

REGENTS' POLICY
PART IV – HUMAN RESOURCES
Chapter 04.06 - Benefits and Leave

P04.06.010. Employee Education Benefits.

Regular employees, their spouses, and dependent children under the age of 24 are considered residents for enrollment purposes. Regular employees, spouses, and dependents are authorized a waiver of course credit hour charges as prescribed by university regulation. Employees are responsible for any tax liability generated from employee education benefits.

(06-03-94)

P04.06.020. Insurance.

The president will establish by university regulation provisions for health, life, and disability insurance.

(06-03-04)

P04.06.050. Retirement System.

- A. Several retirement programs are available to university employees. The placement of an employee who is eligible for one of the retirement programs will be governed by the appropriate state statute and
- B. The statewide office of human resources will be responsible for preparing and

in the university regulation related to risk management.

(06-03-94)

P04.06.120. Annual Leave.

A. Annual leave is accrued at a rate specified in this subsection for all eligible exempt and nonexempt full-time employees except faculty with less than a 12-month contract. All eligible part-time employees will accrue annual leave on an hours-paid basis. The accrual rates are:

1.

- D. parental leave;
- E. family and medical leave;

- J. An individual who qualifies for permanent disability during his/her regular employment under the University of Alaska's long-term disability plan will have course credit hour charges waived for a period of three academic years following qualification.
- K. A regular employee who has included university coursework as part of an approved leave of absence is entitled to the same education benefits as a regular employee.
- L. Education benefits cease upon termination of employment except for:
 - 1. Those courses in which the employee, spouse or dependent child is currently enrolled and classes are in session at the time of termination; and
 - 2. An employee in layoff status as provided in R04.07.110.F.3.
- M. An employee is responsible for any tax liability generated from employee education benefits.
- N. Course credit hour charges will not be waived for the following, except as provided:
 - 1. Self-support courses, except for non-credit university approved courses taken by employees;
 - 2. Non-credit courses for spouses and dependent children of employees;
 - 3. 500 level courses;
 - 4. Year-long courses;
 - 5. WWAMI Medical Program courses; but tuition for coursework provided by the University of Alaska may be waived if otherwise eligible; and
 - 6.

4. Responsibility

- a. The Statewide Office of Human Resources is responsible for maintaining the tax deferred annuity agreement between a provider and the university, for ensuring compliance with the agreement prerequisites, for establishing and maintaining a master list of providers and contact numbers, and for furnishing the regional personnel offices with the list of providers.
- b. The Statewide Office of Human Resources is responsible for maintaining
- c. The regional personnel offices are responsible for providing to employees the official university salary reduction agreement form and the provider

- C. Annual leave accrued but not used in excess of 240 hours will be forfeited at the end of payroll processing for the pay period in which June 30 falls.
- D. The salary equivalent of unused annual leave up to a maximum of 240 hours may be paid upon retirement or termination of an employee from the university. All accrued annual leave will be paid to the employee's estate when a university employee dies.
- E. Anyone transferring from a position that provides annual leave to one which does not will have his/her accumulated balance, up to a maximum of 240 hours, paid off at the effective date of the termination of former status. The annual leave accrual rate is determined by the date of new hire into a position which provides annual leave. The years of university employment when an employee is in a status which does not permit the accrual of annual leave are not considered when calculating rates of accrual.
- F. Annual leave does not accrue during: sabbatical leave, unpaid hours, special assignments, temporary overload, summer assignments or additional assignment suspension or other disciplinary action as approved by the regional human resources office or terminal leave which must be approved by the immediate supervisor and is defined as leave taken during pay periods immediately prior to an identified termination date.
- G. Annual leave payments will not be continued after the date of termination or retirement.
- H. Extended temporary, temporary, casual and student employees do not accrue annual leave.
- I. Faculty on academic-year appointments do not accrue annual leave. However, they receive time off, as provided in policy.

(07-12-18)

R04.06.130. Sick Leave.

- A.

- d. to attend a funeral;
- e. approved for University Family and Medical leave, except absences for a qualifying exigency and absences after the first three days off work due to a work-related injury or illness; or
- f. for an illness which continues for more than three days when the employee is on annual leave.

2.

interdependent partner, parent, child, sibling, stepparent, grandparent, parent of a spouse or financially interdependent partner, grandparent of a spouse or financially interdependent partner, and child of a financially interdependent partner.

- a. who stood in place of the parent of the employee when the employee was either under age 18, or age 18 or older and incapable of self-care because of a mental or physical disability.
- b. ward, or a child of a person standing in the place of a parent.

3. certification from a health care provider that sets forth the following information:

- a. The name, address, telephone number, and fax number of the health care provider and type of medical practice/specialization;
- b. The approximate date on which the serious health condition commenced, and its probable duration;
- c. A statement or description of appropriate medical facts regarding the conditions requested. The medical facts must be sufficient to support the need for leave. Such medical facts may include information on symptoms, diagnosis, hospitalization, doctor visits, whether medication has been prescribed, any referrals for evaluation or treatment (physical therapy, for example), or any other regimen of continuing treatment;
- d. If the employee is the patient, information sufficient to establish that the employee is unable to perform the essential functions of the position as well as the nature of any other work restrictions, and the likely duration of such inability;
- e. If the patient is a covered family member with a serious health condition, information sufficient to establish that the family member is in need of

care and an estimate of the frequency and duration of the leave required to care for the family member;

- f. If an employee requests leave on an intermittent or reduced schedule basis to care for a covered family member with a serious health condition, a statement that such leave is medically necessary to care for the family member and information sufficient to establish the medical necessity for such intermittent or reduced schedule leave and an estimate of the dates and duration of such treatments and any periods of recovery;
- g. If an employee requests leave on an intermittent or reduced schedule basis to care for a covered family member with a serious health condition, a statement that such leave is medically necessary to care for the family member, result in unforeseeable episodes of incapacity, information sufficient to establish the medical necessity for such intermittent or reduced schedule leave and an estimate of the frequency and duration of the episodes of incapacity; and
- h. If an employee requests leave on an intermittent or reduced schedule basis to care for a covered family member with a serious health condition, a statement that such leave is medically necessary to care for the family member and an estimate of the frequency and duration of the required leave.

An employee who requests leave to care for a covered service member shall obtain a certification as described in 29 CFR 825.310.

B. Leave Accrual

- 1. Eligible exempt and nonexempt employees accrue 4.62 hours sick leave per 80 paid hour pay period.
 - a. Exempt and nonexempt full-time and part-time employees accrue sick leave based on hours paid.
 - b. Overtime and premium paid hours do not qualify for sick leave accrual.
- 2. At termination, all sick leave accumulations are lost, except as follows:

Employees who are rehired into a leave eligible position within three years after layoff will have their previous accrued sick leave reinstated.
- 3. Temporary and student employees earn no sick leave; however, appropriate sick leave credit, not to exceed 60 hours, is granted retroactively to temporary employees employed on at least a half-time basis who change to regular status without a break in service.

because of a lack of knowledge of approximately when leave will be required to begin, a change in circumstances, or a medical emergency, notice must be given as soon as practicable.

- d. Unless the employee's absence is expected, the employee must continue to notify the supervisor each normal work day of an absence for the qualifying event.
5. Sick leave may not be used in advance of accrual.
 6. The qualifying event period in excess of an employee's accrued sick leave will be charged against the employee's annual leave accumulation.
 7. Sick leave will not be used during a holiday or a regular day off. An employee may use sick leave during the calendar year end holiday closure upon submission of written evidence of illness or a professional appointment or treatment.
 8. Sick leave may be used to arrange or attend a funeral. The eligibility rules for bereavement leave are as follows:
 - a. The sick leave must be approved by the employee's supervisor.
 - b. Sick leave may be used for an absence within five days after the death of an immediate family member. Sick leave of up to five consecutive work days may also be used to arrange or attend the funeral of a member of the employee's immediate family.
 - c. Up to one work day of sick leave may be taken to attend the funeral of a friend or relative not in the immediate family.
 - d. The supervisor will determine the number of employees who may attend the funeral of a deceased employee. An employee attending such a funeral must report sick leave for the time away from the job.
 9. Sick leave may be tak

FML leave for a serious health condition in accordance with R04.06.144.B, University Family and Medical Leave or as bereavement leave in accordance with R04.06.130.C(8)(b).

Medical Emergency: A serious health condition of the employee or the

employee from duty and will result in a substantial loss of income to the employee because the employee will have exhausted all paid leave available. The

for a serious health condition in accordance with R04.06.144.B or as bereavement leave in accordance with R04.06.130.C(8)(b) if the employee has accrued leave balances by 80 or more work hours.

3. Procedures

a. Program Participation

A full-time employee may participate in the leave share program for a maximum of 65 scheduled working days (520 hours) during a rolling 12 month period measured backward from the date the employee uses any donated sick leave. Part-time employees may qualify and participate according to their prorated proportion of full-time.

b. Application for Leave Share Hours

hours by completing either the Family and Medical Leave (FML) application for a serious health condition or providing medical documentation of the death of a member of the employee family for bereavement leave, and submitting a completed leave share application.

c. Review of Application

leave sharing plan for medical emergencies are included in the gross income of the recipient as compensation.

h. Request for Reconsideration of Denial

on for leave share is denied, the applicant may request reconsideration within 10 working days by the chancellor (or designee) or, if the applicant is a statewide employee, the president (or designee). Any reconsideration constitutes the final administrative

5. When the interests of the employee or the university are best served by the
 - B. Individual employees may be placed on administrative leave with the approval of the chief human resources officer or regional human resources director. Administrative leave for groups of employees must be granted by a chancellor, the president, or designee.
 - C.

7. An additional day before or after July 4, as specified by the president
8. Labor Day
9. Thanksgiving Day and the day immediately following
10. Christmas Day
11. An additional day before or after December 25, as specified by the president

Holidays shall be observed on the date of the holiday, unless the holiday falls on Saturday or Sunday, in which case the holiday shall be observed on the Monday or Friday closest to the holiday.

Regular benefit-eligible employees in active pay status receive holiday pay. Holiday pay shall be pro-rated for part-time benefit-eligible employees.

B. Holiday Closure

Annually, the president will specify days to be observed as holiday closure before and/or after the scheduled Christmas and New Year holidays. Employees may take leave without pay or appropriate paid leave during holiday closure.

C. Personal Holiday for Regular Nonexempt Staff

The personal holiday for regular nonexempt staff may be taken only after satisfactory completion of the 6-month probationary period and is granted in proportion to full-time equivalency of the employee.

Personal holidays do not accrue from year to year and, therefore, must be taken during the fiscal year in which earned and must be approved in advance by the appropriate supervisor. Personal holidays may not be taken during the pay period which includes July 1.

(03-26-23)

R04.06.142. Sick Leave Without Pay.

- A. A sick leave without pay absence may only be granted when an employee has exhausted all accrued sick leave with pay, all accrued annual leave, and any shared leave, except

R04.06.143. Parental Leave.

Parental leave is available to employees and will be granted in the order of sick leave with pay, accrued annual leave and sick leave without pay. All parental leave will be granted in accordance with the Family and Medical Leave regulation.

(06-20-97)

R04.06.144. University Family and Medical Leave.

The university will provide family and medical leave in accordance with applicable state law (A.S. 39.20.500) and federal law and regulation (29 U.S.C. 2601 and 29 CFR Part 825). The university does not intend these regulations to provide greater leave benefits than those established by state or federal law, except for continuing health care coverage, basic life insurance, and long-term disability insurance for up to 18 workweeks of family and medical leave.

A. Eligibility for Leave

1. Family and medical leave is based on length of employment in accordance with applicable federal and state law.

2. University Family and Medical Leave (FML) will only be granted for one of the following reasons:

a. State Law

(1) Because of pregnancy and the birth of a child of the employee or the employee for adoption;

(2) interdependent partner, or parent who has a serious health condition; and

(3)

(4) a parent-in-law, a parent of a financially interdependent partner, or an individual who is under 18 years of age, or who is 18 years of age or older and incapable of self-care

financially interdependent partner, or ward.

b. Federal law

(1) For the birth of a son or daughter, and to care for the newborn child;

- (2) For placement with the employee of a son or daughter for adoption or foster care;
- (3) Because of a serious health condition of the employee, spouse, child, or parent with a serious health condition;
- (4) Because of a serious health condition that makes the employee unable to perform his or her job;
- (5) Because of any qualifying exigency arising out of the fact that the employee is on the family leave described in this section.

health care provider. Treatment must include an in-person visit to a health care provider within seven days of the first day of incapacity.

- b. Pregnancy or prenatal care.
- c. A chronic condition which:
 - (1) Requires periodic visits (defined as at least twice a year) for treatment by a health care provider;
 - (2) Continues over an extended period of time (including recurring episodes of a single underlying condition); and
 - (3) May cause episodic rather than a continuing period of incapacity (e.g. asthma, diabetes, epilepsy, etc.).
- d. A permanent or long-term condition for which treatment may not be effective.
- e. Conditions requiring multiple treatments. Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider, for:
 - (1) Restorative surgery after an accident or injury; or
 - (2) A condition that would likely result in a period of incapacity of more than three consecutive full calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), or kidney disease (dialysis).

A regimen of continuing treatment that includes taking over-the-counter medications, bed-rest, drinking fluids, exercise, and other similar activities that can be initiated without a visit to a health care provider is not, by itself, sufficient to constitute a regimen of continuing treatment for purposes of FML leave.

Conditions that do not meet the definition of a serious health condition and do not qualify for FML, unless complications arise, include the common cold, flu, ear ache, upset stomach, minor ulcers, headache other than migraine, routine dental or orthodontia problems, periodontal disease, etc.

4. The determination of

Failure of the employee to provide the regional human resources office with sufficient documentation within 15 calendar days of such request may result in denial of the request for FML until the required certification or recertification is provided.

The university may request a second or third FML medical opinion at the

C. Job Transfer

The university may unilaterally transfer an employee taking intermittent FML for planned medical treatment to an alternative position for which the employee is qualified and which better accommodates recurring periods of leave, in accordance with state and

employee had continued to work, for up to 18 workweeks of FML in any 12-month period. If an employee is eligible for more than 18 workweeks of FML, the employee must pay for all costs to maintain coverage during

- b. Notwithstanding the limitation in subsection a., the university will
are coverage during an absence that
qualifies as FML under federal law, on the same terms as if the employee
had continued to work.
2. An employee requesting FML shall make arrangements with the regional human
of health care coverage and
supplemental and dependent premiums. Failure

a meeting announcement for informational briefings sponsored by the military, a document confirming an appointment with a counselor or school official, or a copy of a bill for services for the handling of legal or financial affairs;

- b. The approximate date on which the qualifying exigency commenced or will commence;
- c. If the employee requests leave because of a qualifying exigency for a single, continuous period of time, the beginning and end dates for such absence;
- d. If the employee requests leave because of a qualifying exigency on an intermittent or reduced schedule basis, an estimate of the frequency and duration of the qualifying exigency;
- e. If the qualifying exigency involves meeting with a third party, appropriate contact information for the individual or entity with whom the employee is meeting (such as the name, title, organization, address, telephone number, fax number, and e-mail address) and a brief description of the purpose of the meeting; and
- f. If the qualifying exigency involves Rest and Recuperation leave, a copy of the military member's Rest and Recuperation orders, or other documentation issued by the military which indicates that the military member has been granted Rest and Recuperation leave, and the dates of the military member's Rest and Recuperation leave.

I. Return to Work

- 1. intent to return to work. The employee shall provide reasonable notice (within two working days of the changed circumstances) if there is a change in the amount of FML initially anticipated.
- 2. An employee returning to work from FML within the legally allowed period will be returned to the same or an equivalent job with the same pay, benefits, and terms and conditions of employment in accordance with state and federal law.
- 3. An employee must return to work on the first working day after the expiration of the FML unless leave is extended as a reasonable accommodation for a qualified individual with a disability.
- 4. The university may require medical certification that the employee is able to

5. If it is determined by the supervisor and the regional human resources office that the employee is unable or unwilling to return to work, the regional human resources office will determine the appropriate date for the employee to return to work from FML.

J. Records

All records of requests for FML, approvals, denials, and supporting medical documentation will be maintained in the regional human resources office in a file

(08-07-14)

R04.06.145. Jury Duty.

In order that university employees may fulfill their civic responsibility as jurors or witnesses, regular employees are granted leave of absence with pay for these purposes.

A.

university job as a result of a subpoena issued by a court. Service as a volunteer expert witness or other volunteer court duty is not included in the provisions of this leave.

B. The notification and compensation rules for such leave are as follows:

1. Department heads are authorized to grant such leave with pay upon the presentation of a subpoena by the employee. A record of absences for these purposes will be maintained and reported as jury duty leave with pay.
2. It is the responsibility of the employee to keep his/her supervisor or department head informed of the anticipated time to be spent away from the job for this purpose.
3. The employee's regular university pay will continue to be paid during such leave.
4. Any pay received by employees from a court system for service on jury duty or as court witness duty will promptly be returned by the employee to the university to offset part of the cost of such leave.
5. Temporary and extended temporary employees are not paid during jury duty. These employees may retain pay received from the court system for jury service.

(02-07-16)

R04.06.146. Military Leave.

A regular employee who is a member of a reserve or auxiliary component of the United States Armed Forces is entitled to a leave of absence without loss of pay to a maximum of 16 and one-half working days in one calendar year during which the employee is ordered to serve with the National Guard or Reserve Forces, or the Civil Air Patrol or Coast Guard auxiliary units. If requested, the employee must provide a copy of the order which will establish his/her eligibility for paid military leave.

For other than required training periods discussed above, regular employees of the university are entitled to a military leave of absence without pay to serve in the uniformed services of the United States and will be entitled to statutory benefits and rights to re-employment provided for by state and/or federal law. For a military leave of absence, the employee must give advance written or verbal notice of leave to the supervisor. If the leave is for more than 31 days, the returning employee must, at the request of the supervisor, provide documentation that establishes length and character of the service and the timeliness of the application for re-employment.

Voluntary involvement with non-military, auxiliary, or civil organizations, such as participation in search and rescue missions, is not eligible for military leave or military leave of absence.

(08-07-14)

R04.06.147. Leave of Absence (nonmedical).

A regular employee who wishes to take an unpaid leave of absence in excess of 10 working days is required to make the request in writing to his/her immediate supervisor. The application will be forwarded through normal administrative channels, with recommendations being added at each level, to the appropriate chancellor who will then notify the applicant, in writing, of the decision. Notification must be sent to the Statewide Office of Human Resources. An employee may only rescind an approved leave of absence with written permission of the chancellor.

All employees may request leave without pay for 10 working days or less. The employee's supervisor may approve in writing a leave without pay request.

Granting leave of absence will not affect an employee's status except as provided by regulation or as agreed to in writing at the time leave is granted.

During the leave, the employee is entitled to rights and privileges as if he/she were in regular service except that he/she will not receive salary and will not accumulate annual or sick leave. An employee may continue health, life, and long-term disability insurance and retirement

The employee may continue the health, life and long-term disability insurance and retirement programs to the extent allowed by law. The employee will pay both his/her own and the

(06-20-97)

R04.06.149. Leave Benefits For Temporary Employees.

Temporary employees are not eligible for annual, sick, or holiday leave.

(03-26-23)