

POLICY CONCEPT FORM

Name and UO Title/Affiliation:	Ryan McBride, Senior HR Generalist
Policy Title & Policy #:	Officer of Administration (OA) Time Off
Submitted on Behalf Of:	HR
Responsible Executive Officer:	Nancy Resnick, AVP and CHRO
Current Policy # (if applicable):	n/a

SELECT ONE: **New Policy** **Revision** **Repeal**

Click the box to select

HAS THE OFFICE OF GENERAL COUNSEL REVIEWED THIS CONCEPT: **Yes** **No**

If yes, which attorney(s): Missy Matella

GENERAL SUBJECT MATTER

Include the policy name and number of any existing policies associated with this concept.

Officer of Administration (OA) Time Off

RELATED STATUTES, REGULATIONS, POLICIES, ETC.

List known statutes, regulations, policies (including unit level policies), or similar related to or impacted by the concept. Include hyperlinks where possible, excerpts when practical (e.g. a short statute), or attachments if necessary. Examples: statute that negates the need for or requires updates to an existing policy; unit level policy(ies) proposed for University-wide enactment; or existing policies used in a new, merged and updated policy.

580.021.0005-55 Conditions of Service: Policy is no longer applicable to OAs to the extent the policy matters are covered by the new OA policies. The policy remains in place for all other employees previously covered by the policy.

580.022.0025-0040 Holidays and Misc Privileges: Sections addressing holidays are no longer applicable to OAs to the extent policy matters are covered by the new OA policies.

V.09.01 Parental Leave: Amended to exclude OAs to the extent the subject matter is covered by the new OA policies. The policy remains in place for all other employees previously covered by the policy.

STATEMENT OF NEED

What does this concept accomplish and why is it necessary?

This policy and procedure consolidates already-existing leave policies and simplifies some of the language associated with these policies. The procedure outlines the various forms of leave an OA is entitled to, including holidays, vacation time, sick time, parental leave, and other leaves with and without pay.

AFFECTED PARTIES

Who is impacted by this change, and how?

All OAs and supervisors of OAs.

CONSULTED STAKEHOLDERS

Which offices/departments have reviewed your concept and are they confirmed as supportive? (Please do not provide a list of every individual consulted. Remain focused on stakeholders (e.g. ASUO, Office of the Provost, Registrar, Title IX Coordinator, etc.).)

Name	Office	Date
OA Council, the broader OA community, HR, Academic Affairs, Senior Leadership Team, Academic Leadership Team, and HR Council (Vice Presidents and Chiefs of Staff) were all provided with the opportunity to provide input on these policies and procedures. Additionally OA Senators sat on the OA Advisory Team. Notably, the online public comment period of a month ending October 24, 2016, was open to all campus community members to provide feedback. There were instances where non-OAs provided feedback to the policies and procedures.		



REASON FOR POLICY

To establish the foundation for time off from work for Officers of Administration (OAs).

ENTITIES AFFECTED BY THIS POLICY

All OAs.

WEB SITE ADDRESS FOR THIS POLICY

n/a

RESPONSIBLE OFFICE

For questions about this policy, please contact the Office of Human Resources (HR) at hrpolicy@uoregon.edu

ENACTMENT & REVISION HISTORY

New policy.

POLICY

The university is committed to providing OAs with time to rest, relax, recharge, and tend to personal responsibilities through university scheduled holidays, vacation time, and sick time. The university is committed to complying with applicable laws governing protected leaves of absence.

HR will maintain procedural guidance regarding the accrual and use of OA paid time off and regulated leave statuses.

RELATED RESOURCES

Leave procedures for OAs can be found on the HR website at <https://hr.uoregon.edu/>



I. OVERVIEW

The university is committed to providing Officers of Administration (OAs) with time to rest, relax, recharge, and tend to personal responsibilities through university scheduled holidays, vacation time, and sick time. The university is committed to complying with applicable laws governing sick leave and protected leaves of absence. These procedures shall be construed as consistent with state and federal law.

Each status varies in its provisions with respect to eligibility, duration, documentation and approvals, as outlined below.

A. WORKWEEK

Unless expressly modified by the unit, the workweek for OAs runs from 12:00 am Monday to 11:59 pm on Sunday.

II. HOLIDAYS

A. ELIGIBILITY

All OAs receive time off for holidays as outlined below. OAs must be in paid status on the day immediately before and after a holiday to receive holiday pay.

B. SCHEDULED HOLIDAYS

Independence Day
Labor Day
Thanksgiving Day
Friday after Thanksgiving Day
Christmas Day
New Year's Day
Martin Luther King Jr's Birthday
Memorial Day

When a holiday falls on a Saturday, the holiday is observed the preceding Friday; when it falls on a Sunday, it is observed on the following Monday. The Office of Human Resources (HR) website has a schedule of holidays and dates of observance for the upcoming year:

<http://hr.uoregon.edu/policies-leaves/holidays/holidays-unclassified>

C. SPECIAL DAY OF LEAVE

The university has decided to continue to honor the special day of leave granted by the Governor. Accordingly, if the Governor continues the tradition of granting a special day of leave, OAs with ongoing appointments may use that day on any working day from the day

before Thanksgiving through January 31st. This announcement is usually made by mid-November each year. See [December Holiday](#) announcement.

Holiday time is prorated for part time OAs.

III. VACATION TIME

A. ELIGIBILITY

OAs on an ongoing appointment of .50 FTE or greater are eligible to accrue vacation time. Eligibility is triggered on the first of the month following an OA's start date. For example, an OA hired on October 15th will become eligible on November 1st and an OA hired on December 1st will become eligible on December 1st.

B. ACCRUAL

Eligible OAs accrue vacation time on a monthly basis. Vacation time accrues on the last day of the month and is available for use the first day of the next month.¹ Eligible employees appointed at 1.0 FTE accrue 15 hours of vacation time per month; eligible employees appointed at .50 FTE or more accrue vacation time in proportion to their FTE.

C. MAXIMUM

OAs can accrue a maximum of 260 vacation hours and will forfeit any unused vacation time accrued over this cap.

D. APPROVAL

Vacation time is scheduled with the approval of the OA's supervisor and should be planned cooperatively. Supervisors should be reasonable in allowing the use of vacation time.

E. CONDITIONS

OAs cannot borrow vacation time or transfer vacation time to another employee. Unused vacation time can only be paid upon separation from employment or transfer to a position not eligible for vacation time. The maximum number of hours that will be paid out is 180.

IV. SICK TIME

A. ELIGIBILITY

All OAs are eligible for the accrual and use of sick time as outlined below.

B. ACCRUAL

¹ Removed 6 month wait period for employees to utilize accrued vacation time.

OAs appointed at 1.0 FTE accrue 8 hours of sick time per month, or 2 hours for each full week of service less than one month. OAs appointed at less than 1.0 FTE accrue sick time in proportion to their FTE.²

There is no maximum accrual limit for sick time.

C. APPROVAL

OAs may use accrued sick time for absences due to illness, injury, childbirth, medical or dental care, and exposure to contagious disease. In addition, sick time may be used to attend to members of the OA's immediate family (parents, spouse or partner, spouse or partner's parents, children, grandchildren, brother, sister, grandmother, grandfather, son-in-law, daughter-in-law or another member of the immediate household) where the OA's presence is required for medical reasons or due to death in the immediate family of the OA or of the OA's spouse or partner.

A supervisor may require a physician's certificate to support the sick time claim for absences in excess of 15 consecutive calendar days or for recurring sick leave use that demonstrates a potential abuse of sick leave. A physician's release may also be required before allowing return to work to verify that the return will not be detrimental to the OA or others in the workplace.³

D. CONDITIONS

OAs may use sick time to supplement workers' compensation benefits. In no case, however, can the combination of workers' compensation and sick time exceed the OA's salary. Unused sick time cannot be paid out.

E. OVERTIME

OAs entitled to overtime pay under state or federal law (non-exempt OAs) will receive overtime pay or compensatory time for those hours worked over forty in a workweek. Non-exempt OAs must ask their supervisor for permission to work over forty hours in a workweek. OAs supervising non-exempt employees are required to track hours worked and provide legally required meals and rest breaks.

F. TRANSFER & RESTORATION

An OA is entitled to transfer in unused sick leave earned with any other Oregon public university, provided the break in service upon transfer does not exceed two years.

An OA who leaves employment with the University of Oregon and then returns is entitled to reinstate the previous unused, accrued sick leave, provided the break in services does not exceed two years.

² Adjusted sick time accrual for less than 1.0 FTE employees, in line with the new sick leave law.

³ Removed provision allowing employee to borrow against un-accrued sick time

G. UNEARNED SICK LEAVE ADVANCE

The purpose of this section is to provide salary continuance for up to 90 calendar days of absence due to an OA's FMLA/OFLA-covered illness through a combination of short-term disability and both accrued and advance sick leave. Each sick leave eligible, full-time OA is entitled to receive a sick-leave-with-pay advance, after exhaustion of short-term disability benefits, as needed to provide the difference between sick leave earned as of the onset of the illness or injury and 520 hours; part-time staff are eligible to receive a sick-leave-with-pay advance proportional to FTE to provide the difference between sick leave earned as of the onset of the illness or injury and a prorate of 520 hours. As sick leave is earned, the amount shall replace any sick leave advanced until all advanced time is replaced with earned time. Once an OA has been advanced the maximum amount of unearned sick leave, prorated by FTE, they shall not be eligible to be advanced additional sick leave until the full amount has been repaid. No more than a 520-hour sick leave advance is available during a seven-year period that begins with the first sick leave advance. More than one sick leave advance is possible as long as the total advance does not exceed 520 hours during a seven-year period. Sick leave that may have been advanced, but unused, cannot be considered for purposes of computing retirement benefits. OAs in temporary or intermittent positions cannot receive an advance that extends beyond the end date of their appointment except upon written approval of the President or designee.

V. PARENTAL LEAVE

A. ELIGIBILITY

OAs who have been employed by the University of Oregon for at least 6 months.

B. GUIDELINES

The university provides OAs with leave upon the birth or adoption of a child as provided by the Family Medical Leave Act (FMLA) and the Oregon Family Leave Act (OFLA). In addition to any other rights available under these procedures, including unearned sick leave advance, an OA who takes parental leave under FMLA or OFLA can take the first six work weeks of such leave with pay, in the following manner:

As part of the first six weeks of leave, the OA must use any available short term disability insurance benefits, all accrued vacation time and all but 80 hours of accrued sick time. If the OA does not have sufficient accrued disability insurance benefits and accrued paid time off to cover six weeks with full pay, the university will provide the OA with the necessary amount of paid parental leave to allow the OA to receive a total of six weeks paid parental leave.

OAs can use accrued sick time for his or her remaining six weeks of parental leave (for a total of 12 work weeks of leave).

If both parents are employed as OAs by the University, both parents are entitled to parental leave as described in this section.

This provision shall not be applied or interpreted as prejudicing or negatively impacting an OA who exercises their right to take parental leave under this section in addition to exercising their right to take leave under other sections of this procedure or the law.

VI. JURY DUTY

A. ELIGIBILITY

All OAs are eligible.

B. GUIDELINES

The university encourages participation in jury duty. OAs are allowed to be absent with pay for jury duty but are (1) expected to report for their regularly scheduled work on days when not required to perform jury duty and (2) expected to return to work if released from jury duty with four (4) or more hours left in their normal work day.

OAs are entitled to retain any pay they receive for jury duty service in addition to their regular pay. OAs must provide appropriate documentation with as much notice as possible to the supervisor or department/unit. At the discretion of the supervisor, OAs may be required to provide proof of jury duty service completed upon returning to work.

VII. MILITARY LEAVE FOR TRAINING

A. ELIGIBILITY

OAs who have been employed by the University of Oregon for at least 6 months. Time served at another Oregon public university that immediately precedes employment with the University of Oregon will be credited for purposes of establishing eligibility.

B. GUIDELINES

The university grants time off for mandatory periods of training to eligible OAs who are members of the National Guard, National Guard Reserve or of any reserve component of the Armed Forces of the United States or of the United States Public Health Service. Upon written application, OAs may receive their regular University wages and benefits for initial active duty for training and for periods of required annual active duty for training, not to exceed 15 calendar days or 11 working days in a training year (federal fiscal year). Eligible OAs should contact HR for application instructions.

https://www.oregonlegislature.gov/bills_laws/lawsstatutes/2011orLaw0018.html

VIII. ADMINISTRATIVE LEAVE

Pending a university investigation regarding a violation of university policy or state or federal law, the university has the discretion to place an OA on administrative leave, with pay. OAs on administrative leave may be restricted from using university property or e-mail. Compensation for administrative leave with pay will be equal to the OA's base rate of pay. Administrative leave is not disciplinary in nature. The university may, when it deems appropriate, take steps short of a full administrative leave during an investigation including, but not limited to, relocations of workspace, restrictions on access to files or systems, or no contact orders.

IX. LEAVE WITHOUT PAY

An OA may request to take Leave Without Pay (LWOP) for up to one year for personal or professional reasons. Requests must be submitted and approved through the OA's supervisory chain: LWOP requests for 30 days or less can be approved by the OA's immediate supervisor, department head, or designee. LWOP requests for 31 days or more must be approved by the OA's respective Vice President or their designee. LWOP request forms can be found on the HR website.

Requests for LWOP under the Americans with Disabilities Act can be directed to the Office of Affirmative Action and Equal Opportunity (AAEO).

X. OTHER PROTECTED LEAVES

A. MILITARY CAREGIVER

<http://www.dol.gov/whd/fmla/MilitaryFLProvisions.htm>

B. OREGON MILITARY FAMILY LEAVE ACT (OMFLA)

http://www.oregon.gov/boli/TA/pages/ta_faq_ormilitaryleaveact.aspx

C. THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT (USERRA)

<http://www.dol.gov/vets/programs/userra/>

D. FAMILY MEDICAL LEAVE ACT (FMLA)

The Family Medical Leave Act (FMLA) entitles eligible employees to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave.

<http://www.dol.gov/whd/fmla/>

E. OREGON FAMILY LEAVE ACT (OFLA)

The Oregon Family Leave Act (OFLA) provides eligible employees with protected leave to care for themselves or family members in cases of death, illness, injury, childbirth and adoption.

http://www.oregon.gov/boli/TA/docs/OFLA_Poster_2014.pdf

RELATED RESOURCES

DRAFT

Parental Leave

Policy Number:
V.09.01

Reason for Policy:

This policy outlines the University's parental leave benefits for unrepresented faculty ~~and officers of administration~~ who are expecting a child and/or require time to care for or bond with their child, following birth or adoption.

Entities Affected by this Policy:

~~Officers of Administration~~; Unrepresented Faculty

Website Address for this Policy:

<https://policies.uoregon.edu/vol-5-human-resources/ch-9-time-leave/paren...>

Responsible Office:

For questions about this policy, please contact the office of Human Resources at 541-346-3159 or hrinfo@uoregon.edu.

Enactment & Revision History:

7/1/14 Became a UO policy by operation of law.

6/24/14 Enacted by President Michael Gottfredson.

Policy:

The University will provide ~~officers of administration (OA) and~~ unrepresented faculty members (UFM) with leave upon the birth or adoption of a child as provided by the Family Medical Leave Act (FMLA) and the Oregon Family Leave Act (OFLA). An OA or UFM who takes parental leave under FMLA or OFLA may take the first six work weeks of such leave with pay, in the following manner:

As part of the first six weeks of leave, the ~~OA or~~ UFM must use any available short term disability insurance benefits, all accrued vacation leave and all but 80 hours of accrued sick

leave. If the ~~OA-or~~ UFM does not have sufficient accrued disability insurance benefits and accrued paid leave to cover six weeks with full pay, the University will provide the ~~OA-or~~ UFM with the necessary amount of paid parental leave to allow the ~~OA-or~~ UFM to receive a total of six weeks paid parental leave. If both parents are ~~either OAs-or~~ UFM's of the University, both parents are entitled to this additional paid leave.

Each ~~OA-and~~ UFM may use accrued sick leave for his or her remaining six weeks of parental leave (for a total of 12 work weeks of leave). In the event that the ~~OA-or~~ UFM does not have sufficient accrued sick leave, he or she may borrow advanced sick leave for the remainder of the last six work weeks pursuant to current policy. Based on the timing of the birth or adoption, this paid leave may extend into a second term for a UFM.

To be eligible for the paid family leave benefit described in this Standard, a UFM must be in a Career NTTF or the Tenure-Track or Tenured Professor classifications. ~~Any OA employed at 0.5 FTE or more is eligible for the paid family leave benefit described in this Standard.~~

Use of the benefits described in this Standard shall not adversely affect the UFM's ~~or OA's~~ standing or salary in any manner. A UFM who is employed in a Tenure-Track and Tenured position who experiences pregnancy, childbirth, or the adoption of a child and/or utilizes parental leave shall have the option of an additional probationary year before a tenure or promotional review.

This Standard supersedes all policies to the extent that this Standard conflicts, is inconsistent with, or differs from such policies.

All units are directed to comply with this Standard until further notice.