

ABSENCES FROM WORK

Holidays

Denison University recognizes the following eight (8) paid holidays each year:

- New Year's Day
- Memorial Day
- 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 may use vacation days for salary continuation.

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.

Holidays that fall within a scheduled vacation do not count against vacation.

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.

Vacation

(Effective July 1, 2011)

Full-time administrative staff are eligible to accrue vacation days each calendar year 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 during the period of appointment at the staff member's discretion depending on departmental needs and approval of the department manager. Any time off other than the institutionally recognized administrative holidays, i.e. Christmas Day, new Year's Day, etc., or when the staff member is ill, must be counted as vacation and subtracted from the vacation accrual.

Vacation accruals will be stated as hours earned per pay period on the employees' statement of earnings and deductions (pay stub) 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 Human Resources for processing.

No compensatory pay for unused vacation is permitted (except at termination of employment per below). 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 Personnel Policies Handbook for Supportive Operating Staff.

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. If a short-term illness or a death in the family occurs while on vacation, additional days of vacation are not granted.

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.

Employees who voluntarily leave Denison prior to the completion of one year of service are not eligible for vacation or pay in lieu of vacation. Effective January 1, 2012, employees leaving Denison after the completion of one year's service will be paid out a maximum of 30 days. For employees retiring from Denison, please see "When You Leave Denison" for information on vacation payout.

On The Job Accidents

(Effective March 24, 2009)

The Workers' Compensation Law of Ohio protects each employee.

All employees should be advised that they are required to report all work related incidents to their supervisors immediately.

If there is any question as to the validity of the employee's reported accident, a thorough investigation and fact-finding report, including statements from any witnesses, will be conducted by the Office of Environmental Health and Safety.

1. Supervisors should see that medical care is provided as soon as necessary. **BE SURE TO TELL THE MEDICAL PROVIDER IMMEDIATELY UPON ARRIVAL THAT THIS IS WORK RELATED.** Licking Memorial always has a supply of FROI-1 forms, but other places may not. It is a good idea to call the Office of Human Resources and get the proper form.
2. The internal Accident, Injury or Illness Report should be completed within 24 hours of accident, injury or illness.

3. The "Employee's Report of Back Injury" should be completed by the employee when any work related back injury is reported and those forms are available in the Office of Human Resources.
4. Upon receiving their claim number from the Bureau of Workers' Compensation, the claimant is responsible for contacting any medical providers of that number.
5. Claimants should be advised NOT to pay for anything, if at all possible. If you need a prescription filled and can't find a pharmacy that will accept a Workers' Compensation case, the Office of Human Resources can make arrangements with CVS so that payment will not be necessary up front. If the claimant pays for a service, the Office of Human Resources can provide the injured worker with information on submitting receipts to the BWC.

Denison University has a third party administrator that we use. If at any time, you are having a problem with bills or just have questions in general, please feel free to call the Office of Human Resources for assistance.

An employee will not receive pay for the first 7 days of absence because of a work-related illness or injury unless accumulated sick leave is used.

If the employee is unable to return to work after all accumulated sick leave has been used, the employee will be placed on a leave of absence without pay.

Transitional Work Program

(Effective March 24, 2009)

Denison University is committed to the safety and health of its employees. Occasionally, after an occupational injury or illness, an employee is unable to immediately return to work and perform all of their duties. However, many employees will often be able to fulfill some duties and responsibilities before they are capable of assuming all their former duties. It is to the mutual benefit of the University and employees to return the employee to employment following an occupational injury or illness. To facilitate a safe and expeditious return to full employment, the University has established a Transitional Work Program. These procedures should allow affected employees to progressively assume their full and former job duties as their health improves. The following is a summary of the program. A complete copy of the policy and procedures is available in the Office of Human Resources.

If an employee is injured and unable to perform the original job tasks, the chance of returning to gainful employment decreases significantly when the employee stays off work, according to the Bureau of Workers' Compensation. We are offering a Transitional Work Program to keep staff gainfully employed. 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.

All employees who have a work-related injury occurring on April 1, 2003 or after are eligible to participate in our Transitional Work Program. This program has been developed with the understanding that it is in both the employee's and the University's best interest to get employees back into the workforce as quickly as possible following a work-related injury while at the same time ensuring that they are not placed in a position which could further complicate the injury.

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.

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 Coordinators

Environmental Health and Safety Officer

Human Resources Officer

Funeral Leave

Full-time employees, as defined in this handbook, are eligible for three 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 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 leave without pay may be used to supplement allowed days with the manager's approval.

Jury/Witness Duty

Denison recognizes the obligation of its employees to serve on jury duty or as a subpoenaed witness when called.

Under normal circumstances Denison will continue to pay an employee's regular, budgeted pay.

Employees are expected to report for work all or part of any day not engaged in jury duty or as a subpoenaed witness. Employees are required to forward a copy of the summons or subpoena of jury or

witness duty to the Office of Human Resources. Also, documentation of attendance in court should be forwarded to the Office of Human Resources substantiating dates served.

Military Leave

(Effective February 28, 2011)

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.

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.

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:

1. An application is made within ninety (90) days from the date of discharge;
2. 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.

Sabbatical Leaves

Members of the Administrative Staff are not eligible for sabbatical leaves except for Professional Librarians. Sabbatical leaves for Professional Librarians was reaffirmed by the Board of Trustees in 1992 according to one of the following schedules:

1. One year at half pay every seven years; or
2. One semester at full pay every seven years; or
3. 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.

Family and Medical Leave Act (FMLA) of 1993

A. Required through Legislation

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:

1. For the birth of a child and to care for the newborn son or daughter¹ ;
2. To care for a son or daughter placed with the faculty/staff member for purposes of adoption or foster care¹ ;
3. To care for a spouse², domestic partner³, son or daughter or parent⁴ with a serious health condition⁵;
4. Because of a serious health condition that makes it impossible for the faculty/staff member to perform the functions of his/her job.

Faculty and staff members are eligible for a leave under the Act 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. Leaves 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 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 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 12-month period. Thus a faculty or staff member who has not taken any leave in the last year is entitled to 12 weeks; while a faculty or staff member who has taken three weeks' leave in the last year is entitled to only nine more weeks.

Important Note: Denison's policy is to allow leave under the Family and Medical Leave Act 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 on (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 her/his 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 Leaves: 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) if medically necessary. However, intermittent leave arrangements for the birth or adoption of a child are not covered by the Act and must be approved by the Provost and/or Director 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.

B. Programs at the Discretion of University

The University may grant the following additional leaves of absence to faculty, administrative staff and support staff who have been employed by the University for at least two (2) years. Leaves for faculty are granted at the discretion of the Provost in consultation with the Department Head. Leaves for administrative staff and supportive operating staff are granted at the discretion of the Director of Human Resources in consultation with the Department Head. Such leaves are subject to the needs of the department, the ability to replace the faculty/staff member on a temporary basis and overall impact on the operation of the department.

The timing and duration of the leave is determined by mutual agreement between the faculty/staff member and her/his supervisor but not to exceed one (1) year (including any leave authorized under the Family Medical Leave Act). Salary is not continued but participation in group insurance programs may be continued with the payment of the full premium by the employee. All applicable accrued paid vacation time and/or sick time must be used before taking any unpaid leave.

If the leave is for a serious health condition, certification as required by the Family Medical Leave Act for serious health condition applies.

1. To care for a newborn son or daughter¹ ;
2. To care for a son or daughter placed with faculty/staff member for the purpose of adoption¹ ;
3. To care for a spouse², domestic partner³, son or daughter or parent⁴ with a serious health condition⁵ and
4. Because of a serious health condition that makes it impossible for the faculty/staff member to perform the functions of his/her job.

Extended leaves 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 not 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.

Extended Personal and Family Medical Leaves

The university may grant extended leaves of absences for reasons authorized under the Family and Medical Leave Act listed above to staff members who have been employed by the University for at least two (2) years.

Leaves are granted at the discretion of the department head and the Director of Human Resources. Such leaves are 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 her/his supervisor but not to exceed one (1) year (including any leave authorized under the Family and Medical Leave Act). 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 by the Family and Medical Leave Act for serious health conditions applies.

Extended leaves 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.

Leaves of Absence Without Pay

A leave of absence without pay may be granted at the discretion of the division and department heads and the Director 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. The Director or Associate Director 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 leaves 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.

Leaves 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.

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 Director or Associate Director of Human Resources, the explanation for the absence is not satisfactory, the employee may be dismissed without further notice.

¹ "Son or daughter" means a biological, adopted or foster child, a step-child, a legal ward, or a child of a person acting as a parent, who is either under age 18, or age 18 or older and is "incapable or self-care because of a mental or physical disability"

² "Spouse" means a husband or wife as defined and recognized under state law for purposes of marriage, including common law marriage, in states where it is recognized.

³ "Domestic Partner" means same-sex partner as certified by an Affidavit of Domestic Partnership filed with the Office of Human Resources. As a matter of law, leave taken for a domestic partner is not covered by the Federal FMLA. In this manner, Denison's policy goes beyond the federal requirements.

⁴ "Parent" means biological parent or an individual who stands or stood as the faculty/staff members parent when the faculty/staff member was a child. This term does not include parents "in-law".

⁵ "Serious health condition" is defined as an illness, injury, impairment or physical or mental condition that involves a period of incapacity or treatment following in-patient care in a hospital, hospice, or residential medical care facility; a period of incapacity requiring more than three days absence from work and continuing treatment by a health care provider; or continuing treatment by a health care provider for a chronic or long-term health condition that is so serious that, if not treated would likely result in incapacity of more than three days; or continuing treatment by or under the supervision of a health care provider of a chronic or long-term condition or disability that is incurable; or prenatal care.