



## **EMPLOYEE LEAVE**

### **POLICY**

Absences from work during scheduled work hours shall be charged to the appropriate leave program of the employee. Administration of the leave program within the scope of established policy shall be the responsibility of the College President with administration through the Department of Human Resources.

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### **PROCEDURES**

#### **Request for Annual or Sick Leave**

Each employee will complete a "Request for Leave" form and submit it to his/her immediate supervisor for approval. The supervisor and/or Vice President will ensure that leave forms are properly approved and submitted to the payroll office as leave is taken. Accurate records of leave earned and taken will be maintained by payroll for each employee. Employee leave records will be balanced and brought up-to-date monthly. Therefore, all leave records will be submitted on a timely basis and should not be held from one month to the next. Each employee should review his/her records periodically.

Leave records for all separated employees will be kept for a period of at least **four years** from the date of separation. Only scheduled work hours shall be used in calculating the amount of leave taken. Saturdays, Sundays and holidays are charged only if they are scheduled workdays.

When an employee determines that he/she will not be able to report to work at the prescribed time, the employee is to contact his/her immediate supervisor and inform the supervisor of the circumstances. In the event it is impossible to make direct contact with the immediate supervisor, the employee is to directly contact the next-highest-level supervisor. Absences of three (3) days or more must be reported to Human Resources by the supervisor to coordinate leave and pay issues.

#### **Holidays**

Governed by separate Board of Trustees' Policy 2.6.3

#### **Advancement of Leave**

Sick and annual leave may be advanced for the convenience of regular full-time and regular part-time employees upon approval by the President. Any request for advancement of leave should be made in writing to the employee's supervisor. The supervisor will submit the request to the Director of Human Resources to submit it to the President for his/her consideration. The advancement of leave is provided for the convenience of the employee and in no way implies re-employment beyond the expiration of the current agreement of employment. Leave may not be advanced over the amount which the employee would earn during the fiscal year. If an employee is not re-employed and takes leave in excess of that which is earned, the employee is liable for the repayment of such leave to the College.

### **Termination of Leave Benefits**

When employees resign, their last day worked is their last day of employment. When employees plan to retire and wish to use annual leave for a period of time before active employment ceases, the employee stops earning annual and sick leave and is not eligible to take sick leave. The employee will not be charged leave for an institutional holiday.

### **Aggregate Service (Leave)**

All annual employees who work full-time or more than half time accumulate Aggregate Service. Credit is given for employment when properly verified from the following:

1. All annual employment with the State of North Carolina whether such service was exempt from or subject to the Personnel Act.
2. All annual employment with institutions of the System of North Carolina Community Colleges and the public schools of North Carolina, with the provision that a school year is equivalent to one full year.
3. Authorized Military Leave and Civil Leave.

### **Sick Leave Program**

A full-time regular employee shall earn sick leave for each month employed at the rate of eight (8) hours per month. Part-time (30 hour) employees earn sick leave monthly at a rate of six (6) hours per month employed. Sick leave is cumulative indefinitely.

Sick leave may be advanced upon the approval of the President; however, the advancement may not exceed the amount an employee can earn during the current fiscal year. A minimum of one hour of sick leave must be taken. Only scheduled work hours shall be charged in calculating the amount of sick leave taken.

If the employee is absent longer than three days, the College may require a statement from a medical doctor or other acceptable proof that the employee was unable to work. Sick leave forms must be turned in the day the employee returns to work.

Sick leave may be granted for the following:

- illness or injury which prevents an employee from performing his/her usual duties,
- death in the immediate family, for days beyond the 3 days of bereavement leave (spouse, parents, children, brother/sister, grandparents, dependents),
- medical appointments,
- temporary disability due to childbirth,
- to care for member of immediate family (including care for mother during temporary disability),
- donations to a member of the immediate family who is an approved voluntary shared leave recipient,
- adoption of a child, limited to a maximum of 30 days for each parent (which is equivalent to a

- biological mother's average period of disability, and
- quarantine due to a contagious disease in the employee's immediate family.

**Faculty Sick Leave** – Faculty members must turn in such leave to their immediate supervisor the next day he/she returns to work. Full-time faculty members, as 40 hour per week employees, will expend 8.5 hours of sick leave for a full day's absence Monday through Thursday and/or 6 hours on Fridays, assuming the College continues with an adjusted Friday schedule. Any partial days or hours missed would be expended on a percentage basis to the full day's absence. If a faculty member must miss a mandatory work day to include days assigned to professional development, advising/registration, or divisional meetings, sick leave or personal leave must be expended to cover the time missed.

Brunswick Community College has had a sick leave policy since its inception in September, 1979; therefore, all sick leave accumulated by employees of the College shall be transferred to total service as provided under the N. C. Teachers' and State Employees' Retirement System. Upon retirement, employees who are members of the Retirement System will be allowed one month of retirement credit for each twenty days of accrued sick leave.

Sick leave is not allowable when an employee resigns or plans to retire and wishes to use leave for a period of time after active employment ceases. Should an employee be separated before he has earned all of the sick-leave taken, it will be necessary to make deductions from his/her final salary check for overdrawn leave on a day-for-day basis.

Employees granted leave without pay shall be credited with accrued sick leave if reinstated before the termination date of sick leave without pay.

If an employee is separated from the College but is reinstated within five years from the date of his last workday, the College will reinstate sick leave credits accumulated at the time of separation.

An employee who transfers from a North Carolina public school, community College or technical institute, or state College to Brunswick Community College shall be credited with any sick leave he/she had at the termination of employment with the public school, community College or technical institute or College, or state agency provided that his/her employment was continuous and a record is provided by the transferring institution or agency.

An employee who transfers from a local mental health agency, whether such employment was subject to the North Carolina Teachers' and State Employees' Retirement System or a private system which the local agency has, may transfer his/her sick leave to Brunswick Community College. Only sick leave transferred from a local mental health agency whose employees are under the NC Teachers' and State Employees' Retirement System is eligible for retirement credit.

### **Annual Leave Program**

Each full-time employee in a full-time staff position earns annual leave, except full-time faculty. A day, for leave purposes, will be the number of hours of the regular workday (See Holiday Policy for exception related to mandatory leave). The rate is based on the length of aggregate service and shall be computed at the following rates. Part-Time 30-hour employees earn annual leave on a prorated basis of 75% of the rate of 40-hour employees.

Total Years of State Service	Hours Granted Each Month	Days Granted Each Year
Less than 5 years	9.33	13.99
5 but less than 10	11.33	16.99
10 but less than 15	13.33	19.99
15 but less than 20	15.33	22.99
20 years or more	17.33	25.99

Annual leave may be accumulated without any applicable maximum until June 30 of each fiscal year. However, if the employee separates from service, payment for accumulated annual leave shall not exceed 240 hours. On June 30, any employee with more than 240 hours of accumulated leave shall have the excess accumulation transferred to sick leave so that only 240 hours are carried forward to July 1 of the next fiscal year. If an employee has excess leave accumulated during the latter part of the year and is unable to take such leave because of staffing demands, the employee shall receive no special consideration either in scheduling annual leave or in receiving any exception to the maximum accumulation.

Annual leave may be advanced upon the discretion of the President; however, leave shall not exceed the amount an employee can earn during the current fiscal year or the difference between the amount of accumulated leave carried forward and the maximum allowable. New employees (probationary) may be granted leave only as it is earned through the first six months of service. After six months, an employee may be advanced the amount of leave that he/she would earn during the remainder of the fiscal year.

The College will not transfer to or accept annual leave from another jurisdiction.

Except in unusual circumstances, a request for annual leave should be submitted and approved before taking annual leave. A minimum of 30 minutes of annual leave must be taken.

**Uses of Annual Leave:** Annual leave is used primarily as vacation; however, it may also be used for medical appointments, personal reasons, sick leave and for absences resulting from adverse weather conditions and other College closure. If classes are cancelled due to adverse weather or other emergencies, make-up activities are conducted via the College's LMS (Moodle).

The President has the option of excusing the days missed due to closing for adverse weather or emergency situations. If adverse weather conditions or emergency situations necessitate closure, non-instructional staff may be required to make up the missed time or submit annual leave for such time (more than five days).

An employee who terminates employment or the estate of an employee who dies while employed shall be paid for annual leave already accumulated not to exceed a maximum of 240 hours. Any annual leave owed to the College shall be deducted from the employee's final compensation.

Annual leave used as vacation shall be taken only with prior approval of the employee's supervisor.

Such leave will be authorized when it least interferes with the efficient operation of the institution. Generally, leave beyond 15 consecutive days will not be approved without permission from the employee's supervisor.

**Full-time Faculty employees and Part-Time Temporary Faculty** employees do not accrue annual leave. Faculty workdays and scheduled vacation days for the upcoming academic year are provided in a Faculty Schedule that is distributed once the academic calendar is finalized.

**Full-time Faculty employees may request up to two days of personal paid leave** per academic year provided that completed leave forms are submitted in advance and class work/assignments are attached.

**Benefits during Annual Leave:** During use of annual leave, employees continue to earn normal benefits including leave. No benefits are earned when an employee is on terminal leave.

Employees may be required to take annual leave if the College is closed for adverse weather, emergencies, and the closing of the College during holidays.

### **Voluntary Shared Leave Policy**

Governed by separate Board of Trustees' Policy 2.6.4

### **Military Leave**

Military leave shall be granted without pay to all full-time, part-time regular and probationary employees for 120 working hours annually, for any type of active military duty. The service member shall make a reasonable attempt to submit a copy of his/her active military duty orders to his/her direct supervisor prior to deployment; the College understands that there are circumstances when this is not possible.

The College shall provide the **active military supplement benefit** up to (120) working hours annually for military service members who are eligible. The active military supplement benefit allows for the military service members to be made financially whole when called upon for active military duty. The active military supplement benefit will be applied when the gross military basic pay is **less than** the employee's pay. The employee shall receive payment equal to the difference between the two amounts. The service members shall be responsible for sending in their monthly **Military Leave and Earnings Statement** upon completion of their (120) hours of active duty.

The Military Leave and Earnings Statement must be received by the payroll department within **five (5)** business days after returning from active duty.

Active Military Supplement Benefit Example:

<b>College Pay</b>	<b>\$10.00 an hour x 120 hours = \$1,200.00</b>
<b>Gross Military Basic Pay</b>	<b>\$9.50 an hour x 120 hours = \$1,140.00</b>
<b>Active Military Supplement Benefit</b>	<b>\$1,200.00 - \$1,140.00 = \$60.00</b>

More information is available on the Employee Services Office bulletin board and the

**Uniformed Services Employment and Reemployment Rights Act (USERRA) website:**  
<https://www.dol.gov/vets/programs/userra/>.

**Leave without Pay** Leave without pay may be granted to employees for any reasons deemed justified by the President of Brunswick Community College. Leave without pay normally shall not exceed 12 weeks, but may be extended based on individual circumstances. Employees may qualify for unpaid leave under the Family and Medical Leave Act (FMLA) and should consult Human Resources when they determine Leave without Pay is required.

**Employee Responsibility Regarding Leave without Pay:** The employee shall apply in writing to his/her supervisor for leave without pay. The request for leave should be forwarded to the Director of Human Resources, with the supervisor's recommendation, who will obtain the President's approval or disapproval. If, after the leave without pay is approved, the employee decides not to return to work, the employee's supervisor should be notified immediately. At least thirty calendar days prior to the end of the leave, the employee shall give written notice of intent to return to work; otherwise, the College is not required to provide reinstatement. Failure to report to work at the expiration of the leave, unless an extension is granted, will be considered a resignation. Every effort will be made to reinstate the returning employee to the same position or one of like seniority, status and pay.

**Retention of Benefits during Leave without Pay:** The employee shall retain all accumulated unused annual and sick leave. While on leave without pay, the employee may continue coverage under the State's health insurance program by paying the full premium cost (no contribution by the State). An employee's longevity date will be adjusted as determined by the length of the leave without pay. Eligibility to accumulate service time for leave and longevity purposes ceases on the date that leave without pay begins.

**Civil Leave** A full-time College employee called for jury duty or as a court witness for the federal or state Governments, or a sub-division thereof, shall receive leave with pay for such duty during the required absence without charge to accumulated annual or sick leave. A certified attendance form from the clerk of court is required to receive leave with pay.

An employee may keep fees and travel allowances received for jury or witness duty in addition to regular compensation, except that employees must turn over to the College any witness fees or travel allowances awarded by the court in connection with official duties as an employee of Brunswick Community College.

### **Administrative Leave**

Administrative leave is defined as leave granted by the President to employees to cover employee absences from work caused by inclement weather (hurricanes, snow, etc.) or other events (fire, boiler breakdown, etc.) beyond the control of the employee or situations deemed appropriate by the President.

**Voluntary Administrative Leave:** In situations in which the provision of leave is appropriate but not covered by existing leave provisions, the President may grant an employee(s) voluntary administrative leave.

**Involuntary Administrative Leave:** Administrative leave may be required of an employee(s) by the President at times deemed necessary for the successful operation of the College; including but not limited to:

- Emergency situations
- Pending the results of a College investigation
- As a form of an employment disciplinary action

### **Bereavement**

Eligible employees will receive three state defined bereavement days from the College upon the death of an immediate family member. Immediate family includes:

- Spouse
- Parents
- Children
- Brother/Sister
- Grandparents
- Dependents

If over three days are needed, all eligible employees may use sick leave or annual leave when there is a death in the immediate family.

*Approved by the Brunswick Community College Board of Trustees*

October 19, 2017

*Procedures Revised by President's Cabinet*

January 11, 2021