



LEAVE MANUAL

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INTRODUCTION:

The guidelines in this manual provide procedures and clarification of state and university leave policies to classified employees, and procedures and clarification of university policies to faculty.

This manual is intended to be used with the VT (Classified) Employee Handbook, Virginia Tech Faculty Handbook, the Virginia Tech Handbook for Special Research Faculty, Virginia Sickness and Disability Program Handbook, and the Virginia Department of Personnel and Training Policies and Procedures Manual, as well as other relevant memoranda and publications. Effort will be made to keep this manual current but there will be times when policy and/or guidelines may change before the manual can be revised. This is not intended to replace or be considered policy for the university but rather an aid to assist in communication and interpretation. The right is reserved to eliminate, revise, or add to this document as state and university policies and procedures dictate.

These guidelines do not apply to hourly wage, per diem, or temporary salaried faculty employees, as they do not accrue leave.

Following each major heading, the applicable leave reporting code is listed in parenthesis.

1.0 ANNUAL LEAVE (A)

1.1 Purpose

To provide eligible employees paid leave for vacations and personal use by establishing an accrual and leave usage process.

1.2 Guidelines

This applies to salaried, classified staff covered by the Virginia Personnel Act and 12-month and AY/AP salaried faculty. Employees may be full or part-time on a regular or restricted appointment.

An employee should request to use their annual leave according to department guidelines, providing as much notice as possible.

1.2.1 Accrual Rate and Carryover

The accrual rate for annual leave and the maximum hours of accrued leave an employee may carry from one calendar year to the next or for maximum payment as applicable are:

1. Full-Time Calendar Year (12 month) Classified Staff

Revised 7-1-00

Years of Service	Hours Earned Per Pay Period	Hours Accrued Per Year	Maximum Carry Over	Maximum Payout Limit
0 - 4	4 hours	96 hours	192 hours	192 hours
5 - 9	5 hours	120 hours	240 hours	240 hours
10 - 14	6 hours	144 hours	288 hours	288 hours
15 - 19	7 hours	168 hours	336 hours	288 hours
20 - 24	8 hours	192 hours	384 hours	336 hours
25 or more	9 hours	216 hours	432 hours	336 hours

Faculty members on restricted appointments or calendar year research conversion are **not** eligible for leave payments (see section 2.7.3 of the Virginia Tech Handbook for Special Research Faculty, or section 2.6.1.2 of the Virginia Tech Faculty Handbook).

2. Full-Time Calendar Year (12 month) Faculty

Must have 20 *consecutive* years service to qualify for additional leave earnings.

Years of Service	Semimonthly Accrual Rate	Maximum Carry Over	Maximum Payout Limit
Less than 20	8 hours	288 hours	288 hours
20 or more	9 hours	336 hours	336 hours

3. Part-Time Classified Staff and Faculty
Accrual rate for annual leave and the maximum hours of accrued leave an employee may carry from one calendar year to the next is proportionate to their normal work schedule, e.g. an employee working half time, or a schedule of 20 hours a week, earns and may carry over one half the hours charted above by length of service.
4. Temporary Appointment of Faculty
Temporary employment (up to six months) does not provide leave accrual, however, leave is granted retroactively to the beginning of the temporary faculty appointment when it is extended beyond six months, becoming either restricted or regular.
5. Special Term (Academic Year) Classified Appointments
earn annual leave based on the employee's established work year, according to table 1 above.
6. Academic Year (9 month) Teaching and Research Faculty
do not earn annual leave.
7. Academic Year (9 month) Administrative and Professional Faculty
earn annual leave during the established academic year, according to table 2 above.

1.2.2 Exceptions For Leave Carryover for Classified Employees

Requests for exception to carry over a balance which exceeds the maximum may be submitted in writing to the Personnel Director from the Department Head. Exceptions are warranted *only* when an employee is unable to use the excess leave before the end of the year ***because of departmental demands over a substantial period of time.***

Department management is responsible for assuring that any excess leave carried over is normally used by June 30 of that year. If this timeframe is not feasible, the department may consult with Personnel Services. **This exception does not entitle the employee to additional payment when separated from state service, should the balance exceed the maximum at that time.**

1.2.3 Accrual of Annual Leave

Leave is earned and available to use **after** the end of each pay period (e.g. leave earned for pay period of January 10-24 is earned and available to use **after** January 24). Pay will be adjusted for any period of absence without appropriate leave to cover it. In order to earn leave, all workdays within a pay period must either be worked or charged to applicable leave with pay. *No* leave is earned for pay periods for which there is *any* leave without pay.

1.2.4 Exceptions to Annual Leave Accrual

Annual Leave Does Not Accrue:

1. after 60 consecutive workdays of leave **with pay**, regardless of the type of leave to which the absence is charged.
2. during a non-working pay period for Special Term/AY appointments, whose work year is less than 12 months.
3. during any pay period when the employee is on leave without pay (LWOP or Dock).
4. during any pay period when the employee is on suspension (See State Policy 1.60, Standards of Conduct), except that:
 - if a suspension extends into a second pay period, accrual of annual leave shall resume in the second pay period unless the period of suspension exceeds 15 calendar days; and
 - if a suspension extends into a third pay period, accrual of annual leave shall resume in the third pay period unless the period of suspension exceeds 31 calendar days; and
 - if suspension exceeds 31 days because of an official investigation, accrual of annual leave will not resume until the employee returns to work.
5. when an employee is on layoff/lwop. The leave accrual date is *not* adjusted if the employee returns to state service within the 12-month layoff period.

1.2.5 Applicable Prior State Service

Salaried, classified employees hired on or after March 16, 1998 receive credit for all past state, salaried employment to establish their leave accrual date, without regard or distinction between part-time or full-time, faculty or classified past appointments.

1.2.6 Change of Status Affects Annual Leave

1. When an employee leaves state service by **resignation** (including resignation from layoff status), **retirement, or termination**, a lump sum payment will be made for the balance of accrued annual leave or the maximum, whichever is less. Exception is that restricted faculty are not eligible to be paid their leave, nor are faculty who are on calendar year research conversions.
2. An employee who **changes from full-time to part-time** for longer than three months shall be paid a lump sum for the proportionate amount of accrued annual leave, or the maximum, whichever is less. If the change is for less than three months, the employee will **not** be paid the proportionate part of leave. During the part-time appointment, leave will be earned proportionate to the percent of time worked.

3. Payment may be requested by an eligible employee when *initially* placed on:
 - layoff/leave without pay
 - leave with part pay
 - leave with full pay
 - military leave without pay (for other than the time normally covered by military leave with pay)
 - for any other conditional or unconditional leave without pay for a period exceeding three calendar months.
4. Applicable payment must be made at the onset of Virginia Sickness and Disability Program's (VSDP) Long Term Disability.

1.2.7 Change of Appointment Type Affects Annual Leave

When an appointment type changes, such as regular faculty to restricted, or classified to faculty, leave earnings and payment eligibility are affected. For detailed information refer to:

See *GUIDELINES FOR LEAVE DISPOSITION WHEN EMPLOYEES TRANSFER*

1.2.8 Reinstatement of Annual Leave Credit Upon Re-employment

- An employee who leaves state service and then returns within 180 calendar days following the date of separation may be credited with the annual leave balance held on the separation date, provided no payment for annual leave was received.
- If payment was received, an employee may be credited with the accrued annual leave that was held the date of separation, provided the full amount of annual leave paid is reimbursed to the agency that issued the payment, with proper notification and approval from the hiring agency.
- If the new appointment provides different leave than the former appointment, see *Guidelines for Leave Disposition When Employees Transfer*, to determine eligibility.

1.3 Resources

- Virginia Department of Personnel and Training *Policy 4.10 Annual Leave*, followed by Annual Leave Annotations
- Virginia Department of Personnel and Training *Policy 1.60 Standards of Conduct. VIII B #3, C., IX B #2 of 2*
- Virginia Department of Personnel and Training *Policy 1.30 Layoff*

- Virginia Department of Personnel and Training *Service Credit for Annual Leave Accrual Purposes Memo of March 16, 1998*
- *Commonwealth of Virginia Employee Handbook 1992-94*
- *VT (Classified) Employee Handbook*
- *Virginia Tech Faculty Handbook, Sections 2.15.6, 2.6.2.1*
- *Virginia Tech Handbook for Special Research Faculty, Section 2.7.3*
- University Policies. *Policy 4040: Special Term Classified/Academic Year Appointment Guidelines 2.2 #6*
- University Policies. *Policy 4070: Additional/Outside Employment Policy 3.5*
- University Policies. *Policy 4071: Policy for Classified Staff Teaching Courses 3. #3*
- University Policies. *Policy 4040: Layoff 2.3 #4 and 5*
- University Policies. *Policy 4305: Policy on Authorized Closings 2.3 #1 b and e, #2 b, 2.4 #1 a and b, 2.5, 2.6 #4*
- University Policies. *Policy 4315: Guidelines on Holidays 2.3, 2.4*
- University Policies. *Policy 4320: Guidelines for the Fair Labor Standards Act and Virginia Child Labor Laws 2.5, 3.1, 3.5*
- University Policies. *Policy 4340: Leave Sharing Guidelines*
- University Policies. *Policy 6200: Calendar Year Research Conversions*

1.4 Amendments

- Classified annual leave table revised 7/00 per 7/10/00 Memorandum from Workforce Commission and Governor Gilmore

2.0 FAMILY/PERSONAL LEAVE–VSDP (FP)

2.1 Purpose

To provide employees in the Virginia Sickness and Disability Program (VSDP) leave for personal reasons, family illnesses, or personal illness or injury.

2.2 Guidelines

Family and Personal leave may be used for family or personal reasons as well as for illnesses or injuries. Reasonable notice to the supervisor should be given and the absence must not impede the ability of the department to perform essential services.

2.2.1 Family/Personal Leave Credits (Virginia Sickness and Disability Program)

VSDP employees are credited with family and personal leave on January 10 of each calendar year. The amount of leave credited is based on the length of state service as shown in the following tables.

Service Credit Tables

FULL and PART-TIME		
State Service		Family and Personal (VSDP)
Months	Years	Leave Hours/Days
Less than 120	Less than 10	32 (4 workdays)
120 or more	10 or more	40 (5 workdays)

Employees who are receiving disability benefits on January 10 of any year will be granted family and personal leave on the date they return to active employment.

Newly employed full-time and qualified part-time employees will receive an annual amount of family and personal leave based on their first day of employment, as shown in the Prorated Leave Credit tables that follow. In subsequent years, leave will be credited on January 10 according to the above Service Credit Tables.

New and Re-employed Employees Leave Credit

FULL and PART-TIME	
Employment Begin Date	Family and Personal Leave Hours/Days
1/10 – 7/9	32 (4 workdays)
7/10 – 1/9	16 (2 workdays)

Leave for academic year employees and employees on special term/academic year classified appointments will be credited according to their contract year.

Unused family and personal leave will not be carried forward from one year to the next, and unused leave will not be paid when employment is ended.

2.3 Resources

- *Virginia Sickness & Disability Program Employer Manual, September 16, 1998*
- *Virginia Sickness & Disability Program Handbook*

- *VT (Classified) Employee Handbook II.A.2.b.*

3.0 SICK LEAVE (S)

3.1 Purpose

To provide employees limited paid leave to use for their own medical necessities.

3.2 Guidelines

These guidelines apply to classified staff covered by the Virginia Personnel Act and to salaried faculty who do not participate in the Virginia Sickness and Disability Program. Employees may be full or part-time and on a regular or restricted appointment.

3.2.1 Use of Sick Leave

1. Employee Sick Leave
The following reasons qualify for employee sick leave:
 - a. an employee is ill or otherwise temporarily disabled and cannot perform their job duties.
 - b. an employee has (or has been exposed to) a contagious disease and their presence on the job might jeopardize the health of others.
 - c. an employee's medical appointment(s) cannot be scheduled during non-work hours.
 - d. a classified employee may apply up to 33% of sick leave balance in conjunction with approved Family and Medical Leave (does not apply to faculty).
2. Family Sick Leave See section 4.0
Use of family sick leave **does** reduce the accrued sick leave balance.

3.2.2 Verification of Need to Use Sick Leave

1. Sick leave is subject to verification
 - a. An employee must comply with a management request for verification of the need to use sick leave.
 - b. The use of paid sick leave may be denied if the employee fails to comply with a management request for verification of the need for sick leave.
2. Forms of Verification May Be

- a. certification from the employee's treating physician that the employee is temporarily disabled from work which should indicate the extent of the disability and the estimated period of disability.
- b. certification from the employee's treating physician that the employee currently has (or has been exposed to) a contagious disease and their presence on the job might jeopardize the health of others.
- c. evidence that the employee has a medical appointment that could not have been scheduled during the employee's non-work hours.

An employee disabled for an extended period of time will be required to submit a physician's certification of disability and/or a certification by a physician designated by the university periodically.

3. Verification in Advance

An employee who anticipates a medical disability such as elective surgery, pregnancy, and childbirth, should submit a physician's certification of disability to the department as soon as possible to assist management in planning for the absence, subject to any limitations imposed by the Family Medical Leave Act.

4. Verification and Re-verification

An employee, requesting to use or to extend the use of sick leave for a temporary disability, may be required to submit a physician's certification of disability at any time subject to any limitations imposed by the Family Medical Leave Act.

5. Release to Return to Work

An employee may be requested to obtain a physician's certification of eligibility to return to work either full or part-time.

3.2.3 Accrual of Sick Leave

1. State Sick Leave Plan for Classified Employees

Full-time employees earn 5 hours sick leave per pay period. There is no maximum accrual limit.

Accrued sick leave is available to use only *after* the end of the pay period in which it is earned (e.g. leave earned for pay period of January 25 – February 9 is earned and available to use *after* February 9). In order to earn leave, all workdays within a pay period must either be worked or charged to applicable leave **with** pay.

If sick leave is exhausted, any other type of leave available may be charged for continued absences. After all leave is exhausted, continued absence will be considered leave without pay and subsequent check(s) will be adjusted accordingly.

2. University Sick Leave Plans for Faculty Employees

- a. Full-time (academic year and calendar year) regular faculty employees, hired on or after September 1, 1981, receive 1040 hours at the beginning of their appointment.

Sick leave is charged only for absences exceeding ten consecutive workdays. At the department head's discretion faculty may be required to report sick leave usage for absences less than 10 days provided that it is applied uniformly. Academic year or calendar year faculty who remain on sick leave for more than ten days are required to submit a leave form indicating the full extent of the sick leave period. On return from sick leave, reaccrual to a maximum of 1040 hours is at the rate of 40 hours for every 80 hours of full-time work. No sick leave is earned or reaccrued for any pay period during which sick leave has been charged.

If sick leave is exhausted, any other type of leave available may be charged for continued absences. If all leave balances are exhausted, continued leave of absence will be considered leave without pay and subsequent pay check(s) will be adjusted accordingly.

- b. Full-time regular faculty, employed prior to September 1, 1981, had the option of taking the plan which provides 1040 hours or keeping the existing plan which provides an accrual of 5 hours per pay period with no maximum accrual limit, except that academic year faculty earn sick leave only during the established academic year.

Accrued sick leave under this plan is available to use only *after* the end of the pay period in which it is earned (e.g. leave earned for pay period of January 25--February 9 is earned and available to use *after* February 9). In order to earn leave, all workdays within a pay period must either be worked or charged to applicable leave **with** pay.

If sick leave is exhausted, any other type of leave available may be charged for continued absences. If all leave balances are exhausted, continued leave of absence will be considered leave without pay and subsequent pay check(s) will be adjusted accordingly.

- c. Full-time restricted faculty earn 5 hours per pay period. There is no maximum accrual limit. Accrued sick leave is available to use only after the end of the pay period in which it is earned (e.g. leave earned for pay period of January 25—February 9 is earned and available to use after February 9). In order to earn leave, all workdays within a pay period must either be worked or charged to applicable leave with pay. If sick leave is exhausted, any other type of leave available may be charged for continued absences. If all accrued leave is exhausted, continued leave of absence will be considered leave without pay and subsequent pay check(s) will be adjusted accordingly.

3. Part-time salaried Employees
Part-time faculty and classified staff are provided a proportionate amount of sick leave according to their percent of employment and the type of sick leave plan they have.

3.2.4 Exceptions to Sick Leave Accrual

Sick Leave Does Not Accrue

1. when there is any leave without pay during a pay period (e.g. an employee is off longer than applicable leave balances will cover).
2. after 60 consecutive workdays of leave with pay, even if the employee has sufficient leave to cover the continued absence.
3. during any pay period when an employee is on suspension (See State Policy 1.60, Standards of Conduct), except that:
 - a. if a suspension extends into a second pay period, accrual of sick leave shall resume in the second pay period unless the period of suspension exceeds 15 calendar days; and
 - b. if a suspension extends into a third pay period, accrual of sick leave shall resume in the third pay period unless the period of suspension exceeds 31 calendar days; and
 - c. if a suspension exceeds 31 calendar days resulting from an official investigation, accrual of sick leave will not resume until the employee returns to work; and
4. when an employee is on layoff/lwop, except that the period of layoff (up to 12 months) counts as service for purposes of obtaining five years of service for the payoff of excess sick leave balances when the employee leaves state service (State Policy 4.55 IV D 3 and 4, also see State Policy 1.30, Layoff, for additional information).

3.2.5 Change of Status Affects Sick Leave for Classified Employees

1. Payment Eligibility When Separating
Full-time classified employees with five years of continuous state service qualify for payment of 25% of their sick leave balance, not to exceed a maximum of \$5,000, when they leave state service by resignation (including resignation from layoff status), retirement, or termination. Part-time classified employees with five years of continuous state service qualify for payment of 25% of their sick leave balance not to exceed the proportionate rate of their percent of employment up to the \$5,000 maximum when they leave state service by resignation (including resignation from layoff status), retirement, or termination. The remaining balance is forfeited.
2. Payment Eligibility When Changing Percent of Time

- a. An employee who is eligible for payment and **reduces their percent of appointment** (e.g. 100% to 50%) shall be paid a lump sum of 25% of the proportionate amount of accrued sick leave, not to exceed the amount proportionate to the \$5,000 maximum for full time employment. If the change is for less than three months, the employee will **not** be paid the proportionate part of leave. During the part-time appointment, leave will be earned proportionate to the percent of time worked.
 - b. An employee not eligible for payment who reduces their percent of appointment for longer than three months shall have their balance reduced proportionately. The excess hours are forfeited.
3. Payment eligibility for Extended Leave of Absence
Payment may be requested, if eligible, when an employee is **initially** placed on:
- layoff/leave without pay
 - military leave without pay (for other than the time normally covered by military leave with pay)
4. Reinstatement of Leave Balances
If reemployed within 180 days of separation, a classified employee may be credited with the sick leave balance held on the date of separation. If payment was made, they may only be credited if they reimburse the agency the full amount of sick leave paid them.

3.2.6 Change of Status Affects Sick Leave for Faculty

1. Faculty are not normally eligible for payment of any portion of sick leave balances when they resign, retire, or otherwise terminate. An exception to this is a classified employee who transfers to regular faculty status and is not paid at the time of transfer.
2. If percent of appointment is reduced for longer than three months, the employee shall have their balance reduced proportionately and the excess hours are forfeited. These balances will not be reinstated for subsequent changes in percent of appointment.

3.2.7 Change in Appointment Type Affects Sick Leave

Changes of appointment type such as regular faculty to restricted, or classified to faculty, will impact leave earnings and payment eligibility. For detailed information on the impact of these changes refer to

See *GUIDELINES FOR LEAVE DISPOSITION WHEN EMPLOYEES TRANSFER.*

3.3 Resources

- Virginia Department of Personnel and Training *Policy 4.55 Sick Leave*, followed by Sick Leave Annotations
- *Commonwealth of Virginia Employee Handbook 1992-94*
- *VT (Classified) Employee Handbook II.A.2*
- University Policies. *Policy 4040: Special Term Classified/Academic Year Appointment Guidelines 2.2 #6*
- *Virginia Tech Faculty Handbook*
- *Virginia Tech Handbook for Special Research Faculty*

4.0 FAMILY SICK LEAVE (FS)

4.1 Purpose

Provides employees who do not participate in the Virginia Sickness and Disability Program (VSDP) use of a limited amount of their sick leave for the illness or death of certain family members.

4.2 Guidelines

These guidelines apply to classified staff covered by the Virginia Personnel Act and to salaried faculty who do not participate in the Virginia Sickness and Disability Program. Employees may be full or part-time and on a regular or restricted appointment.

4.2.1 Family Sick Leave Limits

1. Classified employees may use up to 24 work hours of sick leave per illness or death of an immediate family member. The maximum family sick leave a classified employee may use per calendar year is 48 hours. This 48-hour maximum is reset each January 10.
2. Faculty may use a total of ten days during a calendar year for absence necessitated by the serious illness or death of an immediate family member. Use of such leave must be recorded through the regular leave reporting system so that total usage during the period can be monitored.

4.2.2 Applicable Family Members

Immediate family, for the purpose of using family sick leave, is defined as:

- parents, including step-parents
- spouse
- children, including step-children and foster children

- siblings, including step-siblings
- any relative, either by blood or marriage, living in the employee's household

4.3 Resources

- Virginia Department of Personnel and Training *Policy 4.55 Sick Leave*, followed by Sick Leave Annotations
- *Commonwealth of Virginia Employee Handbook 1992-94*
- *VT (Classified) Employee Handbook II.A.2.a*
- *Virginia Tech Faculty Handbook 2.15.8, 4.2.1*
- *Virginia Tech Handbook for Special Research Faculty 2.7.5*

4.4 Amendments

- Section 4.2.1.2 revised 3/01

5.0 PERSONAL SICK LEAVE--VSDP (PS)

5.1 Purpose

To provide employees in the Virginia Sickness and Disability Program (VSDP) limited paid leave for their own medical necessities.

5.2 Guidelines

Leave is credited and may be used as outlined below. Unused personal sick leave may not be carried over to the next year, nor will it be paid when employment ends.

5.2.1 Current Employee Personal Sick Leave Credits

Effective January 10 of each year, employees participating in VSDP are credited with 64 to 80 hours of sick leave based on total salaried, classified state employment. Partial months count as one month. Employees who are receiving Short Term Disability benefits on January 10 of any year will be granted sick leave on the date they return to active employment. See Service Credit Table below to determine credit eligibility.

Service Credit Tables

FULL -TIME		
State Service Months	Years	Personal Sick Leave (VSDP) Leave Hours
Less than 60	Less than 5	64
60 – 119	5 – 10	72
120 – more	10 or more	80

PART -TIME		
State Service Months	Years	Personal Sick Leave (VSDP) Leave Hours
Less than 120	Less than 10	32
120 or more	10 or more	40

5.2.2 New Employee Personal Sick Leave Credits

Initial credits for new employees depends on whether they are full-time or part-time, (see the Service Credit Table above) and is based on their first date of employment.

New and Re-employed Employees Prorated Leave Credit

FULL-TIME	
Employment Begin Date	Personal Sick Leave (VSDP) Leave Hours
1/10 – 7/9	64
7/10 – 1/9	40

PART-TIME	
Employment Begin Date	Personal Sick Leave (VSDP) Leave Hours
1/10 – 7/9	32
7/10 – 1/9	20

5.2.3 Personal Sick Leave

Available throughout the year for personal illnesses, injuries, and preventive/well-patient doctor visits. Personal Sick may not be used during periods when Short Term Disability benefits are paid.

5.2.4 Personal Sick Leave for Family Members When on Approved FMLA

If on approved Family and Medical Leave (FMLA) up to 33 percent of credited sick leave may be used to care for an immediate family member.

Immediate family member includes:

- Parent: biological or individual who stood in place of your parent and assumed parental duties and responsibilities.
- Child: biological, adopted, foster, stepchild, or legal ward.
- Spouse: as recognized under the laws of the Commonwealth.

Note: Employees on nine, ten or eleven month contracts may not use personal sick leave during periods when they are not working.

5.3 Resources

- *Virginia Sickness & Disability Program Handbook, 1999*
- *Virginia Sickness & Disability Program Employer Manual*
- *VT (Classified) Employee Handbook II.A.2.b*

6.0 DISABILITY CREDITS/SICK BANKED VSDP (SB)

6.1 Purpose

To provide an option to eligible full and part-time employees for converting accumulated sick leave to Disability Credits at the time of initial open (January – March 1999) enrollment in the Virginia Sickness and Disability Program (VSDP).

6.2 Guidelines

Disability credits were converted from accrued sick leave, hour for hour, and recorded in the university's automated leave system with the signed election form retained in the employee's VSDP file.

6.2.1 Use of Disability Credits

Employees may request that credits be used for income replacement while on short-term disability for days otherwise reduced to 80 or 60 percent pay.

Personnel Services must post the credits and therefore must be notified in writing before the pay period in which they are to be used.

Eight disability credits must be charged per day to restore pay to 100 percent. Personnel Services will use all disability credits remaining at the beginning of a long-term disability to increase replacement income from 60 percent to 100 percent.

6.2.2 Unused Disability Credits At Time of Separation

will be paid according to policies in effect as of December 31, 1998 for payment of unused sick leave balances.

6.3 Resources

- *Virginia Sickness & Disability Program Handbook, 1999*
- *Virginia Sickness & Disability Program Employer Manual*
- *VT (Classified) Employee Handbook II.A.2.b*

7.0 VRS CREDIT--VSDP

7.1 Purpose

To provide an option to eligible full and part-time employees for converting accumulated sick leave to Virginia Retirement System (VRS) retirement credit at the time of initial open enrollment (January – March 1999) in the Virginia Sickness and Disability Program (VSDP).

7.2 Guidelines

Accrued sick leave was converted to Virginia Retirement System (VRS) service credit at the rate of one month per 173 hours of sick leave. Partial months were rounded to the next higher month. Service credit was recorded in the university's automated leave system with a copy of the signed election form retained in the employee's VSDP file. The original was forwarded to VRS.

7.3 Resources

- *Virginia Sickness & Disability Program Handbook, 1999*
- *Virginia Sickness & Disability Program Employer Manual*

8.0 HOLIDAYS (H)

8.1 Purpose

To enable employees to observe specific days as holidays which would otherwise be considered workdays.

8.2 Guidelines

The following days are observed as holidays for classified staff. The holidays for 12-month faculty are nationally observed and classes are not in sessions. The university

is closed with essential personnel being designated to work. The one exception is Labor Day, on which classes are normally in session. On this holiday, department heads have the flexibility to decide to close a department based on the impact on student services class scheduling, employee workload, and employee leave balances. The following holidays will be observed, as well as any other holidays designated by the Governor or by the President of the United States.

8.2.1 Classified Staff Holidays Are:

- New Year's Day – January 1
- Lee-Jackson Day – Friday Preceding the Third Monday in January
- Martin Luther King Day – Third Monday in January
- Presidents' Day – Third Monday in February
- Memorial Day – Last Monday in May
- Independence Day – July 4
- Labor Day – First Monday in September
- Columbus Day – Second Monday in October
- Veteran's Day – November 11
- Thanksgiving Day – Fourth Thursday in November
- The day after Thanksgiving
- Christmas Day – December 25

8.2.2 Faculty Holidays Are:

- New Year's Day – January 1
- Memorial Day – Last Monday in May
- Independence Day – July 4
- Thanksgiving Day – Fourth Thursday in November
- The day after Thanksgiving
- Christmas Day – December 25

8.2.3 Weekend Holidays

Saturday holidays are observed on the preceding Friday. Sunday holidays are observed on the following Monday.

8.2.4 Agency Transfers

When an employee transfers between agencies that observe different holiday schedules, the employee shall observe the holidays of the agency to which they transfer. No adjustments may be made for possible holidays lost or gained. Compensatory leave for holidays worked will not transfer. Balances must be paid by the previous agency as applicable for classified employees (see section

9.2.2 a.). Faculty are not eligible to receive payment for compensatory leave and will, therefore, lose any unused compensatory leave.

8.2.5 Required Work on Holidays

Departments should coordinate holiday schedules according to business needs requiring part or full staffing.

Management's Determination to Close on Holidays

1. Department heads have the option to close their departments for all or part of the week between the holidays of Christmas and New Year's Day. This is an exception to University Policy 4300, "Hours of Work," which normally requires that all departments remain open between the hours of 8:00 a.m. to 5:00 p.m. when the university is open. The announcement of a weeklong closing should be communicated well in advance to encourage employee to assess and protect their leave balances to cover the required time off.
2. The decision to close a department on any holiday is the option of the department head. Consideration should be given to the flexibility of the department workload, sensitivity to employee preference, and available leave balances. Certain departments are required to remain open due to the nature of the work when minimal or, in some cases, full staffing may be necessary.
3. Twelve-month faculty, administrative and professional faculty, and staff must use either annual or compensatory leave for all time taken off during office closure.

8.2.6 Compensation for Holidays

Except when holidays are an employee's effective date of employment, return from leave without pay, or separation date, employees must either work or be on paid leave on the full workday before and a minimum of one hour of the workday after the holiday in order to receive holiday pay.

8.2.7 Rate of Holiday Pay

1. Full-time employees will receive eight hours of pay for each qualifying holiday, regardless of work schedule.
2. Part-time employees will receive holiday pay equal to the percentage of full-time hours they are employed to work. **EXAMPLE:** A classified part-time employee who works 50% of the normal full-time schedule, or 20 hours per week, will receive four hours of pay for each qualifying holiday.

8.2.8 Unique Circumstances

1. If a holiday is a day that an employee is normally scheduled to work more than the number of hours for which they would receive holiday pay, the employee may be allowed to work the additional hours on another day or charge the additional hours to applicable accrued leave. **EXAMPLE:** An employee who normally works 50% of a full-time schedule, or 20 hours per week, has the following schedule:

Monday	8 hours
Tuesday	8 hours
Wednesday	4 hours

Monday is a holiday and the employee does not work, but is entitled to only four hours of holiday pay. To make up for the additional four hours that the employee would have worked had Monday not been a holiday, those hours may be worked on another day within that workweek (with supervisory approval), or be charged to accumulated leave.

If an employee does not work the additional hours or have accrued leave to cover them, they will be placed on leave without pay for those hours, will not be eligible for the holiday pay, and will not accumulate annual or sick leave during that period.

2. **Alternate Work Schedules**

Full-time employees who work alternate work schedules (more than an eight hour day, possibly resulting in additional days off between Monday and Friday) receive eight hours for holidays. **EXAMPLE:** If an employee works four, ten hour days and their work schedule is the following:

Monday	10 hours
Tuesday	10 hours
Wednesday	10 hours
Thursday	10 hours

Monday is a holiday and the employee does not work, but is entitled to only eight hours of holiday pay. To make up for the additional two hours that the employee would have worked had Monday not been a holiday, those hours may be worked on another day within that workweek (with supervisory approval) or charged to accumulated leave.

8.2.9 Required to Work on a Holiday

Employees required to work on a holiday will be paid for the hours they work and will be credited with compensatory leave for the hours worked, not to exceed the proportionate number of hours to the percent of time employed.

1. Effect on Overtime Pay

For non-exempt employees (eligible to receive overtime pay for hours worked over 40 in a workweek), only hours worked over 40 in any one workweek shall be compensated at the overtime rate, regardless of how many hours are worked during a holiday.

2. Employee does not work on holiday

When determining total hours within a workweek for overtime purposes, holiday hours that are *not* worked are *not* included.

8.2.10 Holiday on Employees' Scheduled Day Off

1. Employees who are not required to work

If a scheduled day off is a holiday and an employee does not work that day, they may receive compensatory leave for the holiday.

2. Employees required to work

Employees required to work on a holiday that also is their scheduled day off will receive pay for working, and receive compensatory leave for working a holiday.

8.2.11 Holidays Which Occur During Leave of Absence

1. Leave with pay

Employees will not charge leave for a holiday that occurs during leave with pay. Holiday hours will be recorded as a holiday taken, and no compensatory leave is earned.

2. Leave without pay

Employees on any type of leave of absence without pay on the work day before a holiday and/or all day the work day after the holiday will not be paid or receive compensatory leave for the holiday.

If an employee *works* the holiday, they will receive pay for working only, and will *not* earn compensatory leave for the holiday.

3. Workers' Compensation Leave

Employees who are on workers' compensation leave and receiving salary supplements provided by the Commonwealth (see state policy 4.60, Workers' Compensation) when a holiday occurs, the holiday will be counted as part of the 92 calendar days for which the supplements are payable, and the employees will not receive compensatory leave for the holiday.

4. VSDP

An employee will not charge or earn leave for a holiday that occurs while the employee is on full disability and is receiving full short-term disability pay provided under the VSDP. The holiday will be recorded as VSDP.

8.2.12A Holiday is the first day of a Pay Period

If a holiday is the first workday of a pay period and employees are scheduled to begin employment or return from leave with or without pay on the following day, the first day of the pay period will be considered the first day worked or the first day of return from leave, therefore employees **will** be paid for the holiday.

8.2.13A Holiday is the last day of the Pay Period

If a holiday is the last workday of a pay period and employee's last day worked in state employment, or last day of paid leave related to illness or disability before leaving state employment is the day before the holiday, the holiday shall be considered to be the date of separation, therefore employees **will** be paid for the holiday.

8.2.14 A Holiday is the last day of the Month

If a holiday falls on the last day of the month and the employee will retire on the first day of the following month, the employee will receive pay for the holiday if he or she worked, or was on paid leave due to an illness or disability; on the last workday before the holiday.

8.2.15 Request for Time Off to Observe Religious Holidays

1. Departments should make reasonable accommodation for the religious holiday needs of employees, unless accommodation will result in undue hardship to the department.
2. If employees request time off to observe religious holidays, which are during their normal work hours, departments should make reasonable efforts to allow time off for the holidays. Employees should request leave in advance to permit departments to accommodate the request.
3. Requests for time off for religious holidays should be denied only if department management determines that the employees' absence would cause the department undue hardship in conducting business. If a request for leave for this purpose is denied, the department should be prepared to demonstrate that granting the request would have resulted in such a hardship.
4. Leave shall be charged to employees' applicable, accrued leave balances, and in the absence of leave, to leave without pay.

8.3 Resources

- Virginia Department of Personnel and Training Policy *4.25 Holidays*
- *Commonwealth of Virginia Employee Handbook 1992-94*
- *VT (Classified) Employee Handbook II.D*
- *Virginia Tech Faculty Handbook 2.14.6*
- *Virginia Tech Handbook for Special Research Faculty 2.7.3*

9.0 COMPENSATORY HOLIDAYS (C)

9.1 Purpose

To provide paid time off to an eligible employee who works a holiday, or for a holiday that is on an employee's scheduled day off.

9.2 Guidelines

These guidelines apply to full-time and part-time classified staff, covered by the Virginia Personnel Act.

Eligible employees earn compensatory leave on an hour-for hour basis, up to a maximum of eight (8) hours per holiday. Accrued compensatory leave must be used before the holiday reoccurs (within 12 months of the date earned). Once lapsed, it may not be used as leave or be paid for.

9.2.1 Compensatory Leave Earnings

Compensatory holiday leave is earned if an employee is required to work on a holiday, or a holiday is a scheduled rest day.

1. Full-time employees will receive eight (8) hours of compensatory leave for each qualifying holiday, regardless of work schedule.
2. Part-time employees will receive compensatory leave equal to the percentage of full-time hours they are employed to work. **EXAMPLE:** A classified part-time employee who works 50% of the normal full-time schedule, or 20 hours per week, will receive four (4) hours of compensatory leave for each qualifying holiday.

9.2.2 Effect of Status Change

1. A classified employee will be paid for accrued compensatory leave when they
 - leave state service by resignation, retirement, layoff, termination; or are
 - transferred, promoted, or demoted from one state agency to another.
2. Partial payment when changing percent of time

- An employee who changes percent of time (i.e. full-time to part-time) for more than three months shall be paid proportionately to the reduction (i.e. 100% to 75% would result in payment of 25% of the compensatory leave balance).
 - An employee who changes percent of time for less than three months is not paid the proportionate hours and may use those hours with the approval of supervision.
3. Payment option for other changes in status
 - Employees may retain their accrued compensatory leave or may request payment when placed on voluntary leave without pay (not layoff) for three months or more.
 - Employees changing from classified to faculty appointment will be paid for their accrued compensatory leave.
 4. Retention of accrued compensatory leave
 - When an employee is transferred, promoted, or demoted to another classified position within the same agency, the employee will retain their accrued compensatory leave.
 5. Use of accrued compensatory leave when on military leave without pay
 - An employee on military leave without pay may use their accrued compensatory leave to help cover periods of unpaid absence for military duty.

Note: Faculty are not paid for accrued compensatory leave upon change of status.

9.3 Resources

- Virginia Department of Personnel and Training Policy *3.10 Compensatory Leave*

9.4 Amendments

- Section 9.2.1 revised 3/01

10.0 COMPENSATORY LEAVE FOR ADDITIONAL HOURS WORKED (STOT)

10.1 Purpose

To provide paid leave as compensation for additional hours worked during specific times beyond the normal work schedule.

10.2 Guidelines

These guidelines apply to full-time and part-time classified staff covered by the Virginia Personnel Act. This may be paid to eligible employees having worked additional hours in a workweek or accrued as STOT compensatory leave. Leave is earned on an hour-for-hour basis and may be taken for any purpose. Accrued compensatory leave lapses 12 months from the date it is earned. Once lapsed, it may not be used or be paid for.

(See guidelines 5.0 and 7.0 for associated leave)

10.2.1 Definitions

1. Exempt employee
Not subject to the overtime provisions of the Fair Labor Standards Act.
2. Non-exempt employee
Subject to the overtime provisions of the Fair Labor Standards Act.

10.2.2 Required by Management to Work

To earn STOT compensatory leave, a **non-exempt** employee must be **required** to work additional hours in a workweek in which a holiday occurs but has worked no more than 40 hours (see overtime leave, guideline 11.0, if more than 40 hours are worked).

An **exempt** employee may be awarded compensatory leave when required to work more hours in a workweek than is reasonably expected for the accomplishment of the position's duties.

NOTE: This must be approved in advance by Personnel Services and/or the Department of Personnel and Training. This approval is auditable and must be on file in the department.

Meaning of "required to work"

1. The requirement to work additional hours must be specifically authorized. General or "blanket authorizations" for an employee to work beyond the regularly scheduled hours is not the basis for earning compensatory leave.
2. Additional work hours are intended only to relieve specific peak workload needs and are not to be authorized to provide for continuous workload requirements.
3. Additional work hours **do not** include extra hours that an exempt employee **independently** determines is necessary to carry out job responsibilities.

10.2.3 Work Must be Authorized

STOT Compensatory leave should be authorized **before the employee works hours that result in compensatory leave.**

However, if emergency conditions exist which make it impossible to pre-authorize work that will result in compensatory leave, authorization should be communicated as soon as possible thereafter.

10.2.4 Effect of Status Change

1. Employees are paid for accrued STOT compensatory leave when they
 - leave state service by resignation, retirement, layoff, termination, or death; or are transferred, promoted, or demoted from one state agency to another or another department within the agency.
2. Partial payment when changing percent of time
 - An employee who changes percent of time (i.e. full-time to part-time) for more than three months shall be paid proportionately to the reduction (i.e. 100% to 75% would result in payment of 25% of the compensatory leave balance).
 - An employee who changes percent of time for less than three months freezes the proportionate hours until they resume the former work hours.
3. Payment option for other changes in status
 - Employees may retain their accrued compensatory leave or may request payment when placed on voluntary leave without pay (not layoff) for three months or more.
 - Employees changing from classified to faculty appointment will be paid for their accrued compensatory leave.
4. Use of accrued compensatory leave when on military leave without pay
 - An employee on military leave without pay may use their accrued compensatory leave to cover periods of unpaid absence for military duty.

10.3 Resources

- Virginia Department of Personnel and Training Policy *3.10 Compensatory Leave* followed by annotations

11.0 OVERTIME LEAVE (OTE)

11.1 Purpose

To provide an alternative to overtime pay for hours worked over 40 hours in a workweek by a non-exempt employee.

11.2 Guidelines

These guidelines apply to full-time and part-time classified staff covered by the Virginia Personnel Act. This is paid leave for eligible employees having worked more than 40 hours in a workweek.

11.2.1 Overtime Leave v. Overtime Pay

1. An employee may elect overtime leave as an alternative to overtime pay **with the consent of management.**
2. Departments preferring to use overtime leave must provide notification to affected employees prior to the performance of the overtime work. It is not necessary to inform employees each time they work overtime, if there is a departmental policy that states that overtime leave will be granted in lieu of overtime pay.
3. Work schedules may be adjusted so that no overtime is worked.

NOTE: An alternate work schedule may be established for law enforcement employees, in accordance with the provisions of the Fair Labor Standards Act. For these employees, overtime work will be compensated after the requisite work schedule has been actually worked.

11.2.2 Definitions

1. Non-exempt employee
Subject to the minimum wage and overtime provisions of the Fair Labor Standards Act.
2. Exempt employee
Not subject to the minimum wage and overtime provisions of the Fair Labor Standards Act.

11.2.3 Accrual of Overtime Leave

Overtime leave is earned at the rate of one and one-half hours of leave for every hour worked over 40 in any workweek; and for law enforcement employees, after the completion of the established work schedule.

1. Maximum overtime leave is 240 hours.
Once an employee reaches 240 hours overtime leave, additional overtime hours must be paid. (For law enforcement this maximum is 480 hours.)
2. Overtime leave does not lapse.

11.2.4 Effect of Status Change

1. An employee will be paid for accrued overtime leave when they

- leave state service by resignation, retirement, layoff, termination, death; or
- are transferred, promoted, or demoted from one state agency to another.
- are transferred, promoted, or demoted to another classified position in another department.

11.3 References

- Virginia Department of Personnel and Training *Policy 3.15 Overtime Leave*

12.0 AUTHORIZED CLOSINGS [Inclement Weather/ Emergency/Disaster (AC)]

See University Policy #4305 Policy on Authorized Closings

Authorized Closing Examples of Work Schedules and Compensation

For Classified Emergency and Non-Emergency Employees

Non-emergency classified employees will **be paid** for the hours of the authorized closing they are scheduled to work that day.

Emergency classified personnel are required to report to work during authorized closings; they **will earn** *authorized closing leave* for the hours worked and may request time off at a later time. Accrued authorized closing leave must be used within 12 months of the date earned. Once lapsed, it may not be used as leave or be paid for. Emergency employees who do not report to work as scheduled must charge time missed to the appropriate accrued leave or leave-without-pay.

Overtime will be compensated with time *and one-half pay* or time *and one-half leave* depending upon the department policy.

Lunch Breaks - should there be a late opening, such as, mid-day, employees should take their regularly scheduled lunch break, then report to work according to their schedule unless otherwise instructed by their supervisor.

Employee's Work Schedule	All Day Closing Authorized Closing Pay or Leave Earned	Early Closing University Closes at 3:00 p.m. Authorized Closing Pay or Leave Earned	Late Opening University Opens at 11:00 a.m. Authorized Closing Pay or Leave Earned
Full-Time Salaried Employee 8:00 a.m. - 5:00 p.m. Lunch: 12:00 Noon - 1:00 p.m.	8 hours	2 hours	3 hours
Part-Time Salaried Employee 8:00 a.m. - 3:00 p.m. Lunch: 12:00 Noon - 1:00 p.m.	6 hours	None	3 hours
Full-Time Salaried Alternate Work Schedule A 10-hour work day 7:00 a.m. - 6:00 p.m. Lunch: 11:00 a.m.	10 hours	3 hours	4 hours

Full-Time Salaried Working "Shift Work" Such as: 3:00 p.m. - 12:00 Midnight Lunch: 8:00 p.m.	8 hours	8 hours	None
Full-Time Salaried Working "Shift Work" Such as: 6:00 a.m. 2:30 p.m. One-Half Hour Lunch: 10:00 - 10:30 a.m.	8 hours	None	5 hours

12.1 Amendments

- Revised second paragraph 3/01 (usage within one year)

13.0 LEAVE WITHOUT PAY (Conditional & Unconditional)/ DOCK (LWOP)

13.1 Purpose

Provides a means of documenting and defining periods of time an employee is not working and is not in a paid leave status. These guidelines apply to full-time, part-time, classified, and faculty employees.

13.2 Guidelines

Leave of absence without pay of fourteen calendar days or less is commonly referred to as a dock. A leave of absence without pay for longer than fourteen consecutive calendar days is either unconditional or conditional leave without pay and is normally granted for up to 12 calendar months.

13.2.1 Dock

When an employee uses all applicable leave and continues to be off, the hours missed without leave to cover them is reported on the monthly leave report as a dock (leave code LWOP).

The next available payroll will be adjusted to reflect the lost time.

No annual leave and no sick leave are earned for any pay period with a recorded LWOP (i.e. employee is docked 1 hour May 9 and 8 hours May 10, No annual or sick leave is earned for April 25 – May 9 and no annual or sick leave is earned for May 10 – May 24)

13.2.2 Unconditional Leave Without Pay

Unconditional leave without pay is approved absence from work without pay that guarantees reinstatement to the position held by the employee before the leave was taken.

For classified staff, leave without pay is approved by the department head.

Faculty who wish to go on leave without pay for any reason must write a memo of request and explanation to the department head. Approval of the department head, dean, and Office of the Provost is required. Leave without pay may be approved for up to one year at a time, to a maximum of two years. See Virginia Tech Faculty Handbook, 2.15.9.

The department must submit a form P4B to Personnel Services to request this leave. For any partial pay period of LWOP, the monthly leave report should be completed indicating the days of LWOP, in agreement with the P4B submitted. If the employee wishes to use all applicable leave, such leave must be reported on the monthly leave report before beginning LWOP. If the employee wishes to retain their leave it should be so noted on the P4B. Leave reports do not need to be submitted for months in which LWOP extends beyond the leave reporting periods (i.e. employee is on LWOP from June 3 – August 28. A leave report must be submitted for May 10 – June 9 and August 10 – September 9. No report is necessary for June 10 – July 9 or July 10 – August 9).

13.2.3 Conditional Leave Without Pay

Conditional leave without pay is approved absence from work without pay (other than for military leave) that guarantees reinstatement **only** if the employee's position is available when ready to return from leave. Conditional leave is typically used for personal or medical reasons, providing the employee the opportunity to continue their benefits. Employees requesting Conditional Leave for medical reasons must provide a doctors note. If the position is not available, the employee will be discharged and may be employed again only after going through the normal recruitment and selection process. Employees must be notified in writing by the department if placed on conditional leave without pay and a copy sent to Personnel Services. Employees participating in the *Virginia Sickness and Disability Program* are limited to conditional leave without pay for educational and personal reasons; the short-term disability portion of this program covers extended leave for medical purposes.

The department must submit a form P4B to the Personnel Office to effect this leave. For any partial pay period of LWOP, the monthly leave report should be completed indicating the days of LWOP, in agreement with the P4B submitted. If the employee wishes to use all applicable leave, such leave must be reported on the monthly leave report before beginning LWOP. If the employee wishes to retain their leave it should be so noted on the P4B. Leave reports do not need to be submitted for months in which LWOP extends beyond the leave reporting periods (i.e. employee is on LWOP from June 3 – August 28. A leave report must be submitted for May 10 – June 9 and August 10 – September 9. No report is necessary for June 10 – July 9 or July 10 – August 9).

13.2.4 Effect of Leave Without Pay on Benefits and Incentive Increases

Employees do not accumulate leave while on leave without pay, either unconditional or conditional. After a leave without pay of 14 consecutive calendar days, the employee’s leave accrual date is adjusted as follows (with exception of employees on LWOP/Layoff who will not have their leave accrual date changed):

Calendar Days on Leave Without Pay	Pay Periods Adjusted
1 – 14	0
15 – 31	1
32 – 46	2
47 – 61	3
62 – 76	4
77 – 91	5
etc.	

An employee on unconditional or conditional leave without pay may have an incentive increase amount affected depending upon the number of hours missed from work (See State Policy 1.40, Performance Planning and Evaluation).

Employees returning from LWOP within probationary period will have their probationary period ending date adjusted by total number of calendar days on LWOP.

How Leave Affects Basic Employee Benefits

Type of Leave	Health Care Coverage	VRS Benefit	Life Insurance

Type of Leave	Health Care Coverage	VRS Benefit	Life Insurance
Leave with Pay (annual, sick, compensatory, overtime)	Coverage continues; state makes its contribution. Employee makes his/her contribution	State makes full contribution; employee earns service credit.	Coverage continues; state makes full contribution.
Family & Medical Leave	Coverage continues; state makes its contribution. Employee makes his/her contribution	State makes contribution for any pay period employee is on leave with pay. If on LWOP, state makes no contribution	Coverage continues; state makes full contribution
Educational Leave with Full or Partial Pay	If less than ½pay, coverage continues and state makes its contribution for up to 24 months. Beyond 24 months, non-group coverage offered.	If less than ½pay, no service credit earned. (If agency certifies approved leave, may purchase service credit upon return.) If ½pay or more, coverage continues; state makes full contribution.	If less than ½pay, coverage may continue for up to 24 months; state makes full contribution. If ½or more, coverage continues; state makes full contribution
Personal Leave without Pay (conditional or unconditional)	Coverage may continue for up to 6 months; state makes no contribution. Employee pays entire cost.	State makes no contribution; no service credit; cannot purchase service credit upon return.	Coverage may continue for up to 24 months; state makes full contribution.
Leave without Pay for Educational Purposes	Coverage may continue for up to 12 months; state makes no contribution. Employee pays entire cost.	State makes no contribution; no service credit earned. (If agency certifies approved leave, may purchase service credit upon return.)	Coverage may continue for up to 24 months; state makes full contribution.
Leave without Pay – Layoff	Coverage may continue for up to 12 months while on leave; state makes its contribution. Employee makes his/her contribution	State makes no contribution; no service credit; cannot purchase service credit upon return.	Coverage may continue for up to 12 months while on LWOP; state makes full contribution.
Leave without Pay – Temporary Workforce Reduction	Coverage may continue for up to 4 months; state makes its contribution.	State makes no contribution; no service credit; cannot purchase service credit upon return.	Coverage may continue for up to 24 months; state makes full contribution.

Type of Leave	Health Care Coverage	VRS Benefit	Life Insurance
Leave without Pay – Illness (conditional or unconditional)	Coverage may continue for up to 12 months; state makes its contribution; certification of disability needed; without certification treated as personal leave.	State makes no contribution; no service credit; may purchase service credit upon return.	Coverage may continue for up to 24 months; state makes full contribution.
Leave without Pay – Military	For active duty, extended coverage offered for 18 months; state makes its contribution; employee makes their contribution.	State makes no contribution; no service credit earned. Upon return to work, employee entitled to service credit for period(s) of active military leave without pay.	Coverage may continue for up to 24 months; state makes full contribution.

- Notes:** (1) Leave without pay does not constitute termination, so an employee cannot get a refund or retirement contribution.
 (2) Employees who go on leave without pay may remain in the active health benefits group as outlined above; however, if their leave is extended beyond this period of time, they may convert to non-group extended coverage within 31 days of loss of eligibility for coverage in the active group. If employees terminate prior to the end of the leave period for which coverage may be continued, extended coverage should be offered to enrollees.
 (3) Leave without pay in excess of 24 months – lose eligibility for retirement disability.

13.2.5 Length of Leave Without Pay

Both types of leave are limited to a 12 consecutive month period. Any extension must be approved in advance and in writing by Personnel Services and may not normally be extended beyond an additional 12 months.

13.3 Resources

- Department of Personnel and Training *Policy 4.45 Leave Without Pay Conditional and Unconditional*
- *VT (Classified) Employee Handbook II.13*
- *Virginia Tech Faculty Handbook Policy 2.15.9*

14.0 FAMILY AND MEDICAL LEAVE ACT (FMLA)

Personal/Family

14.1 Purpose

To provide eligible (through FMLA) employees up to 12 weeks per calendar year of *unpaid* family or medical leave for the birth of a child or the placement of a child with the employee for adoption or foster care, because the employee is needed to care for a family member (child, spouse, or parent) with a serious health condition, or because the employee's own serious health condition makes them unable to do their job.

14.2 Guidelines

These guidelines apply to full-time and part-time faculty and classified staff as well as wage employees as eligible.

14.2.1 Eligibility

Employees who have been employed by the State for at least 12 months and have worked at least 1,250 hours during the 12 months immediately preceding the start of the leave (applications are required and are available on the Personnel Services web page).

14.2.2 Paid Leave

Employees have the option of using applicable accrued leave while on FMLA.

14.2.3 Intermittent Leave or Reduced Work Schedule

1. When medically necessary because of an eligible employee's own serious health condition or the serious health condition of a child, spouse, or parent, employees may take intermittent leave or work a reduced schedule, not to exceed 480 hours for full-time employees.
 - Intermittent leave permits the employee to take leave periodically for a few hours a day, or for a few days at a time, on an as-needed basis.
 - Reduced schedule permits the employee to reduce the number of hours worked per workweek or per workday.
2. The agency can temporarily transfer an employee to another position that better accommodates the intermittent leave or reduced schedule as long as the new position carries equivalent pay and benefits.

14.2.4 Certifying the Need for Leave

A health care provider's certification of the medical condition of the person affected is required. This must include the date when the serious condition began, the probable duration of the condition, and the following as applicable:

1. A family illness request requires a statement that the employee is needed to care for a child, spouse or parent, and must include the estimated time needed.
2. A personal illness request requires a statement that the employee is unable to perform the essential functions of the job as defined by the Americans with Disabilities Act.
3. An intermittent leave or reduced schedule request necessitated by an employee's own health condition must include a statement of the medical necessity for the leave and the expected duration.
4. An intermittent leave or reduced schedule requested for the care of an employee's family member requires a statement that the employee's leave is "needed to care for" the family member, the expected duration, the expected treatment dates and the schedule of intermittent leave or reduced leave. The term "needed to care for" includes:
 - a. medical certification provisions for physical and/or psychological care. This could include providing transportation to the doctor. It could also include providing comfort and reassurance to someone receiving inpatient care.
 - b. Employee may be needed to fill in for others who are caring for the family member, or make arrangements for changes in care, such as transfer to a nursing home.
5. An intermittent or reduced schedule of leave for birth, adoption or foster care of a child is subject to approval by the department head. If requested, the employee's work schedule must be discussed and developed by the employee and the department, maintaining the plan at the department.
6. When an employee is on intermittent leave for an indefinite time, re-certification of medical condition is required every six months.

The employee should provide certification in advance of the requested leave with as much notice as possible. When that is not possible, certification must be provided reasonably soon after the leave begins.

14.2.5 Returning From FMLA

Employees are normally reinstated to the position held when the leave began. If the previous position has been filled, employees are entitled to an equivalent position that requires comparability and corresponding duties, terms, conditions, and privileges of the employee's previous position.

Employees may be required to report periodically on their status and intent to return to work. They may also be required to provide health care certification that they are able to return to work.

14.3 Resources

- Department of Personnel and Training *Policy 4.20 Family and Medical*
- *VT (Classified) Employee Handbook II.6*
- *Virginia Tech Faculty Handbook 2.15.8.1*
- *Virginia Tech Handbook for Special Research Faculty 2.7.5*

15.0 FACULTY FAMILY LEAVE (FFL)

15.1 Purpose

To provide eligible faculty employees additional paid family leave at the birth of a child or at the time of adoption.

15.2 Guidelines

This applies to faculty on regular, salaried (non-restricted) appointments. Up to ten days of paid family leave may be used by parents at the birth of a child or at the time of adoption.

15.2.1 Use of Faculty Family Leave

Use of such leave must be recorded through the regular leave reporting system. Total usage is monitored by the department to assure that no more than 10 days are taken per birth or adoption of a child.

An employee should request to use their family leave according to department guidelines, providing as much notice as possible.

15.3 Resources

- *Virginia Tech Faculty Handbook 2.15.8.1*

16.0 LEAVE SHARING

16.1 Purpose

Provides an opportunity for employees to share accrued leave with employees who otherwise would not receive pay as a result of an illness or accident. Neither VSDP participants nor faculty are eligible to receive leave donations.

16.2 Guidelines

16.2.1 Annual Leave Donations

Annual leave only may be donated. To make donations complete the donor form which can be accessed on the website <http://www.ps.vt.edu/> or requested through Personnel Services. Donations must be in eight-hour increments.

16.2.2 Who May Donate Leave

1. Regular full and part-time faculty
2. Full and part-time classified employees
3. Leave may be shared across most state agencies when sharing with a family member (defined as an employee's spouse, parents/step-parents, siblings/step-siblings, and children/step-children).
4. Donated leave may only be reclaimed by the donor if it has not yet been processed by Personnel Services.

16.2.3 Eligibility Criteria to Receive Donated Leave

1. Recipient must be a full or part-time salaried, classified employee and not participating in VSDP. Maximum payment eligibility may not exceed percent of employment
2. Recipients shall have no leave balance (annual, sick, family personal, compensatory, overtime, etc) and shall have been placed on leave without pay for ten consecutive workdays (80 hours) per medical condition per 365-day period prior to being eligible to receive leave from a donor.

NOTE: A chronic ongoing medical condition such as a kidney disease requiring dialysis would be considered one medical condition. Thus, an employee would have to be on leave without pay for ten consecutive days only once in a 365 day period for this condition. Thereafter, the employee immediately would be eligible for donations for this illness during the same 365-day period.

3. A request must be made by completing the Leave Sharing application form which is available on the website <http://www.ps.vt.edu/>. If an employee is unable to initiate a request, a family member or supervisor may submit the request.

16.2.4 Qualifying Medical Conditions

Any illness or injury which, as certified by a physician, requires medical attention and requires an employee's absence without pay for a period of at

least ten consecutive workdays (80 hours) after all leave balances have been exhausted.

It is the responsibility of the employee to provide the required certification from a physician. The department or Personnel Services may require a second physician's certification from a physician of their choice. Such certification will be at the department or Personnel Services expense. However, if the two physicians disagree whether a medical condition exists, it is within the sole discretion of the agency to determine whose opinion prevails.

16.2.5 Excluded from Eligibility

The following are excluded from eligibility for leave sharing benefits:

1. any occupational related accident or illness for which Workers' Compensation benefits have been awarded
2. intentionally self-inflicted injuries
3. injuries occurring in the course of committing a felony or assault
4. any period of disciplinary suspensions.

16.2.6 Required Reimbursement of Leave Sharing Payments

1. Compensation is received from another source for the same period of time the employee received leave sharing hours, such as when monies are received from the leave sharing program and subsequently workers' compensation benefits are received retroactively for that same period of time
2. Determination is made that abuse has occurred. The recipient may be required to repay all donated leave, and/or may be subject to disciplinary action in accordance with State Policy 1.60, Standards of Conduct.
3. Reimbursed hours will be returned to the original donor(s).

NOTE: Receipt of Leave Sharing Donations does not alter or affect the leave without pay status of an employee. For all purposes, employees are still considered on leave without pay. Employees who are receiving leave sharing donations are ineligible to receive payment for any holidays occurring during their periods of absence.

16.3 Resources

- Department of Personnel and Training *Policy 4.35 Leave Sharing*
- *VT (Classified) Employee Handbook Section II.3 Leave Sharing Program*

17.0 ADMINISTRATIVE LEAVE (ADM)

17.1 Purpose

To provide special (non-accrued) leave for specifically defined use as discussed in the policy statement.

17.2 Guidelines

These guidelines apply to full-time and part-time faculty, and to classified staff covered by the Virginia Personnel Act.

17.2.1 Administrative Leave Provides Paid Leave to

- serve on jury duty
- appear in court as a witness under subpoena
- serve on state councils and other bodies
- resolve work-related conflicts
- participate in the resolution of complaints of employment discrimination
- attend administrative hearings
- interview for other state positions (reasonable amount of leave determined by supervisor)
- respond to a traffic summons.
- This is not available for employees to appear in criminal proceedings, including depositions, in which the employee is a criminal defendant.

17.2.2 Request for Administrative Leave

should be made to the supervisor as far in advance of the leave as possible.

17.2.3 Court Appearances

1. Employees may charge to administrative leave only the time away from work that is necessary to appear at a court proceeding, to give a deposition, to serve as a juror, or to accompany a minor child to court when the child is legally required to be present in court. *Except* when accompanying a minor child, the employee's appearance at any of these events must be compelled by subpoena or summons.
2. Reasonable travel time is included in the actual time away from work that may be charged to administrative leave.
3. Employees who regularly work an evening or night shift should be rescheduled, whenever possible, to work the day shift during periods when they are required to appear in court proceedings.

17.2.4 Verification of Court Appearances

1. Documentation of the actual time necessary for court duties is required.
2. Employees are responsible for obtaining verification of their appearances at court proceedings from the appropriate court personnel and this must be filed with the departmental leave records, according to the university's established records retention schedule.

17.2.5 Compensation for Court Appearances

Compensation paid by a court to an individual under subpoena or summons may consist of:

- Compensation for appearance as a juror, or witness (**services**); and
- Reimbursement of daily **expenses**, such as out-of-pocket expenses for meals, mileage, parking, and other related expenses.

17.2.6 Retention of Reimbursement for Services

1. When an employee decides to keep the reimbursement for **services**, the absence must be charged to annual, compensatory, or overtime leave, or if no leave balances are available, to leave without pay.
2. Employees assigned to the evening or night shift, who cannot be rescheduled to the day shift, may retain reimbursement for **services** in addition to pay for their scheduled shift if the entire shift is worked. If court is held during a portion of the shift, annual, compensatory, overtime leave, or leave without pay, must be charged, in order to retain the reimbursement for **services**.
3. For an employee to charge Administrative Leave rather than accrued leave, they must relinquish payment for **services** by submitting (by personal check made payable to **Treasurer of Virginia Tech**) such payment to their department who will forward it along with a deposit receipt to the Bursar's office.

17.2.7 Retention of Reimbursement for Expenses

- Employees keep reimbursement for **expenses**.
- If serving as Virginia circuit court juror, employees may retain fees given by the court as these fees are all considered as reimbursement of **expenses**.

17.2.8 Do Not Charge Administrative Leave

when **job duties require court attendance**, such as:

- law enforcement officers
- under subpoena to appear as an expert witness because of their position with the Commonwealth; and

- employees called by the Commonwealth as expert witnesses.

17.2.9 Interviewing for Other State Employment

Administrative leave may be granted for the **actual** time, including reasonable travel time, necessary for **interviewing** for other state positions. Departments may require verification of the time required. Departments may set reasonable limits on the amount of *administrative leave* that may be approved for traveling to and interviewing for other state positions. Departments may also limit the use of administrative leave if they determine it is being used excessively for this reason.

17.2.10 Resolution of Work-Related Conflicts

Classified employees who are grievants, witnesses, panel members, or representatives of grievants, in a grievance initiated under the State's Grievance Procedure, will be granted reasonable amounts of administrative leave, including allowances for travel time, to participate in grievance proceedings.

1. Administrative leave will be granted for grievants and witnesses to attend management step meetings, to attend panel hearings, and to attend court hearings related to the grievance.
2. Administrative leave will be granted for panel members to attend panel hearings.
3. Employees who are regularly scheduled to work the evening or night shift should be rescheduled, whenever possible, to work the day shift when requested to appear as a witness at a management step meeting, panel hearing, or court hearing.
4. Department of Employee Relations Counselors (DERC) meetings
5. Administrative leave, including reasonable travel time, will be granted for employees to meet with DERC, in accordance with the Grievance Procedure for State Employees.
6. Administrative leave related to interview with DERC will be granted even if a grievance has not been filed. Employees outside the Richmond area should be granted the same benefit with reasonable travel time charged to administrative leave.

17.3 Resources

- Virginia Department of Personnel and Training *Policy 4.05 Administrative Leave* followed by annotations
- *Virginia Tech Faculty Handbook Policy 2.15.5 Administrative Leave*
- *Virginia Tech Handbook for Special Research Faculty Policy 2.7.2 Administrative Leave*

18.0 EDUCATIONAL LEAVE

18.1 Purpose

To allow employees to take leave from work to pursue study related to their work or the work of Virginia Tech.

18.2 Guidelines

These guidelines apply to full-time and part-time classified staff covered by the Virginia Personnel Act and to salaried faculty.

Employees may be allowed to take educational leave with full, partial, or no pay. (The provision of state policy 4.45, LWOP, applies to educational leave without pay.)

18.2.1 Duration of Educational Leave

Educational leave is limited to 12 months. Extensions to this leave, up to an additional 12 months, may be granted by Personnel Services or the President if approved first by the appropriate Dean or Vice President.

18.2.2 Educational Leave With Full Pay or Part Pay

Employees applying for Educational Leave with full or part pay must complete and submit a memorandum of agreement for leave with pay. PS Form P88 is available on the web at <http://www.ps.vt.edu/ps/forms/forms.html>.

18.2.3 Educational Leave Without Pay

Follow the leave without pay procedures, section 13.

18.2.4 Educational Leave for Faculty

A request for leave with partial pay requires approval by the department head, dean (or vice president), the Provost, and one Board of Visitors member. Contact the Office of the Provost for more information.

18.3 Resources

- Virginia Department of Personnel and Training *Policy 4.15 Educational Leave* followed by annotations.
- *Virginia Tech Faculty Handbook Policy 2.15 Leave*
- *Virginia Tech Handbook for Special Research Faculty Policy 2.7.6*
- *State Educational Aid Policy*

19.0 MILITARY LEAVE (MIL)

19.1 Purpose

Provides defined paid and unpaid leave to classified and faculty employees for active or reserve (includes training) duty in the armed services of the United States, in accordance with federal and state law.

19.2 Guidelines

To qualify for military leave, an employee must furnish their supervisor copies of their official orders.

19.2.1 Military Leave With Pay

Qualifying employees are granted up to 15 workdays (120 hours) of paid military leave in a federal fiscal year (October 1 – September 30), and one additional day for a physical.

For pre-induction or other physical examinations required for military service that can not be scheduled outside normal work hours, employees may be paid for up to eight hours annually (in addition to the 120 hours noted above). Employees will suffer **no** loss of seniority or accrued leave balances.

19.2.2 Military Leave Without Pay

Qualifying employees are granted unconditional military leave without pay for the duty indicated in their military orders that is not covered by military leave with pay, for up to five years as ordered.

19.2.3 Status of Benefits and Accrued Leave Balances

1. Leave with Pay

Benefits shall not be affected by periods of military leave with pay. Leave balances continue to accrue.

2. Leave without Pay

a. Annual Leave - Employees may, at their discretion, be paid all or a portion of their accrued annual leave, up to the allowable maximum, or may retain all of their annual leave while on military leave without pay. Paid leave may not be repurchased if request is made after 180 days have passed since payment.

b. Compensatory Leave – Classified employees may, at their discretion, be paid all or a portion of their compensatory leave, or may retain all or a portion of their compensatory leave.

c. Holidays – Employees are not granted or paid compensatory leave for holidays occurring during periods of military leave without pay.

- d. Traditional Sick Leave – **Classified** employees with less than five years of continuous state service at the time military leave without pay begins and **faculty** retain their sick leave balances, which are reactivated upon return from leave.
Classified employees with five or more years of continuous state service at the time military leave without pay begins, may retain their entire sick leave balance or be paid for 25% of their sick leave balance up to \$5,000. If paid, the remaining 75% of the balances may not be reinstated upon return from leave. Neither may employees repurchase sick leave for which they have been paid. Furthermore, employees must serve another five years of continuous state service before being eligible again for sick leave payment upon separation of employment after being paid for their sick leave balances.
- e. VSDP – Employees will not be credited any sick or family personal leave while on leave without pay. Employees may retain all sick and family personal leave (balances lapse on January 9th each year), or may use all family and personal leave.
- f. No leave accrues when in a leave without pay status.

19.3 Resources

- Virginia Department of Personnel and Training *Policy 4.50 Military Leave*
- Virginia Tech Faculty Handbook *Policy 2.14.4 Military Leave*
- Virginia Tech Handbook for Special Research Faculty. *Policy 2.7.1 Military Leave*
- VT (Classified) Employee Handbook *Section II.11 Military Leave*

19.4 Amendments

- Section 19.2.3.2 revised 10/17/01 per DHRM policy update.

20.0 COMMUNITY SERVICE LEAVE (CS)

20.1 Purpose

Provides paid leave for employees to provide voluntary services within their communities. Service may be provided through school assistance or as a volunteer of a community service organization.

20.2 Guidelines

Full and part-time salaried classified employees are eligible for community service leave.

Employees must receive advanced approval from their supervisors and may be required to provide written verification prior to using leave.

20.2.1 Community Service Activities

Employees who are members of volunteer fire departments and rescue squads may use leave to:

- respond to emergency situations during working hours; or
- arrive after the normal starting time of their work schedule if an emergency situation to which they responded continues beyond their normal starting time.

Employees may use leave to provide voluntary “hands-on” services to community based organizations that provide services through voluntary efforts to the citizens of the employee’s community in the following ways:

- relief to physically or mentally challenged persons;
- relief to victims of natural disasters or catastrophes (where policy 1.15, Disaster Relief is not applicable);
- health services, emergency relief and shelter, transportation and preparation or delivery of meals;
- other direct health or welfare services for the economically disadvantaged; or
- community services that assist residents, including child and youth development.

Community service leave would not be appropriate to attend a planning meeting or social event for the organization providing these services.

20.2.2 School Assistance

Employees with children may use leave for any ***public or private*** preschool, elementary, middle or high school concerning their child, step-child, or child for whom they have custody, to:

- meet with a teacher or administrator;
- attend any school function in which child is participating; or
- perform any school approved volunteer work.

Preschool is defined as any early-childhood program that serves children for more than nine hours per week, at any time from birth until eligibility to enter elementary school. May be home based, but like all other such programs, it

must be registered, licensed or certified (i.e., regulated) by the Virginia Department of Social Services, to qualify.

Employees may use leave to assist in the education of their child in state-approved home education curricula, meetings with local school board officials and required field trips.

Employees with or without children may use leave to perform volunteer work to assist any ***public*** preschool, elementary, middle or high school, where such work has been approved by any teacher or school administrator.

20.2.3 Amount of Community Service Leave

- Full-time employees are provided up to sixteen hours of paid leave per leave year.
- Part-time employees are provided leave proportionate to the percentage of hours they work.
- Leave is credited to current employees on January 10 of each year.
- New eligible employees are credited community service leave immediately upon employment.

20.2.4 Duration of Community Service Leave

- Leave is not carried over from one leave year to the next. If not used it is forfeited.
- There are no provisions for payment of community service leave when separating from employment or changing status.

20.3 Resources

- Department of Human Resource Management *Policy 4.40 Leave to Provide Community Service*

20.4 Amendments

- Effective 7/1/01 this policy superseded *Policy 4.40, Leave to Assist Schools, issued 9/16/93*

21.0 WORKERS' COMPENSATION (WC)

21.1 Purpose

To define the process of applying applicable leave while on Workers' Compensation.

21.2 Guidelines

These guidelines apply to full-time and part-time classified staff covered by the Virginia Personnel Act and to salaried faculty as it relates to leave usage while on Workers' Compensation. This does not apply to non-VSDP employees. The Workers' Compensation Program is detailed in University policy 4415.

21.2.1 Use of Accrued Leave While on Workers' Compensation

- While a workers' compensation claim is pending, time missed from work is normally recorded as "WC" (Workers' Comp).
- If the claim is denied and "WC" has been recorded, the leave records must be corrected to reflect the appropriate use of accrued leave. (i.e. sick, annual, compensatory).
- Accrued leave is not charged for the first 92 calendar days of Workers' Compensation.
- After the first 92 calendar days, applicable accrued leave is charged at the rate of 13 hours per week for full-time employees and proportionately for part-time employees as long as there is leave to use or until Workers' Compensation ends.
- If leave is totally exhausted and the employee is still on WC, the employee is placed on leave of absence without pay for the duration of the Workers' Compensation and they are paid directly by the Workers' Compensation carrier.

21.2.2 Use of Accrued Leave for Employees Under VSDP on Worker's Compensation

- Employees must use their leave (i.e. personal sick, family personal, annual, compensatory) for the first seven calendar days of absence.
- If an employee is not out for seven consecutive calendar days, appropriate leave must be used.
- After 21 days, the first seven calendar days are changed to 1/3 employee's time and 2/3 worker's compensation.
- While a VSDP Worker's Compensation claim is pending, time missed from work is normally recorded as VSDP. Once a VSDP Action Report accepting worker's compensation is received, time should be recorded as VSDP and Worker's Compensation.

21.3 Resources

- Virginia Department of Personnel and Training *Policy 4.60 Workers' Compensation*
- *Virginia Tech Faculty Handbook Policy 5.3.2 Workers' Compensation*
- *Virginia Tech Handbook for Special Research Faculty. Policy 3.3.2 Workers' Compensation*

21.4 Amendments

- Section 20.2.2 added 3/01

22.0 PRE-DISCIPLINARY LEAVE (PDL)

22.1 Purpose

To provide management a tool to remove an employee from the worksite without advance notification under specific, defined circumstances listed below (or for specifically defined reasons.)

This results in a leave with pay without charge to an employee's leave balances for a period normally limited up to five (5) workdays.

22.2 Guidelines

This applies to salaried, classified staff by the Virginia Personnel Act. Employees may be full or part-time on a regular or restricted appointment.

22.2.1 Removal from Work Area

Management may immediately remove an employee (with pay) from the work area, without providing advance notification, when the employee's presence:

1. may be harmful to the employee, other employees, and/or clients;
2. makes it impossible for the agency to conduct business; or
3. may constitute negligence in regard to the agency's duties to the public and/or other employees.

22.2.2 Notification

As soon as possible after an employee's removal from the work area the supervisor must provide the employee with notification of the intended disciplinary action and evidence of the offense for which the disciplinary action is being contemplated. The employee is then to be provided a reasonable opportunity to respond before taking any disciplinary action.

Final notification of removal shall be via letter or memorandum rather than solely by the written notice form.

22.2.3 Use of Pre-Disciplinary Leave

The supervisor must send Personnel Services a copy of the letter placing the employee on pre-disciplinary leave.

Personnel Services will record and monitor use of pre-disciplinary leave.

22.3 Resources

- Virginia Department of Personnel and Training *Policy 1.60 Standards of Conduct*
- *Virginia Tech Classified Employee Handbook V F.1*

23.0 PRE-LAYOFF LEAVE (PLL)

23.1 Purpose

To provide paid leave to an employee who will be placed on leave without pay layoff in order to seek alternate employment in other state agencies or with other employers.

23.2 Guidelines

This applies to salaried, classified staff covered by the Virginia Personnel Act.

Employees may be full or part-time on a regular or restricted appointment. Pre-layoff leave allows management to continue an employee's compensation for a maximum of two weeks (up to 80 hours) immediately prior to the effective date of layoff (during the layoff notice period).

The leave may be granted in a block or intermittently. The supervisor must approve an intermittent leave schedule in advance.

23.2.1 Use of Pre-Layoff Leave

The supervisor must send Personnel Services a copy of the letter placing the employee on pre-layoff leave.

Personnel Services will record and monitor use of pre-layoff leave.

23.3 Resources

- Virginia Department of Personnel and Training *Policy 1.30 Layoff*

24.0 LEAVE TO DONATE BONE MARROW OR ORGANS (BMOD)

24.1 Purpose

To provide eligible employees up to 30 workdays of paid leave in any calendar year, in addition to other paid leave, to donate bone marrow or organs.

24.2 Guidelines

This applies to full-time, non-probationary salaried classified employees.

Leave may be available to restricted employees who are funded by grants that will support such a benefit.

Requires medical certification prior to approval of the leave.

Provides paid leave for the period that is medically necessary for the donation of bone marrow or an organ and recuperation.

Guarantees the employee return to their original position.

24.2.1 Use of BMOD Leave

1. Employees must provide their supervisor with advanced notice for use of leave.
2. Employees must submit medical certification, indicating expected duration of leave, to Personnel Services prior to approval of leave.
3. Leave will not be counted towards the employee's 12-week Family Medical Leave entitlement.
4. Leave will not be considered VSDP leave.
5. Workers' compensation benefits will be suspended during use of leave.
6. Personnel Services will enter and monitor use of BMOD leave.

24.2.2 Extension of BMOD Leave

If it becomes medically necessary for leave to extend beyond 30 workdays, the time will be charged to other appropriate leave balances and may be considered FML leave. Employees enrolled in the VSDP must contact CORE. If eligible, VSDP benefits would begin following the 30 days of BMOD leave.

24.3 Resources

- Virginia Department of Human Resource Management *Policy 4.37 Leave to Donate Bone Marrow or Organs*

25.0 DISASTER RELIEF LEAVE (DR)

25.1 Purpose

To provide paid leave for employees who provide assistance to areas that have been officially declared disaster areas where such services are not within employees' normal job duties.

25.2 Guidelines

These guidelines apply to full-time and part-time classified employees covered by the Virginia Personnel Act.

Up to two weeks of leave (80 hours) annually may be granted. Employees who are called to active duty in the military or National Guard for *emergency service* shall be paid their regular salaries for the time they are under active service orders.

25.2.1 Use of Disaster Relief Leave

1. Leave may be granted when a disaster has been officially declared by the President of the United States, or a State of Emergency has been declared by the Governor of any state.
2. Employees shall be paid at their regular rates of pay for those regular work hours during which the employees are absent from work.
3. Employees must provide written requests by public officials at the site of the disaster.
4. Services provided by employees must be related to a specialized skill or training that the employees possess.
5. Expenses related to employees providing disaster relief such as travel, food, lodging are not paid for by the Commonwealth.

25.3 Resources

- Virginia Department of Human Resource Management *Policy 1.15 Disaster Leave*

DRAFT: Document is subject to change. Please refer to the Virginia Tech World Wide Web site for most current version.

Definitions

Temporary An appointment of less than 6 months duration from the beginning to anticipated end.

Workweek The established work schedule for a one week period of time between Friday night midnight and the following Friday night midnight.