

LEAVE POLICIES

General Policies

All leave reports should be reported to the dean or department chair via the e-leave system, which can be accessed via my.fmarion.edu. Once at the my.fmarion portal, choose the e-leave option listed in the left-most column. Instructions are given in the e-leave documentation option. Use your University username and password to access the e-leave system. To submit the leave request/report you will need your four-digit PIN, which is given to you via a memo from the coordinator of leave in the Human Resources office.

If a faculty member has used all of a particular type of leave, the leave slip will be adjusted by the Human Resources Office. Annual leave, where applicable, should be requested in advance, and leave slips should be sent to the Human Resources Office prior to leave being taken.

If a personal emergency arises which requires a faculty member to be absent, the faculty member is responsible for reporting his or her situation to the department chair as early as possible but in no event later than the time he or she is to report for work. If the situation continues beyond one day, the employee must notify his or her department chair as to the expected length of absence or call in each day. If he or she cannot contact the department chair, he or she should then attempt to contact the School dean. If the School dean cannot be reached, the Office of the Provost should be notified. If proper notification is not given, the absence may be charged as leave without pay. If an employee is absent without prior approval and for a reason which is not, in the opinion of the dean/Provost, sufficient to constitute an emergency, the absence may be charged as leave without pay.

Example: If an employee is out sick but does not have any sick leave, he or she should indicate "sick leave" on the leave slip. The leave will be changed to either annual leave, if applicable, or leave without pay by the Human Resources Office.

Sick Leave

The 1974 Sick Leave Act for State Employees established a standard sick-leave earning rate that shall apply to all permanent State employees in accordance with the following guidelines:

Sick leave shall be granted to and accrued by (1) permanent and probationary full-time employees and (2) permanent and probationary part-time employees who are scheduled to work at least one half of the work week of the agency on a twelve-month basis during the full school or academic year of nine months or more.

The University shall maintain a leave record for each employee covered by this Act. These records are maintained in the Human Resources Office and are updated as follows:

Sick leave is credited to the employee's permanent record at the beginning of each month for the previous month. (Example: November accrual is credited on December 1.) Sick leave is charged to the employee's permanent record from employee leave slips.

All permanent and probationary full-time State employees shall be credited with sick leave on the basis of one and one-fourth working days for each full calendar month of service not to exceed a maximum accumulation of 180 days. All permanent and probationary part-time employees shall be credited with sick leave on a pro-rata basis for each full calendar month of service.

Employees shall not be credited with leave for any month in which they are not in a pay status for one half or more of the workdays of the month. An employee shall be credited with sick leave earnings while on annual leave (if applicable), sick leave, or other authorized leave with pay.

When employees are absent because of sickness, their leave records shall be charged for the actual time the employees must be away from the job; however, leave shall not be charged in units of less than one quarter hour.

The use of sick leave shall be subject to verification. When there is reason to believe that sick leave is being abused or when the absence is more than three consecutive workdays, a doctor's statement should be required before approval can be granted. The doctor's statement must describe the disability and give the inclusive dates. If sick leave is known in advance (example: surgery), the doctor's statement should be provided in advance of the leave.

Each employee is responsible for reporting his or her illness to his or her chair/dean as early as possible but no later than the time he or she is to report for work. If illness continues beyond one day, the employee must notify the chair/dean as to the expected length of absence or call in each day. If he or she cannot reach the department chair, the employee should then attempt to contact the School dean. If the School dean cannot be reached, then the Office of the Provost should be notified. If proper notification is not given, the absence may be charged as annual leave, if applicable, or leave without pay.

Individual leave slips must be completed and properly executed before sick leave can be approved. Leave slips are then forwarded to the Human Resources Office for verification of accrued leave and record keeping. After such leave is verified, the employee will be notified as necessary.

Faculty members on a nine-month basis do not earn, nor are they eligible to use, sick leave during the summer months.

An employee shall be granted sick leave if absent for any of the following reasons:

- Personal illness or injury** incapacitating the employee to perform duties of the position.
- Exposure of contagious disease** such that presence on duty could endanger the health of fellow employees or students.

Appointment for medical or dental examination or treatment when such appointment cannot reasonably be scheduled during non-working hours. To the extent possible, examination appointments must be approved in advance.

Sickness or temporary disability due to pregnancy. The date on which sick leave for maternity purposes is to begin shall be the determination of the employee and her doctor. In no event shall such date be prescribed unilaterally by an appointing authority except on the basis of professional medical opinion that the employee is physically incapable of performing normal duties or that continuing to perform normal duties would be hazardous to the employee. When an employee is anticipating an absence due to maternity, she should notify the Human Resources Office within the fourth month of pregnancy. It will be necessary for the requesting employee to provide a statement at the earliest possible date from her doctor to her chair/dean who will then forward the statement to the Human Resources Office recommending when the employee should stop work due to the pregnancy, noting the expected date of delivery, and noting the expected date when the employee would normally return to work. Dates set forth by the physician can be amended only by the physician and only for medical reasons based on the mother's condition as a result of pregnancy.

Adoption of a child. When an employee adopts a child, he or she may use accrued leave for the purposes of arranging for the adopted child's placement or for caring for the child after placement. Use of sick leave is restricted to six weeks after placement of the child.

Treatment for alcoholism. Sick leave may be used for the purpose of participating in public and/or private treatment and rehabilitation programs for alcoholics that have been approved by the South Carolina Department of Mental Health.

Family Sick Leave. Employees earning sick leave may use not more than ten days of sick leave annually to care for ill members of their immediate families. For purposes of this section, "immediate family" means the employee's spouse and children and the following relatives of either the employee or the spouse of the employee: mother, father, brother, sister, grandparent, and legal guardian, as well as grandchildren if the grandchildren reside with the employee and the employee is the primary caretaker of the grandchildren.

For an extended illness, disability, or maternity leave exceeding the amount of accrued annual and/or sick leave, the employee may apply for leave-without-pay status for a period not to exceed 180 days. The written request for leave-without-pay status shall specify the inclusive dates and provide a physician's certificate describing the disability and giving the projected inclusive dates. The request will not be denied for bona fide illness or disability for permanent employees. Francis Marion University shall require a physician's certificate or other acceptable documentation verifying the disability and giving the projected inclusive dates of disability prior to approval. Only the physician can amend dates set forth by the physician. Francis Marion University may require additional documentation from the physician issuing the certificate or may secure additional medical opinions from other physicians. As long as disability is certified by a physician, the amount of leave authorized shall not exceed (1) 180 calendar days of combined leave with pay and leave without pay or (2) 180 working days of leave with pay; otherwise the employee shall forfeit reinstatement

privileges and be separated from University service. In extenuating circumstances, the President, at his discretion, may extend the period of leave to a total of 365 days. Leave taken under this section may qualify under the terms of the Family and Medical Leave Act and, if so, will run concurrently. Under the Americans with Disabilities Act of 1990 certain extended illnesses may be protected as disabilities and may require reasonable accommodation.

Family and Medical Leave Act

The Family and Medical Leave Act (FMLA) of 1993 requires Francis Marion University to provide up to 12 weeks of unpaid, job-protected leave each calendar year to eligible employees for specified family and medical leave reasons. However, if an employee is requesting leave for a condition which is covered under the sick leave policy, he or she must use all accrued sick leave for which he or she is eligible before requesting unpaid leave. If this leave qualifies under FMLA, it is included in the 12 weeks of FMLA leave.

For a Francis Marion University employee to be eligible for FMLA benefits, he or she must have worked for the State of South Carolina for a total of at least 12 months and have worked for the State of South Carolina at least 1,250 hours over the previous 12 months.

Employees are eligible for a total of 12 weeks of FMLA leave during a calendar year for one or more of the following reasons:

- A. For a birth or placement of a child for adoption or foster care. This leave must conclude within 12 months of the birth or placement.
- B. To care for an immediate family member (spouse, minor or disabled child, or parent, not parents-in-law) with a serious health condition. FMLA may be taken intermittently whenever necessary to care for a seriously ill immediate family member. However, leave must be in quarter-hour increments.
- C. To take medical leave when the employee is unable to work because of a serious health condition. FMLA leave may be taken intermittently whenever necessary because the employee is seriously ill and unable to work. However, leave must be in quarter-hour increments.

If both spouses work for the State of South Carolina, they are jointly entitled to a combined total of 12 work weeks of family leave for a birth or for placement of a child for adoption or foster care or for caring for parents.

A "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves:

- A. any period of incapacity or treatment connected with in-patient care (i.e., an overnight stay) in a hospital, hospice, or residential medical-care facility;
- B. any period of incapacity requiring absence of more than three calendar days from work or other regular daily activities that also involves continuing treatment by or under the supervision of a health care provider;

- C. continuing treatment by or under the supervision of a health care provider for a chronic or long-term health condition that is incurable or so serious that, if not treated, would likely result in a period of incapacity of more than three calendar days, and for prenatal care.

Employees seeking to use FMLA leave will be required to provide:

- A. 30-day advance notice of the need to take FMLA leave when the need is foreseeable;
- B. medical certification supporting the need for leave due to a serious health condition affecting the employee or an immediate family member; and
- C. periodic reports during FMLA leave regarding the employee's status and intent to return to work.

Francis Marion University may require second or third medical opinions and periodic recertification (at FMU's expense) from employees seeking FMLA leave.

When leave is needed to care for an immediate family member or the employee's own illness, and is for planned medical treatment, the employee must try to schedule treatment so as not unduly to disrupt the normal routine of the department.

Group insurance will be maintained for the employee on FMLA leave whenever such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work. Employees will be required to pay for their share of the health insurance premiums while on leave in the same manner as they were paid while the employees were working.

An employee will be restored to his or her original position, or to an equivalent position with equivalent pay, benefits, and other employment terms and conditions. The employee will not lose any benefit that the employee earned or was entitled to before using FMLA leave.

Workers' Compensation

Employees have certain benefits under the South Carolina Workers' Compensation Act if they sustain accidental injuries or contract an occupational disease while performing official duties as University employees. In case of an accident an employee should:

- A. Notify his or her department chair/dean as soon as possible after the accident.
- B. Contact the Public Safety Office for follow-up medical assistance. The responding officer informs Human Resources of injuries warranting further medical attention.
- C. Report to the Human Resources Office for further medical attention and CompEndium notification. (CompEndium will notify the physician or the ER of the injury and the arrival of the injured employee. The physician or the ER will call CompEndium before the injured worker leaves the facility to receive authorization for treatment. Immediately following, the Medical Manager Nurse Consultant will call the FMU Human Resources Office with a report on the status of the employee's condition and work status. The physician's report or case notes will be faxed within 24 hours of receipt of treatment.)

In cases covered by Workers' Compensation an employee may elect one of the following options (which is irrevocable as to each individual accident):

- A. To be placed on paid-leave status, using accrued sick and/or annual leave. (When such credits are exhausted before the employee can return to work, the employee shall be entitled to Workers' Compensation at the time the specified amount of leave is exhausted.)
- B. To use Workers' Compensation benefits awarded in accordance with Title 42 of the 1976 Code. (Under this method the employee would receive the disability benefits equal to 66 2/3 percent of the employee's gross weekly pay, not to exceed the current rate authorized by the SC Workers' Compensation Fund.)
- C. To receive sick and/or annual leave on a prorated basis in conjunction with Workers' Compensation according to the formula approved by the Budget and Control Board.

Death in Immediate Family

An employee, upon request shall be granted up to three consecutive workdays of leave with pay on the death of any member of the employee's immediate family. "Immediate family" is defined as the spouse, great-grandparents, grandparents, parents, legal guardians, brothers, spouse of brothers, sisters, spouse of sisters, children, spouse of children, grandchildren, and great-grandchildren of either the employee or the spouse. "Immediate family" includes step relatives and half relatives when the employee lived within the same household for a prolonged period of time. Leave slips must be approved and submitted to the Human Resources Office and must indicate the name of the deceased and the relationship to the deceased on the leave slip.

Court Leave

Court leave is leave granted for jury duty or court subpoena. Any permanent or probationary employee who is summoned as a member of a jury panel shall be granted leave with pay, and any jury fees and travel payment shall be retained by the employee.

Any permanent or probationary employee subpoenaed as a witness shall be granted leave with pay.

Any permanent or probationary employee subpoenaed in the line of duty to represent a State agency as a witness or defendant shall not be granted leave with pay, and appearance in such cases shall be considered a part of the employee's job assignment. The employee shall be reimbursed according to the Budget and Control Board's regulations for any meals, lodging, and travel expenses that may be incurred while serving in this capacity.

In no case shall leave with pay be granted for court attendance when an employee or a member of his or her immediate family is engaged in personal litigation; however, an employee may be granted annual leave or leave without pay when annual leave is not available. In such cases the agency must approve the request.

Any day an employee is excused from service on a jury, the employee is expected to return to the job; otherwise, the time the employee is excused from court service will be charged to annual leave, if applicable, or leave without-pay. A copy of the summons or subpoena must be attached to the leave slip. The employee must also attach a statement from the court which details his or her days of service and the time he or she was released from service each day.

Military Leave

Up to 15 work days of leave with pay will be granted to regular employees who are members of a reserve component of the Armed Forces or the National Guard for training or other such duties ordered by the Governor or the Department of Defense. This leave cannot be used for any other purpose. The employee must make a one-time declaration to the employer of the year (calendar or military fiscal) under which he or she is scheduled. In the event an employee is called upon to serve during a declared emergency, the employee shall be entitled to additional emergency military leave for a period not to exceed 30 additional days.

Reassigned Time

The purpose of reassigned time at Francis Marion University is to provide the full-time, temporary, or visiting faculty member (non-tenure-track) with a reduction in teaching load (three contact hours per week for one semester) so that the faculty member may have time to devote to scholarly effort and individual professional development. Typical activities might include researching and writing conference papers, journal articles, or books, or producing artistic works. Reassigned time will not be granted for course preparation or administrative purposes. Faculty may be denied reassigned time if their awards have become too frequent in recent history.

The application for reassigned time should include a description of the task to be accomplished, any related work already done, and the future direction of the project. The application is not complete without a letter from the faculty member's immediate supervisor that contains a statement of support and an indication of how the department will cover the loss in teaching time. The Professional Development Committee or a subcommittee thereof will review each application in light of the stated purpose and chances of success and then make recommendations to the Provost, who will make the final decision.

The application for reassigned time should be sent to the chair of the Professional Development Committee (or the appropriate subcommittee thereof). The cut-off date for receipt of applications will be the end of the first full week of classes for reassigned time in the following semester. The chair will send reports to the Provost's office within ten working days following the deadline for submission.

Faculty members receiving reassigned time must send the Provost and the committee chair a final written report within three months following the reassigned time. This report should describe the progress made on the project.

Sabbatical Leave

A. Purpose

The purpose of sabbatical leave at Francis Marion University is to provide the faculty member an extended opportunity for enrichment in scholarly activity or teaching effectiveness. In granting sabbatical leave, the University affirms the faculty member's previous accomplishments and approves the faculty member's sabbatical plan for continued growth. In accepting sabbatical leave, the faculty member affirms a commitment to participate fully in the sabbatical project(s) contained in the proposal. The faculty member affirms his or her intention to