BENEFIT PROGRAMS

Note: This handbook is intended to provide employees with a brief summary of benefits that are available to qualifying employees. Employees requiring specific answers or who need to ensure that the material they are reviewing is current are directed to contact the Human Resources Office.

LEAVES

Note: The employee, as well as the supervisor, is responsible for notifying the Human Resources Office of any employee absence from work which would affect payroll status.

Leaves are intended for your benefit and for specific purposes as addressed in the handbook. Misuse of these benefits may be grounds for discipline up to and including termination.

Annual Leave: Annual leave shall accrue for 12-month, regular-status employees who are employed to routinely work 20 or more hours per week. Employees routinely working at least 20 hours but less than 40 hours will accrue annual leave on a prorated basis. The accrual rates for full-time employees are as follows:

<table>
<thead>
<tr>
<th>Anniversary Date and Years of Service</th>
<th>Accumulation Rates Based on Eligibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Years 0 - 4</td>
<td>10 hours for each month worked (15 days per year)</td>
</tr>
<tr>
<td>Years 5 - 19</td>
<td>12 hours for each month worked (18 days per year)</td>
</tr>
<tr>
<td>Years 20+</td>
<td>13.36 hours for each month worked (20 days per year)</td>
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</tbody>
</table>

Eligible employees will begin accruing leave on the first full month following employment. Please contact the Human Resources Office for individual information on this subject. An employee may not earn annual leave during a leave of absence without pay, administrative leave with or without pay, layoff, shared leave, workers’ compensation or removal from payroll for any reason.

For 40 hour per week employees, the maximum accumulation is 480 hours; for eligible employees working less than 40 hours per week, a prorated maximum accrual and accumulation are used. Thus, any unused accrued leave in excess of the allowed maximum accrual as of the August payroll shall no longer be available to the employee. Rather, such balances are transferred, on an hour-by-hour basis, from
the individual employee’s annual leave balance into SWOSU’s Shared Leave account. Retirees’ excess of 480 hours will be transferred to SWOSU’s Shared Leave.

Deductions from annual leave are done at one-quarter hour (15 minute) increments. Annual leave is to be used during the period(s) mutually agreeable to the employee and their supervisor and at the convenience of SWOSU.

SWOSU routinely closes for an extended period during the interim period between the Fall and Spring semesters. During this period, annual leave will be charged to accrued leave as determined by SWOSU. If sufficient annual leave (or compensatory time) has not been accrued by an employee prior to this interim period, such time off will not be compensated for and days off shall be treated as non-paid days. **Note:** After exhausting their accrued annual leave and comp time, employees hired on or after July 1st of their first year of employment may use unused accrued sick leave during this time period.

Upon leaving the employment of SWOSU, eligible employees shall receive compensation for any unused accrued annual leave. If an employee eligible for annual leave should die, his/her estate shall be paid for the leave time earned prior to his/her death. Annual leave pay will be calculated based on the employee's straight-time pay rate (in effect when annual leave benefits are used) multiplied by the number of hours the employee would have otherwise worked on the day(s) of vacation absence. **Note:** An individual leaving the employment of SWOSU cannot be compensated in excess of his/her allowable maximum accumulation.

An employee may transfer annual leave internally from one department to another within SWOSU.

SWOSU does not credit an employee for accrued annual leave earned at another employer.

**Note:** Employees, employed through a grant or contract, are not covered under this policy. Such individuals should contact their principal investigator or the Human Resources Office for information concerning annual leave.

**Sick Leave:** Sick leave is a period of time during which an employee is unable to work because of illness, injury, or medical, surgical, dental or optical examinations or treatment, or because the employee has been exposed to a contagious disease which could jeopardize the health of co-workers. Sick leave time is to replace time missed during straight-time hours only. Sick leave is a benefit to assist employees during periods of personal illness or disabling injury and is in no way intended to be construed as annual leave time (except as noted above under annual leave).

Eligible employees will begin accruing leave on the first full month following employment. Regular-status employees who are routinely employed to work 20 or more hours per week are eligible for sick leave. For a full-time employee (i.e., 40 hours per week) sick leave shall accumulate at the rate of 10 hours per month. The accrual rate is prorated for qualifying
employees working less than full-time. SWOSU does not place a limit on the number of sick leave hours that may be accumulated.

Sick leave may not be earned by an employee during leave of absence without pay, administrative leave without pay, layoff, shared leave, workers’ compensation or removal from payroll for any reason.

Deductions from sick leave are done at one-quarter hour (15 minute) increments for nonexempt employees. Exempt employees are required to use accrued sick leave in the event they are absent from work for one full day or more for a qualified reason. However, an exempt employee who routinely is required to miss partial workdays will be required to utilize accrued sick leave when appropriate.

Absence due to the illness of immediate members of one’s family (spouse, parent, child(ren), step child(ren), legal ward, sibling, and in-law) may be charged to sick leave. All time lost from work because of personal illness, injury, or disability will be charged to available sick leave, except as otherwise provided by SWOSU procedure.

- **Pregnancy Leave or Parental Leave:** The granting of sick leave benefits in pregnancy situations is subject to the same conditions as other sick leave benefits. Regular full-time employees are eligible for pregnancy leave which will be charged to sick leave, annual leave, personal leave, or leave without pay. (See also Family Medical Leave Act and Extended Leave)

- **Funeral Leave:** Time required for funeral (arrangements/travel) may be charged to available sick leave up to a total of five working days from September 1 through August 31. Employees are to indicate on their leave forms when any funeral leave is used. Note: Employees requiring additional time beyond five days will be considered on a case-by-case basis by the President or his/her designee. Funeral Leave does not accumulate.

- **Personal Leave:** In general, approved personal leave is limited to a maximum of three working days. Personal leave is used only if all accrued annual leave and compensatory time is exhausted and is counted against the employee's accrued sick leave balance, if available. Personal leave does not accumulate. The annual period begins on September 1st.

While a physician's certificate evidencing illness or disability is not required each time an employee does not report for duty because of illness or disability, SWOSU reserves the right to require such a certificate from the employee's physician and/or a physician of SWOSU's choosing. Supervisors should contact Human Resources regarding any extended leave and/or questions regarding the ability of an employee to safely return to work. (Return to Work Form and Extended Leave)
If an employee internally transfers from one department to another within SWOSU, the employee's unused, accrued sick leave is transferred to the new budget unit. SWOSU does not credit an employee for accrued sick leave earned at another state agency.

Sick leave benefits will be coordinated with all other forms of benefits for which SWOSU pays the cost, so that no more than 100% of the employee's current daily rate of compensation is paid for absence from work.

Any accrued (unused) sick leave shall not be compensated upon the termination of employment. (Break in Service)

For individual information on this subject please contact the Human Resources Office.

**Administrative Leave:** Administrative leave with or without pay may be granted at the sole discretion of the President of SWOSU or his/her designee. **Note:** The President has designated to all supervisors the authority to grant administrative leave for a maximum of one work shift. Upon such an event supervisors will notify the Human Resources Director the same day or next business day.

**Family Medical Leave Act (FMLA):** The Family Medical Leave Act (FMLA) provides up to 12 weeks of unpaid, job-protected leave to "eligible" employees for certain family, medical, and military reasons. Employees are eligible provided they have worked for SWOSU for at least 12 months, have worked a minimum of 1,250 hours during the twelve-month period prior to the leave, and experience a qualifying event. Qualifying events included:

- The birth of the employee’s son or daughter and to care for the newborn child;
- The placement of a son or daughter with the employee for adoption or foster care;
- To care for the employee’s spouse, parent, son, or daughter with a serious health condition;
- Or when the employee is unable to work due to the employee’s own serious health condition.

The National Defense Authorization Act (NDAA) added to FMLA; commonly referred to as the military family leave provisions. This section expanded the FMLA to allow eligible employees to take FMLA qualifying leave for:

- Any qualifying exigency arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation, or
- An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member shall be entitled to a total of 26 workweeks of leave during a single 12-month period to care for the service member.
Benefits that are provided and paid for by SWOSU will be continued during the FMLA leave. Employees are responsible for paying the premium costs of any optional benefits that they desire to continue. Once the leave period has concluded the employee will be reinstated to the same or an equivalent job with equivalent employment benefits, pay, and other terms and conditions of employment. Termination from employment while on FMLA leave may be valid, if, while on FMLA leave SWOSU discovered such a reason that is viable or if SWOSU instituted a reduction in force.

SWOSU requires that all applicable accrued leave be utilized prior to an employee being placed on FMLA.

For FMLA purposes SWOSU uses a "rolling" or backward looking 12-month period.

Employees are required to provide SWOSU at least 30 days advanced notice before FMLA is to begin when the need is foreseeable. If 30 days’ notice is not practical (e.g. when employee does not know when leave will begin, a call for adoption, or medical emergency) notice must be given as soon as possible and practical. In this case the employee should provide notice of leave either the same day or the next business day.

Employees who desire additional information concerning the FMLA (such as qualifying events, advance notice, potential impact on various fringe benefits, and medical certification) should contact the Human Resources Office.

**Extended Leave:** This applies for all leaves excluding annual leave. An employee may be off work for a number of reasons for an extended period of time. For example, sick leave, pregnancy leave, FMLA, Worker’s Compensation, etc. To ensure pay and benefit allocations are timely and accurate supervisors should notify Human Resources Office upon notification of an employee’s leave or anticipated extended leave.

Any leave extended beyond five working days should be reported to the Human Resources Office by the employee and/or supervisor. Employees returning from extended leave should contact Human Resources Office prior to reporting to work.

**Holidays:** Paid holiday leave shall be granted for regular status employees who are employed to routinely work 20 or more hours per week and are scheduled to work during the holiday period. Employees working less than 40 hours per week shall receive prorated holiday compensation.

SWOSU holidays are posted on the SWOSU web site and subject to change at the discretion of the President. **Note:** Employees employed through a grant may or may not be covered under this policy. Such individuals should contact their principal investigator or the Human Resource Offices for information concerning holiday leave.
When continuous operations of SWOSU require that employees be regularly scheduled to work on days otherwise recognizable as holidays, such employees will be granted an equal amount of time off with pay on a date mutually agreed to by the employee and budget unit head. At the discretion of SWOSU, if an employee can neither be excused from work on a SWOSU recognized holiday nor on a mutually acceptable substitute date, payment at straight-time rate may be permitted.

**Jury Duty:** Routine pay will be given to regular status employees who are subpoenaed for jury duty or as a witness before a court of law, legislative committee or judicial body. Employees are to attach the jury duty summons to their timesheet or send it to the Human Resources Office. The employee is expected to report for work whenever the court schedule permits. The employee must keep his/her supervisor aware of any changes or extensions of jury duty. SWOSU reserves the right to request documentation verifying time spent during jury duty.

Jury duty will not be paid in the event it occurs during what otherwise would have been unpaid leave. Either SWOSU or the employee may request an excuse from jury duty if the employee's absence would create serious operational difficulties.

Insurance benefits will remain in effect and unchanged for the full term of the jury duty absence. Accrual for benefits calculations, such as annual leave, sick leave, or holiday benefits, will not be affected during jury duty leave.

SWOSU encourages employees to fulfill their civic responsibilities by serving jury duty when required.

**Leave without Pay:** Leave of absence without pay may be approved when it is an acceptable action, in the opinion of the President or his/her designee. SWOSU is not obligated to re-employ individuals at the conclusion of such leave. **Note:** Employees are to use applicable accrued leave prior to requesting leave without pay. Questions regarding leave without pay should be directed to the Human Resources Office.

**Military Leave:** All employees who are members of any component of the Armed Forces of the United States shall, when ordered by the proper authority to active duty or inactive duty or service, be entitled to a leave of absence for the period of such service without loss of status or seniority. During the first 30 regularly scheduled workdays of such leave during the federal fiscal year, the employee shall receive full regular pay.

**Shared Leave:** The purpose of this policy is to permit SWOSU employees to donate sick leave to fellow SWOSU employees who are suffering from or have a qualifying relative suffering from an extraordinary or severe illness, injury, impairment or physical or mental condition that has
caused or is likely to cause the employee to take leave without pay or terminate employment. Donations made under this policy are gifts. This policy does not create an entitlement or expectation of Shared Leave to eligible employees.

1. Definitions as used in this policy:
   a) Employee - regular full-time SWOSU employee with over 12 months of continuous service at SWOSU. A regular full-time employee is one who is employed to work 30 or more hours per week and maintains continuous regular employment status.
   b) Relative of employee - As identified in the Sick Leave Policy.
   c) Extraordinary or severe illness - serious, extreme and/or life threatening as confirmed by a licensed physician.
   d) Sick Leave Pool - voluntary and anonymous donations of sick leave by employees to a pool balance.

2. Eligibility: An employee of SWOSU will be considered eligible to receive Shared Leave pursuant to the following conditions:
   a) The employee has exhausted or will exhaust all accrued leave prior to start of requested leave.
   b) The employee or a relative of the employee is suffering from an extraordinary or severe illness, injury, impairment or physical or mental condition as confirmed by a licensed physician.
   c) The President or his/her designee determines that the employee meets the applicable criteria.

3. Donations: An employee may donate sick leave pursuant to the following conditions:
   a) Donors must complete the Request to Donate Leave Form in full.
   b) The employee may donate eight-hour increments of sick leave provided that the donation does not cause the sick leave balance of the donating employee to fall below 160 hours.
   c) Annual leave and compensatory time may not be donated, except as provided in the Leave policy.
   d) All donated sick leave must be given voluntarily in writing. No employee shall be coerced, threatened, intimidated or financially induced into donating.
   e) Donations are irrevocable.

4. Limitations on Shared Leave:
   a) No employee will be granted more than 1,440 hours of Shared Leave over their entire employment at SWOSU.
   b) Holiday compensation while on Shared Leave is permitted.
   c) Any donated leave may be used by the recipient only for the purposes specified in this policy.
d) Shared leave ends in the event of termination of the condition causing the need for leave. Shared Leave may include 5 days funeral leave, if applicable.
e) Recipients do not accrue leave time while on Shared Leave.

5. Recipients:
a) The employee (or his/her personal representative in the event the employee is incapacitated) must complete the Request for Shared Leave Form and submit a current medical statement from a licensed physician verifying the need for the leave and the expected duration of the condition. (Form found on SWOSU web site)
b) Upon completing the Request for Shared Leave Form the employee will forward the form to the Human Resources Office.
c) The employee and supervisor will be notified by the President or his/her designee of the outcome of their request.

6. Administration of the Policy:
a) Receipt of leave is conditioned upon the availability of donated sick leave.
b) Family Medical Leave Act (FMLA) may run before approval of Shared Leave or will run concurrently with Shared Leave.
c) If approved, the employee may receive up to 720 hours of pay within a twelve month period.
d) Leave is granted as full work days.
e) Leave share requests will be processed on a case-by-case basis.
f) Donations will be transferred each pay period in amounts not to exceed the recipient employee's regular monthly hours for that pay period.
g) Efforts will be made to process donations anonymously.
h) Receipt or denial of leave sharing is not subject to any grievance or arbitration procedure.
i) The employee’s eligibility shall cease upon the employee’s receiving income from a third party source.

7. Return to Work:
a) Employees are expected to routinely contact the Human Resources Office during their approved leave. Employees are to contact the Human Resources Office regarding instructions for returning to work.
b) Prior to returning to work, an employee must present a Return to Work form to the supervisor. (Provided by the Human Resources Office)
c) Once an employee reaches the 720 hours of leave available during the 12-month rolling period and are unable to return to work with or without accommodation, employment may be terminated.
**Voting Leave:** SWOSU encourages employees to fulfill their civic responsibilities by participating in elections by voting. A reasonable amount of time off with pay will be given for the purpose of voting in national, state and local elections. Employees with specific questions please contact the Human Resources Office.