

# Department of Pediatrics

## Leave Policy

Refer to Policy 5-200, Leaves of Absence (Health-Related); Policy 5-201, Leaves of Absence (Non Health-Related); Policy 5-300, Holiday and Holiday Premium Pay; Policy 5-301, Vacation Policy; Policy 6-314, Leaves of Absence; Policy 8-002, School of Medicine (SOM) Parental Leaves of Absence; Policy 5-200A, Scope, Eligibility and Limitations for Leaves of Absence (Health-Related); and Department of Pediatrics Time and Attendance Policy.

### NON-HEALTH RELATED LEAVES OF ABSENCE – WITH PAY

#### Vacation, Holiday and Personal Preference Days

#### FACULTY

- **Vacation:** Faculty with an FTE of 0.75 FTE or greater, with 12-month appointments, are entitled to 25 days of vacation per year. Vacation days are prorated according to FTE and hire date.

Vacation days are granted on the **calendar year**, tracked in the department, do not carry over at the end of the calendar year and are not paid out on termination of employment.

- **Holidays:** The University has eleven paid holidays each year. Additional holidays may be declared by the University President.

Faculty with an FTE of .50 or greater, with 12-month appointments, are entitled to holiday pay, pro-rated according to FTE.

- **Personal Preference Days:** Faculty with an FTE of .50 or greater, with 12-month appointments, are entitled to personal preference days each calendar year, pro-rated according to FTE and hire date. Faculty hired between Jan 2<sup>nd</sup> to Jun 1<sup>st</sup> get 1.5 days; faculty hired between Jun 2<sup>nd</sup> to Nov 1<sup>st</sup> get 1 day.

Personal Preference days do not roll over at the end of the calendar year and are not paid out on termination of employment.

- **Usage and Tracking:** Scheduled leave (including personal preference days) must be submitted for approval in advance and may be disapproved based on clinical needs, staffing needs, or frequency of absences. Leave should be scheduled using the **Employee Leave Request** form and must be submitted to the division chief for approval.

Leave accruals and usage will be recorded by divisions/programs. The division/program must keep auditable records of faculty leave usage.

## Vacation, Holiday and Personal Preference Days

### STAFF

- **Vacation:** Benefitted employees with an FTE of 0.75 or greater accrue vacation hours on the 16<sup>th</sup> of each month. Accruals vary according to job type and years of service, and are prorated according to FTE. Use of vacation days must be scheduled in advance to avoid disruption of departmental operations.

Vacation accruals roll over at the end of the calendar year. There is a maximum accrual of 240 hours, plus the employee's annual vacation leave entitlement per year.

Unused vacation is paid out on termination of employment and is included in the employee's final paycheck. Hours beyond the maximum allowed are lost at the end of the calendar year or at termination.

- **Holidays:** The University has eleven paid holidays each year. Additional University closure days may be declared by the University President. In the event an employee works in an area where a holiday schedule other than the University's is followed (PCMC, SDOH, etc.), the employee should either come to work at the University or use leave accruals such as vacation, etc.

Paid holidays that occur during a vacation period are not charged against accrued vacation leave.

- **Personal Preference Days:** Benefitted employees with an FTE of .50 or greater are entitled to personal preference days each calendar year, pro-rated according to FTE and hire date. Employees hired between Jan 2<sup>nd</sup> to Jun 1<sup>st</sup> get 1.5 days; employees hired between Jun 2<sup>nd</sup> to Nov 1<sup>st</sup> get 1 day.

Personal Preference days do not roll over at the end of the calendar year and are not paid out on termination of employment.

- **Usage and Tracking:** Scheduled leave (including personal preference days) must be submitted for approval in advance and may be disapproved based on clinical needs, staffing needs, or frequency of absences. Leave should be scheduled using the **Employee Leave Request** form and must be submitted to the appropriate division manager/supervisor for approval.

Leave accruals and usage are tracked in KRONOS. Staff employees are responsible for recording vacation, personal preference and holiday leaves in KRONOS each pay period.

## Bereavement Leave

- Bereavement leave provides up to 3 working days of paid leave for a benefits-eligible employee at .75 FTE or greater in the event of the circumstances listed below:
- In the event of the death of an employee's immediate family member. Relationships include the employee's parent, spouse, domestic partner, child, sibling, grandparent, grandchild. In-laws, foster or step-relatives in the relationships listed, including relatives of an employee's spouse or domestic partner, are also included. An immediate family member also includes someone for whom the employee is Next of Kin.
- Following the end of pregnancy, by way of miscarriage or stillbirth, of the employee, employee's spouse or domestic partner, or other individual if the employee would have been the biological or adoptive parent.
- The employee must request bereavement leave in writing.
- The division chief or manager will determine the number of days that are reasonable and necessary.

## Jury Duty

- Jury or Witness Duty Leave grants all employees a paid leave to participate in an official requirement to appear for jury service or pursuant to a subpoena to appear as a non-expert witness at a trial, deposition, or other official proceeding, provided the following conditions are met:
  - The employee must deliver to the University cashier any fees received for compelled attendance as a juror or non-expert witness.
  - Leave covers only the time the employee is actually engaged in jury service or in attendance as a juror or non-expert witness, and reasonable travel to and from the place of such service or attendance.
  - The employee must report daily to work when he/she is not engaged in jury service or attendance as a witness, whenever feasible, in order to give as much attention as possible to his/her regular duties.
- Leave is not available when the employee appears in court on his/her own behalf, e.g., to pay a traffic fine or as a party to a civil law suit.

## Military Training

An employee who is a member of the National Guard or any organized reserve branch of the United States uniformed services, is entitled to a leave of absence with pay not to exceed fifteen (15) working days per year for time spent on duties in connection with the reserve training and instruction requirements of the United States uniformed services or National Guard.

## Sabbatical Leave – Faculty Only

**Eligibility requirements:** Faculty who have six or more years of academic service in a tenured or tenure-producing faculty position at the University of Utah may request a sabbatical leave for purposes that will improve the ability of the recipient to discharge effectively his/her teaching, research or service obligations to the university.

**For additional information, refer to Policy 6-314: Leaves of Absence**

## Professional Development: - Faculty Only

Department of Pediatrics Policy allows faculty to take up to 10 days for professional development each year. This includes academic meetings. Time must be requested, be approved in advance by the division chief and must not compromise clinical work. **The *Employee Leave Request* form** should be used to make this request.

## NON-HEALTH RELATED LEAVES OF ABSENCE - WITHOUT PAY

### Political Leave

- Political leave allows benefits-eligible employees to be placed on full or partial leave of absence without pay so that he/she may be a candidate for, or elected to public office.
- If an employee is on political leave for the purposes of candidacy and is defeated, he/she will be restored to the position of employment held when the leave commenced, or an equivalent position with equivalent employment benefits, pay and other terms and conditions of employment.
- If an employee wins the final election, he/she may request, in writing, an extended political leave without pay. The University President, in consultation with the employee's supervisor, shall approve or deny the request.

### Special Leave

- Special Leave allows benefits-eligible employees to request, under special circumstances, to take leave without pay.
- A request for special leave must be made in writing and must state the reason for the leave as well as the proposed dates of absence. The request must be submitted to the employee's direct supervisor and division chief for a recommendation of approval or denial, then forwarded to the cognizant vice president for approval or denial.
- A special leave may not be granted for more than one (1) year unless approved by the University President.
- Upon return from a special leave, the University will make every effort to restore the employee back to his/her position or an equivalent position, but reinstatement is not guaranteed.

### Military Leave

- Leave for active military duty is unpaid and granted in accordance with the Uniformed Services Employment and Reemployment Rights Act.
- Upon honorable completion of the period of service, an employee on military leave shall be restored to the position of employment held when the leave commenced or an equivalent position with equivalent employment benefits, pay and other terms and conditions of employment, provided the terms and conditions for reemployment required by law have been met.

## Benefits During Periods of Leave Without Pay

- Vacation and sick leave benefits do not accrue during leaves without pay.
- Longevity for purposes of accruing vacation time is not lost during leaves without pay.
- Retirement and insurance benefits are not paid by the University during leaves without pay. The employee may elect to continue his/her health insurance coverage, but may be required to pay the full-cost for this benefit.
- Other benefits, including tuition reductions, ticket discounts and parking privileges, continue during leaves without pay.

## HEALTH RELATED LEAVES OF ABSENCE – WITH AND WITHOUT PAY

### Sick Leave - with Pay

- Benefitted faculty and staff with an FTE of 0.75 or greater are eligible for paid sick leave. Full-time (1.0 FTE) employees accrue 8 hours sick leave each month. Sick leave is prorated according to FTE.
- Sick leave rolls over at the end of the calendar year and continues to accrue until a maximum of 1040 hours (130 days) is reached. Sick leave is not paid out upon termination of employment.
- Sick leave provides payment to employees who are unable to perform the functions of their position because of an illness, injury, or serious health condition or because they need to care for an immediate family member with an illness, injury or serious health condition.
- Employees should arrange routine health care appointments during nonworking hours; however, in cases where these appointments must take place during regular working hours, employees should try to schedule appointments at times that minimize disruption of work-place productivity.
- Time off due to illness that is not covered by sick leave accruals is considered unexcused unless on an approved leave under the Family Medical Leave Act (FMLA).
- If additional time off is needed due to an illness after all sick leave has been exhausted, earned vacation time may be substituted for sick leave. Since this vacation leave is not scheduled and approved in advance, it may be considered as unexcused unless on an approved leave under the FMLA.
- If an employee is on sick leave for a period of more than three consecutive days or for a serious health condition, such leave may be designated as FMLA. Employees should contact Pediatrics' HR Office for information on FMLA and for the appropriate request forms

#### FACULTY

- Faculty accrue one day (8 hours for 1.0 FTE) sick leave each month.
- Faculty are to report sick leave using the **Employee Leave Request** form. Forms are submitted to the division chief for signature and for appropriate tracking at the division level.
- Sick leave accruals and usage for faculty will be recorded by divisions/programs. The division shall keep auditable records of faculty sick leave usage.

STAFF	<ul style="list-style-type: none"> <li>• Staff employees accrue one day (8 hours for 1.0 FTE) sick leave on the 16<sup>th</sup> of each month. Employees are expected to maintain sufficient leave accruals to cover their absences. If an employee demonstrates a pattern of excessive sick leave usage and is not on an approved leave under the FMLA, regardless if sick leave accruals are available, this could be considered an abuse of sick leave and could be subject to disciplinary action.</li> <li>• Staff are to report sick leave using the <b>Employee Leave Request</b> form. Forms are submitted to the appropriate manager/supervisor for signature.</li> <li>• Sick leave usage must be recorded in KRONOS in the pay period that it is taken.</li> </ul>
Extended Health-Related Leaves of Absence - With or Without Pay	
<ul style="list-style-type: none"> <li>• In exceptional cases, Extended Sick Leave (<b>with pay</b>) can be used for an employee's own serious health condition (not for a spouse or children), after all accrued sick leave and earned vacation time has been exhausted.</li> </ul> <p>Extended sick leave with pay must be approved by the cognizant vice president and may not exceed 30 days unless authorized by the University President.</p> <ul style="list-style-type: none"> <li>• Long-Term Medical Leave (<b>without pay</b>) may be granted for an employee's own serious health condition after an employee has exhausted all accrued sick leave and FMLA leave or if an employee is not eligible for sick leave or FMLA leave. Long term medical leave must be approved by the cognizant vice president and may be granted for up to one year; however, reinstatement to the same or an equivalent job is not guaranteed for absences more than six months.</li> </ul>	
Family Medical Leave Act (FMLA) - With or Without Pay	
<ul style="list-style-type: none"> <li>• FMLA allows for up to 12 weeks of leave during a rolling calendar year for the following: <ul style="list-style-type: none"> <li>○ The birth of a child, placement of a child for adoption or foster care.</li> <li>○ An employee's serious health condition (as defined by the FMLA).</li> <li>○ To care for a spouse, child, or parent with a serious health condition.</li> <li>○ Active duty leave for a "qualifying exigency" tied to active duty or notice of impending active duty of your spouse, child or parent.</li> <li>○ Service member family leave (up to 26 total weeks) to care for your spouse, child, parent or other relative (if you are the next of kin) who is receiving treatment for or recovering from a serious injury or illness incurred in the line of active military duty.</li> </ul> </li> <li>• <b>Eligibility requirements:</b> The employee must have been employed by the University for at least one year <b>AND</b> have worked 1,250 hours during the previous 12 consecutive months.</li> <li>• FMLA leave is <b>unpaid unless</b> accrued vacation or sick leave is used. University policy requires the employee to use accrued sick and vacation leave time during FMLA leave; however, the employee may retain up to 10 days of vacation with a written request.</li> <li>• While on an approved FMLA leave, an employee's job is protected and the employee may retain health care coverage at employee rates.</li> </ul>	

## **Faculty School of Medicine (SOM) Parental Leaves of Absence - With Pay**

- SOM parental leave allows for benefits-eligible faculty to take time off with pay for the birth of a child or to serve as the primary caregiver of her or his own newborn child, domestic partner's child, or a newly adopted child.
- The faculty member may request to be fully absent or to take a leave with modified duties (partial absence). Modified duties shall begin no more than three months prior to the birth/placement of a child and shall be completed no more than six months following the birth/placement.
- The maximum leave that can be taken per occurrence is 12 weeks. A total of 24 weeks per faculty member (family unit if both partners are SOM faculty) can be taken during a faculty member's employment at the SOM.
- Only one University of Utah faculty member in a family unit will qualify for a parental leave of absence and/or modified duties for a given instance of childbirth or adoption.
- Salary during parental leave can come from a mixture of three sources: sick leave, vacation and SOM contribution leave. There is no requirement to use leave accruals while on parental leave – a faculty member may choose to receive the SOM contribution leave exclusively
  - Sick leave and vacation are paid at the employee's current annual salary.
  - SOM contribution leave is paid as:
    - Instructor/Assistant Professor - \$30,000
    - Associate Professor - \$40,000
    - Professor - \$50,000.
- Adjustments to Tenure or Post Tenure Review Clock: Faculty on the Tenure track can request a one year extension on her or his timetable for RPT or post-tenure reviews. A faculty member may receive this extension no more than twice. The request for an extension to the pre-tenure probationary period or post-tenure review process must be initiated before a review begins.
- Obligation to Return to Work: The faculty member is expected to return to work for a period of time equal to the length of the leave. If he/she does not so return, or returns for a shorter period of service, the University will be entitled to a proportionate refund of the compensation paid by the University during the leave. The University president, or assigned designee, may waive the refund in whole or in part upon a determination that the enforcement of this obligation will create an extreme hardship.

## Staff Parental Leave of Absence - With Pay



## STAFF

- The Staff Parental Leave Benefit allows for benefits-eligible staff to take time off with pay for the birth of a child or to serve as the primary caregiver of her or his own newborn child, partner's newborn child, or a newly adopted child.
- To be eligible for the Staff Parental Leave Benefit, the staff member must meet the following criteria:
  - a) Hold a Full-Time, Benefits-Eligible position with the University and have been continuously employed full-time by the University for at least the preceding 12 consecutive months; and
  - b) During the leave period, must serve as an Eligible Caregiver (as defined for this purpose) of their own newborn child, a partner's newborn child, or of a child newly placed for adoption.
- Only one University Staff Member is eligible for the Parental Leave benefit for a given instance of childbirth or adoption. In the event both parents are University Staff Members eligible for the Parental Leave benefit, either one or the other may use the Parental Leave benefit, or they may choose to divide the Parental Leave benefit between them (each taking a portion of the overall maximum benefit).
- The Parental Leave benefit provided does not apply to a birth parent who does not anticipate becoming the legal parent of the child following birth.
- Upon approval of a Parental Leave application, the eligible Employee will be granted a leave of absence without being required to perform the duties of their position during that leave period, and will receive pay for one of the available options listed below:
  - a) Fifty percent (50%) of their regular work hours for a period of up to 12 weeks; or
  - b) One hundred percent (100%) of their regular work hours for a period of up to six weeks.
- The Parental Leave benefit shall begin no sooner than the date of birth (unless the Employee's health care provider certifies that an earlier begin date is medically necessary) or the date of placement for adoption of the child. The Parental Leave benefit shall be completed within 12 months following the birth or placement for adoption.
- The Parental Leave Benefit period shall run concurrently with an employee's FMLA leave. In no event will an Employee's Parental Leave extend the amount of leave provided under the FMLA.
- Employees must use accrued Sick and Vacation leave for regular work hours not paid as a Parental Leave benefit, before taking unpaid leave, except as allowed with an approved leave of absence under FMLA.
- Obligation to Return to Work: the staff member is expected to return to work at the end of the Parental Leave benefit period or FMLA leave, whichever is longer, for at least 30 days. In the event the Employee terminates employment and does not return to work for 30 days or more, the amount of the Parental Leave benefit shall be repaid and may be deducted from the Employee's vacation payout, if any.