

ABSENCES FROM WORK

Bereavement Leave

Full-time employees, as defined in this handbook, are eligible for three (3) days leave with pay when a death occurs in the immediate family. The immediate family is considered to be an employee's spouse, domestic partner (as defined in this handbook), son, daughter, mother, father, sister, brother, half-sister, half-brother, step-father, step-mother, current father-in-law, and current mother-in-law, stepson or step-daughter.

A leave with pay of one (1) day is granted for the death of a near relative. Near relatives are considered to be an employee's aunt, uncle, grandparent, grandchild, niece, nephew, current brother-in-law, current sister-in-law, son-in-law and daughter-in-law. Vacation time or floating holidays may be used to supplement allowed days, with the manager's approval.

Family and Medical Leave Act (FMLA) of 1993

Effective August 5, 1993, the Family and Medical Leave Act of 1993 provides eligibility for members of the faculty, administrative staff and supportive operating staff for up to twelve (12) weeks of unpaid leave during a twelve (12) month period for the following reasons:

- For the birth of a child and to care for the newborn son or daughter.
- To care for a son or daughter placed with the faculty/staff member for purposes of adoption or foster care.
- To care for a spouse, domestic partner, son, daughter or parent with a serious health condition.
- Because of a serious health condition that makes it impossible for the faculty/staff member to perform the functions of their job.

Faculty and staff members are eligible for FMLA twelve (12) months after their date of hire if they have also worked at least 1,250 hours during the twelve (12) months before leave is requested. Eligible members may not take more than a total of twelve (12) weeks-unpaid leave during any twelve (12) month period. Leave taken for the birth or placement of a child must be completed within twelve (12) months of that birth or placement. The university uses the "rolling method-counting backward" method to determine the twelve (12) month period during which employees are entitled to leave. Under this method, a faculty or staff member's entitlement to leave is determined by looking at the twelve (12) months prior to the time the leave is requested. The faculty or staff member is entitled to any balance of leave not taken during the twelve (12) month period. Thus a faculty or staff member who has not taken any leave in the last year is entitled to twelve (12) weeks; while a faculty or staff member who has taken three (3) weeks' leave in the last year is entitled to only nine (9) more weeks.

Important Note

Denison's policy is to allow leave under the FMLA to be coordinated with all other paid leave. Faculty/staff members must use all applicable accrued paid vacation time and /or sick time for which they are eligible before taking any unpaid leave. However, staff members do have the option to reserve one (1) week of vacation and one (1) week of sick leave. The remaining time up to twelve (12) weeks is unpaid leave. The total leave including paid and unpaid will not exceed twelve (12) weeks.

Certification

If the leave is for a serious health condition, faculty and staff members are required to provide a certification substantially in the form of Appendix I which includes: the date on which the serious health condition in question began for the faculty/staff member or family member; the probable duration of the condition; appropriate medical facts regarding the condition; a statement that the faculty/staff member is needed to care for a spouse, domestic partner, parent or child (along with an estimate of the time required) or that the faculty/staff member is unable to perform the functions of their job; and the dates and duration of treatments to be given. Denison may require a second medical opinion from a doctor selected by the university and at the university's expense. If the opinions differ, Denison will furnish a third and final opinion from a mutually acceptable doctor.

Benefits

During the leave, any health insurance benefits that faculty and staff members have elected will be continued in the same manner as before the leave. Participation in other insured programs may be continued as provided by the various staff benefit programs but must be fully paid by the employee (life and long-term disability insurance). Benefits, which are based on length of service and other employment benefits will not be accrued during the leave. Faculty and staff members will be responsible to reimburse Denison for health plan premiums if they fail to return from the leave; except reimbursement is not required if the faculty/staff member fails to return to work because of her/his own family member's serious health condition.

Required Notice

Faculty and staff members must provide a thirty (30) day notice for foreseeable leaves for birth, adoption, or planned medical treatment. If planned medical treatment requires the leave to begin in less than thirty (30) days, as much notice as is practicable must be given.

Returning From Leave

Faculty and staff members return to the same or to an equivalent position upon returning from leave. Pay, benefits and other terms and condition of employment will be the same as prior to the leave; however, faculty/staff in the top 10% of the university's payrolls may be excluded from job restoration rights if reinstatement will cause substantial or grievous economic injury to the university.

Intermittent Leave

A leave for serious health condition, either of a family member or the faculty/staff member, may be taken intermittently for a total lost time of no more than the equivalent of twelve (12) weeks during any twelve month period. However, intermittent leave arrangements for the birth or adoption of a child are not covered by FMLA and must be approved by the Provost's Office and/or Office of Human Resources and the relevant division head. Faculty/staff members may be required to transfer temporarily to another job for which they are qualified that better accommodates a revised work schedule.

Extended Personal and Family Medical Leave

The university may grant an extended leave of absence for reasons authorized under FMLA, to staff members who have been employed by the university for at least two (2) years. Leave is granted at the discretion of the department head and the Office of Human Resources and is subject to the need of the department, the ability to replace the staff member on a temporary basis and the overall impact on the operation of the department.

The timing and duration of the leave is determined by mutual agreement between the staff member and their supervisor but not to exceed one (1) year, including any leave authorized under FMLA. Salary is not continued but the employee may continue participation in group insurance programs with the payment of the employee share of the premium. All applicable paid vacation time must be used before taking any unpaid time.

If the leave is for serious health condition, certification as required under FMLA applies. Extended leave of absence may be granted to the faculty/staff member with three possible stipulations upon the end of the leave: guarantee of the same job, guarantee of a similar job, or no guarantee of a job. This will be determined at the time the leave is granted.

Failure to return to work at the end of an approved leave of absence is considered a voluntary resignation.

Family Illness

Denison allows employees time off to care for sick or injured members of their immediate family or to accompany them for eligible medical-related appointments. Immediate family members are considered to be an employee's parents, children, spouse, domestic partner and any dependent, as defined by the IRS living in the employee's household. Denison reserves the right to require a physician's statement to document the illness or injury if the employee will be off work for more than three (3) consecutive workdays. The definition of full-time employee is found in the Administrative Staff Handbook.

If you have any questions regarding leave or qualifying events under the FMLA, please contact the benefits team at Benefits@denison.edu.

Holidays

Denison University recognizes the following nine (9) paid holidays each year:

- New Year's Day
- Memorial Day
- Juneteenth
- Independence Day
- Day combined w/ Independence Day (in lieu of Labor Day)
- Thanksgiving Day
- Friday after Thanksgiving
- Christmas Eve Day
- Christmas Day

Full-time and part-time employees are eligible for holiday pay. Part-time employees are eligible for holidays that fall on their regularly scheduled/budgeted workdays. In the event the university elects to close operations during the week between the Christmas and New Year's holidays, employees are not required to use leave time to supplement their pay for this closure. Holidays falling on Sunday are normally recognized the following Monday. Holidays falling on Saturday are normally recognized on the preceding Friday. The only recognized holidays qualifying for holiday pay are those listed above.

Because of the unique nature of the academic calendar, Denison reserves the right to reschedule holidays to ensure continuation of essential services. In addition to the above, and, as reaffirmed by the Board of Trustees in 1992, Professional Librarians are eligible for one-half the vacation time enjoyed by teaching faculty during the academic year (specifically Fall Break, Thanksgiving, Christmas, and Spring Break). Such

days do not accrue beyond the academic year in which they are earned and they may not be carried over from one year to the next.

Floating Holiday

Both full and part-time employees are eligible for floating holidays, which is determined by whether the employee is full or part-time and their start date.

Full-Time:

- Full-time employees are eligible for three (3) floating holidays per year.
- New full-time employees placed on the payroll before July 1 are eligible for three (3) floating holidays.
- New full-time employees placed on the payroll after June 30 and prior to August 1 are eligible for two (2) floating holidays.
- New full-time employees placed on the payroll on August 1 or later are not eligible for a floating holiday until the start of the next year.

Part-Time:

- Part-time employees are eligible for one (1) floating holiday per year.
- Part-time employees placed on payroll from January 1 through July 31 are eligible for (1) floating holiday (based on budgeted hours).
- Part-time staff budgeted less than 700 hours per year are not eligible for a floating holiday.

Requests to take a floating holiday must be submitted to and approved by your supervisor in advance. Due to scheduling and work requirements, not all requests can be approved. However, employees do have the option of using floating holidays as a "snow day" or in other emergency situations. All floating holidays must be taken on or before the last day of the pay period of the first payroll paid in December of each year, referred to as the cutoff date. Floating holidays taken after this date will count against next year's balance.

Unused floating holidays are not paid upon termination.

Jury/Witness Duty

Denison recognizes the obligation of its employees to serve on jury duty or as a subpoenaed witness when called and will continue to pay an employee's regular budgeted pay, for missed hours worked. Employees should report for their scheduled shift, for any hours not engaged in jury duty or as a subpoenaed witness.

Leave of Absence Without Pay

A leave of absence without pay may be granted at the discretion of the division and department heads and the Office of Human Resources for other reasons such as education or travel to staff members who have been employed by the university for at least two (2) years. Such leaves are subject to the needs of the department, the ability to replace the staff member on a temporary basis and the overall impact on the operation of the department. Requests for leaves without pay must be submitted in writing to your department head and division head and the Office of Human Resources will review the request. Leaves of absence without pay are normally limited to (90) days or less. Failure to return to work at the conclusion of an initial leave of absence without pay is interpreted as a voluntary resignation. Under no condition will combined vacation,

FMLA, Extended Personal & Family Medical Leave and leaves of absences without pay, exceed one (1) year.

All accumulated vacation time must be taken before a leave without pay is granted. No holiday pay is given for holidays falling within leave time. Vacation days do not accrue during such leaves. Each employee is advised to check with the Office of Human Resources for continuation of insured staff benefit programs prior to going on leave. A leave of absence without pay may be granted to the staff member with three possible stipulations upon the end of the leave: guarantee of the same job, guarantee of a similar job, or no guarantee of a job. This will be determined at the time the leave is granted.

Military Leave

The Uniformed Services Employment and Reemployment Rights Act of 1994 guarantees the employment rights of those employees who voluntarily or involuntarily leave Denison for service in the U.S. Armed Forces. The basic provisions and requirements of the Act apply: The employee must give notice that he or she was leaving the job for military service: the cumulative period must not exceed five (5) years; the employee must have not been released from service under dishonorable or other punitive conditions and the employee must have reported back to Denison in a timely manner for reemployment.

Extended Military Services

Employees entering the U.S. Armed Forces for service in excess of the two week temporary period are granted a leave of absence, without pay, until discharged. The employee is returned to a position of like status upon release from the military when:

- An application is made within ninety (90) days from the date of discharge.
- The employee is qualified to perform the duties of such a position.

An employee is reinstated with compensation at a level he/she would have attained had he/she not left for military service. All staff benefits accrue at the same level as if there had been no break in service. For full-time employees only, Denison will pay the employee the difference between military pay (base pay and housing allowance) and regular, budgeted pay from Denison for a period not to exceed one year. Denison will comply with all applicable state and federal laws with respect to military leaves.

Short-Term Military Services

A military leave of absence is granted to faculty and staff, full-time or part-time, at any full-time equivalency (FTE), who are members of the National Guard or other branches of the Armed Services for limited field training. The length of field service is not to exceed the standards established by governmental agencies. Normally, such leave does not exceed fifteen (15) calendar days per year. For full-time employees only, Denison will pay the employee the difference between military pay and regular, budgeted pay from Denison.

Sabbatical Leave

Members of the administrative staff are not eligible for sabbatical leaves except for professional librarians. Sabbatical leave for professional librarians was reaffirmed by the Board of Trustees in 1992 according to one of the following schedules:

- One year at half pay every seven years or
- One semester at full pay every seven years or
- One summer at full pay every four years.

Librarians should follow the applications and reporting procedures described in the University Sabbatical Leave Policy, in the Faculty Handbook.

Transitional Work Program

Denison University is committed to the safety and health of its employees and supporting employees with temporary physical restrictions, due to an occupational injury. According to the Bureau of Workers' Compensation, if an employee is injured and unable to perform the original job tasks, the chance of returning to gainful employment decreases significantly the longer the employee stays off work. The purpose of this policy is to help facilitate a smooth and productive reintegration as employees continue to work to the maximum extent possible.

All employees who have a work-related injury occurring on April 1, 2003 or after are eligible to participate in the Transitional Work Program (TWP). An employee coming back to work, under this program, with restrictions set by the physician will be paid at the normal rate of wages and will also be paid for the therapy time if on-site therapy is needed. The aim of the program is to offer injured workers the ability to return to work, even with extremely limited capabilities.

The aim of the program is NOT to provide long term limited duty positions for employees but to offer a progressive return to work strategy. For the program to remain effective we require an injured worker to be re-evaluated by their treating physician at least every 30 days. The duration of the program is sixty (60) days. A complete copy of the policy and procedures is available in the Office of Human Resources.

Procedures

1. Follow the proper procedures for injury report and medical treatment for work related injury. Visit Newark Valley Urgent Care for necessary medical care.
2. Once the employee comes back with restrictions set by his/her treating physician, proceed with the following steps:
 - The supervisor and the TWP Coordinator will develop a transitional duty position that fits within the capabilities indicated by the treating physician.
 - If necessary, TWP Coordinator will arrange for on-site therapy.
 - The Transitional Work Committee will monitor the program until the employee returns to full duty.
 - A Final Medical Release by the treating physician is required for the return to full duty.

Newark Valley Urgent Care

1906 Tamarack Road

Newark, OH 43055

Phone: 740-522-0222

Hours: M-F, 9 a.m. - 9 p.m., Sat. and Sun. 9:00 a.m. - 6:00 p.m.

After hours: Licking Memorial Hospital

TWP Coordinator

Environmental Health and Safety Officer

Unexcused Absences

If any employee is absent from work without prior notification for three (3) days or more and, if in the opinion of the supervisor and the Office of Human Resources, the explanation for the absence is not satisfactory, the employee may be dismissed without further notice.

Vacation

Full-time administrative staff are eligible to accrue vacation days at the rate of 1.83 days per month for the months actually worked. Initial vacation benefits are pro-rated from the date of employment. Total vacation days that may be accrued per year are as follows.

- 9 Month Staff - 16.5 days per calendar year
- 10 Month Staff - 18.5 days per calendar year
- 11 Month Staff - 20 days per calendar year
- 12 Month Staff - 22 days per calendar year
- Part-time administrative staff, budgeted at a minimum of .5 FTE, are eligible to accrue 10 vacation days per year.

Vacation days may be used at the staff member's discretion depending on departmental needs and approval of the department manager. Vacation time is not to be used on institutionally recognized administrative holidays, i.e. Christmas Day, New Year's Day, etc., or when the staff member is ill, or an immediate family member is ill. Immediate family members are considered to be an employee's parents or children, spouse, domestic partner, and any dependent (as defined by the IRS) living in the employee's household.

Denison reserves the right to require a physician's statement to document the illness or injury if the employee will be off work for more than 3 consecutive workdays. Any other scheduled work days off must be counted as vacation and subtracted from the vacation accrual. Vacation accruals will be stated as hours earned per pay period on the employee's statement of earnings and will be computed based on the employee's adjusted date of hire. Vacation accruals will be prorated during any period where an employee is in an unpaid status.

Upon return from vacation, days used must be reported using the Administrative Staff Leave Report Form. Upon approval by the department manager, the form is forwarded to the Office of Payroll for processing.

Employees may not use vacation before it is accrued. An employee's total accrued vacation as of January 1 of each year may not exceed 200 percent of the annual vacation earned. Vacation days may not be transferred from one employee to another, except as allowed under the Leave Donation Policy, described in the Supportive Operating Staff Handbook. No compensatory pay for unused vacation is permitted, except as stated in the When You Leave Denison section of this handbook.

A reasonable effort will be made to give an employee the vacation period requested. The exact scheduling must be agreed to by the department head and employee. Vacation days may not be taken in less than one-half day. Employees are urged to take at least one extended period each year of at least one week.