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SUBJECT: Other Leave with Pay
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Policy for: All Campuses
Procedure for: All Campuses
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Issued by: Division of Human Resources

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I. Purpose of Policy

This document describes the University of South Carolina policy on other leave with pay (i.e., court, death in immediate family, military, voting, bone marrow donation, organ donation) for all leave eligible employees of the University, pursuant to regulations of the South Carolina Office of Human Resources. Temporary and student employees are not leave eligible. (For information about adoptive leave, see University Policy HR Policy 1.06 Sick Leave.)

II. Policy Statements

- A. The provisions of this policy will be applied in an equitable manner to all employees.

B. Leave for American Red Cross Certified Disaster Service

An employee who is a certified disaster service volunteer for the American Red Cross may use up to 10 days of paid leave in a calendar year to participate in specialized disaster relief services with the approval of the Vice President for Human Resources of the Vice President's designee.

C. Leave for Blood Drives and Blood Donations

1. University employees are permitted to participate in University-sponsored blood drives during work hours without using sick or annual leave.
2. Employees who wish to donate blood at a time other than during a University-sponsored blood drive must be excused from work to make the donation. No leave time or make-up time will be required.
3. The employee wishing to donate blood will notify the department head or authorized supervisor of the scheduled donation and the amount of time needed as far in advance as possible. The department head may deny the employee's request for time if the absence of the employee would create an extraordinary burden on the department.
4. In considering the employee's request, the department will take into consideration such factors as the necessity and type of blood donation, and other factors the department considers appropriate.
5. The department may require the employee to provide documentation of the donation.

D. Leave for Bone Marrow Donations

1. An employee who works an average of 20 hours or more a week and who wishes to undergo a medical procedure to donate bone marrow may be granted leave with pay.
2. The total amount of paid leave may not exceed 40 work hours unless a longer period of time is approved by the Vice President for Human Resources or the Vice President's designee. Leave may require verification by a health care practitioner concerning the purpose of the leave and the length of time requested.
3. If a medical determination is made that the employee does not qualify as a bone marrow donor, the paid leave granted to the employee before the determination will still be permitted.

E. Leave for Organ Donations

1. An employee who wishes to be an organ donor and who accrues annual or sick leave is entitled to leave with pay for period not exceeding an aggregate of 30 regularly scheduled workdays in any one calendar year for the purpose of organ donation.
2. Before organ donation leave is approved, the employee must provide documentation from the attending physician that confirms the employee will be the donor.

F. Court Leave

1. An employee summoned as a member of a jury will be granted court leave with pay. Any jury fees and/or travel payments may be retained by the employee.
2. An employee who is excused from jury duty and is not required to be at court during the hours of the employee's workday is required to return to the job. The employee must be on authorized leave for any time he or she is excused from jury duty and does not return to work.
3. An employee on jury duty will be required to work on any given day only the number of hours of the employee's normal work schedule, minus the hours required to be at court.
4. An employee subpoenaed as a witness who will not receive personal gain from the outcome of the litigation is entitled to court leave with pay for those hours required for the subpoena. The employee may retain any witness fee and/or travel expense payments.
5. When an employee is subpoenaed to represent an agency as a witness or defendant, the employee's appearance is considered a part of the employee's job. The employee will be reimbursed for any meals, lodging and travel expenses according to University policy.
6. When an employee attends a mediation or mediation-arbitration conference in an official capacity, the employee's attendance is considered part of the employee's job.
7. When an employee appears as a witness or in any other official capacity in a hearing before a University of State Employee Grievance Committee, or other administrative body of government, the employee's appearance is considered part of the employee's job.

8. An employee engaged in personal litigation is not eligible for court leave with pay but may be granted annual leave or leave without pay with the appropriate authorization.

G. Leave for Death in the Immediate Family

1. Upon request, an employee will be granted up to three consecutive workdays of leave with pay on the death of any member of the employee's immediate family. For purposes of this policy, immediate family is defined as the spouse, parent, child, spouse of child, brother, spouse of brother, sister, spouse of sister, grandparent, great-grandparent, grandchild, great-grandchild, or legal guardian of either the employee or the employee's spouse.
2. When a death in the employee's immediate family occurs while the employee is on annual or sick leave, leave for death in the family will replace the annual or sick leave taken for up to three consecutive days.
3. When a death in the employee's immediate family occurs on an official University holiday, the employee will be entitled to the holiday and to three consecutive workdays of other leave with pay.

H. Military Leave

1. Short-Term Military Training
 - a. All officers and employees of the State of South Carolina, or a political subdivision of the State of South Carolina, who are either enlisted or commissioned members of the South Carolina National Guard, the United States Army Reserve, the United States Naval Reserve, the United States Marine Corps Reserve, or the United States Coast Guard Reserve, are entitled to leaves of absence from their respective duties without loss of pay, time, or efficiency rating, for one or more periods not exceeding an aggregate of 15 regularly scheduled average workdays in any one year during which they may be engaged in training or any other duties ordered by the Governor, the Department of Defense, the Department of the Army, the Department of the Air Force, the Department of the Navy, the Department of the Treasury, or any other department or agency of the government of the United States having authority to issue lawful orders requiring military service.
 - b. Saturdays, Sundays, and State holidays may not be included in the 15-day aggregate unless the particular day to be included is a regularly scheduled workday for the employee.

- c. Leave for military training in excess of 15 workdays in a calendar or fiscal year will be charged against accrued annual leave. If annual leave is not available, the absence will be charged to leave without pay.
 - d. Any one year means either a calendar year or, in the case of members required to perform active duty for training or other duties within or on a fiscal year basis, the fiscal year of the National Guard or reserve component issuing the orders.
2. Military Leave for Emergency Purposes
- a. Military leave for emergency purposes will be granted not to exceed 30 regularly scheduled average workdays in addition to the 15 workdays provided for military training. Emergency military leave will be granted only if a state emergency is declared and the employee is under military orders from the Governor or the departments of the Armed Forces. Emergency military leave may not be carried over from one calendar year to the.
 - b. Emergency military leave in excess of 30 work days will be charged against accrued annual leave. If annual leave is not available, the absence will be charged as leave without pay.
3. Long Term Military Leave of Absence
- a. Every employee of the State of South Carolina or any political subdivision thereof who has been, or shall be commissioned, enlisted, or selected for service in the Armed Forces of the United States (excluding short term training) shall, so long as the requirements and regulations of the Armed Forces shall prevent the employee's return to his or her civil employment for a period of 90 days thereafter, but in no event for a period longer than five years from the date of entry into the Armed Forces of the United States, be entitled to leave of absence from his or her duties as an employee of the State or any political subdivision thereof, without loss of seniority.
 - b. The word "employee" as used herein shall not be construed to mean an officer or official elected or appointed to a term pursuant to a statute or the Constitution of this State.

I. Leave for Voting

1. An employee who lives at such distance from the assigned work location as to preclude voting outside of working hours may be authorized a maximum of two hours of leave with pay for this purpose.
2. An employee working at the polls during an election must be on authorized annual leave or leave without pay.

J. Administrative Leave with Pay

1. Employees in permanent positions who are physically attacked while in the performance of official duties and who suffer bodily harm as a result of the attack must be placed on administrative leave with pay instead of sick leave.
2. The period of administrative leave with pay for each incident may not exceed 180 calendar days.

III. Procedure

A. Leave for American Red Cross Certified Disaster Service

1. An employee who is a certified disaster service volunteer for the American Red Cross must send an Application for Leave (form P-83) to their department head or authorized supervisor for signature.
2. The completed form should be sent to the USC Division of Human Resources, Benefits Office.

B. Leave for Blood Drives and Blood Donations

1. An employee applying for other leave with pay to donate blood must notify the department chair or authorized supervisor of the scheduled donation and the amount of time needed as far in advance as possible.
2. The department may require the employee to provide documentation of the donation.

C. Leave for Bone Marrow Donations

1. An employee applying for leave to participate in a bone marrow donor program must send an Application for Leave (form P-83) to the department head or authorized supervisor for signature.

2. The completed form should be sent to the USC Division of Human Resources, Benefits Office.

D. Leave for Organ Donations

1. An employee applying for leave to participate in an organ donor program must complete an Application for Leave (form P-83) and an Application for Disability Leave With or Without Pay (form P-75), and send them to the department head or authorized supervisor for signature.
2. The completed forms should be sent to the USC Division of Human Resources, Benefits Office.

E. Court Leave

Upon receipt of a summons or subpoena, the employee must provide a copy of the document to the department chair or authorized supervisor and provide as much information as is known about expected absences related to service as a juror or witness.

F. Leave for Death in the Immediate Family

The employee must request leave by submitting a statement to the department head or authorized supervisor that includes the name of the deceased and the relationship of the deceased to the employee.

G. Military Leave

1. The employee must apply for military leave by sending an Application for Leave (form P-83) and presenting the form along with official orders or appropriate military certification to the department head.
2. The completed form should be sent to the USC Division of Human Resources, Benefits Office.

H. Voting Leave

The employee must request voting leave by providing the department head or authorized supervisor a statement that provides the employee's voting location.

I. Administrative Leave With Pay

1. The employee must apply for administrative leave with pay by completing an Application for Leave (form P-83) and an Application for Disability Leave With or Without Pay (form P-75), and send them to the department head or authorized supervisor for signature.

2. The completed forms should be sent to the USC Division of Human Resources, Benefits Office.

J. Reporting Leave

All leave taken pursuant to this policy must be reported through ITAMS, the University's time and attendance management system.

IV. Reason for Revision

Policy updated to change organ donation leave to a calendar year instead of a fiscal year basis and to update the disclaimer statement.