



HUMAN RESOURCES MANAGEMENT POLICY

ANNUAL LEAVE

POLICY 18

NOTE: THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE MEDICAL UNIVERSITY OF SOUTH CAROLINA (MUSC). MUSC RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.

I. POLICY

The guidelines outlined in this policy are designed to cover eligible classified and eligible research grant employees.

- A. Full-time (40 hours/week) employees accrue annual leave at the rate of 10 hours per month (15 days per calendar year). Full-time classified employees, who have more than 10 years of combined State; Medical University Hospital Authority (MUHA), a quasi-state agency; and South Carolina school district service in a permanent position, accrue bonus hours up to a maximum of twenty hours per month upon completion of twenty-one (21) years of adjusted service.
- B. Part-time employees established to work at least 20 hours per week earn annual leave on a pro rata basis. This rate is derived by dividing the established work hours by 40 hours to determine the percentage of the full-time rate they accrue. (Example: An employee is established to work 30 hours/week. Thirty divided by forty equals .75 or 75%. 75% of 10 hours per month is 7.5 hours. A 30 hours/week employee accrues 7.5 hours of annual leave per month.). Part-time employees accrue bonus leave on a pro rata basis.
- €: Bonus hours are credited monthly and begin the month following each anniversary year beginning with the completion of ten years of adjusted State, Medical University Hospital Authority (MUHA) and South Carolina school district service. The bonus annual leave computation schedule is available at

http://www.musc.edu/hrm/leave/leave_computation.htm

- D. Research grant employees eligible to accrue annual leave hours are covered by this policy with the exception of bonus leave accrual.
- E. Employees accrue annual leave on a monthly basis provided they are in a pay status for at least one-half of the workdays of the month. Employees accrue annual leave while on annual leave, sick leave or other authorized leave with pay. Employees do not accrue annual leave while in a leave without pay status.
- F. Annual leave can be used once accrued and is scheduled at the department's convenience. Consideration shall be given, however, to the employee's preference.
- G. Annual leave will not be advanced.
- H. Employees are permitted to use a maximum of 240 annual leave hours (30 days) in any one calendar year.
- I. Employees who have used all available sick leave hours and 30 days of annual leave may, with the approval of the President, use any remaining accrued annual leave hours for absences due to Family and Medical Leave Act (FMLA) qualifying reasons.
- J. Annual leave will be charged to employees by proper notation on Kronos for the actual time employees are away from the job.
- K. Annual leave may not be charged when a holiday is observed by the University. If employees' scheduled work days are longer than the allotted holiday times, employees may use annual leave or earned compensatory time for the remaining hours in the work day, with supervisory approval.
- L. Employees are permitted to carry over a maximum of 360 annual leave hours (45 days) from one calendar year to the next.
- M. Departments may establish more specific departmental policies and procedures that fall within the parameters of this policy to address specific concerns or needs. Refer to Section III of this policy for additional information.

II. INFORMATION AND PROCEDURES

- A. Employees should complete a Request for Leave form sufficiently in advance, except in emergency situations, to obtain the necessary administrative approvals before the requested periods of annual leave are to begin. The Request for Leave form is available at http://www.musc.edu/hrm2/forms/Leave_Request_Form.pdf.
- B. In emergency situations, employees should obtain verbal approvals for requested annual leave and complete a Request for Leave form immediately upon return to work. The Request for Leave form is available at http://www.musc.edu/hrm2/forms/Leave_Request_Form.pdf.

- C. No "extra pay" in lieu of annual leave will be paid.
- D. Annual leave used for the serious health condition of employees, employees' immediate families (spouses, children, parents), and for other Family and Medical Leave Act (FMLA) qualifying reasons, will run concurrently with FMLA.
- E. Transferring Annual Leave
 - 1. Reassignments, between departments, of employees in classified positions will not change annual leave balances.
 - 2. Classified and unclassified non-faculty employees appointed to faculty positions shall be paid for unused annual leave hours, not to exceed 360 hours (45 days). This payment will be made without regard to leave taken during the calendar year.
 - 3. Employees in faculty positions transferring to classified and unclassified non-faculty positions have the option of transferring all accrued annual leave hours; or, being paid for all unused annual leave hours, not to exceed 360 hours (45 days). State service time as an FTE faculty employee will be used to calculate bonus leave accrual.
 - 4. Employees transferring to or from another State agency may have accrued annual leave hours transferred, provided there is no break in service as defined in Section II.F.
 - 5. Employees transferring to a South Carolina school district must be paid for accrued unused annual leave hours in accordance with Section II.H. of this policy. Annual leave hours cannot be transferred.
 - 6. Classified, unclassified non-faculty, and faculty employees transferring to research grant positions and research grant employees transferring to any FTE positions must be paid for accrued unused annual leave hours, in accordance with Section II.H. of this policy. Annual leave hours cannot be transferred.
 - 7. Employees transferring to the University from a South Carolina school district or MUHA cannot transfer annual leave hours.
 - 8. Employees in research grant positions retain their annual leave balances when they transfer to other research grant positions without a break in service as defined in Section II.F.
- F. Break in Service

All annual leave credits in excess of 360 hours (45 days) are forfeited and may not be reinstated when employees experience a break in service. Employees experience a break in service under the following circumstances:

- 1. When, transferring from one State agency to another, employees do not report to work with the gaining agency within 15 calendar days following the

last day for which they were paid by the losing agency;

2. By remaining in a leave without pay status for a period of more than one year (365 days);
3. If, following a reduction in force by the employing agency, employees are not recalled to classified positions within 12 months of the effective date of layoff;
4. By separation from State service and subsequent reemployment, regardless of lapsed time, employees are considered to have terminated from State service if paid for unused annual leave hours.

Exceptions:

- a. Employees in a leave without pay status for more than one calendar year (365 days) will not experience a break in service if employees are on a military tour of duty with reemployment rights under Federal and State laws.
- b. In the event a disciplinary action, such as suspension or dismissal, is set aside as recommended by a grievance panel, the period in which employees are not on the payroll may not be considered a break in service.

G. Crediting Service

1. FTE classified and unclassified non-faculty employees, including Post-TERI/Post-Retirement rehires, are given credit for the following for purposes of calculating bonus leave accrual:
 - a. Prior State service in an FTE position(s);
 - b. MUHA service in an FTE position (effective September 2006); and,
 - c. SC school district service in a permanent position.
2. Bonus annual leave accruals begin the month following an employee's cumulative service as indicated in II.G.1.

H. Termination Pay

1. Upon termination of employment or transfer to faculty, temporary, research grant, student status, or to a South Carolina school district, employees will receive a lump sum payment for unused accrued annual leave hours, not to exceed 360 hours (45 days). This payment will be made without regard to leave taken during the calendar year.
2. Upon retirement from State employment, employees will receive a lump sum payment for unused accrued annual leave hours, not to exceed 360 hours (45 days). This payment will be made without regard to leave taken during the calendar year.

3. Effective July 1, 2005, employees who elect to participate in the Teacher and Employee Retention Incentive (TERI) Program, receive a lump sum payment for unused accrued annual leave hours, not to exceed 360 hours (45 days) at the end of their TERI participation. This payment will be made without regard to leave taken during the calendar year. TERI employees in FTE positions continue to accrue State service; therefore, they continue to accrue bonus leave.
4. Different guidelines may apply to employees who elected to participate in the TERI program prior to July 1, 2005.
5. Post-TERI and post-retirement individuals rehired into FTE positions continue to accrue State service and bonus leave. South Carolina Retirement Systems' (SCRS and PORS) retirees who return to State employment and accrue leave are encouraged to use their annual leave regularly as they are not entitled to a second payout for unused accrued annual leave.
6. Upon the death of an employee, the designated beneficiary will receive a lump sum payment for unused accrued annual leave hours, not to exceed 360 hours (45 days). This payment will be made without regard to leave taken during the calendar year. This does not apply to post-TERI and post-retirement employees who have been rehired (see Section II.H.5.).

III. DEPARTMENTAL POLICIES

- A. Departmental policies must be approved by the Department of Human Resources Management prior to implementation.
- B. Departmental policies must be in writing, disseminated to all employees, and posted in the work area. If in-service training or orientation sessions are necessary to ensure employees understand the policies, departments should keep attendance records and signed documentation that employees received the information.

IV. FAMILY AND MEDICAL LEAVE ACT (FMLA)

- A. Employees who have been employed by the State for at least one year, and worked 1,250 hours over the previous 12 months are eligible for up to 12 weeks of unpaid, job-protected leave for the following reasons: for birth or placement of a child for adoption or foster care; to care for an immediate family member (spouse, child or parent) with a serious health condition; or to take medical leave when the employee is unable to work because of a serious health condition.
- B. Refer to Human Resources Management Policy No. 30, Family and Medical Leave Act, for additional information.

V. EXTENDED DISABILITY LEAVE

- A. An absence due to illness, injury or maternity, which is not covered by accrued sick leave hours, may be covered by accrued annual leave hours or leave without pay; however, the combination of paid leave and leave without pay cannot exceed 180

calendar days.

- B. A requested extended disability leave must be approved through normal administrative channels.
- C. Refer to Human Resources Management Policy No. 20, Extended Disability Leave, and Policy No. 30, Family and Medical Leave Act, for additional information.

VI. LEAVE TRANSFER PROGRAM

- A. Employees in classified and unclassified non-faculty positions who work at least one-half time and have exhausted all allowable accrued leave may be eligible to receive additional paid leave for emergency situations through the Leave Transfer Program.
- B. Employees in classified and unclassified non-faculty positions and accrue leave may donate annual leave to the leave pool for use by employees in need.
- C. Employees in faculty positions can not donate to nor receive annual leave from the Leave Transfer Program.
- D. Refer to Human Resources Management Policy No. 48, Leave Transfer Program, for details and additional information.

VII. AMERICANS WITH DISABILITIES ACT (ADA)

- A. Certain illnesses/health conditions may be protected as disabilities and, upon return from an extended absence, an employee may require reasonable accommodation to perform the essential functions of his/her job.
- B. Refer to Human Resources Management Policy No. 24, Reasonable Accommodation Under the Americans With Disabilities Act (ADA), for additional information.

Approved by:	Information Contact	Revised
_____ Lisa P. Montgomery Vice President Finance & Administration	Department of Human Resources Management Classification/Compensation Section	February 2008