POLICY STATEMENT 12
EMPLOYEE LEAVE

POLICY DIGEST

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I. PURPOSE

To define the various leaves of absence policies and procedures in order that the granting of leave and the maintenance of records may be accomplished in accordance with University, Civil Service regulations, Executive Orders and Louisiana Revised Statutes.

For the purposes of this policy, "University" will indicate the collective of all LSU campuses across the state. References to Louisiana State University and Agricultural & Mechanical College (Flagship campus in Baton Rouge) will be clearly indicated throughout the document.

II. DEFINITIONS

Academic Employees

> **Faculty** – Members of the academic staff with the rank of Instructor or above and equivalent ranks. For the purposes of leave accrual and use for full-time faculty, the work day is deemed to be eight hours and the work week is deemed to be 40 hours.
>
> **Other Academic Employees** – Members of the academic staff below the rank of Instructor or equivalent and other personnel with academic responsibilities not holding faculty rank (See Article II. Sec. 1. A.1. b. of the Regulations of the Board of Supervisors).

Annual Leave – Leave with pay granted to an employee for the purpose of rehabilitation, restoration, and maintenance of work efficiency, Family and Medical Leave (FMLA), or transaction of personal affairs.

Civil Leave – Leave with pay without loss of annual or sick leave granted an employee to perform jury duty; to appear as a subpoenaed witness before a court, public body, or commission; to perform civil duties in connection with national defense or other civil emergencies; or to vote.

Classified Employees – All employees covered by the provisions of the Civil Service System of the State of Louisiana. A full-time classified employee is a classified employee who works a standard work week of 40 hours.

Compensatory Leave – Leave granted to eligible employees in lieu of cash compensation for overtime work or hours worked on a holiday or other day when the University or applicable component of the University is closed.

Crisis Leave – Leave granted to eligible employees who have experienced a catastrophic illness or injury to themselves or an eligible family member.

Emergency Leave – Leave with pay granted to employees who have been affected by extraordinary conditions, as designated by the President, at the time of emergency.

FMLA Leave – Leave covered by the Family and Medical Leave Act.

Full-Time Classified Employee – A classified employee who works a standard work week of

40 hours.

Funeral Leave – Leave with pay granted to an employee to attend the funeral or burial rites of certain approved relatives.

Holiday Leave – Leave with pay for holidays as specified in PM 5.

Leave of Absence – Permission to be absent from duty.

Leave of Absence without Pay – Unpaid leave granted to employees for good cause under stipulated conditions.

Military Leave – Leave granted to an employee who is ordered to duty with troops or at field exercises or for instruction with any branch of the Armed Forces, including the National Guard.

Parental Leave – Effective for qualifying events occurring on or after January 1, 2024, an eligible employee may receive paid parental leave of up to 240 hours without deduction from the employee's annual, sick, or compensatory leave balances for the birth of a child or placement of a child under the age of 18 with the employee for adoption or foster care.

Personal Leave – Leave of up to two days (16 hours) per *academic* year granted to *unclassified* employees who do *not* receive annual leave. It is granted for personal purposes of the employee. Personal leave is charged to and deducted from the employee's sick leave for the current academic year or sick leave accumulated as provided by La R.S. 17:3311.

Unclassified Employee – A member of the unclassified staff on full-time status as defined by the appointment; for the purposes of leave accrual and use, the work day is deemed to be eight hours and the work week is deemed to be 40 hours; administrative officers and unclassified staff, and employees in positions specifically exempt from classified service under Article X of the Constitution of the State of Louisiana. Non-exempt hourly as defined by the Department of Labor and are referred to as unclassified or 'unclassified hourly'; other positions exempt from classified service by special action of the State of Louisiana, Department of Civil Service; an employee whose appointment is for a period of more than 180 calendar days or who has been employed for more than 180 consecutive calendar days by a successive uninterrupted appointment. This category excludes transient employees (employees appointed under Civil Service Rule 4.1(d)1)

Regular Employee – an employee whose appointment is for a period of more than 180 calendar days or who has been employed more than 180 consecutive calendar days by successive, uninterrupted appointment.

Sabbatical Leave – Leave granted to faculty for study and research, the object of which is to enable the faculty to increase their professional efficiency and usefulness to the University. (See PM 12 for further information)

Sick Leave – Leave with pay granted an employee who is suffering with an illness or injury which prevents the employee from performing their usual duties and responsibilities or who requires medical, dental, or optical consultation or treatment, or who requires the need to care for an immediate family member with similar circumstances.

Special Leave – Leave with pay without loss of annual leave or sick leave granted by

the President for extenuating circumstances.

Temporary Employee – An employee appointed for 180 calendardays or less.

Transient Employee – An employee appointed under Civil Service Rule 4.1 (d)1). Transient employees are not eligible to earn leave.

III. GENERAL POLICY

Employees shall not absent themselves from their duties without proper authorization. It is the responsibility of the department head, supervisor or their designee to receive and review requests for all leave requests and leaves of absence and approve or disapprove such requests in accordance with University policy. If paid leave is neither available nor appropriate, leave without pay shall be charged. If an employee fails to submit a time off request or leave of absence request, leave must be administratively deducted from their record. The department head, supervisor or their designee shall ensure that the department timekeeper maintains accurate leave records on all departmental employees. No employee shall approve or solely maintain records for their own leave.

Because of the nature of their appointments, it may be difficult to determine when faculty should be charged leave. As a minimum, faculty who miss an assigned class or scheduled meeting must be charged leave appropriate to the circumstances regardless of whether arrangements are made for someone else to meet the class. Please see Section V.F.3. for additional information.

IV. ANNUAL LEAVE

A. Annual Leave Accrual Conditions

1. Annual accrual for academic and unclassified employees on a fiscal pay basis begins with the paid appointment or continuation at greater than 50% effort that extends employment beyond 180 days. (Note: Full-time Faculty appointed on an academic year basis, Part-time Faculty on an academic year basis, transient, contingent, W.A.E. employees and students do not accrue annual leave.)

2. Classified employees begin accruing leave from their first day of appointment on a regular tour of duty for every hour in a paid status. (Note: Classified employees do not accrue leave while serving on a Classified W.A E. appointment).

3. For accrual purposes, years of service is based on full-time equivalent state service in pay status.

   For **academic or unclassified** appointments beginning on or after January 1, 1999, the following types of state service shall count toward service for annual leave accrual purposes.

   a. All service as a classified employee as defined by State Civil Service

   b. Service as an academic or unclassified employee at a Louisiana public entity or public institution of higher education as defined by revised statutes that define the start of service.

   c. Service as an unclassified employee under Civil Service Rules 4.1(d)2 and 11.19(d).

d. The President may authorize the counting of other unclassified state service when it was earned on an appointment that was of a recurring and essentially full-time nature (e.g., unclassified undersecretary at a major state agency).

For **academic or unclassified** appointments beginning on or after November 8, 2004, full-time equivalent service in pay status in a parish school system will also count toward service for leave accrual purposes.

4. Accrual - full month's service:

   a. For eligible **unclassified** and **academic** personnel, if an appointment is effective on the first working day of the month, annual leave accrual shall be based on a full month's service in a paid status.

   b. Eligible **classified** employees will accrue leave from the effective date of appointment in a paid status.

5. Accrual - partial month's service:

   a. **Unclassified** or **academic** employees who are appointed, terminated, or begin or return from leave without pay on a date such that the employee is in a paid status or whose percent effort is increased on a date such that the employee is in paid status at more than 50% effort:

      i. at least one-half the working days in the calendar month, but less than the entire month, will accrue a half-month's leave credit,

      ii. fewer than one-half the working days in the calendar month, will accrue no leave credit for that month.

   b. **Classified** employees will accrue leave based on the exact number of hours in a paid status.

6. Changes with full-time State service (Adjusted Service Date for Leave Accrual):

   a. As an employee's years of service increase, the leave accrual rate will increase according to Leave Accrual Schedules I and II of this section.

   b. An **unclassified** or **academic** employee whose anniversary date of appointment falls on:

      i. The 1st through the 15th of a month will accrue leave at the higher rate for the entire month,

      ii. The 16th through the end of a month will accrue leave at the present rate for that month and will begin to accrue at the higher rate the following month.

   c. For **classified** employees, their leave accrual rate increase is effective on the anniversary date.

7. No employee shall be credited with annual leave under the following circumstances:

a. For any overtime hour;

b. For any hour of leave without pay except if they are on unpaid military leave;

c. For any hour in on-call status outside regular duty hours;

d. For any hour of travel or other activity outside regular duty hours;

e. For any hour of a holiday or other non-work day which occurs while on leave without pay.

f. For any period of sabbatical leave or educational leave. However, time spent on sabbatical or educational leave does count as service toward leave accrual rate change.

g. For any hour on crisis leave (see section XVII).

8. Submitting annual leave requests:

a. Annual Leave requests must be submitted through LSU's system of record by the employee, manager, or a timekeeper as designated by the department. Leave requests entered by the manager or timekeeper must be supported by other documentation of the request by the employee and approval by a supervisor. These records must be maintained in accordance with university records retention requirements.

b. The minimum charge to annual leave is one-half hour. Beyond the first one- half hour, annual leave may be taken in quarter-hour increments. In the case of Family and Medical Leave, the minimum charge and subsequent increments may be as low as one-tenth of an hour.

c. For purposes of the FMLA, the leave or time off request to be taken must be designated as "FMLA."

9. Advance of leave:

No advance of annual leave may be granted. Employees who have exhausted their annual leave may request, in writing, that they be placed on leave without pay.

B. Accrual Schedules: Annual leave is allotted on two schedules. Each new eligible **academic** and **unclassified** employee shall make a choice between Annual Leave Accrual Schedule I and Annual Leave Accrual Schedule II. The choice must be made within 30 days of appointment and that election choice is irrevocable for the length of that appointment.

Employees who are appointed for less than full-time but who are eligible to earn leave shall accrue leave in proportion to their percentage of full-time effort.

1. **ANNUAL LEAVE ACCRUAL SCHEDULE I** - Applies to:

a. Annual leave for regular academic and unclassified employees appointed on fiscal year basis who elected leave under the Civil Service annual leave regulations, with no limitation on total accumulation.

b. Annual leave for classified employees.

YEARS OF SERVICE	CLASSIFIED	PROF & ACADEMIC
Less than 3 years	.0461 per hour	8 hours per month
3 years but less than 5	.0576 per hour	10 hours per month
5 years but less than 10	.0692 per hour	12 hours per month
10 years but less than 15	.0807 per hour	14 hours per month
15 years or greater	.0923 per hour	16 hours per month

2. **ANNUAL LEAVE ACCRUAL SCHEDULE II** - Applies to:

   Annual leave for academic and unclassified employees on fiscal year basis that have elected the LSU Leave Schedule.

YEARS OF SERVICE	UNCLASSIFIED AND ACADEMIC
Less than 10	14 hours per month with total accumulation limited to 176 hours. Once 176 hours are accumulated, no additional annual leave time is earned until annual leave time is used.
10 years but less than 15	14 hours per month with no limit on total accumulation.
15 years or more	16 hours per month with no limit on total accumulation.

   a. One academic year equals one full year of service for the purpose of computing leave accrual rate for employees who have worked on academic pay basis.

C. Restoration of Leave Credits upon Reemployment - All Employees

1. Return to duty after military service: all annual leave accrued by an employee for which payment was not made at time of separation from the university to enter military service will be credited upon the employee's return to work immediately following such military service.

2. Reemployment after resignation or layoff: all annual leave accrued by an employee for which payment was not made upon resignation or upon layoff will be credited to the employee if reemployed in a leave-accruing status by the university within a period of five years from date of separation, provided that separation was not made for cause (disciplinary action).

3. Reemployment after termination: Any remaining leave accrued by an employee whose separation was by termination for cause or whose separation was by resignation to avoid termination for cause will not be credited upon any future state of employment if applicable.

4. Reemployment after retirement: unused unpaid annual leave is not re-credited to individuals reemployed after retirement from LSU unless an employee was in an Optional Retirement Plan in which their leave balances are not used for service credit or they have returned to LSU within 5 years of retirement.

D. Status of Leave upon Change in Pay Basis - All Employees

Employees on a fiscal pay basis who are to be transferred to an academic basis should be permitted, where feasible, to take any accumulated annual leave prior to the effective date of such change in status. Any annual leave not taken by the effective date of such change in status is to be retained to the credit of the employee for future use if the employee changes back to a fiscal year appointment, or for payment and/or service credit upon separation or retirement in accordance with applicable policies.

E. Status of Annual Leave upon Change in Percent Effort - Academic and Unclassified Employees

Employees on a fiscal pay basis who were first employed or were reemployed by LSU after a break in service January 1, 1999 or later, and whose percent of effort drops to 50% or below cease to accrue and are not eligible to use annual leave for the duration of the period they are appointed equal to or less than 50% effort. When/if the employee returns to greater than 50% effort, they will begin to accrue and are eligible to use leave again.

F. Transferring Annual Leave

1. Within the University (any LSU institution) or from another state agency or parish school system to LSU:

   When a classified employee transfers to a classified job within the University or from another state agency to a classified job in the University, within a period of 30 calendar days, accrued annual leave credits of the employee shall be certified and credited to the employee's leave balance.

   In the case of academic or unclassified employees on a fiscal pay basis transferring within the University to an annual leave-accruing status, accrued annual leave credits of the employee shall be certified and credited to the employee's leave balance within 30 calendar days. When an academic or unclassified employee transfers to a non-annual leave-accruing status within the University and without a break in service, accrued annual leave credits of the employee shall be certified and credited to the employee's leave balance but may not be used unless the employee changes to an annual leave-accruing status.

   In the case of academic or unclassified employees transferring from another state agency or a parish school system to LSU, annual leave cannot be accepted unless the appointment at LSU is in an annual leave-accruing status. When the appointment is in an annual leave-accruing status, the leave accepted cannot exceed the leave that they could have accrued had they performed the service in an annual leave-accruing status under the LSU accrual regulations and there can be no break in service. Employees transferring to unclassified or academic positions at LSU are allowed to elect Annual Leave Accrual Schedule I or Annual Leave Accrual Schedule II.

   Note: Employees with less than ten years full-time equivalent state service who elect Annual Leave Accrual Schedule II and who have in excess of 176 hours of annual leave,

will NOT earn additional leave until such time as their balance is reduced below 176 hours, unless Leave Accrual Schedule I has been selected.

2. From LSU to state agencies outside the University:

   Annual leave earned by academic and unclassified employees at LSU may not be accepted if the transfer is to a classified position. Whether such leave will be accepted when the transfer is to an unclassified position outside the University is dependent upon the rules and policies set forth by the management board of the new agency.

G. Use of Annual Leave - All Employees

1. Annual leave may be used for any personal purpose (including care of a family member) any time after it is earned **contingent upon departmental or other designated approval**. The granting of annual leave is **not** automatic and may be denied or restricted based on business necessity. The term of the leave may not extend beyond the period for which support is committed to the position or contract.

2. Under no circumstances may an employee be advanced leave. When employees exhaust their annual leave they may, with supervisory approval and by making written request, request to be placed on leave without pay (See Section X). The granting of leave without pay is not automatic; however, employees who fail or refuse to request leave without pay shall administratively be placed on unauthorized leave without pay and may be subject to disciplinary action, including termination.

3. The minimum charge to leave records shall not be less than one-half hour. Beyond the first one-half hour, annual leave may be taken in quarter-hour increments. In the case of Family and Medical Leave the minimum charge to annual leave and subsequent increments may be as little as one-tenth (.1) of an hour, or six minutes.

4. The use of annual leave immediately preceding resignation, termination or retirement of **unclassified, academic or classified** personnel will be limited to the amount of annual leave the employee earns during a calendar year. Where justifiable, exceptions may be made by the President.

5. Annual leave shall not be charged for non-work days.

6. Academic and unclassified employees on a fiscal year appointment must take leave to earn additional compensation if the work is performed during normal work hours unless there is an approved alternate work schedule (See Permanent Memorandum 3 and Policy Statement 43 for details on additional compensation).

H. Enforcement of Annual Leave - Applies to Unclassified and Classified Employees

1. Upon approval by the Office of Human Resource Management, a department head may require an employee to take annual leave whenever, in the administrator's judgement, such action would be in the best interest of the department.

   However, no classified employee shall be required to reduce accrued annual leave to less than 240 hours except:

a. prior to being granted leave without pay, but subject to the right granted classified employees by the military leave provisions of Civil Service rules;

b. where it is determined that the need to be absent from work is because of a condition covered by the Family and Medical Leave Act (FMLA).

I. Request and Certification Required When Using Leave

1. Periods of one week or more: granting of leave by the supervisor will be based upon the department's work load, and scheduled vacations of other employees. Written application for leave should be made at least one week in advance, except in the case of Family and Medical Leave when medical necessity makes it impractical to make the request in advance.

2. Periods of less than one work week: Approval shall be based upon the department's work load and the employee's work, attendance record and applicable Family and Medical Leave regulations.

3. Application for leave must be made by employee through LSU's system of record and routed to the appropriate supervisor for approval at least one day prior to the requested date. When justifiable emergency situations occur (including Family and Medical Leave), the supervisor may waive the one day prior notice. The supervisor may request reasons for leave should the circumstances warrant.

4. Any employee not reporting to work when a request for leave has been denied will be considered on unauthorized leave without pay and will be subject to disciplinary action.

5. Leave sanctions to restrict the use of annual leave may be implemented when circumstances justify such an action with the approval of the Office of Human Resource Management. FMLA leave may not be used as a basis to implement leave sanctions.

6. Annual leave requests exceeding two weeks must include the reason for the request in order to determine FMLA status.

7. Physician certification is required when requesting leave for care of a family member consistent with FMLA.

J. Cancellation or Continuance of Annual Leave Credits Upon Separation

1. Except that for which the employee must be paid (up to 300 hours), all annual leave accrued by an employee whose services are terminated for cause shall be canceled.

2. All annual leave accrued by an employee for which they are not paid upon being laid off shall again be credited if the individual is reemployed within five years following the separation (except in the case of dismissal or resignation to avoid dismissal).

3. All annual leave accrued by an employee for which they are not paid upon resignation shall again be credited if the individual is reemployed within a period of five years from date of separation; provided, that the privileges of this rule shall not extend to any employee

whose last separation from the Classified Service was by dismissal or resignation to avoid dismissal.

4. All annual leave accrued by an employee for which they were not paid at time of separation to enter military service shall be credited upon reemployment following such military service, regardless of the length of separation from the university [Reference Section X on Military Leave for more details].

K. Payment of Leave upon Separation

1. Terminal payment for leave may not exceed an amount representing 300 hours of unused annual leave at time of separation of employees for any reason.

2. Terminal payment for annual leave will disregard any fraction of an hour.

3. Classified and Unclassified employees dismissed for theft of agency funds or property shall not receive terminal payment for annual leave.

4. An employee who is retiring from employment as a member of Louisiana State Employees' Retirement System (LASERS) will receive payment for all terminal annual leave credits to which they are entitled (not to exceed 300 hours). LASERS members also have the option to receive a lump sum payment from LASERS for the actuarial value of their unused annual leave in excess of 300 hours that would otherwise be converted to service credit. Employees interested in this option should inform the Benefits Section of HRM well in advance of their projected retirement date (L.A.R.S. 11:424).

   An employee retiring as a member of Teachers' Retirement System of Louisiana (TRSL) is entitled to receive payment for terminal annual leave credits not to exceed 300 hours. TRSL members who enter the DROP Program may elect to be paid upon entering the DROP Program (L.A.R.S. 17:425.1) or at final separation from employment.

   An employee who is retiring from employment as a member of an Optional Retirement Plan (ORP) will receive payment for all terminal annual leave credits to which they are entitled (not to exceed 300 hours). ORP members will not receive credit for unused, unpaid annual leave upon separation or retirement.

5. Employees who are members of TRSL or LASERS, upon retirement from active duty, shall receive service credit for computation of retirement stipend for unpaid accumulated annual leave according to the provisions of each retirement system. Unpaid leave is not added for determination of retirement eligibility. Employees who are members of an ORP do not receive credit for unpaid annual leave upon retirement.

   In accordance with the provisions of each retirement system, employees who are members of TRSL or LASERS and who enter DROP will not receive service credit for computation of their retirement stipend for unpaid accumulated annual leave upon entering DROP.

6. All personnel actions to effect termination, retirements or transfers must show the amount of unpaid annual leave.

V. SICK LEAVE

A. Sick leave is leave with pay granted to an employee who has sufficient leave to their credit for necessary absences from duty because of:

1. The employee's own illness or injury, which prevents the employee from performing their usual duties:

2. The employee's own medical, dental or optical consultation or treatment for the duration of time required for such appointments when it is not possible to arrange such appointments for non-duty hours;

3. The employee's assertion, supported by medical certification, of their own need to be isolated from the workplace to avoid a health risk during a health pandemic declared by the Governor because of their diagnosed high-risk immunological disorder as it relates to a FMLA or ADA request;

4. An employee who has sufficient leave to their credit may request sick leave in lieu of annual leave for:

   a. A necessary absence from duty because of illness or injury of an immediate family member as defined below;

   b. A necessary absence from duty to attend a medical, dental, or optical consultation or treatment when it is not possible to arrange such appointments for non-duty hours.

   c. A necessary absence from duty to care for a son or daughter as defined by FMLA when there is a health pandemic declared by the Governor, and there is no other suitable person available to care for the son or daughter because their school or place of care has been closed or the childcare provider is unavailable due to a reason directly related to the health pandemic.

An immediate family member is defined as a spouse, parent, or child of an employee. It is the policy of LSU to grant sick leave so that employees will not suffer the loss of pay when unable to work because of such circumstances. Abuse of this benefit is cause for disciplinary action.

For the purpose of leave reporting, state law (LA.R.S. 17:3311) requires the university to establish a forty-hour work week for faculty. The purpose of establishing the forty hour week is merely to provide a system of accounting for and the taking of leave. Each faculty member's work week, for the purpose of recording sick leave, is determined by their class schedule and other on-campus responsibilities (e.g., student advising and committee work) or an approved work schedule adopted in accordance with departmental and university policy (see FASOP HR-03 for details on flexwork arrangements). These schedules may vary from semester to semester depending on class schedules and other on-campus responsibilities. At a minimum, faculty who miss an assigned class or scheduled meeting must be charged leave appropriate to the circumstances regardless of whether arrangements are made for someone else to meet the class. If paid leave is neither available nor appropriate, leave without pay shall be charged. If a faculty member does not submit a leave request in such circumstances, the leave must be administratively deducted from their accrued balance. Please refer to Leave Guidelines for Faculty for additional information.

Each faculty member, except those employees who receive annual leave, shall be entitled to and shall be allowed to use up to two days personal leave during each academic year, to be used for such purposes as may be determined by the individual employee without loss of pay. Personal leave shall be charged to and deducted from the employee's accrued sick leave. Personal leave shall not be accumulated from year to year, nor shall personal leave be compensated for upon separation, death or retirement.

B. Sick Leave Accrual Conditions

1. Academic and unclassified employees begin to accrue sick leave with the paid appointment or continuation at greater than 50% effort that extends employment beyond 180 days. (Note: Transient, Contingent, W.A.E. employees, and students do not accrue sick leave.)

2. Classified employees begin accruing leave from their first day of appointment on a regular tour of duty (Note: Classified employees do not accrue leave while serving on a restricted Classified W.A.E, or Contingent appointments).

3. For leave accrual purposes, years of service is based on full-time equivalent state service in pay status. For **academic and unclassified** employees appointed November 8, 2004 or later, full-time equivalent service in a parish school system in paid status will also count toward service for leave accrual purposes. Employees appointed for less than full-time shall accrue leave in proportion to their percentage of full-time equivalent service.

4. Accrual - full month's service:

   a. **Unclassified** and **academic** personnel: if an appointment is effective on the first working day of the month, leave accrual shall be based on a full month's service.

   b. **Classified** employees will accrue leave from the effective date of appointment.

5. Accrual - partial month's service:

   a. **Unclassified** or **academic** employees who are appointed, or begin or return from leave without pay on a date such that the employee is in a paid status:

      i. at least one-half the working days in the calendar month, but less than the whole month, will accrue a half-month's leave credit,

      ii. fewer than one-half the working days in the calendar month, will accrue no leave credit for that month.

   b. **Classified** employees will accrue leave credit based on the exact date of appointment, separation or return from leave without pay.

6. Changes with full-time state service:

   a. As an employee's years of service increase, the leave accrual rate will increase according to the leave accrual schedule in this Section.

b. **Unclassified** or **academic** employees whose anniversary date of appointment falls on:

   i. the 1st through the 15th of a month will accrue leave at the higher rate for the entire month,

   ii. the 16th through the end of a month will accrue leave at the present rate for that month and will begin to accrue at the higher rate the following month.

c. For **classified** employees, leave accrual rate increase is effective on their Time Off Service Date.

7. No employee shall be credited with sick leave under the following circumstances:

   a. For any overtime hour;

   b. For any hour of leave without pay except if an employee is on unpaid military leave;

   c. For any hour in on-call status outside regular duty hours;

   d. For any hour of travel or other activity outside regular duty hours;

   e. For any hour of a holiday or other non-work day which occurs while an employee is on leave without pay.

   f. For any period of sabbatical leave or educational leave. However, time spent on sabbatical or educational leave does count as service toward leave accrual rate change.

   g. For any hour on crisis leave.

8. Academic year appointments:

   a. For purposes of computing leave accrual rate change under the "Sick Leave Accrual Schedule," one semester equals one-half year.

   b. For each semester worked, an employee on an academic pay basis is credited leave for a period of 4 1/2 months. For example, an employee with less than three years of service earns eight hours per month for 4 1/2 months for each semester worked.

   c. An employee accrues sick leave when appointed for the summer school session(s) or for summer research in proportion to the full-time equivalent of the summer appointment.

   d. A new employee begins to accrue leave if appointed concurrently for the summer school session or summer research and the succeeding academic year. A new employee appointed for the summer session only or one semester only does not accrue sick leave.

9. Recording of leave:

a. Leave requests must be submitted in LSU's system of record by the employee or designated timekeeper for the department. Leave requests entered by the manager or timekeeper must be supported by other documentation of the request by the employee and approval by a supervisor. These records must be maintained in accordance with university records retention requirements.

b. The minimum charge to sick leave is one-half hour. Beyond the first one-half hour, sick leave may be taken in quarter-hour increments. In the case of Family and Medical Leave, the minimum charge to sick leave may be as low as one-tenth (.1) of an hour, or six minutes.

c. For purposes of the Family and Medical Leave Act, the leave to be taken must be designated as "FMLA."

10. Advance of leave:

No advance of sick leave can be granted. Employees who have exhausted sick leave but who have annual leave may be allowed, with supervisory approval, to make use of their annual leave to continue their leave status or they may request leave without pay.

C. Sick Leave Accrual Schedule - All Employees

YEARS OF SERVICE	CLASSIFIED	PROF & ACADEMIC
Less than 3 years	.0461 per hour	8 hours per month
3 years but less than 5	.0576 per hour	10 hours per month
5 years but less than 10	.0692 per hour	12 hours per month
10 years but less than 15	.0807 per hour	14 hours per month
15 years or more	.0923 per hour	16 hours per month

D. Restoration of Leave Credits upon Reemployment - All Employees

1. Reemployment after military service: all sick leave credited to an employee at time of separation from the University (any institution) to enter military service will be credited upon reemployment at the University immediately following such military service.

2. Reemployment after resignation or layoff: all sick leave credited to an employee at time of separation by resignation or lay-off will be credited to the employee if reemployed within the University within a period of five years from date of separation, provided that the resignation was not to avoid dismissal.

3. Reemployment after termination for cause: all sick leave accrued by any employee whose separation was by dismissal or resignation to avoid dismissal will be canceled.

4. Reemployment after retirement: unused unpaid sick leave is not re-credited to individuals re-employed after retirement from LSU or any other state agency.

E. Status of Sick Leave upon Change in Percent Effort - Academic and Unclassified Employees

Employees who were first employed or were reemployed after a break in service by LSU January 1, 1999 or later and whose percent of effort drops to 50% or below cease to accrue and are not eligible to use sick leave for the duration of the period they are appointed for equal to or less than 50% effort. When/if the employee returns to greater than 50% effort, they will begin to accrue and is eligible to use leave again.

F. Transferring Sick Leave:

1. Within the University (any institution) or from another state agency or parish school system to LSU:

   When a classified employee transfers to a classified job within the University or from another state agency to a classified job in the University, within a period of 30 calendar days, accrued sick leave credits of the employee shall be certified and credited to the employee's leave balances.

   In the case of academic or unclassified employees transferring within the University to sick leave-accruing status, accrued sick leave credits of the employee shall be certified and credited to the employee's leave balance. When an academic or unclassified employee transfers to a non-sick leave-accruing status within the University, accrued sick leave credits of the employee shall be certified and credited to the employee's leave balance but may not be used unless the employee changes to sick leave-accruing status.

   In the case of academic or unclassified employees transferring from another state agency or a parish school system to LSU, sick leave cannot be accepted unless the appointment at LSU is in a sick leave-accruing status. When the appointment is in a sick leave-accruing status, the credit given cannot exceed the leave that the employee could have accrued had service been performed under the LSU accrual regulations and there can be no break in service.

2. From LSU to state agencies outside the University:

   Sick leave earned by academic and unclassified employees at LSU will not be accepted if the transfer is to a classified position. Whether such leave will be accepted when the transfer is to an unclassified position outside the University is dependent upon the rules and policies set forth by the management board of the new agency.

G. Use of Sick Leave

1. Sick leave may be used any time after it is earned with supervisory approval except that faculty employed on an academic pay basis may not use sick leave during the summer except for days for which they are appointed and only after they have worked at least one day of their summer appointment. The term of the leave may not extend beyond the period for which support is committed to the position or contract.

2. Minimum charge to leave records shall not be less than one-half hour. Beyond the first one-half hour, sick leave may be taken in quarter-hour increments. In the case of Family and Medical Leave, the minimum charge to sick leave and subsequent increments may be as brief as one-tenth (.1) of an hour, or six minutes.

3. **For Faculty Only:**

    a. Absence due to medical or dental appointments that do not conflict with scheduled meetings or classes do not need to be reported.

    b. Absence due to medical or dental appointments, illness or injury that conflicts with scheduled meetings or classes but does not prevent the faculty member from performing other duties must be reported only for scheduled meetings or classes missed.

    c. If the illness or injury prevents the faculty member from performing any of their responsibilities (including teaching, research and service), sick leave should be recorded in increments of 8 hours per day not worked and prorated for partial days not worked.

4. There is no maximum accrual. Unused sick leave may be used to extend years of service for purposes of retirement credit for employees who are members of LASERS or TRSL (does not apply to employees who are members of an ORP). Unused sick leave cannot be used to attain eligibility for retirement.

5. An employee on annual leave may not retroactively have hours originally approved as annual leave charged to sick leave unless the charge to annual leave was through administrative error, except in the following case: if, during an approved period of annual leave, an event occurs that qualifies for sick leave and the employee immediately reports this occurrence to the appropriate individual(s), an adjustment may be made to the leave request after the notice was given.

6. Sick leave may not be charged for non-work days.

H. Reporting Sick Leave

1. To qualify for paid sick leave, employees must follow the sick leave procedures set by their department, except that departmental procedures cannot conflict with Civil Service Rules or university policies.

2. In order to qualify for paid sick leave, an employee must follow the call-in procedures established by their department.

3. Should the employee fail to call in or notify the supervisor, all hours absent will be charged as unauthorized leave without pay, unless it is shown that it was medically impossible or impractical to follow the established procedure.

4. Unjustified absence may be cause for leave sanctions and/or disciplinary action.

5. All leave information should be submitted immediately upon return to work. Failure to submit information on a timely basis may result in the time away from work being considered leave without pay.

I. Request and/or Certification Required When Using Sick Leave

An employee who is absent from work because of illness or disability or other circumstances for which sick leave is appropriate shall immediately report the absence to a designated department official, and upon return to duty, submit leave in LSU's system of record or file written certification for the amount of sick leave taken. Except in the case of Family and Medical Leave, the following shall apply:

1. **Classified employees** absent from work for two consecutive work days or less due to personal illness or injury or other circumstances for which sick leave is appropriate, will not normally be required to provide certification;

    a. However, if the employee is absent for more than two consecutive work days, but not more than five consecutive work days, the supervisor may require certification (e.g. a doctor's note) from a registered physician or other acceptable proof of illness;

2. if the employee is absent for more than five consecutive work days, the employee will be required to submit written certification (e.g. Family Medical Leave Act and a return to work certification) from a registered physician or other acceptable proof of disability. The employee must be advised, in advance, that written certification is required or in sufficient time to allow the employee to produce the certification. The need for written proof of short term illness, including those of two days or less, will be determined by the employee's attendance record and other matters of which the supervisor may have knowledge.

    The abuse of sick leave privileges may result in sick leave sanctions and/or disciplinary action regardless of the length of absence. Such sanctions require employees to present a medical certification for any period of absence. Sick leave sanctions may not be imposed for leave covered by the Family and Medical Leave Act. All sick leave sanctions require HRM approval.

3. **Unclassified and academic employees** are required to provide a doctor's certificate for periods of absence exceeding five consecutive working days. As justified, certificates may be required for shorter time periods.

4. **Family and Medical Leave** (all employees)

    a. Employees are required to provide thirty (30) days notice for Family and Medical Leave unless it is medically impossible or impractical to provide such notice.

    b. Employees are required to provide physician certification form FMLA-1 for all such leave to be taken. Such certification must be provided within fifteen (15) calendar days of notice to use the leave.

    c. Physician certification is required when requesting sick leave for care of a family member consistent with the Family and Medical Leave Act.

J. Exhaustion of Sick Leave

Classified employees may be removed, with prior approval of the Office of Human Resource Management and written notification to the employee, when, on the effective date of removal:

1. the employee is unable to perform the essential function of their job due to illness or medical disability, and

2. the employee has no usable sick leave to their credit, the employee has exhausted their FMLA leave entitlement and the employee's job must be performed without further interruption, and

3. it is documented in HRM that an accommodation to return the employee to duty is not practical, and

4. the employee does not meet retirement system eligibility requirements to apply for disability or regular retirement.

K. Payment of Sick Leave upon Retirement from Active Duty or Death in Service

1. **Academic** or **unclassified** employees will receive payment for all terminal sick leave credits to which they are entitled (not to exceed 200 hours or 25 days) based on annual earnings.

2. **Classified** employees are not eligible for payment of terminal sick leave credits by the university at retirement. Please refer to Louisiana Revised Statute 11:421 for information regarding unused leave balances as it relates to retirement credits.

VI. CIVIL LEAVE

A. Leave With Pay Shall be Granted to an Employee

In the following circumstances, leave with pay, without charge to annual or sick leave, shall be granted:

1. When performing jury duty;

2. when summoned to appear as a witness before a court, grand jury or other public body or commission provided that for purposes of this rule a plaintiff or defendant shall not be considered a witness, nor shall this apply to an employee summoned as a witness as a result of employment other than that employee's state employment;

3. when performing emergency civil duties in connection with national defense or other civil emergencies;

4. when an employee who is a member of the National Guard is ordered to active duty in connection with occurrences of an extraordinary or emergency nature which threaten peace and property of the people of the State of Louisiana or the United States;

5. when the President determines an employee is prevented by an act of God from performing duties;

6. when an employee is ordered to report for a pre-induction physical examination incident to possible entry into the military forces of the United States,

7. when an employee is a current member of a Civil Air Patrol and incident to such membership is ordered to perform duty with troops or field exercises or training (may not

exceed 15 working days in any one calendar year).

B. Voting on Election Day

University employees whose scheduled work day is between the hours of 7:30 a.m. to 5:00 p.m. on an election day, **and who are unable to vote prior to or after** their work day, shall be allowed, upon request of the employee and approval of the department head, time off with pay for voting in accordance with the following schedule:

Distance from campus	**Leave Time**
0-30 mile radius of the campus	2 hours leave
31-60 mile radius of the campus	4 hours leave
61 or more miles radius of the campus	1 day leave

The department head in accordance with the above schedule will have the discretion of determining the amount and when leave will be granted during the election day. Nothing in this policy would prevent a department head from inquiring as to the reasons why the employee cannot vote prior to or after the work day.

VII. PARENTAL LEAVE

Effective for qualifying events occurring on or after January 1, 2024, an eligible employee may receive paid parental leave up to 240 hours without deduction from the employee's annual, sick or compensatory leave balances for the following qualifying events: the birth of a child or placement of a child under the age of 18 with the employee for adoption or for foster care.

A. Eligibility

1. Parental leave is only available to employees in leave-earning positions on the date of the qualifying event on or after January 1, 2024.

2. Parental leave is only available to employees who, on the date of the qualifying event, have been employed by the State for at least 12 months and who have actually worked at least 1250 hours in the 12 months preceding the parental leave request.

3. Parental leave is only available to the legal parents, adoptive parents or foster parents of the child for whom parental leave is taken when said parents have an active and on-going role in parenting the child and are taking leave for one of the qualifying purposes outlined below. For purposes of this policy, a legal parent is a person having a genetic relationship to the child or filiated to the child through legal presumption or assisted reproductive technology.

B. Qualifying Purposes

1. Parental leave is an opportunity for a legal, adoptive or foster parent to bond with the child for whom leave is taken or for adoptive or foster parents to attend post-placement court proceedings or mandatory meetings related to adoption or foster placement.

2. For the purpose of this policy, a need to bond with the child exists when there is a new relationship between the parent and child and the unclassified employee or appointee will spend time with the child to create an ongoing mutual attachment.

3. This policy does not apply where a relationship resembling parent-child already exists and the primary change is the legal nature of the relationship. (e.g., foster parent to adoptive parent and intra-family adoptions such as adoptions by step-parents).

C. Parental Leave Conditions

1. Parental leave is available for use only during the 12 weeks (84 calendar days) immediately following the commencement of the qualifying event.

2. Parental leave is available for use commencing on the first date of a qualifying event and for only as much of the parental leave period as the employee is engaged in a qualifying purpose.

3. Parental leave may be used continuously or intermittently, in accordance with the need therefore.

4. Unless LSU determines that an employee is utilizing parental leave in violation of this policy, LSU shall not reduce the parental leave period authorized herein nor interfere with an eligible employee's use of parental leave as set forth herein.

5. Full-time employees shall be compensated at the rate of 100% of the employee's base pay for a period not to exceed 240 hours during the available 12-week period;

6. Part-time unclassified employees and appointees shall be compensated a maximum of the rate of 100% of their base pay for a period not to exceed six weeks based upon the average number of hours worked per week in the six months immediately preceding the commencement of parental leave (e.g., if an individual works an average of 25 hours per week during the six month look-back period, the employee shall be eligible to receive up to the employee's base pay for 25 hours per week for six weeks).

7. Parental leave may not be donated to another employee or leave pool.

8. Unused parental leave may not be reserved for use during a subsequent qualifying event nor shall it be paid out to the employee if unused or not fully exhausted.

9. Parental leave is not intended to provide any form of paid or unpaid leave after exhaustion of 240 hours (or the appropriate allotment for part-time employees) provided by this policy. Additional leave, if any, must be taken under the provisions of another rule, law or policy.

10. At least 12 months shall elapse from the beginning of one parental leave period until an employee is eligible for another parental leave period. For a new parental leave period, there shall be a new qualifying event on or after the 12-month waiting period and the eligibility requirements of Section VII.A. shall be satisfied as of the date of the new qualifying event.

11. Eligible employees utilizing parental leave for occurrences also qualifying under the Family and Medical Leave Act ("FMLA") must use FMLA leave concurrently with parental leave.

12. When both parents to the child for whom parental leave is taken are employed in the state service, each is entitled to utilize a full 240-hour (or the appropriate allotment for part-time employees) parental leave period.

13. In using parental leave, employees shall follow LSU's customary leave practices. That is, as practicable, advance notice of leave needs shall be provided and leave approved prior to use.

14. An employee's use of parental leave in accordance with this policy shall not, in itself, have a negative impact upon their employment relationship. Employees utilizing parental leave in a manner violating this policy may be disciplined, including the possibility of separation or dismissal.

15. Prior to granting parental leave, eligible employees must complete the Parental Leave request form and must provide acceptable proof in support of their request, such as a birth certificate or insurance certificate confirming their relationship to the child for whom parental leave is requested, or proof of attendance at court proceedings or other mandated meetings related to adoption or foster placement. LSU will not require that an employee produce medical records or scientific evidence to prove paternity.

VIII. COMPENSATORY TIME (See PS 61 for further information on overtime)

A. Compensatory Time for Academic and Unclassified Salaried Employees

There is no provision for compensatory time or overtime payment when extra duty is required of Academic and Unclassified salaried employees.

B. Earning of Compensatory Time

Compensatory time may be earned by classified and unclassified employees who perform work beyond their normal work schedule with the approval of or at the direction of their supervisor or other administrator. The employee may be given compensatory leave in lieu of payment for the time worked.

1. Exempt classified and unclassified employees earn compensatory time at a straight time rate (i.e., one hour worked equates to one hour of compensatory time).

2. Non-exempt classified and unclassified hourly employees earn compensatory time at a time and one-half rate provided that the employee actually works more than forty (40) hours in the work week.

3. Compensatory time must be credited in the payroll period in which it is earned.

4. An employee must be paid for compensatory time earned over 240 hours; 480 hours for law enforcement positions per Fair Labor Standards Act (FLSA) provisions

C. Use of Compensatory Time

1. Compensatory time use is limited to those instances in which granting the time is not in conflict with university regulations or the efficiency of the department.

2. Compensatory leave may be used for any personal purpose, at any time after it is earned, contingent upon departmental or other designated approval.

3. Minimum charge to compensatory time records shall not be less than one-half hour. Beyond the first one-half hour, compensatory leave may be used in quarter-hour increments.

4. A department head may require an employee to take compensatory time leave whenever, in the administrator's judgement, such action would be in the best interest of the department.

D. Payment of Compensatory Time

Employees separated from the University will receive payment for all unused compensatory time. (See Civil Service Chapter 21.12.) The university may pay the balance of an employee's compensatory time at any time. (See Civil Service Chapter 21.6.)

IX. HOLIDAYS

University holidays, which may differ from those of other state agencies, are provided for in Permanent Memorandum 05.

A. Eligible Employees

Individuals employed on a full-time fiscal pay basis shall be eligible for compensation on holidays and part-time employees are eligible for compensation for days in their normal part-time work schedule. LSU holidays are set in accordance with the provisions of L. R. S. 1:55 F., which authorizes 14 paid holidays per year. It is intended that the same number of holidays be granted to all employees. The exceptions to holiday pay are:

1. When the employee is on a classified W.A.E. or contingent (transient) appointment;

2. When the employee is on leave without pay immediately preceding **and** following the holiday period.

B. Separation on Holidays

Employees on a **fiscal** pay basis who are leaving the university work force are eligible for holiday pay if:

1. They are otherwise eligible for holiday pay; and

2. They are in a pay status the last working day before the holiday(s) except if the holiday crosses into the next pay period for salaried employees, such as in the case of the Christmas/New Year's holiday when the separation would be effective December 31.

C. Overtime Compensation on Holidays

See PM 05 for LSU Holiday Schedules and PS 61, LSU Overtime Policy, for overtime compensation on holidays.

D. Holidays Not Included on the Schedule.

Faculty and staff unable, because of religious beliefs, to work on a religious holiday not included on the schedule are to provide that information to their supervisor or department head/chair well in advance. Annual leave, leave without pay or adjusted work schedules will be approved unless doing so creates an unusual burden upon the employing unit.

X. LEAVE OF ABSENCE WITHOUT PAY

A. Cause for Leave

Leave of absence without pay may be granted to employees for good cause. Such leaves must be requested by the employee and will be approved based upon the ability of the granting department to continue to provide on-going and necessary services. The term of the leave may not extend beyond the period for which support is committed to the position or contract. Employees approved for leave of absence without pay are expected to return to the University on the next work day after the approved leave period. Failure to return to work could result in job termination. Good cause for granting leave of absence without pay may be interpreted to include but not be limited by the following: extended illness; need to provide care for family members; education which will directly increase job effectiveness; adoption of children; or in special situations, temporary employment outside the University when it is in the interest of public service and/or will be beneficial to the University upon the employee's return.

B. Leave Without Pay to Pursue Employment

Leave without pay is a privilege, not a right and it is of a lesser priority than the future of the university, providing service to students, and promoting the well-being of the unit. Therefore, requests for leave without pay to take permanent jobs elsewhere will not be approved.

C. Criteria to be Used to Evaluate Leave Without Pay Requests

1. The effect upon the department if leave without pay is granted;
2. The recommendation of the immediate supervisor;
3. The length of university employment and prior leave history;
4. The probable effect of the leave as it will benefit or disadvantage the university.

D. Service Credit and Leave Accrual

1. Service before and after leave without pay will be combined to determine leave accrual rates and total service. Leave without pay does not count as credited service for leave accrual except when the employee is on unpaid military leave.
2. Sick and annual leave are not accrued while an employee is on leave without pay except when the employee is on unpaid military leave.

E. Reporting and Requesting of Leave Without Pay

1. Leave without pay must be reported and requested through appropriate administrative channels within the Department/Unit, School or College, then through the Office of Human Resource Management. Presidential (or designee) approval is required, as applicable. The leave request must be submitted in LSU's system of record.

2. When leave without pay is taken for 30 days or more, the GI-1 form concerning disposition of insurance must be completed by the employee and is to be submitted to the Office of Human Resource Management.

F. Official Requests and Maintenance of Records

1. All requests for leave without pay and responses to such requests must be submitted in LSU's System of Record and

2. all written records pertaining to the leave request must be maintained in departmental files.

G. Failure to Return to Work at the Expiration of Leave

1. If a classified employee on probationary appointment fails to return to duty in pay status on or before the first working day following the expiration date of any period of leave without pay, the employee will be considered as having deserted their position and the appointment shall terminate as of the close of business on such expiration date. In such removals, the employee shall (after approval from the Office Human Resource Management) be furnished a letter of termination.

2. If an academic, an unclassified or classified employee fails to report for or refuses to be restored to duty in pay status on the first working day following the expiration of the approved leave of absence without pay, or at an earlier date, upon reasonable and proper notice from department head, the employee may be considered as having deserted their position and shall be removed. Such removal of permanent employees requires prior approval from the Office of Human Resource Management (see **PS 08** for disciplinary procedures).

H. Review/Approval Levels

Employee Group	**Length of Leave**	**Final Approval Authority**
Faculty, Other Academic and Unclassified	One academic year or more; or one fiscal year or more	President
Tenured Faculty	One semester AY or six months FY or more but less than one year	Provost or Designee
Tenured Faculty	Less than one semester AY or six months FY	Chair or Unit Head

Employee Group	Length of Leave	Final Approval Authority
Tenure-Track Faculty	31 days or more but less than one year	Provost or Designee
Tenure-Track Faculty	30 days or less	Dean
Non Tenure-Track Faculty, Other Academic, and Unclassified Staff	One semester AY or six months FY or more but less than one year	Provost or Designee
Non Tenure-Track Faculty, Other Academic, and Unclassified Staff	Less than one semester AY or six months FY	Chair or Unit Head
Classified	More than 180 days	Vice President
Classified	31 days or more but less than 181 days	Dean
Classified	30 days or less	Chair or Unit Head

A department head may initiate or, at the request of the employee, may curtail a period of leave of absence without pay, provided such curtailment is in the best interest of the LSU, reasonable and proper notice thereof is furnished to the employee, and prior approval is received from HRM (except in the case of Family and Medical Leave).

I. Leave Without Pay in Lieu of Annual Leave

Employees may be required to take any part or all of accrued annual leave prior to being granted leave without pay.

J. Leave of Absence for Holidays

Employees eligible for holiday pay must be in a paid working status the last normal work day before a holiday, or the first normal work day after the holiday in order to receive pay for the holiday. Employees on leave without pay before and after the holiday shall not receive pay for the holiday unless in a paid status the day before or the day after a holiday.

K. Unapproved Leave Without Pay

Employees who absent themselves from the work place without prior supervisory approval will be considered to be on unauthorized leave without pay. Disciplinary action may be imposed against an employee for an unapproved absence and/or for unauthorized leave without pay.

XI. MILITARY LEAVE

A. Eligibility Requirements

Employees who are members of a reserve component of the Armed Forces of the United States or of the National Guard called to active duty as a result of a non-local or non-state

emergency, shall be granted a leave of absence. The leave includes active duty, active duty for training, initial active duty for training, full-time National Guard duty, annual training, and inactive duty for training (weekend drills).

Note: See Civil leave for members of the National Guard who are ordered to active duty in connection with occurrences of an extraordinary or emergency nature or ordered to report for a pre-induction physical examination incident to possible entry into the military forces of the United States.

B. Duration of Leave

Eligible employees shall be granted leave for period(s) defined in the orders.

C. Pay Status

Maximum military leave with pay for military purposes is 15 working days per calendar year. Such leave shall be given without loss of pay, annual or sick leave, or performance rating, and when relieved from duty, the employee shall be restored to their position.

Any portion of a military leave in excess of fifteen (15) working days during a calendar year shall be unpaid/without pay, unless chargeable against accrued annual leave or compensatory time.

Upon receipt of military pay documentation, LSU will pay employees whose military base pay is less than their LSU base pay the difference between their military base pay and their LSU base pay in their regular position while on military leave (L.A.R.S. 29:405).

D. Use of Annual Leave/Compensatory Leave

An employee will be given military leave for military service as required by the Uniformed Service Employment and Reemployment Rights Act of 1994. The employee may use accrued annual leave, or accrued compensatory time, if available, for the military leave period.

E. Annual/Sick Leave Accrual

Employees who were in leave-accruing status continue to earn annual and/or sick leave while on military leave (L.A.R.S. 29:406) and the military leave period is counted toward the computation of leave accrual rates.

XII. SPECIAL LEAVE

A. Conditions for Special Leave

1. Leave with pay may be granted to an employee by a department head or other appropriate administrative authority:

    a. If a formal request is made through administrative channels to the President, on a case-by-case basis due to employee hardship.

b. If the President determines that because of local conditions, it would be impossible or impractical for the employee to report to work.

c. For limited periods, if assignments to other than regular duties at regular locations (such as training or official travel) will prove beneficial to both the employee and the university. In the case of academic deans, the Office of Academic Affairs must review and approve such an action.

d. To participate in a State Civil Service examination or to take other examinations pertinent to the employee's position. A department may set a reasonable cap on such participation for exams.

e. Leave with partial pay (Academic Subvention) may be granted to faculty to accept distinguished fellowships. Requests must be made in writing and approved through administrative channels to the LSU President or alternative authority as delegated by the President (See PM-12 for Educational Privileges, Educational Leave, and Sabbatical Leave)

XIII. WORKER'S COMPENSATION PAYMENT (See **PS 90** for Administration of Worker's Compensation)

A. Use of Sick and Annual Leave to Supplement Worker's Compensation

1. When an employee is absent from work due to disabilities for which they are entitled to Worker's Compensation, the employee must use sick leave to supplement Worker's Compensation payments so long as the combination of the value of the leave and Worker's Compensation payments does not exceed the employee's regular salary. The employee will be re-credited with an amount of leave equivalent to the value of the Worker’s Compensation indemnity check.

2. An employee may be granted annual leave, when appropriate, so long as the combination of annual leave and Worker's Compensation payments do not exceed the employee's regular salary. The use of annual leave must be approved by HRM.

B. Acceptance of Other Employment While Receiving Worker's Compensation

In the event an individual receiving Worker's Compensation payments and/or sick or annual leave payments should accept other employment, the Worker's Compensation payments and the sick or annual leave payments may or may not be continued, depending upon the circumstances and in accordance with the law.

XIV. SABBATICAL LEAVE

A. Criteria for Eligibility

Fully-time tenured faculty who have completed six years of service at the university and who have not taken a sabbatical in the last six years are eligible for consideration for sabbatical leave to conduct study and research. A condition for the granting of sabbatical leave is the potential benefit the university will receive as a result of the sabbatical. Those who petition for a sabbatical must include adequate justification setting forth the plans for sabbatical leave and

must promptly report the accomplishments under each leave upon return from sabbatical.

Faculty members may apply in the year prior to being eligible, provided they are eligible in the award year. They must be tenured or coming up for tenure during the evaluation year. By the award year, they must meet the eligibility requirements of tenure and six years of service since the last sabbatical.

The academic year in which a sabbatical is taken is not counted toward the next six years of full-time service. A faculty member, however, who has been awarded a research grant or fellowship may count the period funded by the award toward the next six years of full-time service.

XV. LEAVE TO OBTAIN AN ADVANCED DEGREE

A. Criteria for Eligibility

Eligible full-time academic employees at the rank of Instructor (or equivalent) or above, and full- time unclassified employees, may petition for a leave of absence with part pay for not more than one year of study which will culminate in the receipt of an advanced degree within five years. (See PM 12 Educational Privileges, Educational Leave, and Sabbatical Leave for details).

XVI. EDUCATIONAL PRIVILEGES FOR OTHER ACADEMIC, UNCLASSIFIED, AND CLASSIFIED EMPLOYEES

A. Eligibility Criteria for Tuition Exemption

Full-time classified, unclassified, and other academic, and faculty employees, may take up to three clock hours per week per semester during work time without charge to annual leave or with an approved flex schedule on file with department head as required by PM 12. (See PM 12 Educational Privileges, Educational Leave, and Sabbatical Leave for details).

Note: The provisions of this policy do not apply to specialized self-supported educational programs such as the Executive MBA Program or any fully online programs currently offered.

XVII. FAMILY AND MEDICAL LEAVE (FMLA) - all categories of employees

A. Eligibility Requirements

Eligible employees are entitled to up to twelve (12) work weeks of leave, in any year, for one or more of the following qualifying events:

1. For the birth of a child and/or to care for the child,
2. For placement of a child through adoption or foster care,
3. For the care of the employee's spouse (wife or husband), son, daughter or parent who has a serious health condition,
4. For the employee's own serious health condition which prevents the employee from

performing their essential duties.

B. Length of Service Eligibility

Employees who have worked for a Louisiana state agency for twelve (12) months and who have worked 1,250 hours in the preceding twelve (12) month period from the time the leave is to begin are considered eligible employees for the purposes of Family and Medical Leave.

C. Definition of "Any Year"

For the purposes of this law and university policy, a year is defined as the twelve month period beginning with the date the employee first uses FMLA designated leave. This shall be referred to as a "first use year".

D. Notice Requirements

1. Advance Notice Requirement: Employees are required to provide thirty (30) days advance notice, unless the qualifying event is unforeseeable or a medical emergency.

2. Waiver of Advance Notice Requirement: When advance notice is impossible or impractical, employees are required to notify their supervisors or other appropriate departmental authority at the earliest possible time (at least one or two business days from when the need for leave is known). Verbal approval must be granted contingent upon submission of the FMLA Form 1 and verification of the qualifying event.

E. Physician Certification

Employees invoking Family and Medical Leave are required to have their physician or the physician of record complete the FMLA Form 1 form (medical certification). This form must be submitted within fifteen (15) calendar days of notice to use leave. In the case of Worker's Compensation, standard physician certification in lieu of the FMLA Form 1 is acceptable.

F. Automatic Designation as FMLA

Sick leave absences in excess of five consecutive days will be automatically designated as FMLA leave from the first day of the leave (unless medical certification shows the absence was not a qualifying event under FMLA) and will require a medical certificate as permitted by FMLA.

G. Intermittent Leave or a Reduced Leave Schedule

Intermittent leave or a reduced leave schedule must be approved in the following circumstances:

1. For birth or placement of a child through adoption or for foster care, with mutual agreement between the department and the employee, or, when medically necessary and certified by the physician on the FMLA form 1 form or other acceptable medical documentation.

2. In all other events, when medically necessary and certified by the physician on the FMLA form 1 or other acceptable medical documentation.

H. Requirement to Take Paid Leave

Employees are required to take Annual or Sick Leave, depending on the nature of the absence. The appropriate type of leave must be exhausted before approval will be granted to use leave without pay for Family and Medical Leave.

I. Continuation of Health Care Benefits

1. Employees who have their health coverage with the state and who go on leave without pay for Family and Medical Leave, and who wish to continue their health care coverage will have the employer portion of the premium paid by LSU.

2. In such circumstances, employees are required to submit a GI-1 form (see Section IX, E, 2, Leave of Absence Without Pay). The GI-1 requires the employee to provide billing instructions for the employee portion of health premiums.

J. Requirement to Document All FMLA Leave

1. Whether or not the employee requests FMLA leave specifically, if the reason for the leave qualifies as FMLA, it must be approved and documented as FMLA leave.

2. FMLA leave must be selected when the leave of absence is submitted in LSU's HR system of record.

3. For recordkeeping purposes, FMLA leave requires that a leave action be completed and submitted by the employee unless the employee is not available in the work place or it would otherwise be impractical or impossible to submit the action in LSU's system of record (in these cases, the FMLA Form 1 action should be submitted by the employee's timekeeper of manager.

K. Restoration after FMLA

Employees returning from Family and Medical Leave must be restored to their former positions or equivalent positions with equivalent benefits.

L. Prohibition Against Retaliation

It is unlawful for any employer to interfere with, restrain or deny the exercise of any right provided for under FMLA. Employees may not be retaliated against for invoking the Family and Medical Leave.

M. Questionable Certifications for Medical Leave

If an employee submits a completed certification signed by a health care provider, the employer may not request additional information from the employee's health care provider, but may, through its health care provider request clarification and authentication of the

certification. If the employer doubts the validity of the certification, it may proceed as follows:

1. Second Opinion - With the approval of the Office of Human Resource Management, the employee may be required to be examined by a health care provider of the **employer's designation and at the employer's expense**. If the second opinion does not agree with the employee's certification, the employer can require a third opinion.

2. Third Opinion - With the approval of the Office of Human Resource Management, the employee may be required to be examined by a **health care provider mutually approved by the employer and the employee at the employer's expense**. The **third opinion is final and binding**.

N. Submitting False Information

Any employee who submits false information regarding this Act shall be subject to disciplinary action.

O. Impact of FMLA on Leave Sanctions

No leave (annual or sick) approved under FMLA may be used as a basis for, or in the calculation of leave usage, for imposing leave sanctions.

XVIII. CRISIS LEAVE PROGRAM

A. Purpose

The Crisis Leave Program is a means of providing paid leave to an eligible employee who has experienced a catastrophic illness or injury to themselves or an eligible family member. The intent of the program is to assist employees who, through no fault of their own, have insufficient paid leave to cover the crisis leave period.

B. Crisis Leave Terms

Within the context of crisis leave, terms have the meanings indicated below:

1. Eligible employee is an employee of Louisiana State University (flagship institution in Baton Rouge), who is eligible to earn annual or sick leave in accordance with section IV of this policy. Classified employees must have attained permanent status to donate or use crisis leave.

2. Eligible family member:

   a. an individual living in the same household who is related to the employee by kinship, adoption, or marriage or a foster child so certified by the Louisiana Office of Children's Services, or

   b. an individual not living in the same household who is related to the employee by kinship, adoption or marriage, and is totally dependent upon the employee for personal care or services on a continuing basis.

c. Significant Other is an individual that is not married to the employee, but is in a relationship with the employee that intended to remain indefinitely where there is a joint responsibility for each other's common welfare, there are significant shared financial obligations, and there is a shared primary residence.

3. Licensed Medical Service Provider (LMSP) is a practitioner, as defined in the Louisiana State Licensing Law (relative to that LMSP's field of service), who is practicing within the scope of their license. This is to include licensed Physicians (a Doctor of Medicine) or M.D., Doctor of Osteopathy or D.O., or Licensed Chiropractors, Counselors, or Therapists as recognized and licensed by appropriate state boards or authorities.

4. Catastrophic Injury or Illness is a severe condition or combination of conditions that:

   a. affects the physical or mental health of the employee, the employee's eligible family member, or significant other and;

   b. requires the services of a licensed medical service provider for a prolonged period of time; and

   c. prevents the employee from performing their duties for a period of more than ten consecutive days and forces the employee to exhaust all appropriate leave described in other parts of this policy and to lose compensation from the state.

5. Leave Pool Manager is the designee assigned by the Associate Vice President for Human Resource Management.

6. Crisis Leave Committee is a committee comprised of three members (staff and/or faculty) and the Leave Pool Manager or designee. The Committee acts to support the administration of the Crisis Leave program, review the pool and program management practices by the Leave Pool Manager. When not otherwise specified in written policy, the Committee may recommend operational guidelines and procedures for the Crisis Leave Program.

C. Eligibility Requirements

An employee is not required to contribute to the Crisis Leave Pool to be eligible to receive crisis leave within one calendar year. An eligible employee may apply to receive crisis leave if the following requirements are met:

1. the employee, employee's eligible family member, or significant other suffers from a catastrophic illness or injury or the employee experiences the birth or adoption of a child and does not have sufficient annual and/or sick leave to cover a minimum of six weeks of leave immediately following the birth or adoption; and

2. the employee has exhausted all appropriate leave in accordance with this policy; and

3. the employee has exhibited satisfactory attendance (with no history of leave abuse), and is not absent from work due to disciplinary reasons; and

4. the catastrophic injury or illness is not occupationally related (therefore making that

employee eligible for workers' compensation) or was not attained in the commission of an assault or felony; and

5. the appropriate documentation from a LMSP is provided to the Leave Pool Manager.

D. Amount of Crisis Leave that May Be Approved

The amount of crisis leave granted for each catastrophic illness or injury is determined by the Leave Pool Manager with the exception of birth or adoption of a child, which grants six weeks of annual and/or sick leave immediately following the birth or adoption if the employee does not have sufficient paid leave to cover the six weeks. The amount of leave granted to an employee will generally reflect the recommendations of the Licensed Medical Service Provider (LMSP), subject to the following limits:

1. a maximum of 240 hours may be granted to an eligible employee during one calendar year;

2. crisis leave may not be granted to any individual to extend paid leave status beyond a total time in leave status of 12 weeks;

3. the total amount of leave granted will not exceed the balance of hours in the leave pool at the time of the employee's request;

4. the value of the annual and/or sick leave granted as crisis leave may not exceed 75% of the employee's pay received in a regular workweek and the employee will not accrue leave while using crisis leave.

E. Donation Procedures

Contributions to the Crisis Leave Pool are strictly voluntary; no employee shall be coerced or pressured to donate leave. An employee donating to the pool may not designate a particular employee to receive donated time. The donor must complete a *Donation to Crisis Leave* form and submit it to the Leave Pool Manager via email to the Office of Human Resource Management. Donations are accumulated in the pool and awarded on a first-come, first-served basis to eligible employees. Donations are restricted as follows:

1. an employee may donate a minimum of 4 hours of annual or sick leave, donations beyond 4 hours must be made in whole hour increments;

2. donor must be in an annual or sick leave earning position;

3. donations are limited to 240 hours of annual or sick leave per employee per calendar year;

4. a leave balance of 120 hours must be maintained after the donation;

5. donations are limited to 120 hours of annual leave upon separation or retirement.

F. Request Procedures

An employee may request leave from the Crisis Leave Pool by completing a *Crisis Leave Request* form. The request must be submitted to the Leave Pool Manager with a copy of the

employee's *Certification of Physician or Practitioner* (FMLA-1) form. The Leave Pool Manager reviews the request to make sure that the employee is eligible to receive crisis leave. The employee requesting crisis leave must provide all requested information necessary to make a final determination of eligibility.

G. Confidentiality of Requests

All requests for crisis leave must be treated as confidential. All requests and documentation for crisis leave are to be submitted in envelopes marked "confidential."

H. Adjudication of Requests

Each request will be handled on a first-come, first-served basis. When possible, a request is to be submitted at least 10 days before the crisis leave is needed. The Leave Pool Manager is allowed five working days from the date a request is received (with the required documentation) to approve all or part of the request, or deny the request, and communicate such approval or denial to the employee.

If the request is approved, the Leave Pool Manager will credit the approved time to the employee's leave record.

I. Use of Crisis Leave

Approved crisis leave is used for a maximum of 75% effort and is documented in accordance with the same procedures as regular paid leave taken by the employee.

Employees that do not earn annual leave are only eligible to use sick leave donations of crisis leave.

J. Changes in Status Affecting Crisis Leave

1. Crisis leave may be used only for the circumstances for which it was requested. If any change occurs in the nature or severity of an illness or injury, or of any other factor on which the approval was based, the employee must provide documentation describing the change to the Leave Pool Manager. The employee may request additional crisis leave subject to the limits outlined above. Extensions of crisis leave are not automatic. Each request for extension will be addressed on a first-come, first-served basis.

2. Use of leave from the Crisis Leave Pool for reasons other than those stipulated and approved by the Leave Pool Manager and/or failure to abide by procedures and requirements outlined in this policy may constitute payroll fraud and will be addressed accordingly.

3. Employees who are able to return to work before using all crisis leave granted must notify their department head or timekeeper of their effective return date. The department head or timekeeper will then notify via email the Leave Pool Manager in the Office of Human Resource Management so that the unused crisis leave can be returned to the Crisis Leave Pool.

K. Compensation and Benefits

1. Crisis leave will be paid at the receiving employee's rate of pay.

2. An employee in crisis leave status will be considered in partial paid leave status and will continue to receive benefits as appropriate.

3. Employees on crisis leave will not accrue paid leave.

L. Financial Impact

1. The cost of the crisis leave period will be borne by the recipient's employing unit.

2. HRM will maintain records on crisis leave donated and used on a dollar value basis.

M. Appeals

The decision to approve or deny crisis leave requests by the Leave Pool Manager is final and not subject to appeal.

XIX. FUNERAL LEAVE

Employees may be granted up to two days of leave with pay per occasion when attending the funeral or burial rites of a parent, step-parent, child, step-child, brother, step-brother, sister, step-sister, spouse, mother-in-law, father-in-law, grandparent, or grandchild; provided such leave shall not exceed two days on any one occasion; provided such leave shall not exceed two days on any one occasion. Employees may request annual leave or leave without pay to attend funeral or burial rites of friends or of relatives not specified.

XX. SOURCES

LSU Board of Supervisors Bylaws and Regulations
PM-5 Holiday Schedule
PM-12 Educational Privileges, Educational Leave, and Sabbatical Leave
PM-20 Leave Policies Academic & Unclassified & Classified Employees
Family and Medical Leave Act of 1993
Chapter 11 of the Civil Service Rules
Uniformed Service Employment and Reemployment Rights Act of 1994
L.A.R.S. 29:405
L.A.R.S. 29:406
L.A.R.S. 11:424
L.A.R.S. 17:425.1
L.A. R.S. 42:441