

# **SH 200 Benefits**

## **SH 220 Employee Leave**

***Revised: 12/02, 7/06, 1/09, 6/09, 7/11, 12/11, 12/15, 12/16***

### **Policy**

The Employee Leave policy ensures that the Metropolitan Library System has established a set of rules, procedures, and guidelines in accordance with applicable federal and local laws, which govern the process, timeframes, and reporting procedures for time taken off work.

### **Regulations**

#### **1. Eligibility**

Library system employees become eligible for certain leave benefits following eligibility rules described in this policy.

Variables that may affect eligibility include payroll/budget status; number of hours regularly worked in a pay period and length of service. See the appropriate section of this document for details on which leave benefits are granted to which categories of employees, waiting periods, etc.

#### **2. Definitions**

- Workweek – A seven-day period, beginning on a Monday and ending on a Sunday, during which a full-time employee must account for 40 hours.
- Pay period – Two consecutive workweeks based on pay schedules, during which a full-time employee must account for 80 hours.
- Budget-authorized position – As used here, any positions, generally full-time (but may be half time or other fraction), listed in terms of Full-Time Equivalents (FTE's) in the annual budget.
- Category 1 Employee – Generally, one who normally works a 40-hour week and an 80-hour pay period in a budget-authorized position and is commonly known as a full-time (1.0 FTE) staff member.
- Category 2 Employee –fills a budget-authorized position on a regular reduced work schedule of a fixed number of hours such as 20 or 30 hours per work week – 40 or 60 hours per pay period – and is more commonly known as a designated FTE.
- Category 3 Employee –occupies a budget-authorized position, which is compensated at an hourly rate. Some Category 3 employees work a regular schedule; others work a varying schedule from day-to-day or week-to-week, depending on supervisors' needs.
- Immediate family is defined as:

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- spouse
- employee's and/or spouse's natural, adopted, step or foster: children, siblings, parents, grandparents or grandchildren
- wards or guardians

### 3. Leave Use

Certain rules are universal to leave among the general rules are:

- a) All leave requests should be submitted in advance and approved by the employee's supervisor
  - For scheduled leave such as Annual Vacation Leave, the employee should apply for the leave as far in advance as possible to help ensure adequate staffing.
  - For unscheduled leave such as emergencies, including illness, the employee must notify his/her supervisor as soon as possible and submit the paperwork for approval immediately after the employee returns to work.

**Note:** *Unauthorized absences are grounds for dismissal.*

- b) When entering leave, the requester must enter the exact amount, in hours, and, if a portion of an hour is involved, to the nearest 15 minutes, taken or expected to be taken. (Leave is "rounded" to the nearest quarter hour: .25 for 15 minutes, .50 for 30 minutes and .75 for 45 minutes.)
- c) If an employee is off work on approved leave and his or her library building (work place) is unexpectedly closed due to weather conditions or the like, the leave will still be charged to the employee.

### 1) Administrative Leave with Pay

Definition – The executive director or his/her designee may place an employee on an Administrative Leave with pay when deemed appropriate. Examples:

- a need to conduct an investigation of possible wrong doing on the part of the employee, or
- A need in the Due Process Procedure for the absence of the employee pending a due process hearing under the policy established for the same within the adopted Policies of the Metropolitan Library Commission.

#### a) Category 1, 2 & 3 Employees

- i) Eligibility Period: NA
- ii) Earn Rate: NA
- iii) Explanatory Notes:

- (1) In no case shall such Administrative Leave with Pay exceed thirty (30) workdays.

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### 2) Annual Vacation Leave (AVL)

Definition – Annual Vacation Leave is paid time off from work.

#### a) Category 1 Employees

i) Eligibility Period: none

ii) Earn Rate: Category 1 employees earn per the following table:

Years of Employment	Hours of AVL Earned per Pay Period	Hours Not to Exceed
1-5 years	3.7	96
6-10 years	4.62	120
11-15 years	6.16	160
16+ years	7.7	200

iii) Explanatory Notes:

- (1) During the first 6 months of employment employees may only use accrued AVL.
- (2) Because vacations must be taken in advance to help ensure efficient operation, there may be occasions upon which an employee takes AVL in excess of what s/he has accrued but for which s/he would have been eligible by the end of the calendar year. Supervisors may approve no more than 40 hours of requested AVL in excess of that which a Category 1 employee has earned at a given point (and a lesser, pro-rata maximum for Category 2 employees). Approval of projected leave beyond those limits must be authorized by the appropriate Leadership Team member. If the employee then terminates employment after taking such projected (but unearned) leave, his/her final paycheck will have deducted from it any such unearned leave.
- (3) An employee whose employment terminates after six months of employment is compensated for earned-but-unused AVL.
- (4) An employee may accrue up to 240 hours of AVL. No additional AVL will be accrued until an employee drops below 240 hours of AVL.
- (5) Re-hired employees may be credited with prior service in the Metropolitan Library System to establish their AVL rate, with the approval of the executive director.
- (6) Additional AVL hours, known as "Bonus Hours," are awarded at the end of each calendar year to be taken in the following year, as follows:
  - (a) 16 bonus AVL hours next year for using no more than 24 hours of Sick Leave this year; or
  - (b) 8 bonus AVL hours next year for using over 24 but 48 hours or less of Sick Leave this year.
  - (c) A new employee who worked less than a full year may be awarded bonus

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hours on a pro-rata basis; i.e., a fraction of the above bonus hours equal to the fraction of the year worked. Example: a new employee works the last six months of the calendar year, during which time s/he used no more than 12 hours of Sick Leave. S/he earns 8 bonus AVL hours for the new calendar year.

- (7) Supervisors are not to approve requests for AVL periods over three weeks in length without the prior approval from the appropriate Leadership Team member.

b) Category 2 Employees

- i) Eligibility Period: none
- ii) Earn Rate: The earn rate figures listed on the table above ~~are~~ will be translated to the pro-rata allotments, depending on the budget-authorized full-time equivalency.
- iii) Explanatory Notes: same as for Category 1 employees except on a prorated basis

c) Category 3 Employees

- i) Eligibility Period: 36 months (three years) of current, unbroken, continuous service and consistently works a minimum of 40 hours per pay period.
- ii) Earn Rate: After completing the eligibility period and consistent hours requirement, the Category 3 employee begins to earn AVL credits from that point onward at a fixed annual rate; that is, the AVL Category 3 allotment does not change with additional years of service. The earn rate chart below illustrates this fixed rate.

Earn rate of AVL for Category 3 Employees

Part-Time Fractional Status of Employee	Hours of AVL per Pay Period	Hours not to Exceed
Three-fourths-time (.75 FTE)	2.77 hours	72
Half-time (.50 FTE)	1.85 hours	48

iii) Explanatory Notes:

- (1) Because the Category 3 employee does not begin to accumulate AVL until after completing three years of service, described above, there is no paid time off or compensation for AVL if the employee terminates before completing the eligibility period.
- (2) Failure to work his or her usual schedule (i.e., no less than 60 hours for a three-quarter-time employee, no less than 40 hours for a half-time employee, in a pay period) during four pay periods in a calendar year will result in a reduction or outright loss of the AVL benefit.
- (3) Supervisors are not authorized to project AVL benefits for Category 3 employees; i.e., the employee may only take the exact amount of AVL earned to date. Any excess taken will result in a dock in pay and may be grounds for termination.
- (4) An employee may accrue up to 240 hours of AVL. No additional AVL will be accrued until an employee drops below 240 hours of AVL. Category 3

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employees are not eligible for Sick Leave; therefore, no AVL bonus hours are awarded to them.

- (5) See "General Rules Governing the Use of Leave" for other guidelines and procedures on requesting and using this benefit.

### **3) Bereavement Leave**

Definition – Bereavement leave is paid leave that an employee may receive at the time of a death in his/her immediate family as defined at the beginning of this policy.

#### **a) Category 1 Employees**

i) Eligibility Period: upon employment

ii) Earn Rate: NA

iii) Explanatory Notes:

- (1) A Category 1 employee may take up to five days (40 hours) of Bereavement Leave at the time of a death in the immediate family. This time is not deducted from Sick Leave, Annual Vacation Leave or Floating Holiday time, and does not affect bonus AVL.

- (2) Additional time desired for bereavement must be taken from other accrued leave the employee may have.

#### **b) Category 2 Employees:**

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- i) Eligibility Period: upon employment
- ii) Earn Rate: NA
- iii) Explanatory Notes: same as Category 1 employees except:
  - (1) The 40-hour maximum leave limit is translated to the pro-rata allotments.  
Examples: a half-time Category 2 employee is eligible for up to 20 hours of Bereavement Leave; a three-fourths-time employee is eligible for up to 30 hours.

### **c) Category 3 Employees**

- i) Eligibility Period: 36 months (three years) of current, unbroken, continuous service and consistently works a minimum of 40 hours per pay period.
- ii) Earn Rate: NA
- iii) Explanatory Notes: same as Category 1 employees except:
  - (1) The 40-hour maximum leave limit is translated to the pro-rata allotments, either 50 percent or 75 percent, depending on whether the work schedule is half-time or three-fourths-time: a half-time Category 3 employee is eligible for up to 20 hours of Bereavement Leave; a three-fourths-time employee is eligible for up to 30 hours.

## **4) Floating Holiday Leave**

Definition – Floating Holiday leave is paid time off scheduled at the employee's convenience, subject to supervisor's approval, when the libraries are open. It supplements the system's annual Holiday Calendar, which lists legal holidays when libraries are closed.

### **a) Category 1 Employees**

- i) Eligibility Period: after completing 30 calendar days of employment
- ii) Earn Rate: hours as determined annually by the Commission (See limitations below)
- iii) Explanatory Notes:
  - (1) Is not considered Annual Vacation Leave (AVL); however, it must be requested in the same manner as AVL and approved by the supervisor.
  - (2) Employees may not schedule less than 15 minutes of Floating Holiday time per occurrence.
  - (3) May be taken in conjunction with Annual Vacation Leave, Sick Leave or legal holidays or independently.
  - (4) Limitations
    - Leave for employees hired mid-year is allocated as outlined in associated procedures.
    - No carryover privilege from one calendar year to the next.
    - Employees will not be compensated for unused Floating Holiday time.

### **b) Category 2 Employees**

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- i) Eligibility Period: after completing 30 calendar days of employment
  - ii) Earn Rate: pro rata basis
  - iii) Explanatory Notes: same as Category 1 employees
- c) Category 3 Employees
- i) Eligibility Period: after 36 months (three years) of current, unbroken, continuous service and consistently works minimum of 40 hours per pay period.
  - ii) Earn Rate: pro rata basis
  - iii) Explanatory Notes: same as Category 1 employees

### **5) Jury/Court Leave**

Definition - Jury/Court Leave is for any trial, hearing or public meeting at which "The People's Business" is conducted; i.e., any event in which the participant helps to serve the public interest and to which s/he is summoned to appear as one of the following:

- Grand juror
- Trial juror
- Witness and/or victim
- Expert or specialist in a field or area involved in a court's or legislative body's effort to determine truth, administer justice, write legislation, etc.

#### **a) Category 1, 2 and 3 Employees**

- i) Eligibility Period: upon employment
- ii) Earn Rate: Category 1 employees at full benefit, Category 2 and 3 employees at pro-rated benefit. Those employees not eligible for paid leave will not be compensated by the library system.
- iii) Explanatory Notes:
  - (1) The employee must present to his/her supervisor an official, written summons (subpoena, court order, letter of request, etc.) to assist in conducting public business.
  - (2) Any fees received for performing this public business need not be given to the Library System unless paid as a direct result of the employee's having represented the Library System on library time.
  - (3) Does not include a civil or criminal event or proceeding in which the employee has a private interest.
  - (4) Any employee absent from work because of personal business will be charged Annual Vacation Leave or Floating Holiday leave; any absence from work for which sufficient accumulated leave is not available will be deducted from pay.

### **6) Military Leave**

Definition – Reserve or National Guard members, when ordered to active duty, are entitled to leave with pay and will be granted in accordance with Federal and State Laws and such rights and privileges as it provides.

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a) Category 1 Employees



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### Leave Types Defined (alphabetically arranged)

- i) Eligibility Period: upon employment
- ii) Earn Rate: NA
- iii) Explanatory Notes:
  - (1) Reserve or National Guard members, when ordered to active duty, are entitled to leave with pay for the first thirty (30) calendar days per each federal fiscal year of the tour of active duty.
  - (2) The employee must notify his or her supervisor verbally or in writing as far in advance as possible of the call-up or orders. It is preferred, but not required, that a copy of the Reservist's or National Guard member's orders be forwarded to the Human Resources Office in advance.
  - (3) For Military Exigency and Military Caregiver provisions of the Family and Medical Leave Act, see the SH 221 Family and Medical Leave policy.

#### b) Category 2 Employees

- i) Eligibility Period: upon employment
- ii) Earn Rate: NA
- iii) Explanatory Notes: same as for Category 1 employees except,
  - (1) Category 2 employees are entitled to leave with pay on a prorated basis.

#### c) Category 3 Employees

- i) Eligibility Period: upon employment
- ii) Earn Rate: NA
- iii) Explanatory Notes: same as for Category 1 employees except,
  - (1) Any part-time employee will be granted Military Leave for Reserve or National Guard service in accordance with Oklahoma State Law and compensated for the average number of hours scheduled by the supervisor to work.

### 7) **Sabbatical Leave**

Definition – Sabbatical Leave is a suspension of employment for up to 12 months to attend a library school for the purpose of acquiring a master's degree in library science

#### a) Category 1 & 2 Employees

- i) Eligibility Period: one year of employment
- ii) Earn rate: NA
- iii) Explanatory Notes:
  - (1) This leave must be applied for at least three months in advance, in writing, and approved by the executive director.

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### Leave Types Defined (alphabetically arranged)

- (2) The employee on Sabbatical Leave receives no pay; however, benefits will be provided in accordance with the individual plan documents.
- (3) The employee on Sabbatical Leave does not lose accrued Sick Leave and Annual Vacation Leave; nor does s/he lose any accredited service insofar as the retirement pension plan is concerned; however, no Sick Leave or Annual Vacation Leave is accrued by the employee during the Sabbatical Leave.
- (4) Upon returning to work, the employee is guaranteed a position paying no less than the salary received prior to the Sabbatical Leave.
- (5) To assure proper planning and staffing, the employee on Sabbatical Leave is asked to inform the Director of Human Resources of her/his intentions, either to return to work or to resign, no later than two weeks (14 calendar days) prior to the end of the Sabbatical Leave.
- (6) By accepting Sabbatical Leave, the employee agrees to work for the library system for a period of 12 months at the conclusion of the sabbatical or to reimburse the library system all premium costs contributed by the library system on the employee's behalf for any benefits continued during the sabbatical.

#### b) Category 3 Employees

- i) Eligibility: 36 months (three years) of current, unbroken, continuous service and consistently works a minimum of 40 hours per pay period.
- ii) Earn Rate: NA
- iii) Explanatory Notes:
  - (1) Same as for Category 1 employees

#### 8) **Sick Leave**

Definition – Sick Leave is only granted for the illness of an employee, for situations requiring the employee's care of a member of her/his immediate family as defined at the beginning of

this document or for other Family and Medical Leave Act qualifying situations. Qualifying family under the Family and Medical Leave Act differs from the definition of "immediate family" in this document and is the controlling definition in FMLA situations. (See policy SH 221 Family and Medical Leave.) Sick leave may be used for an employee's own doctor/dental appointment and when possible these are to be scheduled in advance. Leave used to take an immediate family member to a doctor/dental appointment is Sick Leave, Annual Vacation Leave, or Floating Holiday.

#### a) Category 1 Employees

- i) Eligibility Period: upon employment
- ii) Earn rate: 3.7 per pay period
- iii) Explanatory Notes:
  - (1) When an employee is unable to report for work because of illness or other

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### Leave Types Defined (alphabetically arranged)

allowable Sick Leave usage, the employee, or someone on his/her behalf, must call the immediate supervisor or person-in-charge at his/her work site or agency, if possible, at least thirty (30) minutes prior to the employee's scheduled start of work. If the employee believes the absence is or may be Family and Medical Leave qualifying, the employee needs to notify the supervisor or person-in-charge at that time. If the employee fails to indicate this possibility, the person receiving the message is to make the inquiry.

- (2) A Category 1 employee on Sick Leave more than three consecutive shifts must provide a doctor's statement upon returning to work.
- (3) If an employee's sick period lasts longer than accrued Sick Leave, the employee must use accrued, but not advanced, Annual Vacation Leave or Floating Holiday time. If s/he has no other accrued paid leave, time off past accrued Sick Leave will be an absence without approved leave. The library makes no guarantee of continued employment, outside of the Family and Medical Leave Act, or the continuation of benefits other than through COBRA.
- (4) Leave available is the "current balance" at the beginning of the sick leave. Leave that is accrued during an absence (sick, AVL, etc.) is available only after the employee has returned to work.
- (5) Illness during a period of other paid leave, such as Annual Vacation Leave, counts as that type of leave and is not considered Sick Leave.
- (6) An employee can accrue (be credited with) no more than 960 hours of Sick Leave.
- (7) There is no compensation for unused Sick Leave.
- (8) Accrued Sick Leave in a previous term of service is not considered in a subsequent term of service. In this respect, a re-hired employee is considered a new employee.

#### b) Category 2 Employees –

- i) Eligibility Period: same as Category 1 employees.
- ii) Earn Rate: Earn Rate: are translated to the pro-rata allotments. Example: a half-time Category 2 employee is credited with 1.85 hours of sick leave, not 3.7 per pay period; a three-fourths-time Category 2 employee is credited with 2.77 hours of sick leave, not 3.7 per pay period.
- iii) Explanatory Notes: Category 2 employees are subject to the same call-in provisions as stated in Explanatory Notes for Category 1 employees. The number of hours of sick leave absence before requiring a doctor's statement for return to work should be translated to the pro-rate amounts depending on the normal hours per week of the employee.

Example: a half-time Category 2 employee would be required to have a doctor's statement after an absence of three consecutive shifts.

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### Leave Types Defined (alphabetically arranged)

#### c) Category 3 Employees

- i. Eligibility: NA
- ii. Earn Rate: N/A
- iii. Explanatory Notes:
  - (1) Category 3 employees are subject to the same call-in provisions as stated in Explanatory Notes for Category 1 employees.
  - (2) A doctor's statement is required for Category 3 employees after they have missed three consecutive shifts.

#### 9) **Voting Leave**

Definition - Oklahoma law specifies that employees who are registered voters and whose work schedule hampers their ability to vote in a public election may have time off with pay to vote.

##### a) Category 1, 2, and 3 Employees

- i) Eligibility Period: upon employment
- ii) Earn Rate: NA
- iii) Explanatory Notes:
  - (1) Must meet the eligibility criteria:
    - (a) Must be a registered voter
    - (b) Must be scheduled to work on Election Day within three hours after the polls open and three hours before the polls close. Examples with the polls open 7 a.m. to 7 p.m.:
      - Employee is scheduled to work from 8 a.m. to 5 p.m. Employee may request up to two hours of paid leave to vote.
      - Employee is scheduled to work from 8:30 a.m. to 5:30 p.m. Employee may request up to two hours of paid leave to vote.
      - Employee is scheduled to work from 12:30 p.m. to 9 p.m. Employee is not eligible for leave to vote.
      - Employee is scheduled to work from 7:30 a.m. to 4:00 p.m. Employee is not eligible for leave to vote.
  - (2) Registered voters not eligible for such paid leave are those employees, normally part-time, hourly workers, whose work schedule can be arranged to allow them sufficient free time (three hours) before or after work to vote.
  - (3) Anyone who is otherwise eligible and who is the only employee normally on duty in a particular work unit during the above time frame may request leave

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to vote; upon such a request, the supervisor should arrange for a substitute if it is necessary for the work unit to be open during the regular employee's absence.

- (4) A registered voter eligible for, and needing, paid time off to vote must ask the supervisor for such leave no later than one working day before the election.
- (5) The supervisor has the authority to set the time period for the employee to take the leave so as to assure the most efficient staffing for the work unit. In a case where two or more eligible employees request the same time period, the supervisor may "stagger" the time off on the basis of who asked for the leave first.
- (6) Leave to vote must be reported on the employee's time sheet
- (7) If an employee is off work on leave of any kind, leave to vote will not be authorized—the assumption being that the employee is either too sick to visit the polls or has sufficient time while on leave or Floating Holiday to vote.