

Annual Leave for Nonexempt Employees

I. Purpose

Frostburg State University's procedures in regard to annual leave for nonexempt employees shall be governed by and administered in accordance with Board of Regents (BOR) Policy VII - 7.00 – *Policy on Annual Leave for Administrative and Classified Personnel*.

Agreements negotiated by Memorandum of Understanding (MOU) or recognized bargaining units will supersede, if so specifically written, portions of this procedure.

II. Earned Leave

Nonexempt Employees - Annual leave for regular full-time nonexempt employees will be earned according to the following schedule. Annual leave with pay shall be available only to the extent earned, provided that the dates of such leave have been approved in advance by the employee's department head. (Regular part-time nonexempt employees working 50% or more will earn annual leave on a pro-rated basis.)

- A. From the 1st through the 6th month of service, leave is earned but is not available for use. After completion of the 6th month of service, such annual leave becomes available for use.
- B. Starting with the 7th month of credited service through the completion of the 4th year of service, employees will earn annual leave at the rate of 10 working days for each full year.
- C. Starting with the 5th year of service through the completion of the 10th year of service, employees will earn annual leave at the rate of 15 working days for each full year.
- D. Starting with the 11th year of service through the completion of the 20th year of service, employees will earn annual leave at the rate of 20 working days for each full year.
- E. Starting with the 21st year of service and thereafter, employees will earn annual leave at the rate of 25 working days for each full year.

III. Leave Accumulation

A maximum of 50 work days of annual leave may be carried into a new calendar year.

IV. Leave Advancement

With the approval of the institution's Director of Human Resources, an employee may be advanced 5 days of annual leave, provided that no other leave, including personal leave or sick leave is available to the employee and is appropriate to the purpose of the leave. The Director of Human Resources shall make a determination to advance annual leave, based on the supervisor's demonstration that such an advance would not impair the work of the unit and that the employee has demonstrated a substantial need for such leave.

V. Payment for Denied Annual Leave

- A. At the end of each calendar year, a supervisor may, through appropriate channels, recommend to the institution's Director of Human Resources that an employee be paid for days of annual leave lost pursuant to Section II of this policy. (The payment may be made only when the employee has submitted one or more timely written requests to use annual leave during the calendar year and the requests have been denied in writing for administrative reasons. The supervisor shall have provided any such denial in writing and shall have stated the administrative reasons for such denial.) The supervisor's recommendation for payment for lost annual leave shall be accompanied by copies of the written requests and denials and the explanation (in writing) of why the lost annual leave was not taken at another time during the calendar year.
- B. Payment is limited to unused annual leave that is in excess of the maximum accumulation and that would be lost by the employee at the end of the calendar year.

VI. Leave Transfer

All unused accumulated annual leave transfers with the employee when an employee transfers to another institution in the USM, another department in the same institution or moves from one employment category to another.

VII. Termination Payment

Employees who terminate employment with Frostburg State University are entitled to compensation for any unused annual leave that has been credited and available for use as of the date of separation.

VIII. Leave of Absence Without Pay

- A. Employees on leave of absence without pay due to temporary disability resulting from mental or physical disability may elect to receive payment for all accumulated unused annual leave or retain all accumulated unused annual leave for a period not to exceed the first six months of the approved leave of absence without pay.
- B. Retention of the accumulated unused annual leave must be requested in writing by the employee or the employee's designated representative.

- C. Upon completion of the first six months leave of absence without pay, payment of all such accumulated unused annual leave shall be made to the employee if the employee does not return to work.

IX. Rate of Annual Leave Earnings Upon Return to State Service

A nonexempt employee who is entering or returning to USM service is entitled to credit towards the rate of annual leave earning for previous USM and/or State service. This previous service must have included at least 180 days of continuous and satisfactory performance in an allocated position.

X. Reinstatement

A nonexempt employee returning to USM service with an authorized status of reinstatement within 2 years of separation, is entitled to earn annual leave at the same rate in effect at the time of separation from active service.

Administration of the Policy

The Office of Human Resources (OHR) is designated as administrator of the policy and corresponding procedures and all questions should be referred to that office.

References:

BOR Policy VII-7.00 Policy on Annual Leave for Administration and Classified Personnel
FSU Employee Handbook

All policies are available on:

FSU Web Page

USM Web Page

FSU Employee Handbook

March 2005