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PROCEDURE FOR: All Campuses
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ISSUED BY: Division of Human Resources

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I. Purpose of Policy

This document sets forth the Annual Leave Policy for all employees of the University of South Carolina except temporary and student employees and faculty serving on a basis of less than 12 months. This policy is in accordance with regulations of the South Carolina Office of Human Resources.

II. Policy Statements

A. Responsibility for Administration

1. Subject to State regulations, academic and administrative department heads are responsible for annual leave authorization and for ensuring that leave and attendance are recorded accurately.
2. The Division of Human Resources is responsible for leave computation, leave adjustment, and leave policy interpretation.

3. Annual leave regulations will be applied in an equitable manner to all employees. Annual leave abuse or violation of policy may lead to disciplinary actions in accordance with the University policy on Disciplinary Action.
4. Additional permanent employees may not be hired to replace employees who are on annual leave.
5. The University maintains leave records for each employee covered under the Annual Leave Policy. Leave records are subject to audit.
6. The leave balance of each covered employee is shown in the Visual Processing System (VIP) under the Employment tab.

B. Annual Leave Eligibility and Earnings

1. Eligibility

Annual leave is accrued by and granted to

- a. Permanent and probationary full-time employees
- b. Permanent and probationary part-time employees who are scheduled to work at least one half the workweek of the University on a 12-month basis or who are scheduled to work the equivalent of one half of the workweek on a 12-month basis during the full academic year of nine months or more. Faculty on less than a 12-month basis are not eligible to accrue or use annual leave.

2. Earnings

- a. Full-time Employees – 10 Years or Less
Permanent full-time employees on a five-day workweek with State service of less than 10 years earn annual leave dating from the date of employment at the rate of one and one-fourth days per full calendar month of service in each calendar year. (See Charts 1 and 2 below)
- b. Part-time Employees – 10 Years or Less
Permanent part-time employees earn annual leave dating from the date of employment on a pro-rata basis that produces the equivalent earnings of full-time employees on a five-day workweek schedule.
- c. Full-time Employees – Continuous Service After 10 Years
Permanent full-time employees on a five-day workweek with State service of more than 10 years earn a bonus of one and one-fourth working days of

annual leave for each year up to 22 years of continuous service. (See Charts 1 and 2 below)

- d. Part-time Employees – Continuous Service After 10 Years
Permanent part-time employees earn bonus leave days on a pro-rata basis consistent with the method in which regular annual leave is credited for permanent full-time employees.

Chart 1

Five-Day Workweek – 37.5 Hours per Workweek Earnings Rate

<u>Years of Service</u>	<u>Days Per Year</u>	<u>Hours Per Month</u>
1 - 10	15.00	9.38
11	16.25	10.16
12	17.50	10.94
13	18.75	11.72
14	20.00	12.50
15	21.25	13.28
16	22.50	14.06
17	23.75	14.84
18	25.00	15.62
19	26.25	16.41
20	27.50	17.19
21	28.75	17.97
22 and over	30.00	18.75

Chart 2

Five Day Workweek – 40.0 Hours per Workweek Earnings Rate

<u>Years of Service</u>	<u>Days Per Year</u>	<u>Hours Per Month</u>
1 – 10	15.00	10.00
11	16.25	10.83
12	17.50	11.67
13	18.75	12.50
14	20.00	13.33
15	21.25	14.17
16	22.50	15.00
17	23.75	15.83
18	25.00	16.67
19	26.25	17.50
20	27.50	18.33
21	28.75	19.17
22 and over	30.00	20.00

C. Maximum Carryover of Annual Leave

1. Full-time Employees

Full-time employees will be permitted to carry over, from one calendar year to the next, any unused annual leave up to a total of 45 days. Employees on more than a five-day workweek will be permitted to carry over on a pro-rata basis that amount of leave which produces the equivalent maximum carryover of full-time, five-day workweek employees.

2. Permanent Part-time Employees

Permanent part-time employees will be permitted to carry over from one calendar year to the next, any unused annual leave up to a total accumulation that, on a pro-rata basis, produces the equivalent maximum carryover of full-time employees.

3. Maximum Accrual and Carryover

An employee, who changes from being full-time to part-time or from part-time to full-time, without a break in service, shall retain the annual leave hours previously earned. If this change results in the employee having a maximum accumulation in excess of 45 workdays as of the effective date of the change, the employee shall not forfeit the excess, but will retain this amount of leave as their maximum carryover. If the employee subsequently reduces the amount of leave carried over, the reduced amount, if in excess of 45 days, will become the new maximum. Once the leave has been reduced to 45 days or less, the maximum set forth in Sections 1 or 2 above will apply.

4. Maximum Prior to June 2, 1972

Employees of any State agency which, prior to June 2, 1972, permitted a maximum carryover in excess of 45 days will not lose the excess, but will retain this amount of leave as their maximum carryover. If the employee subsequently reduces the amount of leave carried over, the reduced amount, if in excess of 45 days, will become the new maximum. Once the leave has been reduced to 45 days or less, the maximum set forth in Sections 1 or 2 above will apply.

D. Earned Annual Leave in Excess of Maximum Accumulation

All eligible employees are entitled to bring into any calendar year the maximum carryover as authorized in Section C above. Any eligible employee who brings the maximum carryover into a calendar year also will be entitled to earn and use annual leave up to the maximums authorized in this policy, during that calendar year. However, only the

maximum carryover as authorized in Section C above may be carried into the next calendar year.

E. Crediting and Charging Annual Leave

1. Crediting Annual Leave

- a. Employees who are in a pay status one-half or more of the working days of the month will be credited with leave earnings for the full month.
- b. Employees in a pay status for less than one-half of the working days of the month will not accrue annual leave for that month.

2. Credited Service

- a. Employees who terminate employment with the State and who are rehired following a break-in-service will be given credit for the period of permanent service prior to termination. No credit will be given for the period between termination and re-employment.
- b. **Crediting Leave for Service Over 10 Years**
Increased leave earnings based upon service of over 10 years will be granted to employees on a monthly basis beginning the month after their adjusted anniversary dates.
- c. **Leave Credit Earned While in Leave-With or Leave-Without-Pay Status**
 - i. **Leave-With-Pay Status:** Annual leave will accrue to the credit of an employee who is in leave with pay status such as annual, sick and military leave with pay, provided the employee is in a pay status at least half the working days of the month.
 - ii. **Leave-Without-Pay Status:** Employees will not earn annual leave while on leave without pay.
 - iii. Faculty on a 12-month basis will not earn annual leave during periods of sabbatical leave.
- d. **Anniversary Date (Leave Base Date)**
An employee's anniversary date (leave base date) will be adjusted for breaks-in-service.

3. Charging Annual Leave

- a. An employee will be charged annual leave for the actual time the employee is away from the job; however, leave will not be charged in units of less than one-quarter hour.
- b. Unauthorized absences such as tardiness, etc., may be charged as annual leave or unauthorized leave without pay at the discretion of the department head or authorized supervisor.
- c. If an employee is absent for tardiness, etc. for a period of less than one-quarter hour, the annual leave or the unauthorized leave without pay will be one-quarter hour unless suspension is invoked, in accordance with the policy on Disciplinary Action.
- d. When a holiday is observed by the University while an employee is scheduled to be on annual leave, that day will not be charged as a day of annual leave.

F. Using Annual Leave

1. The maximum number of accumulated working days of annual leave that may be used in any one calendar year will not exceed 30 working days for full-time employees. For part-time employees, accumulated annual leave that may be used is the pro-rata portion of the 30 working days maximum that is applicable to full-time employees.
2. Any time taken not covered under other types of paid leave and in excess of 30 days in a calendar year will be charged to leave without pay. Exception: The maximums stated above that may be used in one year may be exceeded under emergency or extreme hardship conditions. An employee who has used all accumulated sick leave and the maximum annual leave days per year, may, with the approval of the Vice President of Human Resources or the Vice President's designee, use any remaining accumulated annual leave. Denial of the use of annual leave as provided herein will be grounds for review by the State Office of Human Resources upon request of the employee.

G. Disposition of Annual Leave

1. Transfer
 - a. Organizational Transfer
When an employee is transferred without a break-in-service from one campus or organizational unit of the University to another, accumulated annual leave will be transferred with the employee. Note: Employees transferring from a permanent position to a Research Grant Position will

be considered to have a break-in-service and will be paid for accumulated annual leave in accordance with Section II. G. 4. of this policy.

b. Position Transfer

- i. Permanent employees who are transferred or reassigned from one full-time position to another are entitled to retain their total amount of accrued annual leave.
- ii. Permanent full-time employees who are transferred or reassigned to a permanent part-time position and are scheduled to work at least one half the workweek are entitled to retain their total amount of accrued annual leave; however, the employee may not earn in excess of the pro-rata maximum share of annual leave after the effective date of the transfer or reassignment. If the total amount of accrued annual leave is in excess of the pro-rata maximum at the time of the transfer or reassignment, annual leave taken will be deducted from the total until the balance is reduced to the pro-rata maximum, or less, after which the employee will be eligible to accrue annual leave but not to exceed the pro-rata maximum share allowable.
- iii. Permanent full-time employees who are transferred or reassigned to less than half-time positions are entitled to retain their total amount of accrued annual leave; however, after the effective date of the transfer or reassignment, those employees may not accrue additional annual leave. Annual leave taken will be deducted from the total amount of annual leave applicable as of the date of transfer or reassignment until the leave has been used.

c. Transfer From One State Agency to Another

- i. Upon transfer of an employee without a break-in-service from one state agency to another, all accumulated annual leave will be transferred with the employee from the losing agency to the gaining agency. Leave credit will be adjusted to the scheduled workweek of the gaining agency. In the new position, the employee will continue to earn and be eligible to use annual leave in accordance with other provisions of this policy. Exception: When an employee transfers from a position in which both annual and sick leave are earned to a teaching position of academic rank in the University, the employee will be paid by the losing agency for accrued annual leave.
- ii. When an employee with a maximum carryover in excess of 45

workdays transfers from one agency to another, the employee shall retain the higher maximum carryover at the receiving agency. If the employee subsequently reduces the amount of leave carried over, the reduced amount, if in excess of 45 days, will become the new maximum. Once the leave has been reduced to 45 days or less, the maximum set forth in Section II.C.1 or Section II.C.2 will apply.

2. Change in Basis

- a. Annual leave accumulated by unclassified employees on a 12-month basis will, whenever possible, be taken before beginning an assignment with a basis of less than 12 months.
- b. When it is not possible to take accumulated annual leave before changing from a 12-month basis, the employee will be paid for accrued annual leave at the time of the basis change, in accordance with Section I. G. 4. of this policy, entitled "Termination of Employment."

3. Break-in-service

- a. When an employee experiences a break-in-service as defined in the Separation policy, the employee will be paid for unused annual leave. The amount paid may not exceed the maximum amount allowable.

4. Termination of Employment

- a. Upon termination of employment with the University permanent employees will be paid in a lump sum for their unused annual leave up to 45 days, unless a higher amount is authorized under Section II. C. 3. of this policy.
- b. Leave credit is calculated as of the last day of work or approved leave with pay. No additional leave may be earned for the period of time represented by the lump sum payment and service credits are not given for that period.

5. Retirement or Death of Employee

- a. Upon retirement from State employment or upon the death of an employee while in active service, a lump sum payment will be made for accumulated annual leave up to 45 days, unless a higher amount is authorized regardless of the amount of annual leave taken during the calendar year in which the employee retires or dies.
- b. Upon death of an employee while in active service, the legal designee of the deceased will be entitled to a lump sum payment for accumulated

annual leave up to 45 days, unless a higher amount is authorized under Section II. C. 3. of this policy.

III. Procedure

A. Scheduling Annual Leave

1. Academic and administrative department heads may develop procedures by which employees request and schedule annual leave.
2. To the degree possible, employee requests for specific periods of annual leave will be granted; however, consideration of workloads, work distribution and similar factors may necessitate change. In those cases, requested leave may be denied in favor of a time more conducive to department activities.
3. Approval by the department head or authorized supervisor is required for the specific periods the employee will be on annual leave and for the number of consecutive working days in any one leave period.
4. University employees working on grants and contracts and earning annual leave may be required to use all accumulated annual leave prior to the end of the grant or contract.

B. Leave Computation

1. Records on annual leave taken will be converted to the quarter-hour equivalent.
2. To compute the annual leave taken in a day, timekeepers should subtract the total hours worked in that day from the total number of hours of the employee's regular work day (normally 7.5 hours). The remainder is the amount of leave that should be charged to annual leave.
3. When an employee in a full-time position transfers to another position in the University that has a different workday, the employee's annual leave at the transferring department shall be converted to the equivalent days of annual leave at the receiving department. In the same manner, when an employee in a full-time position transfers to another state agency that has a different workday, the annual leave balance shall be converted to the equivalent days of annual leave at the receiving agency.
4. Annual leave is paid out based on the employee's leave balance at the time of termination and should be calculated based on the employee's final rate of pay, including longevity, temporary salary adjustments, or any other pay

that the employee is receiving at the time of separation.

C. Record Corrections

Requests by employees for corrections to their leave records must be made in writing to the employee's department head and then to the Payroll Department within one month of issue of the VIP online paycheck in question.

IV. Reason for Revision

Statements have been added about how to compute annual leave for employees transferring between positions or separating from University service, as well as statements clarifying maximum leave accrual and carryover. These statements represent actual University practice as required by State regulations.