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AUTHORIZED BY: Vice President for Human Resources
ISSUED BY: Division of Human Resources

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I. Policy

This document sets forth the University of South Carolina's Annual Leave Policy for all employees eligible for annual leave, pursuant to regulations of the South Carolina Division of Human Resources. University faculty should refer to the appropriate Faculty Manual to determine eligibility for annual leave and any additional details that are relevant.

II. Procedure

A. Responsibility for Administration

1. Academic and administrative department heads are responsible for annual leave authorization and for ensuring that leave and attendance are recorded

accurately. Department Human Resource (HR) Contacts are responsible for assisting to facilitate annual leave policies and ensure guidelines are followed.

2. Supervisors should notify their Department Human Resource (HR) Contacts of any absence that exceeds 3 days which may be covered under the Family Medical Leave Act (FMLA), as well as any unauthorized absences and absences involving leave without pay. To reference qualifying reasons for FMLA, please see HR Policy 1.07.
3. The Division of Human Resources is responsible for annual leave policy interpretation and administration.
4. Annual leave policy will be applied in an equitable manner to eligible employees.
5. Additional employees in FTE positions may not be hired to replace employees who are on annual leave or other authorized leave without pay as a result of qualified approved FMLA and Extended Disability circumstances. Temporary or substitute employees may be hired for limited periods of time to provide coverage during the absence of employees in FTE positions on qualified approved FMLA or Extended Disability leave.
6. The university maintains leave records for each employee covered under the Annual Leave Policy. Leave records are subject to audit.
7. The leave balance of each eligible employee is shown on the employee's electronic pay statement.

B. Annual Leave Eligibility

1. Annual leave will be earned by and granted to full time employees and part-time employees in FTE positions who:
 - a. are scheduled to work at least one-half the workweek on a 12-month basis or
 - b. are scheduled to work the equivalent of one-half the workweek on a 12-month basis
2. Faculty on less than a 12-month basis are not eligible to accrue or use annual leave.
3. Faculty on a 12-month basis will not earn annual leave during periods of

sabbatical leave.

4. University faculty should refer to the appropriate Faculty Manual for further guidelines.

C. Annual Leave Earnings

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. Employees in pay status for less than one-half of the workdays of the month will not earn annual leave for that month.
- b. Employees will earn annual leave while on sick leave, annual leave, or other authorized leave with pay. Employees will not earn annual leave during periods of unpaid leave.
- c. Employees' annual leave earnings are computed based on the number of hours in the employee's workday.
- d. Employees' annual leave earnings are based on the employee's leave accrual date. The leave accrual date reflects:
 - 1) All state service in an FTE position, including part-time service, adjusted to reflect periods when there was a break in service.
 - 2) All service as a certified employee in a permanent position of a school district of this state; and
 - 3) At the discretion of the President or his designee, all service in any temporary capacity counted towards the employee's probationary period.
- e. Employees who terminate employment with the state and who are rehired following a break-in-service will be given credit for the period of FTE service prior to termination. No credit will be given for the period between termination and re-employment.

2. Rate of Earnings (Based on five-day workweek schedule of 37.5 or 40 hours per week)

- a. Ten Years of Service or Less

- 1) Full-time employees in FTE positions with state service of less than 10 years earn annual leave at the rate of one and one-fourth days per month. (See Charts 1 and 2 on the following page)
 - 2) Part-time employees in FTE positions earn annual leave on a pro-rata basis.
- b. More than Ten Years of Service
- 1) Full-time employees in FTE positions 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)
 - 2) Part-time employees in FTE positions with state service of more than 10 years earn bonus leave days on a pro-rata basis.
 - 3) Increased leave earnings based upon service of over 10 years will be granted to eligible employees on a monthly basis beginning the month after their adjusted anniversary dates.

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

3. Maximum Accrual and Carryover

Employees in FTE positions will be permitted to earn up to a maximum of 30 annual leave days in a calendar year. They may carry over, from one calendar year to the next, any unused annual leave up to a total of 45 days.

a. Exceptions

- 1) 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 annual leave carried over to 45 days or less, 45 days shall become the maximum amount of annual leave the employee may carryover thereafter.
- 2) Any employee, who prior to June 2, 1972, accrued and carried over unused annual leave in excess of 45 days, pursuant to the then existing policy of any state-covered entity, will not lose the excess leave, but will retain that amount of leave which will then become the maximum amount the employee may carry over in future years. If the employee subsequently reduces the amount of annual leave carried over to 45 days or less, 45 days will become the maximum amount of unused sick leave that the employee may carry over thereafter.

D. Usage and Charging Annual Leave

1. Leave taken under this section may qualify as Family and Medical Leave Act (FMLA) leave and, if so, will run concurrently.
2. To the degree possible, an employee's request for a specific period of annual leave shall be approved. Departments may consider workloads and similar factors when reviewing the requests.
3. Department approval is required for the specific periods the employee shall be on annual leave, to include beginning and ending dates and computation of total hours.
4. An employee will be charged annual leave for the actual time he/she is away from the job; however, leave will not be charged in units of less than one-quarter hour.
5. Unauthorized absences such as tardiness, etc. may be charged as leave or unauthorized leave without pay at the discretion of the department head or authorized supervisor.
6. Annual leave or the unauthorized leave without pay will be used in one-quarter hour increments.
7. 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.
8. 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 and part-time employees.
9. Any time taken not covered under other types of paid leave and in excess of 30 days in a calendar year will be allocated as leave without pay.
10. For FMLA or other disability related qualifying reasons, as an exception, the university may allow an employee who has used all eligible sick leave and 30 days of annual leave to use any remaining annual leave for: emergencies or serious health conditions of the employee or the employee's immediate family, as well as emergency or extreme hardship conditions. An employee may request review by the State Human Resources Director the denial of the use of annual leave as provided in this section.

E. The employee has the option of using or retaining accrued annual leave prior to going on leave without pay. The employee must use all annual leave before going on leave without pay unless the Vice President of Human Resources or the Vice President's designee grants an exception at the employee's request and for good cause shown. Disposition of Annual Leave:

1. Transfer of Earned Leave

a. Transfer between State Agencies

- 1) An employee who transfers without a break in service from one state agency to another shall transfer earned annual leave.
- 2) When a full-time employee transfers to a state agency that has a different workday, his/her annual leave at the transferring entity shall be converted to equivalent days of annual leave at the receiving entity.
- 3) When an employee transfers from a position in which he/she earns both sick and annual leave to a teaching position of academic rank with less than a 12-month basis, the employee shall be paid for earned annual leave.
- 4) When the employee with a maximum carryover in excess of 45 workdays transfers from one state agency to another, the employee shall retain the higher maximum carryover at the receiving agency. If the employee subsequently reduces the amount of such leave carried over, the reduced amount, if in excess 45 workdays, shall become the employee's maximum carryover into future years. If the employee further reduces the amount of such leave carried over to 45 workdays or less, 45 days shall become the maximum amount of unused annual leave the employee may thereafter carryover. During the calendar year, the employee may earn annual leave in excess of the 45 workdays; however, the employee may only carryover 45 days to the next calendar year.

b. Organizational Reassignment

When an employee moves from one campus or organizational unit of the university to another without a break in service, accumulated annual leave will be transferred with the employee. Note: Employees moving from a Full-time FTE position to a Research Grant Position or Time Limited Position will be considered to have a break-in-service and will be paid for accumulated annual leave in accordance with Section II. E. 4. of this

policy.

c. Moving from One Position Type to Another

- 1) Full-time employees in FTE positions who are reassigned to another full-time position are entitled to retain the equivalent number of days of accrued annual leave.
- 2) When an employee in a FTE position moves to another position in the university that has a different workday, the employee's annual leave at the previous department shall be converted to the equivalent days of annual leave at the receiving department.
- 3) Full-time employees in FTE positions who are moved or reassigned to a part-time FTE position and are scheduled to work at least one half the workweek in that part-time position are entitled to retain their total number of days of accrued annual leave; however, the employee may not earn in excess of 45 days (unless there is an exception applicable, as listed in Section II. C. 3. a. of this policy) after the effective date of the move or reassignment. If the total amount of accrued annual leave is in excess 45 days at the time of the move or reassignment, annual leave taken will be deducted from the total until the balance is reduced to 45 days or less, after which the employee will be eligible to accrue annual leave but not to exceed 45 days.
- 4) Full-time employees in FTE positions who are moved or reassigned to less than half-time positions are entitled to retain their total number of days of accrued annual leave; however, after the effective date of the move or reassignment, those employees may not accrue additional annual leave. Annual leave taken will be deducted from annual leave balance as of the date of move or reassignment until the leave has been exhausted.

2. Change in Pay Basis

- a. Whenever possible, annual leave accumulated by university faculty on a 12-month basis will be taken before beginning a position with a pay basis of less than 12 months.
- b. When it is not possible to take accumulated annual leave before changing from a 12-month pay basis, the employee will be paid for accrued annual leave at the time of the basis change, in accordance with the Section II. E. 4. of this policy entitled "Termination of Employment."

3. Break-in-service

When an employee experiences a break-in-service as defined in HR 1.57 Separation from University Service, the employee will be paid for unused annual leave. The amount paid may not exceed the maximum carryover amount allowable. If the employee has not experienced a break in service, the university shall not pay out any unused annual leave.

4. Termination of Employment

- a. Upon termination of employment with the university employees in FTE positions will be paid a lump sum for their unused annual leave up to 45 days, unless a higher amount is authorized under Section II. C. 3. a. of this policy. In the event the termination is the result of a Reduction-in-Force, please refer to guidelines under university HR Policy 1.45 Reduction-in-Force.
- b. Leave balances are 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. Death of Employee

Upon death of an employee while in active service, a lump sum payment will be paid for accumulated annual leave up to 45 days, unless a higher amount is authorized as applicable to the exceptions outlined in Section II. C. 3. a. of this policy.

F. Leave Calculation and Adjudication

1. If necessary, records on annual leave taken will be calculated based on quarter-hour increments.
2. To calculate 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 or 8 hours). The remainder is the amount of leave that should be charged to annual leave.
3. Annual leave is paid out based on the employee's leave balance at the time of termination, but for no greater than the maximum allowable, and should be

calculated based on the employee's final rate of pay, including, but not limited to, longevity or temporary salary adjustments, at the time of separation.

G. 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 leave statement (provided via online pay statement) in question.

III. Related Policies

HR 1.06 Sick Leave

HR 1.07 Family and Medical Leave

HR 1.09 Other Leave with Pay

HR 1.45 Reduction-in-Force

HR 1.57 Separation from University Service

IV. Reason for Revision

- Added clarifying language to be in compliance with State Regulation revisions.