

Policies and Procedures

Title: Leave Policy

Purpose: The University of North Carolina at Asheville recognizes and respects employees' needs for leave time away from work. The University strives to create and maintain a balanced work schedule for its employees and promotes quality of life through its varying leave programs.

SPA and EPA non-faculty employees both full-time and part-time, and who hold permanent positions are eligible to receive leave at UNC Asheville. Temporary employees are not eligible to receive leave time with pay from the University. UNC Asheville provides eligible employees with various types of leave.

Scope: This policy applies to all permanent EPA non-faculty and SPA employees.

Policy: In accordance with the Office of State Personnel and the University of North Carolina's Office of the President rules and regulations, state, and federal laws, the University provides leave time to eligible SPA and EPA non-faculty employees as identified below. Leave accountability is the responsibility of the employee and the supervisor. *All leave taken must be accounted for in increments of 15 minutes (.25 hours).*

Due to the broad content of the policy, the policy is attached with its table of contents.

Procedures: All EPA and SPA employees must comply with the following procedures:

- I. All leave taken requires prior approval of the supervisor or department head. See supervisor or department head for the internal departmental procedures for requesting leave.
- II. It is recognized that sickness is not planned and sick leave cannot be requested in advance. When unable to work due to illness, an employee must inform their supervisor immediately and comply with any internal departmental procedures for reporting the inability to report to work.
- III. Submit a completed leave record to Human Resources by the 5th working day of the month.
- IV. When an employee is absent from work for 3 days or more, the supervisor should contact Human Resources no later than the 5th day of the absence so that Human Resources can follow-up to determine if special leave provisions apply.
- V. Leave records will be balanced at least at the end of each calendar year. Human Resources prepares a year end leave summary report and distributes the summary to employees in leave-earning status.

Definitions: The contents of the Leave Policy are defined as follows:

1. **Sick Leave:** Employees holding permanent appointments may earn up to eight hours of sick leave per month. Sick leave is granted to employees who are in active pay status for one half or more of the regularly scheduled workdays and holidays in the pay period. [See section I for additional Sick Leave information.](#)
2. **Family Medical Leave:** Pursuant to the Family Medical Leave Act of 1993 (FMLA), any eligible employee may be granted up to a total of 12 weeks of unpaid, job protected family and medical leave during a 12-month period while retaining employee covered health benefits. [See section II for additional FMLA information.](#)
3. **Family Illness Leave:** Family Illness Leave is an extension of the benefits provided under the Family and Medical Leave Policy. A qualifying employee is eligible for up to 52 weeks of leave without pay during a 5-year period to care for the employee's seriously ill child, spouse, or parent. Although this leave is without pay, an employee may elect to cover some or all of the period of leave taken under this policy by using vacation, sick, voluntary shared leave, or compensatory leave. Health benefits are not covered under Family Illness Leave if an employee is not in active pay status. [See section III for additional Family Illness Leave information.](#)
4. **Disability Leave:** Eligible employees may receive up to one year of short-term disability leave. This leave commences on day 61 of the leave period and covers 50% of the employee's salary. [See section IV for additional disability leave information.](#)
5. **Maternity Leave:** The University shall grant maternity leave to any employee who has a permanent, probationary, time-limited, or trainee appointment when there is a temporary disability caused by or contributed to by pregnancy, miscarriage, childbirth and recovery. [See section V for additional maternity leave information](#) and [section II for requirements under FMLA.](#)
6. **Funeral Leave:** Employees experiencing a death within the immediate family may utilize sick, compensatory and/or vacation leave to cover the missed time from work. See [sick](#), [compensatory](#) and [vacation](#) policies for additional information.
7. **Vacation Leave:** Vacation leave is granted to employees who hold permanent full-time or half-time appointments and who are in active pay status for one-half or more of the regularly scheduled workdays and holidays in the pay period. Vacation leave is earned according to years of service and/or employee classification. [See section VII for additional vacation leave information.](#)
8. **Shared Leave:** An employee with a prolonged medical condition (20 days or more) who has exhausted all available vacation, sick and bonus leave may apply for or be nominated to receive leave transferred from another employee. [See section VIII for additional shared leave information.](#)
9. **Community Service Leave:** In accordance with Executive Order 168 state employees are encouraged to volunteer time and expertise to benefit the diverse and distinct needs of North Carolina secondary schools, communities, and citizens. Employees receive 24 hours per year for volunteer work in schools or 501 (C) 3 community/service organizations or 36 hours per year for tutoring/mentoring activities in schools. [See section IX for additional community service leave information.](#)
10. **Compensatory Leave:** Employees may earn compensatory leave for approved overtime assignments. [See section X for additional compensatory leave information.](#)
11. **Military Leave:** Any full-time or part-time employee whose status is permanent, trainee, time-limited or probationary shall be granted leave for certain periods of service in the uniformed services. [See section XI for additional military leave information.](#)

12. **Educational Leave Without Pay:** Educational leave without pay may be granted to SPA and EPA non-faculty employees for educational purposes that will better equip the employee for the performance of duties and responsibilities. [See Section XII for additional Educational Leave Without Pay information.](#)
13. **Workers' Compensation Leave:** Any employee who suffers an accidental injury or contracts an occupational disease within the meaning of the Worker's Compensation Act is entitled to medical benefits and compensation for lost time from work and any disability which results from the injury. [See section XIII for additional workers' compensation leave information.](#)
14. **Civil Leave:** Leave with pay is provided to employees when serving on a jury or when subpoenaed as a witness. [See section XIV for additional civil leave information.](#)
15. **Leave without pay:** Leave without pay may be granted to a full-time or part-time permanent, trainee, time limited, or probationary employee. Extended leave without pay is defined as leave in excess of one-half the workdays in the month. Benefit eligibility ceases when the employee is on leave without pay for more than half of the workdays in a month. [See section XV for additional leave without pay information.](#)
16. **Adverse Weather Leave:** It is the philosophy of UNC Asheville management to advise employees to exercise personal judgment and use adverse weather guidelines leave when road conditions are considered hazardous. Employees should be encouraged by supervisors to use vacation leave privileges or to make up the time missed when driving is considered hazardous due to adverse weather. [See section XVI for additional adverse weather leave information.](#)
17. **Holiday Leave:** SPA and EPA employees are provided eleven paid holidays per year except in those years when Christmas Day falls on a Tuesday, Wednesday, or Thursday, when policy allows for twelve paid holidays. [See section XVII for additional holiday leave information.](#)
18. **Bonus Leave:** The 2001 Appropriations Act, Part XXVII Salaries and Employee Benefits, Section 28.3A includes a provision for a special annual leave bonus for employees employed with the University as of September 30, 2002. In addition, the 2003 Appropriations Act, Part XXX, Salaries and Employee Benefits, Section 30.12B includes a provision for a Special Annual Leave Bonus of 80 hours of bonus leave for employees who were eligible for vacation leave on July 1, 2003. The 2005 Appropriations Act, Section 29.14A, includes a provision for 40 hours of bonus leave for employees eligible to earn vacation leave on September 1, 2005.

This bonus leave program is available to EPA and SPA permanent full-time, part-time, probationary, trainee, and time limited employees. Permanent, probationary, trainee, and time limited full-time employees are awarded a maximum of 80 hours while part-time employees receive a pro-rated amount. [See section XVII for additional bonus leave information.](#)

Approved on:
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UNC Asheville Leave Policy

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Section I: Sick Leave

Sick Leave Eligibility:

- All full-time permanent, probationary, time-limited, and trainee SPA and EPA employees who are in pay status for one-half or more of the regularly scheduled workdays and holidays in any month shall earn sick leave at their full rate for the month.
- All part-time permanent, probationary, time-limited, and trainee SPA and EPA employees with half-time or greater appointment types (minimum of twenty hours per week) that are in pay status for one-half or more of the regularly scheduled workdays and holidays shall earn sick leave on a prorated basis.

Amount of Sick Leave Earned:

- All eligible employees shall earn sick leave at the rate of 8 hours per month (96 hours per year) for full-time employment and all eligible part-time employees will earn sick leave on a prorated basis.

Sick Leave Accumulation:

- Sick leave is cumulative indefinitely.
- Vacation leave in excess of 240 hours on December 31 of each year shall be converted to sick leave.

Advancement of Sick Leave:

- At the discretion of management, an employee may be advanced sick leave not to exceed the amount an employee can accumulate during the remainder of the current calendar year. Authorization to advance sick leave may be granted by the department head. It is the responsibility of the department head to ensure that the employee makes up the leave deficiency within the calendar year or repays the University for any overpayment of salary.
- It is important to note that if personal illness continues after all sick leaves has been exhausted, it is a usual practice to exhaust any vacation leave that is available. However, if the employee chooses, he or she may retain all or part of the vacation leave by requesting to be removed from the payroll and placed on leave without pay.

Uses of Sick Leave:

- Sick leave is intended for use by the employee when illness or injury occurs that prevents the performance of assigned duties. In addition, sick leave may be used for the following:
 - Medical Appointments
 - Period of temporary disability connected with child bearing.
 - On-the-job injury. ([See worker's compensation.](#))
 - Illness of a member of the employee's immediate family. For this purpose, immediate family is defined as spouse, parents, and children (including step relationships). Leave may also be taken for the illness of other dependents living in the employee's household.
 - Death of a member of the employee's immediate family. For this purpose, immediate family is defined as spouse, parents, children, brother, sister, grandparents, and grandchildren. Also, included are the step, half, and in-law relationships.
 - An employee can transfer sick leave to an immediate family member who has been approved for the Voluntary Shared Leave Program.
 - Adoption of a child, limited to a maximum of 30 days for each parent (which is equivalent to a biological mother's *average* period of disability) Note: This is interpreted to mean at the time of physical possession of the child and the parent has either adopted or is in the process of adoption.

Verification of Use of Sick Leave:

- To avoid the abuse of sick leave privileges, the department head may require that the employee submit a statement from a medical doctor or other acceptable proof that the employee was not able to work due to personal illness, family illness or death in the family. However, caution should be exercised to ensure that such action is not discriminatory. Also, it is advisable that the employee be given advance warning that this will be required.

Calculation of Sick Leave Charges:

- Only scheduled work hours shall be charged in calculating the amount of leave taken. For example, Saturdays, Sundays, and/or holidays are charged only if they are scheduled workdays.

Disposition of Sick Leave upon Separation:

- The employee is not permitted to use or be paid for unused sick leave upon separation. Please note that the date of separation (for reasons other than retirement) is the employee's actual last day of work.
- Sick leave may be exhausted prior to participation in the Disability Income Plan.
- If an employee separates and is overdrawn on leave, it will be necessary to make deductions from the final salary check.
- When an employee retires, unused sick leave may extend creditable service for retirement purposes by allowing one additional month of service for each 20 days, or any portion thereof.

Transfer of Sick Leave:

- Unused sick leave shall be transferred when an employee transfers between State agencies. Sick leave may also be transferred to or from an approved local agency of Mental Health, Public Health, Social Services, Emergency Management, a public school, or community college if the head of the employing agency or school administrative unit is willing to accept it.

Reinstatement of Sick Leave:

- Sick leave shall be reinstated when an employee returns from authorized leave without pay or when reinstated within five years from any type of separation.
- Sick leave may be reinstated when an employee returns to State employment within five years after separating from employment with an approved local government, public school, or community college.

Leave Without pay:

- Sick leave will be neither paid nor accumulated during a period of leave without pay.
- Eligible employees shall be granted leave in accordance with the Family and Medical Leave and Family Illness Leave Policies for a period of up to 12 weeks and 52 weeks respectively. [Please see the Family Medical Leave Section.](#)
- If an employee has exhausted all leave including sick and vacation, the employee may investigate the option of the Voluntary Shared Leave Policy. If an immediate family member of an employee is ill, an employee may utilize up to 52 weeks of Family Illness Leave in addition to the 12 weeks allowed by the Family Medical Leave. [Please see the Family Illness Leave Policy.](#)

Note: *Any employee requesting leave for a period of 10 workdays or more due to a serious health condition of the employee or immediate family member(s) will need to submit appropriate medical documentation to the supervisor and the Office of Human Resources. The Office of Human Resources will review the documentation for FMLA eligibility. Details regarding FMLA can be found in Section II of this policy.*

Section II: Family Medical Leave

The purpose of Family Medical Leave is to balance the demands of the work place with the needs of families to promote the stability and economic security of families; to minimize the potential for employment discrimination on the basis of sex by ensuring that leave is available for eligible medical reasons (including maternity-related disability) and for compelling family reasons; and to promote the goal of equal employment opportunity for women and men.

When an employee is absent from work for 3 days or more, the supervisor should contact Human Resources no later than the 5th day of the absence. Human Resources will then contact the employee and check for Family Medical Leave eligibility and possibly return to work requirements.

Employee Eligibility:

- Permanent, probationary, time limited and trainee employees who have been employed with State government for at least 12 months and who have worked at least 1040 hours (half-time) during the previous 12-month period are entitled to a total of 12 workweeks of leave, paid or unpaid, during any 12-month period for one or more specified conditions which are covered under this Act.
Advisory Note: This leave is provided for both spouses even if employed by the same university.
- For the purpose of this policy, the 12-month period is defined as 12 months (OSP 8/2007: forward from the date the employee's family medical leave begins) from the date of the qualifying event.

Qualifying Conditions:

- Birth of a child and care for the child after birth, provided the leave is taken within a 12-month period following birth,
- Care for a child placed with the employee for adoption or foster care, provided the leave is taken within a 12-month period following adoption.
- Care for the employee's child, spouse, or parent, where that child, spouse, or parent has a serious health condition.
- A serious health condition that makes the employee unable to perform the essential functions of his/her position.

FMLA Leave Options

- Eligible employees are entitled to 12 weeks of paid/unpaid leave within a twelve-month period.
- Eligible employees may choose to use the FMLA Leave on an intermittent basis or on a reduced work schedule.

Paid/Unpaid Leave

An eligible employee will be required to substitute accrued vacation leave, compensatory time (and sick leave in cases of serious health condition) for any part of the 12-week unpaid FMLA leave. All benefits accrue during any period of paid leave; however, no benefits or seniority (creditable service) accrue during any period of unpaid FMLA leave.

Definitions

- Parent - a biological or adoptive parent or an individual who stood in loco parentis (a person who is in the position or place of a parent) to an employee when the employee was a child. If an employee requests FMLA to care for an individual who stood in loco parentis, the employee must provide documentation verifying the relationship. If legal records are not available, the employee has the burden of proof and must submit written documentation explaining the relationship covering periods of residence, facts and circumstances. Someone who was in a

position to know of the relationship must verify this documentation through signature and notary.

- Child - a son or daughter who is under 18 years of age or is 18 years of age or older and incapable of self-care because of a mental or physical disability. Child would include: (a) biological, (b) adopted, (c) foster, (d) step-child, (e) legal ward, and (f) child of an employee standing in loco parentis as defined above.
- Spouse - a husband or wife recognized by the State of North Carolina. However, for the purpose of this policy, UNC Asheville recognizes domestic partners. If someone should request FMLA leave for a domestic partner, the individual must present a legal document or written documentation covering residence, facts and circumstances and verifying the relationship through signature and notary. Because FMLA leave is not recognized for domestic partners by federal guidelines, denial of leave for domestic partners cannot be grieved.
- Serious Health Condition - (a) an illness, injury, impairment, and/or physical or mental condition that involves either inpatient care in a hospital, hospice, or residential medical care facility, or that involves continuing treatment by a health care provider; (b) any period of incapacity requiring absence from work of more than three calendar workdays that also involves continuing treatment by a health care provider; or (c) continuing treatment by a health care provider for conditions so serious that, if not treated, would likely result in an absence of more than three calendar workdays. Prenatal care is also included. The period of actual physical disability associated with childbirth is considered a serious health condition and may be subject to family/medical leave regulations, whether as paid or unpaid leave.
- Intermittent Leave or Reduced Work Schedule - an intermittent work schedule is a schedule in which an employee works on an irregular basis and is taking leave in separate blocks of time, rather than for one continuous period of time. The leave period may not exceed the total of the allowed 12-week period.

Administration of Family Medical Leave

- An employee desiring to use Family Medical Leave needs to contact the Human Resources Benefits Manager prior to the requested leave period whenever possible.
- Requests for FMLA Leave must be supported by reasonable proof.
- If an employee is unable to initiate the contact to Human Resources for Family Medical Leave, the department head is responsible for contacting Human Resources to investigate the designation of the leave period as paid or unpaid FMLA leave. The designation must be made on the Family Medical Leave Request Form and must be completed prior to the extension of FMLA Leave.
- If an employee on paid leave has not provided sufficient information to determine whether it is designated as FMLA Leave the department head shall, after a period of 10 workdays, request that the employee provide sufficient information to establish a FMLA-qualifying reason for the needed leave. This does not preclude the department from requesting the information sooner or at any time an extension is requested.
- Employees on FMLA Leave should note on the monthly leave form the designation of the FMLA Leave.
- Employees designated on FMLA Leave have the following options for charging leave:
 - 1) For the birth of a child, the employee may choose to exhaust available vacation and/or sick leave, or any portion, or go on leave without pay; except that sick leave may be used only during the period of disability. This applies to both parents.

- 2) For the adoption or foster care of a child, the employee may choose to exhaust available vacation leave, or any portion, or go on leave without pay;
 - 3) For the illness of an employee's child, spouse, or parent, the employee may choose to exhaust available sick and/or vacation leave, or any portion, or go on leave without pay;
 - 4) For the employee's illness, the employee shall exhaust available sick leave and may choose to exhaust available vacation leave, or any portion, before going on leave without pay. If the illness extends beyond the 60-day waiting period required for short-term disability, the employee may choose to exhaust the balance of available leave or begin drawing short-term disability benefits.
- Employees desiring to work a reduced or intermittent work schedule under FMLA Leave will need to contact the Human Resources Department for further instructions. Employees choosing one of these options will experience a reduction in monthly earning rates.

Notice to Employer

It is the responsibility of the employee to explain the reasons for the FMLA Leave in sufficient detail to allow the University to determine that the leave qualifies under the FMLA. If the employee fails to adequately explain or document the FMLA-qualifying reasons for the leave after a request by the University, leave may be denied. Where the necessity for FMLA Leave for the birth or placement of a child is foreseeable, the employee shall give the University at least 30 days advance notice (before the date the leave is to begin) of the employee's intention to take such leave. In other cases, the employee shall provide such notice as soon as practical. As soon as practical means at least verbal notification to the University within one or two business days of when the need for leave becomes known to the employee. An employee shall at least provide verbal notice to the University of the Need for FMLA Leave and the anticipated timing and duration of the leave. The University may also require an employee to comply with the University's usual and customary notice and procedural requirements for requesting leave. If the employee fails to give timely advance notice when the need for FMLA Leave is foreseeable, the University may delay the taking of FMLA Leave until 30 days after the date the employee requested the need for the FMLA Leave. In some circumstances, employees may need to make the request for FMLA Leave after the fact. If this occurs, employees have two business days upon returning to work to provide the appropriate information in order to be entitled to the protections of FMLA.

Notice to Employee

Once UNC Asheville has acquired knowledge that the leave is requested for a FMLA required reason, the University shall promptly (generally within two business days, absent extenuating circumstances) notify the employee that the leave is designated and will be counted as FMLA Leave. The university may give such notice orally or in writing. If the notice is oral it shall be confirmed in writing, no later than the following payday.

Medical Certification

Any request for FMLA Leave for a serious health condition shall be supported by a certification issued by the health care provider of the eligible employee or of the son, daughter, spouse, or parent of the employee or an individual who has acted in loco parentis to an employee as appropriate. Such medical certification should be attached to the employee's request for FMLA Leave, or in the case of unforeseen leave, generally within two business days after the leave commences. In the case of foreseeable leave, the University may delay the taking of FMLA Leave to an employee who fails to provide timely certification

after being requested by the University to furnish such certification (within 15 calendar days, if practicable), until the required certification is provided. In the case of unforeseeable leave, if the employee does not provide the medical certification within a reasonable time, the University may delay the continuation of FMLA Leave. If the employee never produces the required medical certification, or if the certification does not confirm the existence of a serious health condition as defined under FMLA, then the leave is not FMLA Leave. The employee may be subject to disciplinary action up to and including dismissal for failure to provide approved documentation to support the absence from work. In any case in which the University has reason to question the appropriateness of the leave or its duration the University may request certification at some later date. If the University has reason to doubt the validity of the certification provided to UNC Asheville, the University may require, at its expense, that the eligible employee obtain the opinion of a second (or third) health care provider.

Confidentiality

All records and documents relating to medical certifications, re-certification or medical histories of an employee's family members, shall be maintained by Human Resources in a separate medical file from the employee's personnel file, and shall be treated as confidential medical records in accordance with the Americans with Disabilities Act of 1990 (ADA) and The Health Insurance Portability and Accountability Act of 1996 (HIPAA).

Fitness for Duty/Notice of Intent to Return to Work

UNC Asheville may require an employee on FMLA Leave to report periodically on the employee's status and intent to return to work. The University shall require that the employee provide reasonable notice within two business days, where foreseeable, of a change in circumstances or duration of FMLA Leave. As a condition of restoration for any employee who has taken FMLA Leave for the employee's own serious health condition (except for intermittent leave), the University shall require the employee to obtain (at the employee's expense) and present certification from the employee's health care provider. This information should include the particular health condition that caused the employee's need for the FMLA Leave and that the employee is able to resume work. The University may delay restoration to employment until an employee submits a required fitness for duty certification. Unless the employee provides either a fitness for duty certification or a new medical certification for a serious health condition at the time FMLA Leave is concluded, the employee may be terminated.

Restoration to Work

Except as provided below under "Exemption", any eligible employee who takes approved FMLA Leave shall be entitled, upon return from such leave:

1. To be restored by the University to the same position of employment held by the employee when the leave commenced; or
2. To be restored to an equivalent position with equivalent employment benefits, pay, and other terms and condition of employment.

If the employee is unable to perform an essential function of the position because of a physical or mental condition, including the continuation of a serious health condition, the employee has no right to restoration to another position under the FMLA. However, the University will review such situations on a case-by-case basis under the ADA.

Exemption:

If the employee is a salaried FMLA-eligible employee who is among the highest paid 10 percent of all University (i.e., a "key employee"), the University may deny restoration of such employee if the denial is necessary to prevent substantial and grievous economic injury to the operations of the University, and after notification to the employee to that effect, the employee elects not to return to employment.

Group Health Plan Coverage

- UNC Asheville shall maintain coverage for the employee under the State's group health plan for the duration of the 12-week FMLA leave period at the level and under the conditions coverage would have been provided if the employee had continued employment.
- Any share of health plan premiums paid by the employee prior to leave must continue to be paid by the employee during the leave period.
- The University must give advance written notice to employees of the terms for payment of premiums during FMLA leave.
- The University's obligation to maintain dependent health insurance coverage stops if an employee's premium payment is more than 30 days late. The University must provide the employee with at least 15 days notice that coverage will cease.
- If an employee's failure to make the premium payments leads to a lapse in coverage, the University must still restore the employee, upon return to work, to the health coverage equivalent that employee would have had if leave had not been taken and premium payments had not been missed without any waiting period or pre-existing conditions.
- The University may recover the premiums if the employee fails to return for a reason other than the continuation, recurrence, or onset of a serious health condition of the employee or the employee's immediate family member, or other circumstances beyond the employee's control.

Other Benefits

An employee's entitlement to benefits other than group health benefits during a period of FMLA Leave shall be determined by the University's policy regarding benefits for other types of leave (paid or unpaid, as appropriate). Maintenance of health insurance policies that are not a part of the University's group health plan (where no contributions are made by the University) is the sole responsibility of the employee.

Taking FMLA Leave shall not result in the loss of any employment benefit accrued prior to the date on which the leave commenced. However, an employee is not entitled to the accrual of any seniority or employment benefits during unpaid FMLA Leave.

No Retaliation

UNC Asheville shall not interfere with an eligible employee's rights under the FMLA, shall not discharge or otherwise discriminate against employees who exercise such rights, and shall not retaliate against employees who file, initiate or otherwise assist in charges or investigation against the University.

Rights and Obligation of Employees

When an employee provides notice of the need for FMLA Leave, the University shall provide the employee with a Notice (within two business days, if feasible) detailing the specific expectations and obligations of the employee and explaining any consequences of a failure to meet these obligations.

Section III: Family Illness Leave

Under the Appropriations Act of 2001, Senate Bill 1115, Section 28.3b an additional 52 weeks of Family Illness Leave was granted to eligible state employees. The purpose of Family Illness Leave is to provide an employee the opportunity to care for the employee's child, parent or spouse where that child, parent or spouse has a serious health condition. It is not provided for the employee's illness.

Family Illness Leave is an extension of the benefits provided under the Family and Medical Leave Policy. In order to differentiate it from the 12 weeks provided under the Family and Medical Leave Policy, it is being called Family Illness Leave.

An employee may choose whether to use Family Illness Leave and/or Family and Medical Leave.

Definitions

See the Family and Medical Leave Policy for [definitions of child, parent, spouse, and serious health condition](#).

Covered Employees and Eligibility

An employee's eligibility for Family Illness Leave shall be made based on the employee's months of service and hours of work as of the date the leave is to commence. An employee is eligible if:

- Full-time permanent, probationary, trainee, or time-limited and has 12 months total service with the State
- Part-time (half-time or more) permanent, probationary, trainee, or time-limited and has been in pay status at least 1040 hours during the previous 12 months
- Temporary employees are not eligible for Family Illness Leave

Amount of Leave

A qualifying employee (full-time or part-time) is entitled to up to 52 weeks of leave without pay during a 5-year period to care for the employee's seriously ill child, spouse, or parent. Although this leave is without pay, an employee may elect to cover some or all of the period of leave taken under this policy by using vacation, sick or voluntary shared leave. Compensatory Leave may also be used. Example: An employee may take 24 weeks of leave (paid or unpaid) beginning on January 1, 2005 and have an eligible balance of 28 weeks until January 1, 2010. All periods of designated Family Illness Leave, whether paid or unpaid, count towards the 52 weeks to which the employee is entitled. This includes leave taken under the Voluntary Shared Leave Policy.

Intermittent Leave or Reduced Work Schedule

Family Illness Leave may be taken intermittently and must be in units of one hour or more. If taken on a reduced work schedule, it cannot span more than a 52-week period.

Note: *If the employee is in non-pay status more than 1,040 hours (26 weeks) through use of Family Illness Leave or otherwise, the employee would not qualify for Family Medical Leave the following year since the required 1,040 hours in pay status within the previous year would not be met.*

Health Insurance

While on **unpaid** Family Illness Leave the employee may continue coverage under the State's health insurance program by paying the full premium cost. Failure to continue health insurance coverage may lead to a lapse in coverage that may result in pre-existing condition limitations upon employment reinstatement.

University Responsibility

It is the University's responsibility to determine whether an employee qualifies for this leave. The same certification or recertification requirements may be applied that apply to the Family and Medical Leave.

Employee Responsibility

The employee shall:

- Apply in writing to the supervisor for leave using a Family Illness Leave Request form provided in the Human Resources Office.
- Provide certification required
- Give written notice of intention to return to work at least thirty days prior to the end of the leave
- Return to duty within or at the end of the time granted or notify the University when there is a decision not to return

Failure to provide certification or recertification required by the University may result in dismissal for unacceptable personal conduct or discontinuation of service.

If the employee does not file notice of the intention to return, the University is not required to provide reinstatement but may do so if feasible. Failure to report at the expiration of a leave, unless an extension has been requested and approved, may be considered as a resignation.

Reinstatement

Reinstatement to the same or similar position or one of like pay and level must be made upon the employee's return to work unless other arrangements are agreed to in writing.

Accounting for Leave

Family Illness Leave shall be accounted for separate from Family and Medical Leave or any other type of leave without pay.

Transfer

When an employee transfers to another State agency or University, UNC Asheville shall record on the PD-105 the date Family Illness Leave was first taken and the amount taken.

Grievance

Denial of Family Illness Leave can be grieved through the University's regular grievance process.

Section IV: Disability Leave

Employees having one year of state service (12 months) are covered under the Short-Term Disability Plan sponsored by the state through the Teachers' and State Employees' Retirement System. Employees must contribute to the North Carolina Retirement Plan for 12 months for eligibility. A maximum of one year of disability leave (for either physical or mental disability) is available to eligible employees.

Short-term Disability provides 50% of the employee's salary after a 60-day waiting period for up to one year of the disability. Short-term benefits can be extended up to an additional 12 months if the University receives the appropriate documentation from the employee's doctor verifying that the medical condition will be resolved within the second year and can return to the employee's usual occupation within that second year.

Eligible employees may receive a monthly short-term benefit equal to:

- Fifty (50) percent of their monthly salary, plus;
- Fifty (50) percent of their annual longevity

Monthly benefits during the short-term period cannot exceed \$3,000. This monthly benefit is reduced by any workers' compensation benefit received.

***Note:** An employee can work during the Short Term Leave period and can earn up to half of the current salary as long as the employment is within the Doctor's limitation. The employee must submit form DIP-3 (Employee Request for Payment and Certification of Disability) by the 12th of the month.*

UNC Asheville will continue to pay the employee only health insurance contribution for employees on short-term disability who have 5 or more years of contributing service to the retirement system. The employee will continue to be responsible for dependent coverage. Employees with less than 5 years service may continue their health insurance coverage by paying the employee only premium plus any dependent coverage to the University.

The employee's progress toward recovery will be reviewed quarterly. At these reviews, statements from the attending physician are required and should be directed to the Human Resources Benefits Manager. The Disability Income Plan considers an employee disabled as long as they are unable to perform the job requirements of their usual occupation

Upon the employee's return to work after disability leave, the University will make reasonable accommodation for the employee's disability unless such accommodation would cause the University an undue hardship. The University will endeavor to return the employee to the same job held prior to the disability leave if the employee is able to perform the essential functions of the job, with or without reasonable accommodation(s). However, if on returning to work the employee is under a temporary medical restriction which prevents the employee from performing the essential function(s) of the job, with or without reasonable accommodation(s), the employee will be considered for reassignment to a vacant

position in which the employee can perform the essential functions of the job or may receive a temporary assignment to another position until the medical restrictions are lifted.

Eligibility for long-term disability benefits begin when the employee becomes vested in the retirement system after five years of service. Long-term benefits pay 65% of the employee salary if the employee is deemed permanently and completely disabled to perform the usual occupation.

Section V: Maternity Leave

The University shall grant maternity leave to any employee who has a permanent, time limited, probationary, or trainee appointment when there is a temporary disability caused by or contributed to by pregnancy, miscarriage, abortion, childbirth and recovery. Disabilities resulting from pregnancy shall be treated as any other illness; whereby, the employee may use accrued sick leave for the actual period of temporary disability as determined by the attending physician. Since there is no certainty as to when the disability actually begins and ends, a doctor's certificate shall be required verifying the employee's period of temporary disability. Only the physician may determine when the period of temporary disability begins and when the employee is physically able to return to work.

Procedures to Follow for Use of Maternity Leave

1. The employee should inform her immediate supervisor as soon as she learns of her pregnancy and when there is to be a temporary absence from work for this reason.
2. Prior to the employee's departure on maternity leave, the immediate supervisor should forward to the Human Resources Department a copy of the following forms:
 - The employee written request for maternity leave
 - Doctors certification of the disability
 - The employee leave sheet for the month in which the maternity leave begins
4. Upon return to work, the employee must provide a physician's statement certifying to the supervisor and the Human Resources Department the ability to return to work on a specific date.
5. If the employee decides not to return to work, she must notify her supervisor as soon as possible after the decision is made.
6. In the event an employee does not return to work or fails to notify the supervisor regarding such decision, action will be taken to terminate employment immediately thereafter.
7. If there is a change in the employee's physical condition while on leave that would change the return to work date, a revised physician's statement should be provided to the supervisor and the Human Resources Department.
8. In any case of doubt concerning the employee's ability to perform her assigned duties during pregnancy, the University reserves the right for a second medical opinion.

Leave Charges

Accrued Leave:

- An employee placed on maternity leave who has been declared by the physician as temporarily disabled may begin to exhaust any accrued leave to include sick leave, vacation, bonus leave or comp time or may elect to retain it. Such leave would begin on the first regularly scheduled workday from the absence due to the pregnancy related disability.
- Sick leave may be exhausted only during the period of temporary disability as documented by the physician.
- If accrued leave is not available for use during all or part of a period of temporary disability due to pregnancy, the employee may apply for shared leave or be placed on leave without pay.

- If an employee on maternity leave resigns, any remaining unused vacation leave up to 240 hours will be paid in a lump sum, as will any remaining bonus leave.

Reinstatement Rights

An employee returning from maternity leave will normally be:

- Reinstated to the position and duties previously held at the time of the leave or offered another position with similar status and pay, if the previous position is not available for justifiable, non-discriminatory reasons such as elimination of the function. Any proposal that would assign an employee returning from maternity leave to a position or duties different from that held at the time maternity leave began must be approved in advance by the Director of Human Resources to ensure compliance with State/Federal laws and regulations.

Section VI: Funeral Leave

State policy does not provide separate funeral leave but does have provisions for employees to use sick leave in the event of the death of an immediate family member. [Please refer to Section I: Sick Leave for complete details.](#) Vacation leave, bonus leave, compensatory leave and leave without pay may also be exhausted for attendance at a funeral upon request of the employee. Please see specific leave policy for details regarding its use.

Section VII: Vacation leave

UNC Asheville provides vacation leave to all SPA and EPA employees who are in permanent, probationary, time limited, or trainee status; and employees who hold a half-time or greater appointment are eligible to receive vacation leave on a pro-rated basis. Employees must be in active pay status for more than half of the working days in the month to be eligible for vacation leave.

Note: Bonus Leave was granted through legislative Appropriations Acts to eligible employees in 2002, 2003 and 2005, and is separate and apart from vacation leave. Payouts and maximums referred to in this policy do not include bonus leave.

SPA Employees

Employees who are subject to the State Personnel Act earn vacation leave according to the hourly rates based on the length of total state service. Leave for part-time employees shall be computed on a pro-rated basis. Leave rates are as follows:

Years of Total State Service	Hours Earned Each Month	Hours Earned in One Year
Less than 2 years.....	7 hrs. 50 mins.....	94
2 but less than 5 years.....	9 hrs. 10 mins.....	110
5 but less than 10 years.....	11 hrs 10 mins.....	134
10 but less than 15 years.....	13 hrs 10 mins.....	158
15 but less than 20 years.....	15 hrs 10 mins.....	182
20 years or more.....	17 hrs 10 mins.....	206

EPA Employees

An EPA employees who is classified as a Tier I Senior Officer shall be entitled to 26 workdays of annual leave each year. All other EPA employees, including Tier II, are entitled to 24 workdays of annual leave each year. Leave is accrued on a monthly basis.

Maximum Accumulation

Vacation leave may be accumulated without any applicable maximum until December 31 of each calendar year. However, if the employee separates from service, payment for accumulated leave shall not exceed 240 hours. On December 31, any employee with more than 240 hours of accumulated leave shall have the excess accumulation converted to sick leave so that only 240 hours are carried forward to January 1 of the next calendar year.

Advancement of Vacation Leave

At the discretion of management, employees may be advanced the amount of leave that can be earned during the remainder of the calendar year. Authorization to advance leave may be granted by the department head and confirmed with the Human Resources Office. It is the responsibility of the department head to ensure that the employee makes up the leave deficiency within the calendar year or repays the University for any overpayment of salary because of overdrawn vacation leave. Any overdrawn balance owed to the University at the end of the calendar year will be withdrawn from the next

paycheck. Upon termination of employment, the employee must repay the University for any overpayment of salary because of overdrawn vacation leave.

Scheduling Vacation Leave

Vacation leave may be taken only when approved in advance by the supervisor and/or department head who may designate such time when it will least interfere with the efficiency of the department. Employees' preferences should be considered and schedules worked out bearing in mind individual and department needs.

Uses of Vacation Leave

The employee may use vacation leave for any personal reason to include the following:

- Vacation/Personal Leave
- Medical Appointments/Illness
- Absences from work due to adverse weather conditions
- On the job injury
- Funeral Leave
- Maternity Leave
- FMLA
- Shared Leave
- Family Illness Leave

Leave Charges

- Leave to be paid as terminal leave and leave to be exhausted before disability retirement or leave without pay shall be in units of one hour.
- Only scheduled work hours shall be charged in calculating the amount of leave taken. For example, Saturdays, Sundays, and/or holidays are charged only if they are scheduled workdays.

Payment of Vacation Leave When Separated

- Lump sum payment for leave is made only at the time of separation. An employee will be paid in a lump sum for accumulated leave not to exceed a maximum of 240 hours (pro-rated for part-time employees) when separating from the University. An employee is not entitled to any scheduled holiday occurring after the last day of work, except when the last day of the month is a holiday and the employee is in pay status through the last available workday. The last day of work is the date of separation.
- Employees separating from State service due to service retirement or early retirement may elect to exhaust vacation leave after the last day of work but prior to the effective date of retirement. All benefits accrue while leave is being exhausted. If leave is exhausted, the last day of leave is the date of separation and any unused leave not exhausted must be paid in a lump sum not to exceed 240 hours. If no leave is exhausted, the last day of work is the date of separation. (Example: An employee retiring effective July 1 could establish the last day of work as June 16,

and exhaust 80 hours of leave through the end of June and receive the unused balance up to 240 hours, in a lump sum. The date separated would be June 30.)

- If an employee separates and is overdrawn on leave, it will be necessary to make deductions from the final salary check.

Transferable Leave and Creditable Service

UNC Asheville accepts the transfer of leave according to State Policy. Credit shall be given for:

1. Permanent employment with any State agency (20 hours or more a week)
2. Public School System of North Carolina
3. Community College System
4. Administrative Office of the Courts
5. Social Services (Except Wake County as of 12/6/96)
6. Mental Health (Except Wake County as 12/6/96)
7. Health Department (Except Wake County as of 12/6/96)
8. Alcoholic Rehabilitation Centers (ARC) (Except Wake County as of 12/6/96)
9. Cooperative Extension Services (Formerly County Agriculture Extension Service)
10. Military Leave

Credit shall not be given for:

1. Temporary service (except General Assembly Employees)
2. Out-of-State Service
3. Federal Employment
4. City Government
5. County Employment (Except as Indicated Under Creditable Service Above)
6. Sheriff's Department
7. Police Department
8. Period of Leave-Without- Pay (Except Military and Worker's Compensation)

Employees leaving State Service or transferring to another State organization may be paid a lump sum for accumulated leave not to exceed 240 hours (pro-rated for part-time employees) with the exception of Bonus Leave. If the organization accepts a part of the leave, the combination of the amount transferred and paid shall not exceed 240 hours.

Section VIII: Shared Leave

There are occurrences brought about by serious and prolonged medical conditions that cause employees to exhaust leave and therefore be placed on leave without pay. It is recognized that employees forced to go on leave without pay could be without income at the most critical point in their work life. Employees who want to assist their fellow workers by donating leave can do so through the Voluntary Shared Leave Program.

Eligibility

Full-time or part-time (half-time or more) employees who are in permanent, probationary, trainee or time-limited positions are covered by the Voluntary Shared Leave Program. Temporary, intermittent or part-time (less than half time) employees are not eligible.

A prolonged medical condition or prolonged period of time is defined as an occurrence lasting 20 or more consecutive workdays. If an employee has had previous random absences for the same condition that has caused excessive absences, or if the employee has had a previous, but different, prolonged medical condition within the last twelve months, the university may make an exception to the 20-day period.

General Guidelines

- Leave must be donated from vacation (unless the recipient is an immediate family member).
- An employee cannot donate from the vacation leave account if the balance will fall below one-half what can be earned in 12 months.
- Bonus leave can be donated if the donor does not have sufficient vacation leave available to donate.
- Leave donated will be added to the recipient's sick leave balance limiting its use for sickness only.
- The minimum donation allowable is four hours.
- Leave shall be donated on a one-to-one personal basis. Establishment of a leave "bank" is expressly prohibited.
- The donation and receipt of leave shall be completely voluntary, and anyone who interferes with an employee's right to choose whether to donate or receive leave shall be subject to disciplinary action on the basis of personal misconduct.
- Individual leave records are confidential and only involved individuals may reveal their donation or receipt of leave.
- The employee donating leave cannot receive remuneration for the leave donated.
- Upon return to work the recipient will be allowed to retain up to 40 hours in their sick leave account.
- Any additional unused donated leave beyond 40 hours will be returned to the donor(s) on a pro-rated basis and credited to the leave account from which it was donated. Fractions of the hour shall not be returned to an individual donor.
- If a recipient of shared leave separates from State Government, participation in the program ends. Donated leave remaining in the recipients account shall be returned to the donors' accounts on a pro-rated basis.

- An immediate family member donor of any agency, public school or community college may contribute vacation/bonus leave or sick leave to another immediate family member in any agency, public school or community college.
- A non-family member donor may contribute vacation or bonus leave to another employee in any State agency. A non-family member may share leave with a coworker's immediate family member who is an employee in a public school or a community college. The employee and coworker must be in the same agency.

Recipient Requirements

- When requesting shared leave, the employee or the immediate supervisor must complete and forward the Voluntary Shared Leave Application form including the physician certification to the Human Resources Office. All medical information is confidential. When disclosing information about an applicant the Human Resources Office will state only that the applicant or family member has a "prolonged medical condition." If the employee or family member wishes to make the medical status public, the employee or family member must sign a release to allow the status to be known.
- An employee must exhaust all types of leave prior to eligibility for the voluntary shared leave program. While using voluntary shared leave, the employee continues to earn vacation and sick leave. This earned vacation and sick leave should be used each month prior to any donated leave.
- An employee's participation in the Shared Leave Program must occur prior to an application for the Disability Income Plan of North Carolina.
- Upon return to work, an employee is allowed to retain 40 hours of the donated leave in his sick leave account. Any remaining leave over 40 hours will be returned to the donors on a pro-rated basis and will be added back to the donors' leave balances in the leave reporting period immediately following the employee's return to work. This action is reflected in the adjustments column of the employee's monthly leave report.
- An employee on Workers' Compensation Leave who is drawing temporary total disability compensation may be eligible to participate in this program. Use of donated leave under the Workers' Compensation Program would be limited to use with the supplemental leave schedule.
- An employee may not solicit for shared leave; however, a fellow employee may nominate an employee for participation in the program.
- An employee's participation in Shared Leave is limited to 1,040 hours either continuously or, if for the same condition, on a recurring basis. However, a continuation may be granted month by month for a maximum of 2,080 hours, if management would otherwise have granted leave without pay.

Section IX: Community Service Leave

Policy Overview

In recognition of the State's diverse needs for volunteers to support schools, communities, citizens and non-profit organizations, and recognizing the commitment of UNC Asheville employees to engage in volunteer service, Community Service Leave may be granted to:

- Parents for child involvement in the schools;
- Any employee for volunteer activity in the schools or in a community service organization or;
- Any employee for tutoring and mentoring in the authorized schools.

Definitions

- Community Service Leave is defined as:
 1. Meeting with a teacher or administrator concerning the employee's child.
 2. Attending any function sponsored by the school in which the employee's child is a participant. This provision shall only be utilized in conjunction with non-athletic programs that are a part of or supplement to the school's academic or artistic program.
 3. Donating time to perform school approved volunteer work approved by a teacher, school administrator, or program administrator.
 4. Donating time to perform a service for a community service organization. This does not include attendance or participation in an event in which no service is performed.
- School (public or private) - one that is authorized to operate under the laws of the State of North Carolina and is an elementary, middle, high school, or childcare program.
- Child - a son or daughter who is a biological, adopted, foster, or step child, or a legal ward of an employee, or a child of an employee standing in loco parentis.
- Community Service Organization - a non-profit, non-partisan community organization, which is designated as an IRS Code 501(C)(3) agency, or a human service organization licensed or accredited to serve citizens with special needs including children, youth, and the elderly.
- Mentoring/tutoring leave option - is used exclusively for mentoring/tutoring a student in accordance with the established standard rules and guidelines for such arrangements as determined and documented by joint agreement with the employee's department and school where the mentoring/tutoring occurs. The amount of Community Service Leave is one (1) hour of community service leave each week, up to a maximum of 36 hours, as documented by the board of the local education agency or the governing authority of any non-public school.

Advisory Note: *If an employee chooses to change options during the calendar year, the maximum hours that may be granted is the maximum allowed under the new option chosen minus the amount of hours already used.*

Service does **not** include activities designed to promote religious beliefs such as teaching or leading religious assemblies or in raising funds to support religious activities. Service **does** include support for religious organizations such as working in soup kitchens, homeless shelters and/or other community activities.

Eligibility Requirements and Leave Credits

EPA and SPA employees who hold the below appointments are eligible to participate in Community Service Leave and will be granted one of the two leave credit options each calendar year.

- Full-time permanent appointments including probationary, trainee and time limited- receive 24 hours a year for volunteer services or one hour per week (up to a maximum of 36 hours) for mentoring/tutoring in the school system.
- Part-time permanent appointments working 20 hours or more per week receive pro-rated leave credit amounts that are equal to the percentage of full-time appointments according to one of the two leave options.
- Temporary, intermittent, or part-time appointments (less than half-time) are not eligible to participate in the Community Service Leave Program.
- Employees who are eligible to participate in the Community Service Leave Program are credited with twenty-four (24) hours of paid leave on January 1 of each year, unless the employee requests the mentoring/tutoring option. New employees shall be credited with leave immediately upon their employment, pro-rated at two hours per month for the remainder of the calendar year.

Approval of Leave

Employees must receive prior approval from their supervisor to use this leave. The supervisor or other management representative may require that the leave be taken at a time other than the one requested, based on the needs of the department. The employee's supervisor may require acceptable proof that leave requested is within the purpose of this policy.

Inter-Agency Transfer

If an employee transfers to another State agency, any balance of community service leave not used shall be transferred to the new agency. Under the mentoring/tutoring option, the employee should secure approval from the new supervisor prior to the transfer so that any necessary changes may be communicated to appropriate officials.

Policy Restrictions

- Leave not taken in a calendar year is forfeited; it will not be carried over into the next calendar year.
- Employees shall not be paid for this leave upon separation from State Government.

Additional Time for Community Service Activities

In certain cases, UNC Asheville may allow an employee additional time away from regular duties above the 24 hours of paid leave to perform significant community service activities with provisions for the employee to make up the time. Hours worked in excess of forty during a workweek would constitute overtime under Federal regulations for FLSA non-exempt employees; therefore it will be necessary for make-up time for these employees to be limited to the workweek in which the time is lost or in a week when the employee has not worked a full work schedule due to such absences as holidays, vacation, sick leave, etc.

The following guidelines for granting additional time apply:

1. The amount of time that any employee may be allowed is left to the discretion of the employee's department head.
2. All arrangements for community service leave time may be interrupted or suspended when the department's operations require.
3. Considerations of employee requests should include:
 - The nature of work since all jobs do not permit rearrangement of work schedules.
 - The quality of the employee's job performance.
 - Indication from the supervisor that unit performance can be maintained.
 - Any special circumstances, such as the importance of the community service activity in support of the mission of UNC Asheville.

Partisan Political Involvement

Partisan political activity during State time and the use of State equipment or supplies for such purposes are not permitted. Special care must be taken to avoid any possible interpretation that the State is, in fact permitting time off and in so doing supporting a political candidacy.

Records

Supervisors who approve Community Service Leave shall maintain records indicating the number of employees involved and the number of hours used by each employee.

Special Leave Provisions

In addition to the above leave provisions; there are special guidelines that apply to Emergency Services, Blood Marrow Donor ship, and Disaster Service Volunteer with the American Red Cross.

1. Emergency Services-The Chancellor or appointed designee is authorized to establish a policy providing time off with pay to employees participating in volunteer emergency and rescue services within a limited area around their workstation. The Chancellor or authorized designee is responsible for determining if a bona fide need for such services exists within a given area. A bona fide need is defined as real or eminent danger to life or property.
2. Blood and Bone Marrow Donor ship-Employees are encouraged to use the privilege and opportunity to participate in life giving through blood and bone marrow donorship. It is a State policy to allow employees reasonable time off from work with pay for whole blood donation, pheresis procedure, and for a bone marrow transplant without the use of vacation leave. Seldom should donorship involve more than an hour and one-half away from work. It is intended that this policy be applied uniformly throughout the University.
3. Disaster Service Volunteer Leave-During bona fide disaster situations, UNCA may grant employees leave with pay, not to exceed 15 workdays in any 12 month period, to participate in specialized disaster relief services. The decision to grant leave rests in the sole discretion of the Chancellor of UNC Asheville based on the work needs of the University. To qualify for leave the employee:
 - Be a certified disaster service volunteer of the American Red Cross and;
 - Be asked by the American Red Cross to participate.

The disaster must:

- Be within the State of North Carolina, and
- Be designated at Level III or higher in the American National Red Cross Regulations and Procedures.

While on disaster leave, the employee will:

- Be compensated at the regular rate of pay, and
- Not lose seniority, pay, vacation leave or earned overtime accumulation.

Duties performed while on disaster leave will not be considered a work assignment. Neither UNC Asheville nor the State of North Carolina will be liable for workers' compensation claims arising from accident or injury while the employee is on Emergency Services assignment.

Section X: Compensatory Leave

Purpose:

The purpose of this policy is to provide guidelines and procedures for compensatory leave for both exempt and non-exempt employees of The University of North Carolina at Asheville. Procedures set forth in this policy separates exempt and non-exempt employees in order to comply with the Fair Labor Standards Act (FLSA). Fair Labor Standards Act (FLSA) provides for two classes of employees:

- Employees who are subject or non-exempt, and
- Employees who are exempt.

Definitions:

- Non-exempt employees: Those employees designated as non-supervisory such as, Office Support, Maintenance and Security personnel.
- Exempt employees: Those employees designated as Executive, Administrative and Professional within the University. This includes EPA and certain SPA positions. *(These definitions do not apply to EPA and SPA status as defined by the State Personnel Act.)*
- Workweek – The University’s standard workweek begins at 6:00 a.m. Sunday morning and ends at 5:59:59 a.m. the following Sunday morning.

Guidelines for Compensatory Time:

Non-Exempt Employees (non-supervisory employees)

I. Management/Supervisory Responsibilities:

- It is the policy of the State of North Carolina to give overtime compensation in the form of compensatory time off, rather than in monetary compensation whenever possible. UNC Asheville will administer the provision of overtime pay in the best interest of the University.
- Compensatory time can be earned only with the approval of the supervisor. It is the duty of the supervisor to ensure the necessity of compensatory time to complete the work.
- It is the responsibility of management to not schedule compensatory leave periods during times that would disrupt University operations.
- It is the responsibility of each supervisor to schedule an employee’s compensatory leave and ensure that the employee’s leave sheets are accurate and forwarded to the Human Resources Department. It is the supervisor’s responsibility to contact the payroll office when an employee is due overtime pay due to the compensatory time not given during the appropriate timeframe.

II. Procedures for Non-exempt Employees

- Compensatory time can be earned for travel time to and from a work site other than the regular work site.
- Compensatory time can be earned for on-call and emergency callback. [Please refer to the On-Call/Emergency Callback policy.](#)
- Compensatory time must be earned before it is taken.

- Compensatory time remaining at the time of resignation will be paid.
- Compensatory time is earned at the rate of one and one half times hours worked beyond 40 hours during a week. Employees must physically be on the job for 40 hours per week in order to earn one and one-half time for any hours worked over the 40 hours.
- Compensatory time may be accumulated up to a maximum of 240 hours (160 hours straight time). Hours over 240 must be paid to the employee. The department should contact payroll for procedures to initiate payment.
- All compensatory time earned and taken will be recorded on the monthly leave sheet.
- In taking vacation, compensatory time must be used prior to using the earned vacation days. In taking sick leave, the employee and supervisor may decide together if the employee can use compensatory time prior to using earned sick leave.
- Compensatory time shall be taken within twelve months from the date overtime is earned.

Exempt Employees: (Executive, Administrative, and Professional)

I. Management/Supervisory Responsibilities:

- Compensatory time may be accrued for exempt employees at the discretion of the department head. *In recognizing the varied work demands of each division, each department head in consultation with the Vice Chancellor, has the obligation and responsibility to determine all parameters concerning the compensatory time guidelines for their area.*
- It is recognized that exempt employees may be required to work more than 40 hours per week in order to effectively accomplish the goals of the University; therefore, it is expected that these employees should be allowed to take a reasonable amount of compensatory leave when such leave does not disrupt University operations.
- Compensatory time can be earned only with the approval of the supervisor. It is the duty of the supervisor to ensure the necessity of compensatory time to complete the work. Department Heads in consultation with the Vice Chancellor may, at their discretion, designate critical periods when compensatory will not be granted or will be limited.
- Compensatory time can only be taken with the approval of the supervisor. *Department Heads in consultation with the Vice Chancellor may, at their discretion, designate critical periods when compensatory may be used. Examples of such designated time may include the holiday break and/or adverse weather.* The denial of use of compensatory time cannot be grieved.

II. Procedures for Exempt Employees

- Compensatory time will not be earned for travel time. Travel time within normal work hours will be considered work time.
- Compensatory time cannot be earned for attendance at meetings such as professional associations. These hours will be considered normal work hours only and cannot exceed a normal workday.
- Compensatory time can be earned for on-call and emergency callback. [Please refer to the On-Call/Emergency Callback policy.](#)
- Compensatory time must be earned before it is taken.

- Compensatory time remaining at the time of resignation will be forfeited.
- Compensatory time is earned on an hour for hour basis. Employees must physically be on the job for 40 hours per week in order to be eligible for compensatory time earnings.
- The maximum accumulation of compensatory time at any one time is 240 hours.
- In taking vacation, compensatory time must be used prior to using the earned vacation days. In taking sick leave, the employee and supervisor may decide together if the employee can use compensatory time prior to using earned sick leave days.
- Compensatory time cannot be transferred to any other type of leave or to another state agency or department within the University.
- All compensatory time earned and taken will be recorded on the monthly leave sheet.

Initial Implementation Guidelines:

- The compensatory time policy was implemented as a pilot program on January 1, 2004.
- The pilot program was reviewed in December 2004 to determine feasibility of continuance, and the program was recommended for continuance.
- Since it was decided to continue the compensatory time policy as standard procedure, this policy will be reviewed annually.

Special Provisions for Exempt Employees During Time of Major Disaster

During times of a gubernatorial declaration of a state of emergency/disaster when employees are required by management to work overtime or perform law enforcement or response/recovery activities, the University is authorized by the Office of State Personnel to pay overtime at straight time rates pending approval from the Office of State Budget and Management. Supervisors should contact the Human Resources Department if such a situation should arise.

Section XI: Military Leave Guidelines

Objective:

Leave shall be granted to employees of the State for certain periods of service in the uniformed services. No agent or employee of the State shall discriminate against any employee of the State or applicant for State employment because of their membership, application for membership, performance of service, application for service or obligation for service in the Uniformed Services.

Covered Employees

Employees who hold permanent full-time or part-time (half-time or more), probationary, trainee, or time-limited appointments are eligible for military leave.

Due to the complexity of the regulations of the state policy that govern Military Leave, below is a summary of the main points. This summary is not intended to replace the state policy but is provided as a quick reference. Please refer to the Military Leave Policy found at:

<http://www.osp.state.nc.us/manuals/2002/MilitaryLeave.pdf>

Definitions

1. Service in the Uniformed Service – The performance of duty on a voluntary or involuntary basis in a uniformed service under competent authority and includes:
 - Active duty (extended active duty; mobilization or call up of reserve components)
 - Active duty for training of reserve components (annual training – usually two weeks or special schools)
 - Initial active duty for training (initial enlistment in reserve or National Guard)
 - Inactive duty training (drills – usually on weekends)
 - Full-time National Guard (usually a three year contract)
 - A period for which a person is absent to determine fitness of the person to perform such duty.
2. National Guard – A reserve of the U.S. Armed Forces. The N.C. Army and Air National Guard respond to the Governor as Commander in Chief and serve as the military arm of State government and respond to the President of the U.S. in time or war.
3. Uniformed Services includes:
 - Armed Forces and the Reserve Components (Army, Navy, Air Force, Marine Corps, Coast Guard, Army and Air National Guard)
 - Commissioned Corps of the Public Health Services
 - Any other category of persons designated by the President in time of war or national emergency
 - Also included are the Civil Air Patrol and State Defense Militia in accordance with the Special Provisions outlined at the end of this policy.

Training

The University of North Carolina at Asheville provides:

- Up to 120 hours leave with pay per federal fiscal year October 1 through September 30.
- Eight (8) hours recoup time before and after military duties/training as part of the 120 hours, LWOP or vacation
- Leave with pay for required physical exams in addition to the 120 hours

Involuntary Service

In order for employees to count separate periods of involuntary service, employees must return to work and receive new orders for active duty assignments. This does not apply to employees who receive an extension to an existing active duty or to employees who complete an assignment and prior to reporting to work orders for another assignment. The University provides:

- Thirty (30) days of full pay
- Differential pay for the duration of the involuntary service after the thirty days (the difference between the employee's military compensation and the UNC Asheville compensation if the military compensation is less.)

Employee Responsibility of Notification

In order for an employee to be eligible to receive differential pay for the duration of the involuntary service, the employee must provide to the University:

- A written notice to UNCA including a copy of the Military Leave and Earning statement or similar documentation covering the eligible period of differential pay.
- If eligible for longevity, the University will continue to pay the employee on their anniversary date.

Military Leave Without Pay

- Military Leave without pay begins on day 31 and extends for a period not to exceed five years plus any additional service imposed by law.

Reinstatement guidelines based on length of Active Duty

Employees returning to the University from active Military Leave will follow the reinstatement provisions as outlined in the State Military Leave Policy. The provisions are as follows:

- Less than 31 days, return at the beginning of the next regularly scheduled work period, taking into account travel and eight hours rest.
- Day 31 to day 180, written application for reemployment not later than 14 days after completion of service.
- Over 180 days, written application for reemployment not later than 90 days after completion of service.
- Salary will be the same with adjustments made during the period of service.

- Military or State benefits will no be provided if the employee is not in active pay status.

Section XII: Educational Leave

Purpose

The purpose of Educational Leave is for workforce planning and development. Educational leave provides management with a means to support educational activities which are deemed beneficial to both the University and employee, and which serve to develop the employee's knowledge, skills and abilities related to their current position or for a position for which the employee would qualify following the completion of the coursework that would be considered a promotion.

Educational Leave will **not** be granted in cases where management has determined that neither the course, nor the degree pursued, is of sufficient benefit to the University.

Covered Employees

Full-time or part-time permanent or time-limited permanent, EPA or SPA employees are eligible to request educational leave. Trainees may be determined as eligible by management after satisfactory performance for a period of not less than three months.

Probationary, temporary, or intermittent employees are **not** eligible for educational leave.

This summary is not intended to replace the state policy but is provided as a quick reference. Please refer to the Academic Assistance Policy, the University Tuition Waiver Policy and if applicable, the Leave without Pay section of this policy.

Section XIII: Worker's Compensation Leave Guidelines

Note: These guidelines do not apply to certified Law Enforcement Officers.

The UNC Asheville Human Resources Department manages Workers' Compensation benefits for The University of North Carolina at Asheville. Any work-related injury or illness should be reported immediately or as soon as practicable to the Human Resources Department @ 828-251-6605.

When an employee is injured on the job and loses time from work due to a work related injury or illness, the employee shall not be charged leave for time lost from work for medical treatment on the day of the injury. Employees are expected to return to work unless the treating physician indicates the employee must go home for the day. (A written statement must be obtained from the treating physician if the employee cannot return to work.) In situations where the employee cannot return to work the employee will be paid full salary for normal working hours on the day of the injury.

If the injury results in additional time away from work, the employee must go on workers' compensation leave and receive the workers' compensation weekly benefit after the waiting period of seven calendar days required by G.S. 97-28. One of the below options may be chosen.

UNC Asheville will follow The Office of State Personnel Manual and the UNC Asheville Policy and Procedures and will grant worker's Compensation Leave only when an employee follows proper procedures as defined.

Options:

1. Elect to take sick or vacation leave during the required waiting period followed by workers' compensation benefits.
2. Elect to go on workers' compensation leave with no pay for the required waiting period and then begin drawing the workers' compensation weekly benefits.
3. Elect to supplement the workers' compensation weekly benefit with the use of partial earned sick or vacation leave in accordance with the schedule provided by the Office of State personnel each year. (This option may be chosen in addition to one and two above.)

Note: If the injury results in disability of more than 21 calendar days, as indicated in G.S. 97-28, the workers' compensation weekly benefit shall be allowed from the date of disability. The injured employee during such total disability shall receive a weekly compensation equal to sixty-six and two-thirds percent (66 2/3%) of his average weekly wages, but not more than the amount established annually to be effective October 1, nor less than thirty dollars (\$30.00) per week. If this occurs in the case of an employee who elected to use leave during the waiting period, no adjustment shall be made in the leave used for these workdays. All elections involving the use of earned sick or vacation leave are subject to their availability. Unused leave may be retained for future use.

Compensatory time may be substituted for sick or vacation leave if applied within the time frames provided under the Compensatory Leave Policy.

Employees injured on the job and who have returned to work with a doctor's permission, but continue to require medical or therapy visits to reach maximum medical improvement, shall not be charged leave for time lost from work for required medical or therapy treatment. (Paid time should be limited to reasonable time for treatment and travel; and excess time will be charged as vacation/sick leave or leave without pay.)

While on workers' compensation leave an employee is eligible for continuation of the following benefits:

- **Salary Increases:** Upon reinstatement, an employee's salary will be computed based on the last salary plus any legislative increase for which the employee is entitled. Any performance increase that would have been given the employee may also be included in the reinstatement salary, or it may be given on any payment date following reinstatement.
- **Vacation and Sick Leave:** While on workers' compensation leave the employee will continue to accumulate vacation and sick leave to be credited to his/her account for use upon return. If the employee does not return, vacation accumulated during the first twelve months of leave will be paid in a lump sum along with other unused vacation.

Since the employee is on workers' compensation leave and is not able to schedule vacation leave, the accumulation may in some cases exceed the 240 hours and shall be handled as follows:

1. The 240-hour maximum to be carried to the next calendar year may be exceeded by the amount of vacation accumulated during workers' compensation leave. The excess may be used after returning to work or carried on the leave account until the end of the calendar year at which time any excess vacation will be converted to sick leave.
 2. If the employee separates during the period that excess vacation is allowed, the excess leave to be paid in a lump sum may not exceed the amount accumulated during the first twelve months of workers' compensation leave.
- **Hospitalization Insurance:** While on workers' compensation leave, an employee is in pay status and will continue coverage under the State's Health Insurance Program. Monthly premiums for the employee will be paid by the State. Premiums for any dependent coverage must be paid directly by the employee.
 - **Retirement Service Credit:** While on workers' compensation leave an employee does not receive retirement credit. As a member of the Retirement System, the employee may purchase credits for the period of time on an approved leave of absence. Upon request by the employee, the Retirement System will provide a statement of the cost and a date by which purchase must be made. If purchase is not made by that date, the cost will have to be recomputed.
 - **Longevity:** While on workers' compensation leave, an employee is in pay status and will continue to receive longevity credit. Employees who are eligible for longevity pay will receive their annual payments.

Section XIV: Civil Leave

SPA and EPA employees who hold a permanent, probationary, trainee, or time-limited appointment, including part-time (half-time or more) are entitled to leave with pay when serving on a jury or when subpoenaed as a witness. It is the responsibility of the employee to inform the supervisor when the civil duty is scheduled and the expected duration.

Note: Employees with a temporary, intermittent or part-time (less than half-time) appointment are not eligible for non-job related civil leave but are eligible for job related civil leave and other job related proceedings.

Jury Duty

- An employee who serves on a jury is entitled to leave with pay and regular compensation plus fees received for jury duty. The employee should report back to work as soon as jury duty is completed. If jury duty occurs on a scheduled day off, the employee is not entitled to additional time off. Time on jury duty is not included in total hours worked per week.
- When a second shift employee serves on a jury, the employee will not be required to work on the day that jury occurs. When a third shift employee serves on a jury, the employee will not be required to work the third shift that begins on the day prior to the day that jury duty occurs. This applies to all employees regardless of the length of shift.

Court Attendance

- When an employee attends court in connection with official duties no leave is required. Fees received as a witness while serving in an official capacity shall be turned in to the University Business Office. (If court is on a day that would normally be an off-day, the time is to be considered as working time and included in the total hours worked per week)
- When an employee is subpoenaed or directed by proper authority to appear as a witness, civil leave with pay shall be granted. Any fees received shall be turned in to the University. The employee may use vacation leave rather than take civil leave with pay in which case any fees receive may be retained. (This leave is not considered as work time.)
- An employee who is a party (plaintiff or defendant) in a court procedure is not considered as a “witness”; therefore, vacation leave must be used, or leave without pay, for the purpose of attending court.

Section XV: Leave Without Pay

Leave without pay may be granted to a full-time or part-time permanent, trainee or probationary employee for vacation and illness or for other reasons deemed justified by the department head and approved by the applicable Vice Chancellor.

An eligible employee under the state's Family Illness Policy (full-time or part-time) is entitled to up to 52 weeks of leave without pay during a 5-year period to care for the employee's seriously ill child, spouse, or parent.

Types of Leave

1. Short-term leave without pay is defined as leave for less than one-half of the workdays in the month. This is used to account for time that an employee is absent and has no accumulated or advanced leave credits. The employee must have approval from the supervisor. These short periods may be docked from the employees' paycheck through written documentation from the supervisor to the Human Resources Office. A copy of the employees leave sheet should be attached to this documentation. This notification is due to the Human Resources Office by the 10th of the month. Under short-term leave without pay, the employee earns all monthly benefits for which the employee is eligible to receive.

Employees who are absent without approved leave may be subject to disciplinary action. If an employee is absent without approved leave, the department head is responsible for determining whether leave without pay is appropriate or whether the time may be charged to the appropriate leave account. In certain cases vacation, sick, bonus or compensatory leave may be used to cover the time away from work. Short-term leave without pay may be used in these situations to cover the status of an employee who has failed to come to work but has not requested and received approval to take leave.

2. Extended leave without pay is defined as leave in excess of one-half the workdays in the month. Requests for extended leave without pay must be submitted in writing to the employee's supervisor. The supervisor should submit the approved request by the 10th day of the month.
 1. Leave without pay normally shall not exceed one month without the appropriate approval, but may be extended based on individual circumstances. The Director of Human Resources must approve the extension of leave without pay beyond one month. Leave requested beyond three months for reasons other than illness of the employee or a family member must be approved by the Vice Chancellor, the Director of Human Resources and the State Personnel Director (if applicable).
 2. The employee shall apply in writing to the supervisor for leave without pay and justify the leave period. The employee is obligated to return to duty within or at the end of the time granted. If the employee does not return to work at the specified time, the employee must notify the supervisor immediately. Failure to report at the expiration of a leave of absence, unless an extension has been requested, may be considered as a resignation.
 3. It is the responsibility of management to administer leave without pay in a manner that is equitable to all employees. Reinstatement to the same position or one of like seniority, status and pay must be made upon the employee's return to work unless other arrangements

are agreed to in writing. If it is necessary to fill a position vacant by leave without pay, the position may be filled by a temporary or interim appointment.

4. Eligibility to earn leave ceases on the date leave without pay begins except in cases where an employee is drawing Workers' Compensation. The employee shall retain all accumulated unused sick leave and retirement status.
5. Eligibility to accrue state service ceases when the employee works less than half the working days in a month.
6. Leave without pay impacts an employee's anniversary date and longevity payment. If an employee goes on leave without pay, longevity shall not be paid until the employee returns to work and completes the full year. If, however, the employee should resign while on leave without pay, the prorated amount for which the employee is eligible is paid.

Accumulated vacation leave may be exhausted before going on leave without pay or the employee may choose to retain part or all of accumulated leave until return to State Service. However, the following two exceptions are provided:

1. If an employee has accumulated leave, all vacation leave must be exhausted before the employee may go on leave without pay for vacation purposes; or
2. If an employee requests leave for a period longer than 10 workdays, the employee may choose to use vacation leave or retain it for future use. If an employee requests leave for a period of less than 10 days, vacation leave must be used if available.

If leave without pay extends through December 31 vacation leave accumulated above 240 hours will be converted to sick leave. If the employee does not return to work following leave without pay, the employee will be paid for any accumulated vacation leave (up to 240 hours) and any compensatory time at time of separation. Employees who are classified as exempt from the Fair Labor Standards Act are not eligible for payment of accumulated comp time.

Section XVI: Adverse Weather & Emergency Closing Guidelines

Adverse weather may create difficulty for employees to report to work or make it advisable for employees to leave the workstation early. Employees who anticipate problems with transportation are encouraged to exercise personal judgment concerning road safety in their areas. Employees may use vacation, bonus or compensatory leave or make up the time missed when encountering hazardous road conditions.

Emergency closing conditions are conditions that necessitate the closing of the University or the curtailment of operations. Conditions that may be hazardous to life or safety and may warrant closing the University include: catastrophic life threatening weather (snow, ice, hurricane, tornado, earthquake, flood or other natural disaster), fire equipment failure, disruption of power and/or water, contamination by hazardous agents, terrorist acts or forced evacuations from the agency or work site.

The Office of the President has delegated to the chancellors of individual campuses the authority to make closing decisions. The Chancellor or designee will determine to what extent operations will be suspended or temporarily curtailed. All closings shall be reported to the State Personnel Director and to the Office of the President within five days after the occurrence.

[Authority and Decision-Making](#)

[Notification to Personnel](#)

[Accounting for Time Not Worked Due to Adverse Weather](#)

[Accounting for Time Due to Emergency Closings](#)

[Employees Deemed as Critical Personnel](#)

[Communication Plan](#)

Authority and Decision-Making

- **When classes are in session:** The decision to delay, cancel, or hold classes is made by the Provost, on the recommendation of the Associate Vice Chancellor for Campus Operations following the evaluation of campus and local area road conditions and forecasts. When possible, the decision should be made by 5:30 a.m. to enable notification in time for all to plan for the day appropriately.
- **If classes are not in session:** The decision to delay the arrival or release staff will be made by the Chancellor (or designee) on the recommendation of the Associate Vice Chancellor for Campus Operations following the evaluation of campus and local area road conditions and forecasts. When possible, the decision should be made by 5:30 a.m. to enable notification in time for all to plan for the day appropriately.

- **The decision to close the campus** will be made by the Chancellor, in consultation with the Associate Vice Chancellor for Campus Operations, and will only be implemented in the most extreme conditions.

Notification to Personnel

- Employees may choose to access the UNC Asheville Website at: <http://www.unca.edu> to receive the latest information regarding the University Adverse Weather and Emergency Bulletins.
- Employees may call the designated Adverse Weather and Emergency Line at: (828) 259-3050.
- Employees may also access this information from local news media (WLOS-TV 13)
- It should be noted that these announcements do not apply to Critical Personnel.

Adverse weather and emergency closing messages to employees will be defined and announced in the below format:

- **Late Start** : A two-hour window for staff to report to work in the morning during an official "Late Start," or during hazardous winter road conditions that are not severe enough to warrant canceling classes or closing the campus. Staff members may use earned compensatory, bonus, and vacation leave to pay for the lost hours, or may make up the time within the same month. This two-hour window may not be an option for certain staff members designated for emergency operations.
- **Classes Cancelled (No Day Classes and/or No Evening Classes)**: When classes are cancelled, students and faculty are not expected to report to campus. As the university continues to operate, staff members who have not been designated for emergency operations should use their own judgment as to the relative safety of their coming to or staying on campus during this time. Those who are unable to come to campus or stay for the day are asked to notify their supervisor of their decision, and change their outgoing voice mail greeting for the time they plan to be away. Staff members may use earned compensatory, bonus, and vacation leave to pay for the lost hours, or may make up time within the next 12 months.
- **Emergency Closing**: The Chancellor may close the University when extreme conditions warrant. Under these conditions, all employees who are not designated for emergency operations will be released from work until the University is re-opened. Employees will not be charged leave time for any Emergency Closing. The Office of the President and Office of State Personnel must be notified within three days of an official Emergency Closing.

Accounting for Time Not Worked Due to Adverse Weather:

- Supervisors must make every reasonable effort to arrange schedules whereby employees are given an opportunity to make up time not worked, or to use vacation, bonus, and/or compensatory leave, or take leave without pay when needed to cover the adverse weather period. Since hours worked in excess of forty during a work week would constitute overtime for employees subject to the overtime provision of the Fair Labor Standards Act, it will be necessary for make-up time for employees subject to overtime to be limited to the work week in which the time is lost or in a week when the employee has not worked a full schedule due to such absences as holidays, vacation, sick leave or civil leave.
- Employees who volunteer to make up adverse weather time on a scheduled holiday will not receive holiday premium pay or equal time off with pay.
- If appropriate, supervisors may allow employees to telework or reassign the employee to alternate worksites within the same commuting area.

- Time must be made up within twelve months from the occurrence of the absence. If the time is not made up within the twelve-month period, vacation leave must be charged or leave without pay taken.
- Supervisors are required to keep written records of the makeup schedule that they approve and monitor.
- Employees who are on prearranged vacation leave or sick leave will charge leave to the appropriate leave account with no provision for make-up time.

Accounting for Time Due to Emergency Closings:

- Employees who are not required to work at an alternate site or as an emergency employee shall not be required to charge leave or make up the time.
- Critical Personnel required to work during the emergency should be granted paid time off on an hour for hour basis for all hours worked. This time must be used within 12 months of its being awarded or it is forfeited. Supervisors should make arrangements for employees to take this time off. It should be used after compensatory time off, but must be used before vacation or sick leave.
- If additional personnel, not in mandatory/essential operations, are needed for situations such as cleanup and recovery during the time the University remains closed, the Chancellor may elect to compensate them in the same manner as employees deemed Critical Personnel.

Please refer to the [Emergency Closing Time Accountability Form](#) for All SPA and EPA Non-Faculty.

Employees Deemed as Critical Personnel

- Employees should consult the University of North Carolina at Asheville Emergency Operations Plan located in the offices of VC's, Facilities Management and Planning, Human Resources, Public Information and Public Safety.
- This Plan outlines and assigns responsibilities for addressing emergencies affecting the safety and well being of people and/or facilities at UNC Asheville.
- Critical Personnel who fail to report to work at the designated time may be subject to disciplinary action and/or required to charge missed hours to leave or leave without pay as determined by management.

Communication Plan

- **Communications Tree (when classes are *in session*)**
 1. Provost to communicate the decision to cancel day and/or evening classes to the Chancellor, Senior Staff, and Public Information. If it is after 8:00 a.m., Monday through Friday, and classes are in session, the Provost's office will communicate the decision to faculty via email.
 2. Associate Vice Chancellor for Campus Operations communicates the decision to Facilities Management, Campus Police, Student Affairs (Dean of Students), Athletics Director, and the Human Resources Director.
 3. Public Information Director (or designees) communicates the decision to Public Information staff and area media. Public Information (or their designees) will update the UNC Asheville website home page and Snowline, and will email students and staff regarding the decision. If it is before 8:00 a.m. or after 5:00 p.m., Monday through Friday or the weekend, Public Information (or their designees) will also email faculty.

- **Communications Tree (when classes are *not* in session)**
 1. Chancellor (or designee) will notify senior staff of decision.
 2. Associate Vice Chancellor for Campus Operations communicates decision to Public Information Director, Campus Police, Human Resources Director, Facilities Management, and the Campus Telecommunications Coordinator.
 3. Public Information Director communicates decision to Public Information staff and area media. Public Information (or their designees) personnel will update the UNC Asheville website home page and Snowline, if relevant, Public Information personnel will also email students, faculty and staff regarding the decision (if it is likely to affect their travel or return to the campus, for example).

- **Communications**
 - Student Affairs will establish a procedure to update the outgoing voice mail message on the University main number from off-campus, and to train additional authorized staff members in this procedure, including passwords. This should include directions to forward the main phone number to Campus Police, or other authorized office, when warranted.
 - **Public Information** is responsible for assuring that the relevant announcements are posted on the Snowline and on the UNC Asheville website. All of these should be completed by about 5:45 a.m. (when a 5:30 a.m. decision is issued).
 - The home page in UNC Asheville's website will continue to use the "Snowflake" symbol and the terms, "Adverse Weather, Check Here for More Info." Human Resources will maintain a linkable page that explains a Flex Start and Critical vs. Non-Critical Personnel. This link is available as a link from the "Snowflake's" interior text.
 - Area television stations use computer-based systems for announcing closings and delays. The wording of an institution's status is submitted in late fall. The following language is recommended:
 - Day Classes Cancelled
 - Evening Classes Cancelled
 - Late Start Schedule
 - Closed/ Critical Personnel Only
 - Staff Flex Hours
 - The area **Vice Chancellors** (or designees) will notify, in writing, those positions that are designated Critical Personnel during a weather emergency or a closure. Additional employees may be required to come to work (or work from home) to perform critical tasks, depending on the timing of the closure (e.g. payroll).
 - **Managers** should discuss plans for performing critical tasks during closings with their departments, including available options for telecommuting, accessing university telephone lines, changing outgoing voice mail greetings, etc.

- **Additional Responsibilities**
 - **Public Information:** To maintain a procedure manual, update annually or more often if needed, containing the media call list and media procedures, and all media and email

passwords. Assure timely updates to the website, Snowline, and by email as appropriate.

- **Human Resources:** To orient staff concerning Staff Flex Start; consult with Vice Chancellors in identifying Critical Personnel status; to develop and maintain linkable web pages explaining Staff Flex Start, and Critical vs. Non-Critical positions; to develop and maintain a webpage with a PDF-format Emergency Closing Form for staff members with instructions on form completion.

Information Technology Services: To keep the "Snowflake" link operational; to assist Human Resources with the development of linkable web pages; to assist, if needed, with emailing students, faculty and staff; and to designate staff who will provide emergency technical support during non-working hours.

Section XVII: Holiday Leave

- SPA and EPA non-faculty employees receive eleven paid holidays per calendar year except in the years that Christmas Day (Winter Break) falls on a Tuesday, Wednesday, or Thursday, allowing for twelve paid holidays. Employees who hold full-time appointments are granted eight hours per holiday while part-time employees receive a pro-rated amount. Employees who work less than 12 months only get holidays that occur during the months that they are scheduled to work. Temporary employees are not eligible for paid holidays.
- Human Resources proposes to the Senior Staff in the first quarter of odd years a holiday schedule for the following three years.
- The Chancellor has the option to designate a holiday schedule that becomes the official schedule for all eligible UNCA employees. This schedule shall not be altered or changed by any University official without written consent from the Chancellor. In the event departments maintaining a twenty-four hour operation need to adopt an alternative holiday schedule applicable to the departmental needs, a request should be forwarded to the appropriate Vice Chancellor with final approval by the Chancellor.
- Employees working an approved alternative holiday schedule will be eligible for holiday premium pay if working on the date of the legal observance and will be entitled to an additional day off.

Generally, the University holidays are:

1. New Year's Day
2. Martin Luther King
3. Good Friday*
4. Memorial Day
5. Independence Day
6. Labor Day
7. Veteran's Day*
8. Thanksgiving (two days)
9. Winter Break (two days)

****Note: University holidays do not always coincide with other state agency designated holidays. In order for UNCA to provide an extended winter break, the University has traditionally exercised the option of reassigning the above noted * holidays to the winter break. In some years the University elects to extend the winter break beyond/above the designated holidays, thus necessitating the need for employees to use vacation and/or compensatory time to cover the break period. In these circumstances, the University provides sufficient notice to employees so that they may plan accordingly.***

- Employees separating from state employment are eligible for the paid holiday when the employee is in pay status through the last available workday prior to the holiday.

- In the event an employee's scheduled workday exceeds the normally defined work hours (employee working four 10 hour days), the employee must use accumulated vacation or compensatory time to account for the difference.
- It is state and University policy to reasonably accommodate the religious practices of an employee concerning holidays unless such accommodation results in an undue hardship in conducting the University's business operations. Three of the eleven holidays are regarded as religious holidays. An employee wishing to observe different religious holidays may request a "holiday exchange" for which the employee would perform work on a holiday observed by the University in exchange for a day to accommodate the employee. This request should be made in writing to the supervisor with the Vice Chancellor having final approval. This request must be made prior to the exchange; otherwise the holiday would be forfeited. This approval should be forwarded to the Human Resources Office. If the request is not feasible because of logistical reasons (offices closed to the public, no supervision available, no security available, etc.) the supervisor should arrange work schedules so that an employee may take vacation or compensatory leave when requested for such religious observances.

Section XVIII: Bonus Leave

The General Assembly included provisions for SPECIAL ANNUAL BONUS LEAVE, hereafter referred to as “bonus leave” in the following annual appropriations acts:

1. The 2002 Appropriations Act, Part XXVIII. SALARIES AND EMPLOYEE BENEFITS, Section 28.3A included a provision for 80 hours of bonus leave employees eligible for vacation leave of September 30, 2002, received 80 hours as a Vacation Bonus, hereafter referred to as “bonus leave.” This includes employees separating on September 30, 2002.
2. The 2003 Appropriations Act, Part XXX, SALARIES AND EMPLOYEE BENEFITS, Section 30.12B included a provision for bonus leave of 80 hours of bonus leave for full-time employees who were eligible for vacation leave on July 1, 2003.
3. The 2005 Appropriations Act included a provision for 40 hours of bonus leave for full-time employees eligible to earn vacation leave on September 1, 2005.

The 2001 Appropriations Act, Part XXVIII. SALARIES AND EMPLOYEE BENEFITS, Section 28.3A includes a provision for a SPECIAL ANNUAL BONUS LEAVE, hereafter referred to as “bonus leave.”

Provisions and Eligibility

4. Permanent, probationary, trainee and time-limited full-time State employees who were eligible for vacation leave received bonus leave as follows, subject to terms in items 2 - 4:
5. Full-time employees who work less than 12 months received a pro rata amount of the 80 hours.
6. Permanent part-time employees (half-time or more) received a pro rata amount of the 80 hours.
7. Employees on leave without pay were to be credited with the bonus leave hours upon their return based on their type of appointment at the time of leave without pay.

Scheduling Bonus Leave

1. Bonus leave shall be taken only upon authorization of the agency head or designee.
2. Bonus leave may be used for any purpose for which regular vacation leave is used.
3. Bonus leave shall be charged in units of time consistent with regular vacation leave guidelines.
4. The employee shall determine whether to charge approved leave to regular vacation leave or bonus leave.

Accounting for the Bonus Leave

1. Bonus leave shall be accounted for separately from regular earned leave.
2. Any balance of bonus leave on December 31 will be retained by the employee and transferred into the next calendar year. It will not be considered as part of the maximum 240 hours of vacation that can be retained.
3. Bonus leave will not be subject to conversion to sick leave.

Employee Transfer

Any balance of bonus leave will be transferred with the employee who transfers to another State agency eligible for bonus leave.

Separation/Status Change

Any bonus leave balance will be paid in addition to regular vacation leave if the employee leaves state government or changes to a non-leave earning status.

Miscellaneous Provisions

1. Bonus leave may be applied to negative balances of regular earned leave with the approval of the employee and the University head or designee.

2. Bonus leave is available to be donated as vacation leave under the Voluntary Shared Leave provisions.
3. The University shall maintain records of bonus leave and shall store the records in the employee's file as a permanent record.

Additional Bonus Leave

The rules stated above also apply to additional bonus leave granted as follows:

The 2003 Appropriations Act, , includes a provision for a Special Annual Leave Bonus of 80 hours of bonus leave for full-time employees who were eligible for vacation leave on July 1, 2003.

The 2005 Appropriations Act includes a provision for 40 hours of bonus leave for full-time employees eligible to earn vacation leave on September 1, 2005.