



Policy 04:100 – Benefits and Leave

Eligibility

Insurance and leave benefits are available to all full-time faculty appointed for an academic year (or in rare occasions, two consecutive semesters) or longer and staff who are employed for twelve consecutive months or longer. Sick leave benefits are accrued proportionate to the hours worked and are available to faculty and staff who are employed in regularly funded/non-temporary positions that are at least half-time but less than full-time. Annual leave or vacation benefits are available for staff only and are earned and accrued proportionate to the hours worked and years of service as described in the section of this policy titled: “Annual Leave (Vacation).” Insurance benefits are not provided to faculty or staff employed less than full-time.

Retirement benefits are provided as prescribed by state law. Faculty and staff hired for half-time or more employment for one year or longer must join the Teachers’ Retirement System of Alabama.

Faculty and staff employed in full-time positions externally funded by contract, grant or other agency arrangement may be provided University benefits and services only if included in the contract or if the agency agrees to pay 100 per cent of the cost thereof. When included, the sponsoring department and the principal investigator are responsible for ensuring that funds are available for lump sum payments of unused annual leave if the grant or contract expires requiring the termination of the employee, or if the individual terminates employment while working on the grant or contract.

Definitions

Immediate Family – includes spouse, son or daughter, foster child, grandchild, parent, foster parent, grandparent, brother or sister, foster brother or sister, guardian and ward. Also included are step-, half-, and in-law relationships.

Paid Leave – Pay for each type of leave will be made at the employee’s current rate of pay for a scheduled work day. The number of hours of paid leave charged for a day’s absence will equal the number of hours the employee would otherwise have been scheduled to work on that day.

Departments may not establish separate policies on leave use. A supervisor may request written documentation pertaining to the circumstances of an employee’s absence prior to approving any paid leave except Annual Leave.

Service Date – Date of initial employment, or, when a break in service occurs by termination of employment, the most recent date of employment. Service date is used in the calculation of benefits and leave.

Annual Leave (Vacation)

The University provides annual leave which an eligible employee may use for rest and relaxation away from the work environment. Employees are encouraged to take, not accumulate, annual leave. Requests for annual leave should be submitted to the employee's immediate supervisor and made well in advance of the absence whenever possible. Supervisors should support and encourage the use of annual leave; however, approval to take annual leave during a specific time is at the discretion of the supervisor and may be denied when such absence will unduly disrupt the work of the unit. Annual leave may not be used until it is accrued. Faculty members employed on an academic year basis do not accrue annual leave. An eligible employee must be actively employed; i.e., not on unpaid leave or on terminal leave, to accrue annual leave.

Eligible employees earn and accrue annual leave as follows:

1. Annual leave is earned and accrued at the rate of 10 days per year during the first year of employment.
2. The rate of annual leave accrual increases by one day per year of employment thereafter until 20 days per year are earned (the eleventh year).
3. The maximum number of days earned and accrued per year is 20 days.
4. The maximum number of days which may be accumulated varies based upon years of service, and is as follows:
 1. 10 days for 1-5 years of service;
 2. 15 days for 6-10 years of service;
 3. 20 days for 11-15 years of service;
 4. 25 days for 16-20 years of service;
 5. 30 days for more than 20 years of service.

The vacation year is the annual period between January 1 and December 31. Although annual leave is computed using the service year, leave records will be accounted for and controlled on a vacation year basis. Each January 1 any accumulated hours above the maximum will be transferred to sick leave.

Upon termination of employment, eligible employees will be compensated for any accrued annual leave up to the maximum accumulation at the time of separation or retirement. Hours accumulated above the maximum allowed will be transferred to sick leave. Upon retirement, payment of accrued but unused annual leave as of the last working day, up to the maximum allowed, shall be, at the option of the

employee, either by terminal leave or by lump sum payment; in all other situations, payment of accrued but unused annual leave as of the last working day shall be by lump sum payment.

Benefit in the Event of an Employee Death

The University provides a benefit payment for those regular faculty and staff who die while in an active pay status. The benefit payment is comprised of:

- Salary or wages earned but unpaid at the time of death; plus
- Unused annual leave not to exceed the allowable maximum; plus
- If applicable, accumulated compensatory time for overtime hours worked but unpaid at the time of death.

If the employee was on approved leave of absence without pay, the employee's estate will receive any unused annual leave not to exceed the allowable maximum and, if applicable, accumulated compensatory time.

Generally, the benefit payment in the event of death is made payable to the administrator or executor of the estate of the deceased University employee. However, an employee may designate a beneficiary to receive payment for any wages, salary, or death benefit paid by the University.

Bereavement and Funeral Leave

Faculty and staff may be given up to three days leave with pay due to the death of a member of the immediate family. Bereavement and funeral absences in excess of three days will be charged to accrued sick leave. Faculty and staff should notify the supervisor or department head as soon as possible to request leave.

Any holidays and days of administrative closing occurring during this time will not be counted as part of the bereavement and funeral leave and will be recorded as pay for holidays and/or days of administrative closing.

Court and Jury Duty Leave

Faculty and staff will be granted leave with pay when legally required to attend court, specifically when summoned for jury duty or when required to appear in a suit or proceeding involving the University. Court and jury duty leave with pay is not granted for appearances as an expert witness when the employee has agreed to appear and testify, whether subpoenaed or not, nor when faculty and staff are parties to non-University litigation either as plaintiff or defendant. Evidence of attendance, including applicable dates and time of service, in court is required before payment by the University. Faculty and staff are expected to return to work if released from court prior to the end of the scheduled work day. Reasonable travel time will be allowed.

Holidays and Days of Administrative Closing

The University recognizes the following as holidays: Martin Luther King Day, Memorial Day, Juneteenth, Independence Day, Labor Day, Thanksgiving, Christmas Day, and New Year's Day. In addition, the day after Thanksgiving and 6 days between the Fall and Spring semester are days of administrative closing. When a recognized holiday falls on Saturday, it is observed on the preceding Friday; when a holiday falls on Sunday, it is observed on the following Monday.

To be eligible for holiday and administrative closing pay, faculty and staff must be regularly employed in active pay status or on paid leave the day before the holiday. When the holiday occurs immediately prior to the first work day of the pay period, employees who are in active pay status or on paid leave on the first available work day will receive payment for the holiday.

Any holiday or administrative closing day falling within a period of sick, annual, or other paid leave shall be considered holiday leave. Administrative Closing.

The President may declare specific hours as administrative closing as determined to be in the best interest of the University (e.g., inclement weather, energy saving measure, etc.) In such cases, regular employees on the active payroll scheduled to work during the declared times of closing will be granted time off from work with pay. Employees not scheduled to work will not be paid for the closing. In addition, employees on annual, sick, or any other leave with pay during the declared times of closing will receive administrative closing hours in lieu of charging the time to leave.

If administrative closing has not been declared and an employee is prevented from reporting to work, annual leave or leave without pay will be charged.

Insurance

The University provides a voluntary group insurance program which includes comprehensive medical/hospitalization plans, dental insurance, term life insurance, and disability insurance. Employees contribute a percentage of the medical premium determined annually by the Administration with the advice of the Audit & Finance Committee of the Board of Trustees and the University contributes the remainder. The University offers various optional employee- paid insurance programs for employees, their spouse and/or dependents. The University also offers the option for continuing or converting health/dental insurance under COBRA for an employee and/or dependent(s) as prescribed by law.

Enrollment in the plan is assured for the employee and eligible dependents if application is made within the first 30 days of employment. Thereafter, "late" enrollees are provided opportunity to enroll only within guidelines specified in the plan document.

Military Leave

The University provides military leave in compliance with the Uniform Services Employment and Reemployment Rights Act of 1994 (USERRA) and applicable State law (AL Code 31-12). As military leave situations arise, employees should contact the Office of Human Resources for current details regarding their military leave rights and any continuation of benefits issues. Upon receiving an assignment for military service, employees should promptly provide notice to their department heads prior to going on military duty, unless precluded by military necessity.

Faculty and staff who are active members of the Alabama National Guard or of any other reserve component of the United States Armed Forces will receive 21 days per calendar year of military leave of absence with pay for federal military duty. In addition, these employees will also receive 21 days of paid military leave at any one time when called by the Governor to duty in the active service of the State. If the military base pay of an employee called into active service as defined by AL Code 31-12-5 is less than the employee's University salary, the employee may receive a salary differential that is equal to the difference between the lower active duty military base pay and the higher public salary. Faculty employed on an academic year basis are expected to perform military training during periods when classes are not in session. Employees requesting extended military leave for more than 21 working days per calendar year may elect to use accrued annual leave or take military leave without pay with approval by the division head. While on extended military leave, accrued sick leave may be taken if proof of illness is provided to the University.

Per USERRA, the University will maintain health and other benefits for the first 30 days of military leave as if the employee was actively employed. Faculty and staff on military leave of absence will be entitled to participate in any rights and benefits not based on seniority that are available to those on non-military leaves of absence.

Faculty and staff called into active service in any of the armed forces of the United States and who receive a salary differential under AL Code 31-12-5 while serving on active duty may elect, pursuant to AL Code 31-12-7, to continue individual or family coverage under the University's health insurance plan while receiving the salary differential. Premiums for family coverage shall be the amount in effect at the time for an active employee with family coverage.

Time spent on military leave is not considered a break in service for retirement benefit purposes. Upon return to the University from military leave, if applicable, employees must request to purchase retirement credit in the Teachers' Retirement System of Alabama (TRS) and pay whatever amount they would have otherwise contributed. Returning service members who are eligible for reinstatement under USERRA have up to 3 times the length of military leave, to a maximum of 5 years, to make the retirement contribution payments they would have made.

USERRA does not permit double credit in two retirement systems for the same military leave. Therefore, faculty and staff may not purchase credit in TRS if they receive credit in any other public retirement system, except the Federal social security system.

USERRA places a 5-year limit (with some exceptions) on the cumulative length of time a person may voluntarily serve in the military and remain eligible for reemployment rights. The USERRA reinstatement rights do not extend, however, to faculty and staff who are employed for brief, non-recurring periods with no reasonable expectation that employment will continue. Faculty and staff who join, or are drafted into, military service will be terminated from University employment, but will be eligible for reemployment within guidelines established by Federal and State laws. Upon return from military leave, faculty and staff must comply with the current provisions of Federal and State laws in regards to notification of and time frame in which they must return to work.

Registration for the Selective Service System

Employees required to appear at an off-campus location to register with the Selective Service System will be granted up to two hours time off with pay, if those employees are unable to register outside of normal working hours.

Retirement Plans

Eligible employees must participate in the Teachers' Retirement System of Alabama. All contributions to the retirement system are tax deferred for federal income tax purposes until retirement or withdrawal from the plan.

Voluntary Retirement Plans:

- The University offers voluntary tax deferred annuity plans under Section 403(b) of the Internal Revenue Code. The Office of Human Resources maintains a current list of approved plans.
- The Teachers' Retirement Systems of Alabama has a deferred compensation plan under Section 457 of the Internal Revenue Code. University employees may participate in this program.
- The University does not endorse any tax-deferred plan. If the decision is made to participate, the employee is responsible for evaluating and selecting a company from the list of approved plans and for entering into a contractual agreement with that company.

Sick Leave

Eligible employees may use sick leave primarily for absences due to illness or injury of the employee including disability caused or contributed to by pregnancy, childbirth, related medical conditions, or for routine health care. Sick leave may be taken in cases where the employee must be absent because of illness, injury, or routine health care for a member of the employee's immediate family.

Eligible employees may accumulate an unlimited number of sick leave hours. Eligible employees employed after October 1, 1988 earn the hourly equivalent of one day of sick leave for each month worked. Eligible employees employed prior to October 1, 1988 earn the hourly equivalent of two days of sick leave for each month worked until 180 days (1440 hours) are accumulated; thereafter they earn the hourly equivalent of one day for each month worked.

In addition to accruing sick leave in accordance with standard University policy, faculty may accrue additional time when teaching summer term classes or performing administrative assignments during the summer. When performing summer duties, sick leave accrues at the rate of six hours per three credit hour course and/or six hours per administrative assignment.

All sick leave accrued and taken shall be accurately recorded on official University leave records. Sick leave may not be taken until earned and may not be advanced. As allowed by State law, accrued sick leave is transferable from/to the University and another qualified employer. When leaving the University, eligible employees may be allowed to consider accrued, unused sick leave as retirement creditable service up to the maximum as approved by the Teachers' Retirement System of Alabama.

The University may require a physician's statement of illness or injury before payment for the sick leave in question is made. A physician's statement of ability to work may be required before the employee is allowed to resume work. Abuse of sick leave may result in the withholding of payment of the sick leave and possible additional disciplinary action up to and including termination.

Nursing Mothers and Lactation Support

The University of Montevallo has a lactation room on campus and is available upon request through the Calendar Office. Employees and students must make the appropriate arrangements to access this room and should bring with them any needed personal supplies.

For non-exempt (hourly paid) employees, an employer shall provide:

A reasonable amount of break time for an employee to express breast milk for her nursing child for one year after the child's birth each time such employee has need to express the breast milk.

A place, other than a bathroom that is shielded from view and free from intrusion from co-workers and the public, which may be used by an employee to express breast milk.

An employer shall not be required to compensate an employee receiving reasonable break time for any work time spent for such purpose. However, where employers already provide compensated breaks, an employee who uses that break time to express breast milk must be compensated in the same way that other employees are

compensated for break time. It is recommended that the employee notify the supervisor in advance of returning to work of this request so appropriate arrangements can be made.

Absences Relating To On-The-Job-Injuries

Alabama Code § 41-9-68(a), as amended, University employees suffering injuries arising out of their employment are entitled to compensation provided in the foregoing Code section. During periods of absence caused by job-related injuries which prevent the employee from working, the employee may be paid 66-2/3 percent of pre-injury average earnings. The University Police Department should be notified immediately of all incidents resulting in on-the-job injuries (regardless of the severity of the injury) so that documentation of the incident can be recorded. Additionally, proper documentation of the nature of the injury by a physician must be provided to the University by the employee or his/her designee as soon as practicable. Unreimbursed (out- of-pocket) medical expenses and costs which an employee incurs as a result of an on-the-job injury may be filed with the State Board of Adjustment for reimbursement. Detailed procedures and required forms may be found on the Board of Adjustment website or the UM HR webpage or by contacting Human Resources. The Director of Human Resources is designated to assist with on-the-job claims in accordance with the Code of Alabama and Board of Adjustment regulations.

Terminal Leave

Terminal leave is that period during which an employee remains on the payroll beyond his or her last working day until all accrued but unused annual leave has been exhausted. During a period of terminal leave, an employee shall not earn additional annual leave, sick leave, and shall not be eligible for any salary increase. However, during a period of terminal leave, an employee shall continue to be eligible for group health insurance coverage, as well as other optional employee- paid insurance programs. Premiums for the coverage shall be deducted from terminal leave payment(s) if continued coverage is elected.

Unemployment Compensation

Unemployment compensation benefits are provided to eligible employees as prescribed by law. The University contributes the total cost for this coverage.

Detailed guidelines, procedures, and forms pertaining to all University benefits and leave are maintained in the Office of Human Resources.

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