possible, the employee will be reemployed to their former position. In some circumstances, such as if the position no longer exists, the Human Resources Office will provide assistance with re-employment opportunities in a position comparable in status and pay to the previous position.
- The College may not be able to reemploy a person if the College's circumstances have changed making such reemployment impossible or unreasonable.
- The reporting or application deadlines will be extended up to two (2) years for employees who are hospitalized or recovering from a service-connected illness or injury. This period will be extended by the minimum time required to accommodate circumstances beyond an employee's control which make reporting impossible or unreasonable.
- The College will make reasonable efforts to accommodate an employee's disability so that the employee can be reemployed consistent with the requirements under the USERRA unless such accommodation will cause undue hardship on the College.
- FMLA allows 12 weeks of qualifying exigency leave. FMLA also allows up to 26 weeks of unpaid leave during any single 12-month period for an employee to care for a covered family member who is a military service member recovering from injury or illness. Refer to the Family and Medical Leave Act (FMLA) Section of the Unpaid Leaves and Time Off Policy.

## **Submitting Leaves in OneACCS (Banner Employee Self Service ESS) Procedures**

1. Refer to Submitting a Leave Report Procedures at **ADD LOCATION HERE**.

**Additional Provisions / Information:**

There are no Additional Provisions / Information applicable to this policy.