

Treasure Valley Community College

Code: **GDBE**
Adopted: 10/20/98
Readopted: 10/14/09; 2/15/11
Orig. Code(s): 403-4

Paid Leave

Holidays

The College recognizes the following 10 holidays:

- New Year's Day, January 1;
- Martin Luther King Jr.'s birthday, third Monday in January;
- President's Day, third Monday in February;
- Memorial Day, last Monday in May;
- Independence Day, July 4;
- Labor Day, first Monday in September;
- Veteran's Day, November 11;
- Thanksgiving holiday (fourth Thursday **and** Friday of November);
- Christmas Day, December 25.

If the holiday falls on Saturday, the holiday is observed the preceding Friday. If the holiday falls on Sunday, the holiday is observed the following Monday. Holiday hours are eight hours for eligible full-time employees, and prorated at the same level as noted in Sick Leave for employees working more than half-time but less than full-time.

These holidays shall be paid for all eligibles employees whose normal work schedule requires the employee to be on duty the day before and the day after such holiday, excluding weekends. This policy does not apply to part-time or temporary employees. Faculty employees who are on summer, winter or spring break/recess shall not be paid for the holidays occurring within those breaks/recess.

Employees who are off work on an unpaid leave of absence or with an unexcused absence shall not receive holiday pay. Unexcused absences are absences without proper documentation or not approved by the supervisor. Employees who are off work due to sickness or vacation shall be paid for the holiday in lieu of using paid leave. Holidays will not be counted as hours worked for the purposes of determining overtime.

Sick Leave

Sick leave will accrue at the rate of eight hours for each calendar month of active employment for eligible full-time employees, and is prorated for employees working more than half-time but less than full-time. Grant funded positions are not eligible for paid leave benefits unless specifically provided for by the grant. Prorated benefits are as follows:

1. Employees who work 1040 to 1508 annual hours (20-29 hours per week or .50-.74 full time equivalent); sick leave is prorated at 50 percent, or 4 hours per month;
2. Employees who work 1560 to 1820 annual hour (30-35 hours per week or .75-.89 full time equivalent); sick leave is prorated at 75 percent, or 6 hours per month;
3. Employees who work 1872 annual hours (36 hours per week or .90 full time equivalent); sick leave is prorated at 90 percent, or rounded to 7 hours per month.

This policy does not apply to part-time or temporary employees. Unused sick leave may be accumulated without limit, but is not payable upon termination of employment. Sick leave shall not accrue during an unpaid leave of absence.

Sick leave is available for absences due to personal or immediate family injury, illness, doctor and dental appointments, quarantine, death in the immediate family (up to three days), and for qualifying family leave. Any employee who is absent due to illness for more than three days may be required to furnish a physician's statement verifying the employee's illness. "Immediate family" is defined as: biological or step-parent, child, spouse or domestic partner, present mother-in-law or father-in-law, sister, brother, sister-in-law, brother-in-law, son-in-law, daughter-in-law, grandparent, grandchild or legal dependents who live in the employee's household. Employees are required to use the Leave Request form to request the use of sick leave.

Administration and Professional exempt employees are required to use paid leave for less than full day and full day absences.

Sick leave cannot be used beyond the qualifying period for long-term disability insurance and cannot be used during any period which the employee is not on actively employed status. "Actively employed status" means the employee is not on disability (long-term or retirement) or an unpaid leave of absence.

If an employee comes to the College from another Oregon public school system, half of accrued sick leave, up to 75 days (600 hours), will be credited to the employee's leave account. The employee's former employer will be requested to furnish a letter certifying the number of sick leave days the employee has accrued.

Sick pay is intended solely to provide income protection in the event of illness or injury. An employee is prohibited to work elsewhere while on paid sick leave.

Sick leave will not be counted as hours worked for the purposes of determining overtime.

Vacation Leave

Vacation pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Eligible employees are full-time and those working more than half-time but less than full-time. Grant funded positions are not eligible for paid leave benefits unless specifically provided for by the grant. Prorated benefits are as follows:

1. Employees who work 1040 to 1508 annual hours (20-29 hours per week or .50-.74 full time equivalent); vacation leave is prorated at 50 percent;
2. Employees who work 1560 to 1820 annual hours (30-35 hours per week or .75-.89 full time equivalent); vacation leave is prorated at 75 percent;
3. Employees who work 1872 annual hours (36 hours per week or .90 full time equivalent); vacation leave is prorated at 90 percent.

This policy does not apply to part-time or temporary employees. Accrued but unused vacation hours will be paid upon termination of employment. Vacation shall not accrue during an unpaid leave of absence.

Employees must request advance approval for vacation from their supervisor by completing the Leave Request form. The supervisor has discretion to approve or limit the vacation schedule based on workload and staffing requirements.

Administrative and Professional Staff

Full-time employees receive 160 hours each fiscal year, July 1. Vacation hours will be prorated for employees working more than half-time but less than full-time as noted above. Hours will be prorated based upon the employee's hire date or termination date. A maximum of 40 hours may be carried over each fiscal year; however, the remainder or unused portion will be lost on September 30.

Administration and Professional exempt employees are required to use paid leave for less than full day and full day absences.

Classified Staff

The number of hours of vacation earned per month varies by the number of years of employment. Full-time employees earn 80 (1-4 years), 120 (5-9 years) or 160 (10+ years) hours, depending on date of hire. Vacation hours will be pro-rated for employees working more than half-time but less than full-time, as noted above. There is an accrual limit of 125 percent of the annual maximum; any employee with the maximum accrued vacation will lose vacation accruals in excess of the maximum.

Donation of Vacation Hours

This policy applies to recipient and donor employees who work half-time or more and have been employed with the College for more than 12 consecutive months. Fellow employees may donate their own accumulated vacation hours to an employee who has exhausted all vacation, sick and/or personal leave due to absences for his/her own health condition, injury or illness. The employee is not eligible for donation of

leave if the absence qualifies under Worker's Compensation, PERS disability, or other disability benefits. A physician's statement may be required by Human Resources documenting the need for the absence. The donated hours cannot exceed the maximum number of hours allowed to accrue, and the donated hours cannot be those hours the employee is allowed to temporarily carry forward from a previous fiscal year. Human Resources will notify employees of the need for donated hours; the recipient's name will not be released. Donated vacation leave will be paid at the recipient's rate of pay, not the donor's. The College may count the donated vacation hours as time against the recipient's annual FMLA and/or OFLA eligible leave. Paid leave will not accrue during the use of donated leave. Employees may apply for an unpaid leave of absence if the donated hours do not fulfill the entire absence. If the employee does not use the total donated hours, the balance is lost and not returned to the donors.

Comp Time

Regular full-time Classified employees are eligible to use compensatory time ("comp time") in lieu of being paid wages for hours worked over 40 in a workweek. It is figured at one and one-half hours for each hour of overtime worked. The maximum number of hours that can be accrued is 120 hours of comp time, which represents 80 hours worked. If an employee works any additional overtime after 120 hours has been banked, the time will be paid in overtime wages. Employees should use comp time within six months of earning it, and it is required to be used before other paid leave. All remaining comp time will be paid out with June's paycheck.

END OF POLICY

Legal Reference(s):

[ORS 187.010](#)

[ORS 332.507](#)

[ORS 336.010](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).
Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601-2654 (2006); Family and Medical Leave Act of 1993, 29 C.F.R. Part 825 (2006).