

ANNUAL AND SICK LEAVE

Annual Leave is leave with pay granted an employee for the purpose of rehabilitation, restoration and maintenance of work efficiency, or transaction of personal affairs. Sick Leave is leave with pay granted an employee who is suffering with a disability which prevents him/her from performing his/her usual duties and responsibilities and/or who requires medical, dental, or optical consultation or treatment, including annual physical exams.

Earning of Annual and Sick Leave

Annual and sick leave shall be earned by each full-time and each part-time employee who has a regular tour of duty (permanent, probational, provisional, or job appointment). Employees on a restricted appointment do not earn leave.

The amount of leave earned is based on the equivalent years of full-time State service and is credited at the end of each regular pay period according to the following general schedule. Part-time employees accrue leave in proportion to their percentage of full-time. As an employee's years of service increase, the leave accrual rate will increase according to the leave accrual schedule. The leave accrual rate increase is effective on the employee's anniversary date.

LENGTH OF SERVICE	PER HOUR	PER PAY PERIOD	DAYS A YEAR
Less than 3 years	.0461	3.6880	12
3 but less than 5	.0576	4.6080	15
5 but less than 10	.0692	5.5360	18
10 but less than 15	.0807	6.4560	21
15 or more	.0923	7.3840	24

No classified employee shall be credited with annual or sick leave:

for any overtime hour,

for any hour of leave without pay,

While he/she is on leave with or without pay, until such time as he/she returns to active working duty, except where inability to return to duty is caused by illness or incapacity,

for any hour in on-call status outside regular duty hours,

for any hour of travel or other activity outside regular duty hours, and/or

for any hour of a holiday or other non-work day which occurs while he/she is on leave without pay.

Accrued unused annual and sick leave earned by an employee shall be carried forward to succeeding calendar years.

Use of Annual Leave

Annual leave must be applied for by the employee and may be used only when approved by the employee's supervisor. Leave is requested on a Report of Classified Leave which is sent to payroll with the time sheet. Annual leave must be approved in advance, except in cases of an emergency, which is subject to the approval of the supervisor. Annual leave may only be taken in quarter hour increments.

Employees may be required to use annual leave during University closures; for example, during the Christmas break for days other than State holidays. For this reason all employees are encouraged to save their annual leave. See the University Holiday Schedule for scheduled closures requiring employees to use their annual leave.

The use of annual leave immediately preceding resignation, termination or retirement will be limited to the amount of annual leave the employee earns in a year. Where justifiable, exceptions may be made by the President.

Any employee not reporting to work when a request for leave has been denied will be considered on unauthorized leave without pay and will be subject to disciplinary action.

Annual leave requests exceeding two weeks must include the reason for the request in order to determine FMLA status.

Enforced Annual Leave

An appointing authority may require an employee to take annual leave whenever in his/her administrative judgment such action would be in the best interest of the University.

No employee shall be required to reduce his/her accrued annual leave to less than 240 hours except:

prior to being granted leave without pay, but subject to the right granted the employee by military leave provisions; or,

where it is determined that the need to be absent from work is because of a condition covered by FMLA.

Payment For Annual Leave Upon Separation

Each employee upon separation shall be paid the value of his/her accrued annual leave up to 300 hours in a lump sum disregarding any final fraction of an hour; provided, the employee was not dismissed for theft of agency funds or property. The payment for such leave shall be computed by multiplying his/her hourly rate at the time of separation by the number of hours of accrued annual leave.

No payment for annual leave under this rule shall operate to continue the payee as a classified employee beyond the last date of active duty.

When an employee who has been paid under this Rule for accumulated annual leave is re-employed in a classified position, he/she shall pay the department (state agency) which re-employs him/her the value of such annual leave at the rate paid him/her less the value of the working hours between the last day worked and the date of re-employment and shall be given credit for the number of hours of annual leave for which he/she has made reimbursement. For example, if the employee is paid 150 hours of terminal annual leave and returns to duty after 10 working days or 80 hours, he must reimburse the agency for the 70 remaining hours. The employee will be re-credited 70 hours of annual leave. Normally an employee is out of state service a sufficient time to avoid any such repayment.

Use of Sick Leave

Sick leave may be utilized by an employee who has sufficient leave to his/her credit for necessary absence from duty because of:

Illness or injury which prevents performance of usual duties, and/or

Medical, dental, or optical consultation or treatment.

Sick leave may only be taken in quarter hour increments.

Sick leave may not be used to care for a child or family member.

In order to qualify for paid sick leave, an employee must follow the call-in procedures established by his/her department. Should the employee fail to call in or notify the supervisor, all hours absent will be charged as unauthorized leave without pay, unless it is shown that it was medically impossible or impractical to follow the established procedure. Unjustified absence may be cause for disciplinary action. All leave information should be submitted immediately upon return to work. Failure to submit information in a timely manner may result in time being charged as (AWOL) Absent Without Leave (W).

Application and/or Certification Required When Using Sick Leave

An employee who is absent from work because of illness or disability or other circumstances for which sick leave is appropriate shall immediately report the absence to a designated department official, and upon return to duty, file written certification, if required, for the amount of sick leave taken. Except in the case of Family and Medical Leave, the following shall apply:

Classified employees absent from work for two consecutive work days or less, will not normally be required to provide certification; however, if the employee is absent for more than two consecutive work days, but not more than five consecutive work days, the supervisor may require certification from a registered physician or other acceptable proof of illness; any employee absent for more than five consecutive work days will be required to submit written certification from a

registered physician or other acceptable proof of disability. The employee must be advised, in advance, that written certification is required or in sufficient time to allow the employee to produce the certification. The need for written proof of short term illness, including those of two days or less, will be determined by the employee's attendance record and other matters of which the supervisor may have knowledge.

The abuse of sick leave privileges may result in disciplinary action regardless of the length of absence.

An employee on annual leave may not, retroactively, have hours originally approved as annual leave charged to sick leave unless the charge to annual leave was through administrative error, except in the following case: if, during an approved period of annual leave, an event occurs which qualifies for sick leave and the employee immediately reports this occurrence to the appropriate individuals(s), an adjustment may be made to the leave records as to all leave taken after the notice was given.

An employee who has fewer than eight (8) hours of sick leave to his credit and is unable to perform the essential functions of his job due to illness or medical disability may be separated from his/her employment. A separation under these conditions is not considered a disciplinary action and is done because of a need to have the duties of the position performed. An employee must have exhausted 12 weeks under FMLA to be terminated under this provision. When an employee is non-disciplinarily removed under this provision, he/she shall be paid for all remaining sick leave.

Absence from duty caused by maternity is considered to be a temporary disability similar to any other medical disability. Employees may use accumulated sick leave for this purpose. If the employee's sick leave balance is insufficient to cover the entire period of absence, the employee must seek approval from the appointing authority or his/her designee to use annual leave, or to use leave without pay. Sick leave may be used only for that period of time during which the employee is unable to perform her duties because of pregnancy. Any additional time off must be covered by other types of leave when the employee is discharged by her health care professional, usually six weeks following delivery. Maternity leave will be designated under FMLA. (Louisiana Law R.S. 23:342 allows up to 4-months of leave for pregnancy/childbirth leave.)

Before being granted leave for maternity purposes the employee is required to furnish a statement from her health care professional to the effect that she can no longer perform the duties required and the expected date of delivery. Before the employee can return to work from an extended illness, pregnancy, or surgery, the health care professional must certify in writing that the employee is able to return to regular duties. To prepare for possible replacement of an employee who is requesting maternity leave, the employee's written request for leave should be submitted a minimum of two months in advance of the proposed beginning of leave.

An employee cannot be paid for unused sick leave upon termination. If the employee is re-employed in state service within five years from a non-disqualifying separation, the employee will be credited with all sick leave and any annual leave for which he/she was not paid. If the employee transfers to another LA State agency, their leave balances are transferred to the gaining State agency.

There is no maximum accrual of sick leave. Unused sick leave may be used to extend years of service for purposes of retirement credit for employees who are members of LASERS or TRSL. Unused sick leave cannot be used to attain eligibility for retirement.