
CLASSIFIED LEAVE POLICIES

PURPOSE: To delineate classified employees leave policies and procedures.

I. Vacation Leave

Idaho Code states that the rate per hour at which vacation leave shall accrue shall be at the rate represented by the proportion 96/2080 during the first 10,400 hours credited state service (approximately one day per month during the first five years); 120/2080 during the second five years (approximately 1 1/4 days per month); 144/2080 during the third (approximately 1 1/2 days per month after ten years); and 168/2080 for fifteen years or more (approximately 1 3/4 days per month).

A. Vacation leave, if not taken as earned, may be accrued as follows:

0 - 5 years 192 hours (24 days)

5 - 10 years 240 hours (30 days)

10 - 15 years 288 hours (36 days)

15 or more years 336 hours (42 days)

B. New employees will be able to request vacation leave as soon as accrued from their supervisor.

C. For purposes of leave accrual, all past service of employees of the State of Idaho shall count.

D. A classified employee who is transferred (with no break in service) from one state agency to another state agency shall be credited with accrued vacation leave by the receiving agency at the time of transfer.

E. Vacation leave shall not accrue to an employee on leave of absence without pay, suspension without pay or layoff.

F. Vacation leave must be approved in advance by the appropriate supervisor or department head and recorded as taken on the employee's time sheet.

G. If an employee is paid under grant funding, vacation leave must be taken during the fiscal year in which it is earned, unless special provisions are approved by the immediate supervisor.

II. Sick Leave

Idaho Code states that the rate of sick leave is determined by the proportion 96/2080 per one hour worked (.0462 per hour worked, approximately one day per month).

A. Sick leave shall only be used in cases of actual illness or disability or other medical and health reasons necessitating the employee's absence from work, including medical, dental or optical examinations or treatments, or in situations where the employee's personal attendance is required or desired because of serious illness, disability, or death and funeral in the family or other relative or close friend.

- B. All sick leave shall be forfeited at the time of separation from classified service and no classified employee shall be reimbursed for accrued sick leave at the time of separation; provided, however, that if the employee is subsequently reinstated to classified service all sick leave credits accrued at the time of separation shall also be reinstated (within the time limits of the reinstatement policy).
- C. Idaho Code 33127 states: Unused sick leave shall be accumulated from year to year as long as an employee remains continuously in the service of the same school district, including charter districts, to ninety (90) days accumulation of leave. Termination of employment in any district shall terminate sick leave rights, both current and accumulated, except when such employee is employed by another district or another state educational agency during the school year immediately following the year of termination; and the accumulated leave up to a maximum of ninety (90) days shall be secured for, and credited to, the employee by the district or state educational agency thereafter employing such employee..."
- D. Upon retirement, one-half the value of the employee's accumulated sick leave earned after July 1, 1976, shall be credited to the employee's retirement account to defray the costs of group health, life and accident insurance per maximum limits allowable.
- E. Sick leave shall not accrue to an employee on leave of absence without pay, suspension without pay or layoff. Sick leave shall be recorded as taken on the employee's time sheet.
- F. An employee who is transferred from one state department to another shall be credited by the receiving department with the amount of sick leave accrued at the time of transfer. The amount of such accrued leave shall be shown on the transaction documents effecting the transfer.
- G. The supervisor may at any time require verification by a physician or other authorized practitioner for employee illness.
- H. It is the responsibility of the employee to notify his/her supervisor immediately in the event of sickness or injury which prevents the employee from reporting for duty.
- I. An employee will be eligible to use sick leave upon its accrual. Sick leave shall not be taken in advance of being earned.
- J. Sick leave shall be taken on a workday basis. Regularly scheduled days off and officially designated holidays falling within a period of sick leave shall not be counted against sick leave.
- K. Employees are required to exhaust all sick leave prior to being placed on medical leave without pay status.
- L. If an absence due to illness or injury extends beyond the sick leave accrued to the credit of the employee, such additional time shall be charged to vacation or compensatory leave, unless otherwise requested by the employee. If all sick leave, vacation leave and compensatory time are exhausted, the employee will be placed on medical leave without pay.

III. Disability

A. Layoff after Six Months' Disability

If the employee becomes disabled, whether or not due to a workers compensation injury, and is unable to return to work after six (6) months' absence or when accrued sick leave has been exhausted, whichever is longer, the employee's position shall be declared vacant and the employee's name placed on a departmental layoff register.

The period of absence is not interrupted by the employee's full return to work for less than two consecutive work weeks. Return to work as part of a rehabilitation program does not interrupt the calculation of the period of absence.

1. The disabled employee's retention points need not be calculated unless there are other employees on the departmental layoff register in the same class.

B. Return to Work Release

An employee shall provide a return-to-work release if, due to the nature of the health condition and the job:

1. Light duty work or other accommodation is requested, or
2. The agency, having a reasonable basis in fact to do so, requires assurance that returning to work would not create a significant risk of substantial harm to the employee or others.

IV. Family and Medical Leave

A. Sick leave may be taken to care for family members. Family members shall include spouse, children, parent, or any member of the family.

B. Sick leave taken for this purpose should be recorded under the sick leave code.

V. Maternity Leave

Disabilities caused or contributed to by pregnancy, child birth or related medical conditions are considered temporary disabilities and shall be treated as such for sick leave purposes. Maternity leave shall be granted under the same conditions and requirements as other compensable and non-compensable leave under these rules.

A. The employee's physician shall be considered the sole authority in determining the disability period insofar as compensable sick leave is concerned. Maternity leave preceding and following the time that the employee is disabled shall be leave without pay unless the employee elects to use accrued vacation leave or compensatory leave.

B. The employee may continue to work as long as she is physically capable of performing the duties of her position and may return to work as soon as she is physically able as determined by her physician.

VI. Workers Compensation

A. All employees are covered by industrial accident insurance carried with the State Insurance Fund. This insurance protects employees against losses due to injuries or death sustained in the course of employment. Benefits are paid to the doctor and/or hospital and directly to the injured employee, or to his/her survivor if he/she dies. The entire premium is paid by Boise State University. Provisions of this coverage are established by Idaho law.

B. Accidents or injuries to student employees, faculty, and staff occurring during the course of the work day should be reported immediately to the Human Resources Department. The supervisor of the employee must complete a supervisor's accident report form (available in the Human Resources Department). When completed, the form should be returned to the Human Resources Department.

C. The injured employee must report to the Human Resources Department to complete a Notice of Injury and Compensation Claim Form to be filed with the State Insurance Fund. In the event that the injured employee is unable to file a claim within five (5) days of the accident, the necessary forms can and should be completed by his/her supervisor and taken to the employee for his/her review and signature.

- D. In the event of a disability incurred on the job and covered by worker's compensation, the employee shall be given the choice of either: (a) entering a period of leave of absence without pay and receiving worker's compensation to which entitled; or (b) utilizing a portion of accrued sick leave to supplement worker's compensation benefits to maintain his/her regular salary insofar as the combined total of worker's compensation and sick leave benefits does not exceed 100% of the salary to which he/she would otherwise be entitled.
- E. No appointing authority may require an employee to accept sick leave, vacation leave, or compensatory time for overtime worked in lieu of worker's compensation benefits provided by law. Additionally, an employee may not waive his/her rights to compensation under the worker's compensation law and therefore, cannot accept earned leave or other benefits in lieu of worker's compensation to which entitled.
- F. If the employee is unable to return to work after six (6) months absence or when accrued sick leave has been exhausted, whichever is longer, the employee's position shall be declared vacant and the employee's name placed on a departmental layoff register. The disabled employee's retention points need not be calculated unless there are other employees on the departmental layoff register in the same class. The employee shall be entitled to reemployment preferences and reinstatement privileges provided under IPC Rules when released by his/her physician to return to work.
 - 1. The disabled employee's name shall not be certified from the layoff register until the State Personnel Director has been notified by the physician that the employee is able to return to work.

VII. Separation Upon Failure to Return to Work

Except for those employees placed on a layoff register as prescribed by IPC Rules, an employee who has not returned to work after release by his/her physician shall be considered as having resigned. Such separation shall be treated as a voluntary resignation, and the employee shall remain eligible for reinstatement as provided under IPC rules.

VIII. Special Leaves

A. Leave of Absence Without Pay

- 1. A classified employee holding permanent status or who has held permanent status in another classification at Boise State may, at the discretion of the appointing authority, be granted leave without pay when such leave exceeds one week and will not have an adverse effect upon the department. The request for leave of absence without pay must be in writing on the required form (available in the Department of Human Resources), and must establish reasonable justification for the approval of the request.
 - a) An employee is required to exhaust accrued vacation leave, earned administrative leave, and compensatory time off for overtime before commencing leave.
 - b) The appointing authority approving the leave of absence without pay assumes full responsibility for providing for the employee's return to the same position or to one comparable in terms of pay, status, and responsibilities. The appointing authority approving the leave assumes full responsibility in the event the employee does not return to state service but instead separates, to provide lump-sum payment for unused vacation leave and compensatory time (if eligible).

2. A leave of absence without pay may be granted to a classified employee to assume a nonclassified position in state service. Such leave of absence shall not extend beyond the time the employee would be eligible for reinstatement to classified service per IPC rules.
 - a) An employee returning from a leave of absence granted to assume a non-classified position shall be allowed classified credited state service for the leave in the class from which he or she was granted the leave of absence. Credit shall not exceed time limits established by IPC rules.

B. Military Leave With Pay

1. Employees who are members of the national guard or reservists in the armed forces of the United States who are directed by proper military authority to participate in ordered an authorized field training under the National Defense Act shall receive military leave with pay for a maximum of fifteen (15) working days in any one calendar year. Such leave is exclusive of vacation, sick and compensatory leave.
2. An employee taking military leave with pay must attach a copy of their orders to their bi-weekly time sheet.

C. Military Leave Without Pay

An employee whose employment is reasonably expected to continue indefinitely and who leaves his/her position either voluntarily or involuntarily in order to perform active military duty shall be granted military leave without pay (Ref. IPC Rule 125.04). The employee shall either be separated from state service or placed in "inactive" status, at the option of the appointing authority.

D. Administrative Leave With Pay

1. At the discretion of the appointing authority, an employee may be granted administrative leave with pay when such leave is in the best interest of the department.
2. The request for administrative leave with pay must be in writing and must establish reasonable justification for the approval of the request.

E. Court, Jury Services and Grievance Leave

1. When an employee is subpoenaed or required to appear at a judicial or administrative hearing as a witness in any capacity connected with official state duty, he or she shall not be considered absent from duty. The employee shall not be entitled to receive compensation from the court. Expenses (mileage, lodging, meals and miscellaneous expenses) incurred by the employee shall be reimbursed by his/her respective department in accordance with state travel regulations.
2. When an employee is subpoenaed to appear as a witness in a capacity that has no connection with official state duty or is required as a party to attend a judicial or administrative hearing in non-job related litigation, he/she shall be permitted to attend and shall be permitted to use accrued vacation/compensatory time if requested by the employee. If no leave is requested, the employee shall be granted leave without pay. The employee shall be entitled to keep any fees and mileage reimbursement paid by the court.

3. When an employee is summoned by proper judicial authority to serve on a jury, he/she shall be granted a leave of absence with pay for the time which otherwise the employee would have worked. The employee shall be entitled to keep fees and mileage reimbursement paid by the court in addition to salary. Expenses in connection with this duty are not subject to reimbursement by the state.

F. Religious Leave

Appointing authorities shall make reasonable accommodations to an employee's need for religious observances. Such requests must be put in writing and approved by the Director of Human Resources and appointing authority.

1. Such leave shall be charged to the employee's accrued vacation leave or compensatory leave and must be requested at least one week in advance.

G. Leave During Facility Closure or Inaccessibility

Only the Governor or President of the University (or his/her designee) can authorize closure of a University facility under the following conditions:

1. When a state facility is closed or declared inaccessible because of severe weather, civil disturbances, loss of utilities or other disruptions, affected employees shall be authorized administrative leave with pay to cover their scheduled hours of work during the closure or inaccessibility.
2. An employee who works at a state facility during declared closure or inaccessibility shall be, in addition to regular salary, granted time off equal to the number of hours actually worked. If overtime is involved, it shall be compensated as provided by Section 67-5329, Idaho Code.
3. When a severe storm occurs during the day, and the appointing authority authorizes early release of employees, the resulting time off shall be charged to administrative leave with pay.

H. Promotional Examination Leave

Permanent classified employees taking Idaho Personnel Commission examinations for an announced promotional position on campus will not be required to report time gone as annual leave. Time taken for taking a test for a position that is not promotional on campus must be reported as annual leave on the bi-weekly time sheet and pre-approved by the immediate supervisor.

1. If an interview for a departmental promotional vacancy or lateral transfer within BSU is scheduled during the work day, the department employee will be allowed the necessary time, without charge against accumulated vacation leave, but only upon prior approval from the employee's immediate supervisor or higher authority.
2. Time taken for examinations or interviews should be noted under the "other absence" column on the employee's time sheet and explained under remarks.

I. Organization Participation and Exercise Leave

Boise State University employees will be permitted a total of one hour per month release time from work to attend professional representative organization meetings. These organizations include: ACE - Association of Classified Employees; BSU-AOP - Boise State University Association of Office Personnel; BSU-IPEA - Boise State Chapter, Idaho Public Employee's Association.

1. Employees who are officers in one of the above organizations, will be permitted a total of two (2) hours per month release time to organize and conduct the business of the organization(s).
2. The employee must have supervisory approval prior to taking the release time to avoid conflict with the efficient and effective operation of University business.
3. Other organizations desiring approval for release time should submit written requests to the Department of Human Resources, outlining the goals and purposes of the organization for review by the appointing authority.
4. Questions regarding a typical leave situation not clarified in this policy should be referred to the Department of Human Resources.
5. Employees interested in an exercise program during the work day are authorized release time up to forty-five (45) minutes per week provided the following procedure is followed:
 - a) Employee completes a form which is available in the appropriate vice president/Provost/President's office.
 - b) Supervisor reviews and approves the leave.
 - c) The employee is advised if approval is granted.
 - d) If the leave is approved, the Wellness Center reviews and recommends changes to the proposed exercise program.
 - e) Employee is requested to participate in an annual human performance evaluation (except for optional blood profile).