

Vice Chancellor, Business and Finance Date:

Employee Leave Procedures

Including [Administrative Leave](#), [Bereavement/Funeral Leave](#), [Civil Leave](#), [Crisis Leave](#), [Family/Medical Leave](#), [Holiday Leave](#), [Inclement Weather](#), [Injury Leave](#), [Leave of Absence without Pay](#), [Military Leave](#), [Parental Leave](#), [Sick Leave](#), and [Vacation Leave](#)

Purpose

1.1 It is the intent of UNMC to grant paid or unpaid leave to regular employees under appropriate circumstances. For regular part-time employees, the rate is adjusted according to the employee's FTE.

Scope

2.1 The UNMC Leave Policy is applicable to all UNMC employees to include Office/Service, Managerial/Professional, Faculty, and Other Academic positions.

Basis of the Policy

3.1 UNMC provides for various types of paid and unpaid employee leave. UNMC leave policies are based on the federal Family and Medical Leave Act (FMLA) of 1993, ADA, the Uniformed Service Employment and Reemployment Rights Act (USERRA) of 1994, Nebraska Revised Statutes §55-160 *et seq.* §81-1391, University of Nebraska Central Administration and the Bylaws of the Board of Regents of the University of Nebraska (3.4.2; 3.4.3; and 3.6).

Authorities and Administration

4.1 The UNMC Human Resources' Associate Director of Human Resources - Employee Relations is responsible for the administration, implementation, and maintenance of the Employee Leave policy at the campus level in consultation with the Associate Vice Chancellor - Executive Director of Human Resources and the Vice Chancellor for Business and Finance.

Procedures

5.1 **Administrative Leave:**

1. Administrative leave shall be granted at the discretion of the Chancellor or other designated officials.
2. Under certain conditions, administrative leave with pay may also be granted in situations in which employees perform a community service such as volunteer fire fighters, volunteer rescue squad call and other specific instances. Individuals and departments should contact Human Resources – Employee Relations at 402/559-4371 or 402/559-8534 for guidance in using this type of administrative leave. Documentation of the leave may be required.

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	<ul style="list-style-type: none"> a. Civil leave is never recorded as “hours worked” for purposes of calculating overtime pay. b. The employee’s anniversary date and benefits are not effected by civil leave with pay.
5.4	<p>Crisis Leave:</p> <p>1. Donation of Leave: Regular employees who earn vacation leave may donate up to three (3) accumulated vacation days per calendar year to the crisis leave pool. The Associate Vice Chancellor - Executive Director of Human Resources may identify exceptional circumstances under which greater amounts, not to exceed five (5) days per calendar year, may be donated to the crisis leave pool. Donations of accumulated vacation leave to the crisis leave pool will be accounted for on the basis of the number of days donated, rather than the dollar value of the days donated. Employees may not donate vacation leave which otherwise would be lost under UNMC policy. Donated days will be subtracted from the employee's accrued vacation leave balance.</p> <p>To assure consistent administration of the policy on the UNMC campus, Human Resources has established the following procedures:</p> <ul style="list-style-type: none"> a. Requests for use of donated crisis leave and the anticipated time period of absence must be reported on the UNMC Request for Crisis Leave form. UNMC may require medical certification from the treating physician or other licensed health care provider. b. Requests for crisis leave will be evaluated on these criteria: <ul style="list-style-type: none"> i. Appropriateness of the leave under the UNMC crisis leave policy; ii. Managerial/Professional and Office-Service employees must have completed their probationary period. iii. Availability of leave within the UNMC crisis leave pool; iv. Exhaustion of employee’s accrued sick, vacation and floating/banked holiday, as applicable to the circumstance. v. Records of leave use by the employee. c. Denials of crisis leave or limitations on the amount of crisis leave given will not be grievable events under the UNMC grievance policy. d. Crisis leave requests require verification by the immediate supervisor. Request forms must then be forwarded to Human Resources-Employee Relations for consideration, approval, or disapproval. e. Crisis leave received but not used will be returned to the crisis leave pool 12 months following the granting of crisis leave. <p>2. Granting Crisis Leave: Regular employees (those who have completed their probationary period) may be eligible to receive crisis leave when all accrued sick, vacation and floating/banked holiday time has been exhausted, as applicable to the circumstance. If an employee has exhausted their crisis leave or is a probationary employee, they may be eligible to take an advancement of leave. Up to 40 hours of sick and 40 hours of vacation, prorated to FTE, may be advanced, as applicable to the circumstance.</p> <ul style="list-style-type: none"> a. Crisis leave may be requested for:

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	<ul style="list-style-type: none"> i. Serious illness of the employee or the employee's spouse; ii. Serious illness of the employee' child or parent; iii. In conjunction with a Worker's Compensation claim. <p>b. For purposes of this policy, "serious illness" is defined as an illness that:</p> <ul style="list-style-type: none"> i. Requires at least one overnight stay in a hospital, hospice, or other residential health care facility, under the treatment or supervision of a physician or other licensed health care provider, or ii. Requires an absence from work or school for more than three (3) days as recommended by a physician or other licensed healthcare provider, or iii. Is a chronic or long-term illness that is incurable or so serious that if untreated would probably lead to incapacity for more than three days and requires continuing medical treatment or supervision. <p>Crisis leave donation form / Crisis Leave Request Form / Advance Leave Form</p>
5.5	<p>Family/Medical & Family/Military Leave - (FMLA): Under University of Nebraska policy and as required by the federal Family and Medical Leave act of 1993 (FMLA), eligible employees are provided up to 12 weeks of unpaid, job-protected leave for certain family and medical reasons. All regular Academic/Administrative, Managerial/Professional and Office/Service employees with an FTE of .50 or greater are eligible. Also eligible are all other employees, including temporary employees and graduate students, who have worked for UNMC for at least 1250 hours over the previous 12 months.</p> <p>1. Eligibility: UNMC will grant up to twelve weeks of unpaid family/medical leave for any of the following reasons:</p> <ul style="list-style-type: none"> a. The employee's own serious health condition that makes the employee unable to perform the essential functions of the job. b. A serious health condition of the employee's spouse, child or parent. c. Maternal/paternal concerns related to the birth and first year care of a child or adoption of a child, or the placement of a child with the employee for foster care. d. A death in the immediate family. e. Qualifying Exigency Leave: Family Leave Due to a Call to Active Duty: This benefit provides 12 weeks of FMLA leave due to a spouse, son, daughter or parent being on active duty or having been notified of an impending call or order to active duty in the Armed Forces. Leave may be used for any "qualifying exigency" arising out of the service member's current tour of active duty or because the service member is notified of an impending call to duty in support of a contingency operation. Qualifying exigency includes any one or more of the following non-medical, non routine activities and no others: by referring to a number of broad categories for which employees could use FMLA leave: 1. Short-notice deployment activities; 2. Military events and related activities; 3. Childcare and school activities; 4. Financial and legal arrangements; 5. Counseling activities; 6. Rest and Recuperation activities; 7. Post deployment activities; and/or 8. Additional activities not encompassed in the other activities, but agreed to by the employer and employee.

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- f. Caregiver Leave for an Injured Servicemember: This benefit provides **26 weeks** of FMLA leave during a single 12-month period for a spouse, son, daughter, parent, or nearest blood relative caring for a recovering service member. A recovering service member is defined as:
 - i. A member of the Armed Forces who suffered an injury or illness while on active duty that may render the person unable to perform the duties of the member's office, grade, rank or rating; or
 - ii. A veteran who is undergoing medical treatment, recuperation, or therapy for serious injury or illness and who was a member of the Armed Forces at any time during the five years preceding the date on which the veteran undergoes such treatment, recuperation, or therapy.

2. Definitions:

- a. "Child" see definition of "son or daughter" under k.
- b. "Equivalent position" is a position that has equal status, pay, and benefits. The duties and responsibilities must entail substantially equivalent skill, effort, responsibility, and authority.
- c. "Equal Coverage". This plan applies equally to males and females.
- d. "Foster care" is 24-hour care for children in substitution for and away from, their parents or guardian in accordance with an agreement with the State.
- e. "Healthcare provider" for purpose of medical certification shall include only doctors of medicine, or osteopathy, podiatrists, dentists, clinical psychologists, optometrists, chiropractors, state-authorized nurse practitioners and nurse-midwives and Christian Science practitioners listed with the First Church of Christ, Scientist in Boston, Massachusetts.
- f. "Immediate family" is defined as spouse, children, stepchildren, parents, stepparents, grandchildren, step-grandchildren, grandparents, step-grandparents, brother, stepbrother, sister, stepsister, or persons bearing the same relationship to the spouse.
- g. "Intermittent Leave" is leave (for any employee, spouse, child or parent according to the above definition, taken in separate blocks of time due to a single illness or injury, for example, 1-3 non-consecutive scheduled workdays per week.
- h. "Parent" is defined as the biological, adoptive, step or foster parent of an employee or an individual who stood in loco parentis to the employee when the employee was a son or daughter (individual who had the day-to-day responsibilities to care for or financially support the child).
- i. "Reduced Leave Schedule" is a leave schedule that reduces the employee's usual number of work hours per week.
- j. "Serious Health Condition" is defined as an illness, injury, impairment or physical or mental condition that involves: [1] inpatient care; [2] continuing treatment by a health care provider which requires absence from work, school, or other regular daily activities of more than three (3) calendar days; [3] chronic or long-term illness that is incurable or so serious that if untreated would probably lead to more than three days' incapacity, and it requires continuing medical treatment or supervision. "Serious Health Condition" generally does not include cosmetic treatments, minor conditions such as the common

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	<p>cold, earaches, headaches, the flu, routine doctor's appointments, or treatment with over-the-counter medications.</p> <p>k. "Son or Daughter" is defined as a biological, adopted, or foster child, a stepchild, a legal ward, or other child of a person standing in loco parentis, who is either under age 18, or 18 or older and incapable of self-care because of a mental or physical disability.</p> <ul style="list-style-type: none"> i. As in the definition of parent, a person may be considered a son or daughter of the employee if the employee has day-to-day responsibilities to care for the child and financially supports the child. ii. The U.S. Department of Labor's Wage and Hour Division issued an Administrator's Interpretation on the definition of "son or daughter" under the Family and Medical Leave Act (FMLA) on June 22, 2010. The Administrator's Interpretation states that "employees who have no biological or legal relationship with a child may nonetheless stand in loco parentis to the child [and that the] regulations do not require an employee who intends to assume the responsibilities of a parent to establish that he or she provides both day-to-day care and financial support in order to be found to stand in loco parentis to a child." As such, employees who intend to assume the responsibilities of a parent and provide either day-to-day care or financial support for a child, may be eligible for FMLA leave upon the child's birth or adoption/foster placement, or to care for the child if he or she becomes seriously ill. A biological or legal relationship is not required to establish a parent/child relationship for the purpose of qualifying for leave under the FMLA. iii. In determining whether a child age 18 or older is "incapable of self-care because of a mental or physical disability," the employer may require medical certification before granting Family/Medical Leave. <p>l. "Spouse" is defined by looking to the law of the place in which the marriage was entered into, as opposed to the law of the state in which the employee resides.</p> <p>3. Employee, Supervisor/Leave Coordinator and Human Resources Responsibilities:</p> <ul style="list-style-type: none"> a. The employee's responsibility: <ul style="list-style-type: none"> i. Complete the UNMC "FMLA - Request for Family Medical Leave" form and a Certification of Healthcare Provider form or other documentation 30 days in advance if leave is foreseeable or as soon as possible if leave is unforeseeable. ii. Discuss the "FMLA - Request for Family Medical Leave" form with manager/supervisor. iii. Obtain signature from manager/supervisor. iv. Return the FMLA request form and the Certification of Healthcare Provider form, in a legible and completed format, to HR-Employee Relations at ADC 2000 or to zip 985470. v. Provide a "Fit for Duty" note before returning to work. vi. It is the responsibility of the employee to make any benefits changes/arrangements needed or required (UNMC Benefits - Phone number:
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402-559-5911).

b. The supervisor/leave coordinator's responsibility:

- i. Follow normal procedures and communication channels in the department.
- ii. Obtain additional information and clarification from the employee and from HR-Employee Relations at 559-4371 or 559-8534.
- iii. Sign the "FMLA - Request for Family Medical Leave" form.
- iv. Within five (5) days of Request notify the employee in writing if the employee is eligible to apply for FMLA.
- v. Your department is accountable for documenting all leave hours taken in relation to the approved FMLA.

c. Human Resources – Employee Relations' responsibility:

- i. Approve and/or interpret the request if accompanied by a Certification of Healthcare Provider form or other documentation.
- ii. Return the form to the manager/supervisor or designated person with a written approval or denial of the request.

Prior to granting Family/Medical Leave, UNMC may require medical certification for an employee's serious health condition or that of the employee's spouse, child, or parent.

4. Financial Responsibilities:

- a. Family and Medical Leave entitlement shall be without pay. However, the employee may request that a paid leave balance (i.e., sick leave, vacation leave, funeral leave) be charged for all or part of the Family/Medical Leave, if such paid leave would otherwise be granted based on the reason for the absence. In such cases, the paid leave time may be used during the Family/Medical Leave period.
- b. Employees on Family/Medical Leave who are enrolled in UNMC's insured benefits program may continue to participate in such programs and continue to receive employer contributions for the period of the Family/Medical Leave.
- c. During an unpaid Family/Medical Leave, an employee:
 - i. May retain any accrued but unused vacation and floating holidays earned prior to the leave.
 - ii. Shall not accrue any additional leave while in an unpaid status.
- d. Holidays, both traditional and floating, that occur while an employee is on an unpaid Family/Medical Leave are not charged to their Family Medical Leave entitlement. These holidays are not paid, as an employee must be in a paid status the day before and the day following a holiday to be eligible for holiday pay.
- e. Any sick leave or absence due to a work-related injury of five (5) or more consecutive scheduled workdays will automatically be charged against the employee's Family/Medical Leave entitlement.
- f. Any sick leave or absence due to the employee's serious illness, accident, or injury of five (5) or more consecutive scheduled workdays will automatically be charged against

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	<p>an employee's Family/Medical Leave entitlement.</p> <p>g. Follow-up medical visits or other absences associated with an approved Family/Medical Leave will also be charged to the employee's entitlement.</p> <p>5. Approvals:</p> <p>a. It is the intent of this policy that employees will have a right to Family/Medical Leaves for the purposes stated in Eligibility. The approval process will focus on timing or other considerations surrounding Family/Medical Leaves.</p> <p>b. Requests for Family/Medical Leaves must include the reason for the request, the anticipated time period of absence, and must be approved as provided for in this policy. Appropriate medical certification (see definition) or legal documentation (i.e., state approval of foster child placement, or court appearance for adoption may be required).</p> <p>c. Requests for foreseeable Family/Medical Leaves shall be made as far in advance as possible (i.e., 30 days). Unforeseeable Family/Medical Leave may be requested as soon as practicable (within one or two working days of becoming aware of the need for Family/Medical Leave).</p> <p>d. If the timing of the Family/Medical Leave as requested will cause undue hardship on the department or on UNMC, and if the timing of the leave can reasonably be altered without conflicting with the employee's purpose for requesting the leave, the department may suggest alternatives that will accommodate the employee while still meeting the needs of UNMC. Such alternatives may include modification of the proposed starting/ending time periods, alternative working schedules, or other reasonable approaches. If the employee and the department cannot agree upon the details of the leave, the decision shall be referred to Human Resources-Employee Relations.</p> <p>6. Time Provisions and Limitations:</p> <p>a. Total use of Family/Medical Leave by an employee may not exceed 12 workweeks in any rolling 12-month period, measured backward from the date an employee uses any Family/Medical Leave.</p> <p>b. Total use of Family/Medical Leave by an employee for Caregiver Leave for an Injured Service member may not exceed 26 workweeks in any rolling 12-month period, measured backward from the date an employee uses any Family/Medical Leave.</p> <p>c. Under exceptional circumstances, if leave for a longer period is needed, the employee may request an unpaid personal leave of absence for a total period of time which, when combined with the Family/Medical Leave and other paid or unpaid leaves, does not exceed one year from the last day worked. Such leave may be granted when it is in the best interest of UNMC and shall be governed by the appropriate policy for the applicable employment category. By paying both the employer and the employee contributions, the employee may continue to participate in the University's insured benefits program while on an unpaid personal leave of absence.</p> <p>d. If the employee and spouse both work at UNMC, each shall be entitled to twelve (12) workweeks in any rolling 12-month period. For example, if both husband and wife are employed at UNMC, each may take 12 weeks of Family/Medical Leave upon the birth of</p>
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	<p>a child. For Caregiver Leave for an Injured Service member each employee shall be entitled to (26) workweeks in any rolling 12-month period.</p> <p>e. Faculty employed for 9 of the 12 months (the academic year) who take unpaid Family/Medical Leave and return prior to the end of the academic semester, will be paid their salary on a prorated basis.</p> <p>f. Family/Medical Leave may be taken on an intermittent basis (rather than on an uninterrupted basis) or on a reduced schedule, except for maternity/paternity reasons</p> <p>7. Return from Family/Medical Leave:</p> <p>a. UNMC employees who take Family/Medical Leave from a position within the University will be able to return to the position vacated or an equivalent position. In the event of budgetary or organizational changes during the period of absence, the employee shall be treated as if he or she were occupying the position at the time of the change.</p> <p>b. If an employee does not return to work at the conclusion of the Family/ Medical Leave, unless other arrangements are made, the employee shall be separated from the University.</p> <p>8. Medical Certification: UNMC may require medical certification before granting Family/Medical Leave for the serious health condition of the employee's own illness, and when the employee is needed to care for a child, parent, or spouse with a serious health condition. When an employee notifies the supervisor of the need for Family/Medical Leave, the supervisor or leave coordinator must provide in writing, the requirements for the employee to furnish medical certification of a serious health condition. At least 15 calendar days should be allowed for the employee to obtain the medical certification.</p> <p>9. Healthcare Providers: Medical certification can be provided by doctors of medicine or osteopathy, nurse practitioners, nurse midwives, podiatrists, dentists, clinical psychologists, optometrists, chiropractors, and Christian Science practitioners.</p> <p>For the purpose of medical certification, a "Healthcare Provider" shall include only doctors of medicine, or osteopathy, podiatrists, dentists, clinical psychologists, optometrists, chiropractors, state-authorized nurse practitioners and nurse-midwives and Christian Science practitioners listed with the First Church of Christ, Scientist in Boston, Massachusetts.</p> <p>10. Second Opinion: If the supervisor/manager or other designated administrator disagrees with the medical certification, UNMC may request a second opinion from a healthcare provider of its own choosing. UNMC will pay for the employee to get a medical certification from a second doctor.</p> <p>11. Third Opinion:</p>
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	<p>If the opinions of the healthcare providers furnishing the first and second opinions differ, UNMC may request the employee to obtain a final and binding third opinion at UNMC's expense. The selection of the healthcare provider furnishing the third opinion must be mutually agreed on by the employee and by UNMC.</p> <p>12. Recertification:</p> <ol style="list-style-type: none"> a. UNMC may request reasonable recertification regarding the serious health condition of the employee or the employee's child, parent, spouse or others bearing the same relationship to the employee's spouse, but no more than once every 30 days unless: b. The employee requests an extension of the Family/Medical Leave. c. A change in circumstances during the illness or injury; or d. UNMC receives information that casts doubt upon the continuing validity of the most recent medical certification, or; e. If further clarification is necessary. <p>FMLA - Request for Family Medical Leave Form / FMLA - Request for Military Qualifying Exigency Leave and Medical Caregiver Leave Form / Certification of Health Care Provider for Employees Serious Health Condition / Certification of Health Care Provider for Family Members Serious Health Condition / Certification for Serious Injury or Illness of Covered Servicemember for Military Family Leave / Certification of Qualifying Exigency for Military Family Leave</p>
5.6	<p>Nebraska Family Military Leave: The Nebraska Unicameral enacted the Nebraska Family Military Leave Act effective April 4, 2007. As such, UNMC provides unpaid leave to qualifying University employees who are spouses or parents of military service members under federal or state deployment orders.</p> <p>Qualifying employees shall include any employee who:</p> <ol style="list-style-type: none"> 1. Has been employed by the University of Nebraska for at least twelve months. 2. Has provided at least one thousand two hundred fifty (1,250) hours of service during the twelve-month period immediately preceding the commencement of the leave. 3. Is the spouse or parent of a person called to military service lasting over one hundred seventy-nine days or longer with the state or United States pursuant to the orders of the Governor or the President of the United States <p>Requests for Family Military Leave (Nebraska Family Military ACT): may be made to the employee's immediate supervisor any time the deployment orders are in effect. Employees requesting five (5) or more consecutive days of Family Military Leave shall provide at least fourteen calendar day's prior notice, and where able, will consult with the supervisor to schedule leave to avoid work disruptions. For leave of less than five (5) consecutive days, employees shall give advance notice as practical. Certification/proof of the call to service, from the proper military authority, may be required.</p>

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	<p>Maximum leave allowable under the Nebraska Family Military Leave Act shall be thirty (30) working days of unpaid leave. The employee may elect to apply accrued vacation leave, compensatory time off, or floating or banked holiday during the leave period.</p> <p>Employees involved in any of the University of Nebraska insured benefit programs may continue to participate in said programs and will receive continued employer contributions for the period of the leave. They are, however, responsible for their employee contributions required to maintain those benefits when on an unpaid status.</p> <p>Upon expiration of the leave, the employee is entitled to be restored to the position held prior to commencement of leave or to an equivalent position.</p> <p style="text-align: center;">Nebraska Family Military Leave Procedures</p> <p style="text-align: center;">Request for Nebraska Military Family Leave Form</p>		
5.7	<p>Holiday Leave: To receive holiday pay, regular employees must be in a paid status for all scheduled hours on both the last scheduled workday immediately before the holiday and on the first scheduled workday immediately after the holiday. Temporary employees are not eligible to holiday pay.</p> <p>Regular employees who are required to work on holidays will be paid for all hours worked at the regular hourly rate in addition to holiday pay, in keeping with the overtime compensation policy.</p> <p>Regular part-time employees receive holiday pay pro-rated according to the FTE, regardless of whether the employee is scheduled to work on the holiday. Holiday pay will be prorated for employees on workers' compensation who are using sick and/or vacation leave to supplement their pay.</p> <p>When the holiday is observed, it will not be considered as hours worked in computing over-time compensation.</p> <p>Holidays falling on the first day of the weekend will be observed on the day before; holidays falling on the last day of the weekend will be observed the following day.</p> <p>In accordance with policy #1098, employees on "Suspension without pay" may not use holiday or floating/banked holidays to avoid being without pay.</p> <p>1. Traditional Holidays</p> <table border="1" data-bbox="326 1892 1463 1948"> <tr> <td data-bbox="326 1892 711 1948">New Year's Day</td> <td data-bbox="711 1892 1463 1948">January 1</td> </tr> </table>	New Year's Day	January 1
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	<table border="1"> <tr> <td>Memorial Day</td> <td>Last Monday in May</td> </tr> <tr> <td>Independence Day</td> <td>July 4</td> </tr> <tr> <td>Labor Day</td> <td>First Monday in September</td> </tr> <tr> <td>Thanksgiving Day</td> <td>Fourth Thursday in November</td> </tr> <tr> <td>Day After Thanksgiving</td> <td>Friday following the Fourth Thursday in November</td> </tr> <tr> <td>Christmas Day</td> <td>December 25</td> </tr> </table> <p>2. Floating/Banked Holidays</p> <table border="1"> <tr> <td>Martin Luther King, Jr. Day</td> <td>Third Monday in January</td> </tr> <tr> <td>President's Day</td> <td>Third Monday in February</td> </tr> <tr> <td>Arbor Day</td> <td>Last Friday in April</td> </tr> <tr> <td>Juneteenth</td> <td>June 19</td> </tr> <tr> <td>Columbus Day</td> <td>Second Monday in October</td> </tr> <tr> <td>Veteran's Day</td> <td>November 11</td> </tr> </table> <p>Observance of these floating/banked holidays should be at the convenience of the employee's department and the employee. These may be taken at some mutually accepted time but cannot be taken prior to the date of the holiday.</p>	Memorial Day	Last Monday in May	Independence Day	July 4	Labor Day	First Monday in September	Thanksgiving Day	Fourth Thursday in November	Day After Thanksgiving	Friday following the Fourth Thursday in November	Christmas Day	December 25	Martin Luther King, Jr. Day	Third Monday in January	President's Day	Third Monday in February	Arbor Day	Last Friday in April	Juneteenth	June 19	Columbus Day	Second Monday in October	Veteran's Day	November 11
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5.8	<p>Inclement Weather: Chancellors of the University of Nebraska have the discretion to close campuses due to local weather conditions. In the event of a closing of a University of Nebraska campus due to inclement weather, employees will receive paid leave, if they were scheduled to work during the closure.</p> <p>UNMC, as a health sciences center, has a number of activities that must be kept operational regardless of the weather conditions. These include activities that directly and indirectly support patient care at the hospital and clinics, as well as many research and educational functions. This is why UNMC is the only campus in the University of Nebraska System that does not close down during semester break in late December. Because so many employees must report, regardless of the weather, the determination has been made for the entire campus to be considered open and operational, even when other University of Nebraska campuses and area businesses may be closed. All supervisors are asked to be as reasonable as conditions allow in staffing their</p>																								

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	<p>departments during severely inclement weather. It is recognized that some employees may not be able to report or will want to leave early due to safety concerns. Employees who do not report, or leave early, with supervisor approval must use vacation, floating holiday, or leave without pay to account for any time not worked. Salaried employees who are exempt from FLSA cannot take unpaid leave in increments of less than one workday.</p> <p>Employees of UNMC who are located on:</p> <ol style="list-style-type: none"> 1. Other University of Nebraska campuses (i.e., Kearney), will comply with the directions of the Chancellors of those campuses regarding closings due to weather. If the individual campus is closed during inclement weather, the time reporting should be coded in a manner prescribed by payroll. 2. On locations other than University campuses (i.e., Lincoln), will comply with the directions of the Dean of those Colleges (i.e., COD, CON) regarding closing due to weather. If the individual location is closed during inclement weather, the time reporting should be coded in a manner prescribed by payroll.
5.9	<p>Injury Leave: Injury leave will not be charged to sick leave or vacation; the time reporting should be coded in a manner prescribed by payroll. Proper documentation of the injury will be required.</p>
5.10	<p>Leave of Absence without Pay: Requests for Leave of Absence without Pay require the advance written approval of the supervisor. A Leave of Absence without Pay will only be granted for one year from the last day physically worked.</p>
5.11	<p>Military Leave – USERRA: The University of Nebraska Medical Center shall comply with the Uniformed Service employment and Reemployment Rights Act of 1994 (USERRA) and Neb. Rev. Stat. §SS-160 et seq. concerning the treatment of University employees with military obligations.</p> <ol style="list-style-type: none"> 1. Nebraska Statutes: 55-160. National Guard; Army Reserve; Naval Reserve; Marine Corps Reserve; Air Force Reserve; Coast Guard Reserve; active service; officers and employee of state; leave of absence without loss of pay; limitations. All employees, including elected officials of the State of Nebraska, or any political sub-division thereof, who shall be members of the National Guard, Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve, and Coast Guard Reserve, shall be entitled to leave of absence from their respective duties, without loss of pay, on all days during which they are employed with or without pay under orders or authorization of competent authority in the active service of the state or of the United States, for not to exceed fifteen working days in any one calendar year. Such leave of absence shall be in addition to the regular annual leave of the person named herein. When the Governor of this state shall declare that a state of emergency exists, and any of the persons named in this section are ordered to active service of the state, an

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additional leave of absence will be granted until such member is release from active service by competent authority. During the additional leave of absence because of the call of the Governor, any official or employee subject to the provisions of this section shall receive such portion of his salary or compensation as will equal the loss he may suffer while in active service of the state. Governmental officers serving a term of office shall receive their compensation as provided by law. Source: Laws 1947, c. 198, § 1, p 642; Laws 1953, c 188, § 26, p. 602; R.R.S. 1943, § 55-156.01; Laws 1969, c459, § 58, p.1600. State employee on paid emergency military duty entitled to receive portion of regular employment salary as equals income loss on active duty. King v. School District of Omaha, 197 Neb. 303, 248 N.W.2d 752 (1976).

2. **Notification:** Employees are required to notify the immediate supervisor as soon as possible when orders are received for annual military training, active duty, emergency duty, or any other military activity where their presence is required. Employees are also required to notify Human Resources-Employee Relations as soon as possible to coordinate issues regarding their pay, benefits, re-employment rights and submission of official orders for the record.
3. **Temporary Staffing:** Jobs which are vacated by those employees on military leave may be temporarily filled with the assistance of Human Resources-Strategic Staffing and with consideration of the affected employee's rights to re-employment, within the 5-year re-employment benefit limit.
4. **Return to Work:** Under USERRA provisions, when an employee is separated from training or service under honorable conditions or upon discharge from hospitalization incident to active duty, the employee shall be entitled to return to the former position with such seniority, status, pay and vacation as if he or she had not been absent for such purpose, if he or she is still qualified to perform the duties of such position and if he or she makes application within the prescribed time limits (up to 5 years) after being relieved from training or service.

Employees must make timely application for re-employment after release from military training or service or from hospitalization continuing after discharge for a period of not more than one year. Application must be made within 90 days after completion of military service or within 31 days after completion of initial active duty for training of not less than three months.

5. **Health Insurance:** Employees on military leave may continue medical and/ or dental coverage for themselves and/or their dependents by paying the full cost of the premium (100%). This coverage may be continued for up to eighteen months from the date active military service began. Should the employee and/or dependents discontinue coverage, the coverage may be reinstated upon return from military service with no waiting period or exclusion for preexisting conditions.

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	<p>6. Life Insurance: Employees on military leave may continue to participate in the group life insurance plan while on leave by paying the full premium. The Security Mutual Basic and Optional Plans, unlike many insurance programs, will cover the employee's death while on military duty; however, the Accidental Death and Dismemberment Plan does not cover claims associated with military service. Should the employee decide to discontinue any life insurance coverage, he/she may reinstate the coverage upon return to University employment without evidence of insurability.</p> <p>7. Other Insurance: Long Term Disability coverage may not continue during military leave. Continued participation in reimbursement accounts is permitted.</p> <p>8. Retirement Benefits: Once employment is reinstated, the employee may request retroactive participation in the basic plan, if otherwise qualified to participate. Upon paying his/her portion of the contribution to the retirement plan, the University will make the employer's retirement plan contribution. The amounts contributed will be based on the employee's compensation had he/she continued employment with the University. The employee may also make up contributions to the SRA plan. Employees may count military service toward the retirement plan's two years of service eligibility requirement.</p> <p style="text-align: center;">Request for Military Leave USERRA Form</p>
5.12	<p>Parental Leave: The Parental Leave policies are intended to establish and clarify the leaves available to University of Nebraska Medical Center staff in cases of pregnancy, childbirth, and adoption:</p> <ol style="list-style-type: none"> 1. Medical Maternity Leave: UNMC staff's eligibility for Leave vary depending upon each employee's individual circumstances. An attending physician or other licensed health care provider will normally determine the appropriate length of leave. An eight-week total leave period for pre-partum and post-partum care and recovery during which time the employee will be excused from all duties, will be considered normal; however, more or less leave time may be taken based on individual health circumstances. 2. Parental Leave to Provide Care/Assistance to Mother and/or Child: for those employees who wish to take leave upon the birth of a child because the health of the employee's spouse or child requires the employee's presence, or because such presence would be beneficial to the employee's spouse or child, up to five days unpaid parental leave may be granted unless he/she has accrued sick leave or vacation leave that he/she may desire to use during parental leave. 3. Adoption Leave: UNMC staff is eligible for eight weeks unpaid adoption leave unless he/she has accrued sick leave or vacation leave that he/she may desire to use during the adoption leave. A newly adoptive parent, who is the primary caregiver, may take up to

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	<p>eight weeks unpaid leave upon the adoption of a child to provide care and assistance to the child. The declaration of which parent is the primary caregiver is made by the adopting parents. The non-primary caregiver of the adopted child may take up to five days unpaid parental leave, unless he/she has accrued sick leave or vacation leave that he/she may desire to use during parental leave, to provide assistance in the care of the child.</p> <p>Any parental leaves taken in accordance with the above parental leave policies are, by definition, related to qualifying events under Family/Medical Leave Act (FMLA) (see Family/Medical Leave above). Eligible employees may take up to 12 weeks of leave under the FMLA and will be considered part of the 12-week FMLA entitlement.</p>
5.13	<p>Sick Leave:</p> <p>1. Office-Service Employees</p> <p>a. Sick Leave Eligibility: All regular Office and Service personnel shall be eligible for paid sick leave. All Office and Service personnel hired on a regular part-time basis shall be eligible for paid sick leave at their regular rate of pay proportionate to the full-time equivalency of their appointment. Temporary staff shall not be eligible for paid sick leave.</p> <p>b. Sick Leave Accruals (Office-Service):</p> <ul style="list-style-type: none"> i. Sick leave shall be cumulative for up to 1,440 hours, or 180 working days. ii. Office and Service employees who were hired before January 1, 2019, and who retire from the University before July 1, 2035, shall receive a supplemental salary payment equal to 1/4 of their unused accrued sick leave up to a maximum 360 hours with the rate of payment equal to the regular rate of pay at the time of retirement. Normal retirement requirements of being at least 55 years of age and having at least 10 years of University service must be met in order to retire from the University and receive the ¼ supplemental salary payment. Office and Service employees hired on or after January 1, 2019, will not be eligible to receive the ¼ supplemental salary payment upon retirement. iii. An employee hired before January 1, 2019, who transfers from the Managerial Professional classification to the Office and Service classification on or after January 1, 2019, will not be eligible for the ¼ supplemental salary payment upon retirement. iv. Upon the death of an Office and Service employee who was hired before January 1, 2019, and who passes away before July 1, 2035, the beneficiary of the employee shall receive a supplemental death benefit payment equal to 1/4 of the unused accrued sick leave of the deceased employee up to a maximum of 360 hours with the rate of payment equal to the regular rate of pay on the date of death. The beneficiary of an Office and Service employee hired on or after January 1, 2019, will not be eligible to receive the ¼ supplemental death benefit payment upon the death of the employee.

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- v. Office and Service employees transferred from one department of campus to another shall have their accrued sick leave transferred to the receiving department or campus.
- vi. Office and Service personnel who transfer from employment with the State government or State colleges shall accrue sick leave at a rate based on the hiring date or service date with the organization from which they are transferring. In addition, such Office and Service personnel shall be credited up to a maximum accumulation of 360 hours unused sick leave while an employee of the State government or the State colleges.
- vii. The rate at which an employee accrues sick leave shall be computed from the service date and adjusted by breaks in service if such break in service is less than three years.

Office and Service personnel shall accrue sick leave according to the following schedule

Years of Employment	Hours per Months	Hours per Year	Days per Year	Hours per Day
1st through 5th year	8.00	96.00	12.00	0.26301
Beginning of 6th yr.	11.33	136.00	17.00	0.37260
Beginning of 7th yr.	12.00	144.00	18.00	0.39452
Beginning of 8th yr.	12.67	152.00	19.00	0.41644
Beginning of 9th yr.	13.33	160.00	20.00	0.43836
Beginning of 10th yr.	14.00	168.00	21.00	0.46027
Beginning of 11th yr.	14.67	176.00	22.00	0.48219
Beginning of 12th	15.33	184.00	23.00	0.50411

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yr.				
Beginning of 13th yr.	16.00	192.00	24.00	0.52603
Beginning of 14th yr.	16.67	200.00	25.00	0.54795
Beginning of 15th yr.	17.33	208.00	26.00	0.56986
Beginning of 16th yr.	18.00	216.00	27.00	0.59178
Beginning of 17th yr.	18.67	224.00	28.00	0.61370
Beginning of 18th yr.	19.33	232.00	29.00	0.63562
Beginning of 19 th year and all following years	20.00	240.00	30.00	0.65753
Maximum Accrual		1,440.00	180.00	

- c. Sick Leave use and guidelines:
- i. Sick leave may be used for the employee's personal medical and dental appointments and may also include appointments with the Employee Assistance Program ("EAP").
 - ii. Blood Donations: If an employee donates blood products to a family member, sick leave hours may be used.
 - iii. Absence due to illness or injury, which is more than the amount of accrued sick leave, may be charged to accrued vacation leave with a mutual agreement between the employee and the supervisor.
 - iv. When all accumulated sick leave and vacation leave are exhausted, the employee may be eligible to receive Crisis leave, as applicable to the circumstance. If an employee has exhausted their crisis leave or is a probationary employee, they may be eligible to take an advancement of leave. Up to 40 hours of sick and 40 hours of vacation, prorated to FTE, may be advanced, as applicable to the circumstance.
 - v. When all accrued sick leave and vacation leave are consumed and/or advanced, an

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employee may, upon written request, be granted sick leave without pay. A period of sick leave without pay normally shall not exceed one year from the last day physically worked. It shall not be extended beyond that period unless there are exceptional, mitigating circumstances.

- vi. Sick leave, up to a maximum of five (5) working days per illness, may be granted when illness of or injury to a member of the immediate family requires the employee's presence. Immediate family means wife, husband, children, parents, grandparents, grandchildren, guardian, ward, brother, sister, daughter-in-law, son-in-law, stepfather, stepmother, stepdaughter, stepson, or persons being the same relationship to the spouse.
- vii. An employee may be required to submit evidence of illness or of a medical appointment when use of sick leave is more than is normally expected or when there are reasons to suspect abuse of sick leave. Sick leave may be denied if there are facts demonstrating abuse by an employee. Cases of absence from work due to abuse of sick leave will be considered vacation leave or leave without pay at the discretion of the department.
- viii. With the approval of Human Resources, the department may request the employee submit to a second opinion medical examination at the department's expense. Refusal to submit to such medical examination shall be cause for dismissal. Medical information requested by the department about the employee's medical condition will be confined to a medical opinion of whether the employee is able to perform tasks required in the job. Other information falling within the provider-patient relationship will not be released to the department without the consent of the employee.
- ix. The rate at which an employee accrues sick leave shall be computed from the service date and adjusted by breaks in service if such break in service is less than three years.
- x. In accordance with policy #1098, employees on "Suspension without pay" may not use accrued sick leave to avoid being without pay.

2. Managerial/Professional Employees

- a. Sick Leave Eligibility: All regular Managerial-professional employees shall be eligible for paid sick leave. All Managerial-Professional employees hired on a regular part-time basis shall be eligible for paid sick leave at their regular rate of pay proportionate to the full-time equivalency of their appointment. Temporary staff shall not be eligible for paid sick leave.
- b. Sick Leave (Managerial/Professional): Pursuant to Section 3.4.3.3 of the Bylaws of the Board of Regents of the University of Nebraska, the following regulations shall apply to leaves of absence due to non-occupational sickness or accident:
 - i. Members of the Managerial-Professional staff shall accumulate one day of sick leave per month for the first two years of employment.

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individual department and must be done with the prior approval of the supervisor.

2. Vacation Leave Accrual:

a. Managerial-Professional Staff:

- i. Members of the Managerial-Professional staff shall earn twelve (12) workdays of vacation during each of the first two (2) years of employment, eighteen (18) workdays during the third through the fifth year of employment, and twenty-four (24) workdays during each year thereafter. This rate will be pro-rated for part-time employees.
- ii. New senior members of the managerial-professional staff may be granted, upon employment, the right to earn vacation days at the rate of eighteen (18) workdays or twenty-four (24) workdays per year at the discretion of the Chancellor or President where such exception is necessitated by the conditions stated below.
- iii. Exceptions may be granted in order to continue such provisions to a staff member who has been eligible for the benefits of such provisions under a prior University employee category.
- iv. Exceptions maybe granted in order to recognize prior related work experience.
- v. If eighteen (18) workdays of vacation are granted during the first year of employment, the employee shall earn twenty-four (24) vacation days beginning with the fourth year of employment.

b. Office and Service Staff:

- i. Time worked in excess of 40 hours in the workweek does not affect vacation leave accrual.
- ii. Office and Service employees shall earn vacation, pro-rated for part-time employees, according to the following schedule:

Years of Employment	Hours per Months	Hours per Year	Days per Year	Hours per Day
1st through 5th year	8.00	96.00	12.00	0.26301
Beginning of 6th yr.	10.00	120.00	15.00	0.32877
Beginning of 7th yr.	10.67	128.00	16.00	0.35068
Beginning of 8th yr.	11.33	136.00	17.00	0.37260
Beginning of 9th yr.	12.00	144.00	18.00	0.39452
Beginning of 10th yr.	12.67	152.00	19.00	0.41644
Beginning of 11th yr.	13.33	160.00	20.00	0.43836
Beginning of 12th yr.	14.00	168.00	21.00	0.46027
Beginning of 13th yr.	14.67	176.00	22.00	0.48219
Beginning of 14th yr.	15.33	184.00	23.00	0.50411

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	<table border="1"> <tr> <td>Beginning of 15th yr.</td> <td>16.00</td> <td>192.00</td> <td>24.00</td> <td>0.52603</td> </tr> <tr> <td>Beginning of 16th year and all following years</td> <td>16.67</td> <td>200.00</td> <td>25.00</td> <td>0.54795</td> </tr> </table>	Beginning of 15th yr.	16.00	192.00	24.00	0.52603	Beginning of 16th year and all following years	16.67	200.00	25.00	0.54795
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5.15	<p>Campus wide Blood Drives: When campus-wide blood drives are held at a UNMC facility, or when an American Red Cross van is outside of a UNMC facility, employees who wish to participate are encouraged to do so, without a “charge” to the employee’s leave.</p> <p>Emergency Situation: If a national emergency or local disaster occurs and employees are needed to supply blood products, civil leave may be used to fulfill this obligation.</p>										
Notice of Non-Discrimination											
6.1	Please see UNMC's Notice of Non-Discrimination regarding the University of Nebraska Medical Center's commitment to creating a diverse and inclusive working and learning environment free from discrimination and harassment.										
<p>All Forms mentioned in this policy are available online at http://www.unmc.edu/hr For additional information please review Employee Leave Policy or you may contact Human Resources – Employee Relations at 402/559-8534 or 402/559-4371.</p>											