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This manual provides guidance for the administration of the Uniform Leave Accrual Policy and Leave Use Policy for Research Foundation employees. The effective date of the policy is July 1, 1993.

The Uniform Leave Policy establishes the rules for leave accrual rates and use for Research Foundation employees. This manual describes eligibility requirements for each type of leave, and explains exempt and non-exempt employee accrual rates, maximum accruals, carry-over limits, and lump sum payments.

The guidelines described in this manual are designed to ensure that Research Foundation employees are treated uniformly according to policy and that the policy is administered in a consistent manner.

The manual covers the following topics:

- accruals
- break in service
- compensatory time
- documentation
- dual status
- duration of leave
- employee status – exempt/non-exempt
- funding sick leave
- granting leave
- holiday leave
- payment for accrued vacation leave
- transfers

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Exempt Employees

Definition of Exempt Status

An exempt employee is an executive, administrative, or professional employee who is exempt from the overtime regulations of the Fair Labor Standards Act (FLSA).

Requirements

One of the basic requirements for an employee to be considered exempt from the FLSA is that the employee is paid on a salaried basis.

For an employee to be salaried he or she cannot:

- be subject to deductions from wages in hourly increments for absences of less than a full day,
- charge sick time or vacation time on an hourly basis,
- be paid wages or benefits on an hourly basis in addition to salary, or
- be treated as an hourly employee.

Charging Accruals

The Research Foundation's policy is that exempt employees charge leave in quarter days. Exempt status will not be affected by leave charges as long as the charges are not in hourly increments and the employee receives payment for that day.

An exempt employee who has no leave accruals should take one full day without pay or, if the time off is less than a full day, the employee is advised to call Research Foundation payroll at 632-6113 for guidance.

Part-time exempt employees charge accruals in quarter days based on their normal workday.

Vacation Leave

Eligibility

Salaried employees appointed at 50% effort or more are eligible to accrue vacation leave unless they are in one of the categories listed below:

1. Any employees during the first six months of their Research Foundation appointment. Upon completion of six months service, eligible employees will be credited with vacation accruals from the date of their appointment.
2. Hourly employees appointed July 1, 1993 or later.
3. Employees appointed for the summer only.
4. Employees in the student titles Research Project Assistant and Project Instructional Assistant.

To accrue vacation leave, an exempt employee must have been in pay status (that is, the employee must have been working, or on paid leave) for 50% or more of the work days during the calendar month.

Accrual Rates

Recognition of SUNY Service

SUNY full-time service will be recognized in establishing *accrual rates* when appointment to the Research Foundation occurs within 15 days of the termination of the SUNY appointment.

Full-time exempt employees accrue vacation leave credits for each month as indicated in the following table.

Part-time exempt employees accrue vacation leave on a pro-rata basis according to percentage of effort. For example, if employed at 75% effort, an employee will accrue at 75% of the full-time rate based on length of service.

<i>Vacation Accrual Monthly Rates and Yearly Totals for Eligible Full-Time Exempt Employees</i>		
<i>Months of Service</i>	<i>Vacation Accrual Per Month</i>	<i>Total Accrual Per Year</i>
0 - 24	1 ¼ days	15 days
25 - 36	1 ½ days	16 days
37 - 72	1 ½ days	18 days
73 - 84	1 ¾ days	20 days
85 +	1 ¾ days	21 days

Maximum Accrual and Carry-Over

Full-time exempt employees may accumulate in excess of 40 vacation days during a calendar year by combining current accruals with unused past accruals. However, no more than 40 vacation days may be carried over from calendar year to calendar year.

Part-time exempt employees may accumulate in excess of the full-time equivalent of 40 vacation days during a calendar year by combining current accruals with unused past accruals. However, no more than the full-time equivalent of 40 accrued vacation days may be carried over from calendar year to calendar year.

Termination of Employment

Upon termination of employment, exempt employees will receive payment for unused credited vacation leave up to a maximum of the full-time equivalent of 30 days. This payment will be made from the fringe benefits pool.

Sick Leave

Eligibility

Salaried employees appointed at 50% effort or more are eligible to accrue sick leave unless they are in one of the categories listed below:

1. Hourly employees appointed July 1, 1993 or later.
2. Employees appointed for the summer only.
3. Employees in the student titles Research Project Assistant and Project Instructional Assistant.

To accrue sick leave, the exempt employee must have been in pay status for 50% or more of the work days during the month.

Accrual Rates

Recognition of SUNY Service

SUNY full-time service will be recognized in establishing accrual rates when appointment to the Research Foundation occurs within 15 days of the termination of the SUNY appointment.

Full-time employees accrue sick leave for each month during their employment as indicated in the table below.

Part-time employees accrue sick leave on a pro-rata basis according to percentage of effort. For example, if employed at 75% effort, an employee will accrue at 75% of the full-time rate based on length of service.

<i>Sick Leave Accrual Monthly Rates and Yearly Totals for Eligible Full-Time Exempt Employees</i>		
<i>Months of Service</i>	<i>Sick Leave Accrual Per Month</i>	<i>Total Accrual Per Year</i>
0 - 24	1 ¼ days	15 days
25 - 36	1 ½ days	16 days
37 - 72	1 ½ days	18 days
73 - 84	1 ¾ days	20 days
85 +	1 ¾ days	21 days

Maximum Accrual and Carry-Over

Full-time employees may accumulate a maximum of 200 sick days by combining current and unused past accruals. That amount may be carried over from calendar year to calendar year.

Part-time employees may accumulate a maximum of the full-time equivalent of 200 sick days during a calendar year, by combining current accruals with unused past accruals. That amount may be carried over from calendar year to calendar year.

Personal Leave

Exempt employees are not eligible for personal leave.

Compensatory Time

Exempt employees are not eligible to earn compensatory time.

Termination of Employment

No payment is made for unused sick leave upon termination of employment. However, upon retirement at age 55 or older, an employee with at least 10 continuous years of equivalent full-time service will be credited with a retirement contribution based on the value of accrued sick leave at the time of retirement to a maximum of the full-time equivalent of 165 days.

Non-Exempt Employees

Definition of Non-Exempt Status

Non-exempt employees are subject to the provisions of the Fair Labor Standards Act and will earn overtime pay if working more than 40 hours in any one week.

Charging Accruals

Non-exempt employees charge leave in quarter hour (15 minute) increments.

Vacation Leave

Eligibility

Salaried non-exempt employees appointed at 50% or more effort are eligible to accrue vacation leave unless they are in one of the categories listed below:

1. Hourly employees appointed July 1, 1993 or later.
2. Any employees during the first six months of their appointment. Upon completion of six months service, eligible employees will be credited with vacation accruals from the date of their appointment.
3. Employees appointed for the summer only.
4. Employees in the student titles Research Aide and Senior Research Aide.

To accrue vacation leave, a non-exempt employee must have been in pay status for 50% or more of the work days during the pay period.

Accrual Rates

Recognition of SUNY Service

SUNY full-time service will be recognized in establishing accrual rates when appointment to the Research Foundation occurs within 15 days of the termination of the SUNY appointment.

Full-time non-exempt employees accrue vacation leave credits as indicated in the following table. Note that employees with seven years or more of service accrue at a higher rate.

<i>Vacation Accrual Rates</i>		
<i>For Eligible Full-Time Non-Exempt Employees</i>		
	<i>Accruals Per Pay Period (pay period = two weeks)</i>	
<i>Number of Years Served</i>	<i>For Employees Working 37.5 Hours Per Week</i>	<i>For Employees Working 40 Hours Per Week</i>
Less than seven	3.75 hours (= ½ day)	4.00 hours (= ½ day)
Seven or more	5.75 hours	6.15 hours

Additional leave is credited on the employee's anniversary date as indicated in the table below.

<i>Additional Vacation Leave Credited to Eligible Full-Time Non-Exempt Employees on Anniversary Date</i>	
Months of Service Completed	Additional Leave Credits
12	1 day
24	2 days
36	3 days
48	4 days
60	5 days
72	6 days
84	7 days
More than 84	Additional leave is no longer credited

Part-time employees accrue vacation leave on a pro-rata basis according to percentage of effort. For example, if employed at 75% effort, an employee will accrue at 75% of the full-time rate based on length of service.

<i>Non-Exempt Employees Vacation Leave Accruals Per Pay Period in Hours</i>				
Level of effort (Full-time = 100%)	<i>For Employees with 0-6 Years Service Completed</i>		<i>For Employees with 7 years Service or Greater Completed</i>	
	Standard	Standard	Standard	Standard
	37.5 Hr.	40 Hr.	37.5 Hr.	40 Hr.
	Week	Week	Week	Week
100%	3.75	4.00	5.75	6.15
95%	3.56	3.80	5.46	5.84
90%	3.38	3.60	5.18	5.54
85%	3.19	3.40	4.89	5.23
80%	3.00	3.20	4.60	4.92
75%	2.81	3.00	4.31	4.61
70%	2.63	2.80	4.03	4.31
65%	2.44	2.60	3.74	4.00
60%	2.25	2.40	3.45	3.69
55%	2.06	2.20	3.16	3.38
50%	1.88	2.00	2.88	3.08

Maximum Accrual and Carry-Over

Full-time non-exempt employees may accumulate in excess of 40 vacation days during a calendar year, by combining current accruals with unused past

accruals. However, no more than 40 accrued vacation days may be carried over from calendar year to calendar year.

Part-time non-exempt employees may accumulate in excess of the full-time equivalent of 40 vacation days during a calendar year, by combining current accruals with unused past accruals. However, no more than the full time equivalent of 40 accrued vacation days may be carried over from calendar year to calendar year.

Termination of Employment

Upon termination of employment, employees will receive payment for unused credited vacation leave up to a maximum of the full-time equivalent of 30 days. This payment will be made from the fringe benefits pool.

Sick Leave

Eligibility

Salaried employees appointed at 50% effort or more are eligible to accrue sick leave unless they are in one of the categories listed below:

1. Hourly employees appointed July 1, 1993 or later.
2. Employees appointed for the summer only.
3. Employees in the student titles Research Project Assistant and Project Instructional Assistant.

To accrue sick leave, the non-exempt employee must have been in pay status for 50% or more of the work days during the pay period.

Accrual Rates

Full-time employees accrue sick leave credits as indicated in the following table:

<i>Sick Leave Accrual Rates for Eligible Full-Time Non-Exempt Employees</i>	
<i>Length of Work Week</i>	<i>Accruals Per Pay Period</i> <i>(pay period = two weeks)</i>
37.5 hours	3.75 hours (=1/2 day)
40 hours	4.00 hours (=1/2 day)

Part-time employees accrue sick leave on a pro-rata basis according to percentage of effort. For example, if employed at 75% effort, an employee will accrue at 75% of the full-time rate based on length of service.

<i>Non-Exempt Employees Sick Leave Accruals Per Pay Period in Hours</i>		
<i>FTE 100%</i>	<i>Standard 37.5 Hour Week</i> <i>= .50 day</i>	<i>Standard 40 Hour Week</i> <i>= .50 day</i>
100%	3.75	4.00
95%	3.56	3.80
90%	3.38	3.60
85%	3.19	3.40
80%	3.00	3.20
75%	2.81	3.00
70%	2.63	2.80
65%	2.44	2.60
60%	2.25	2.40
55%	2.06	2.20
50%	1.88	2.00

Maximum Accrual and Carry-Over

Full-time employees may accumulate a maximum of 200 sick days by combining current and unused past accruals. That amount may be carried over from calendar year to calendar year.

Part-time employees may accumulate a maximum of the full-time equivalent of 200 sick days during a calendar year, by combining current accruals with unused past accruals. That amount may be carried over from calendar year to calendar year.

Termination of Employment

No payment is made for unused sick leave upon termination of employment. However, upon retirement at age 55 or older, an employee with at least 10 continuous years of equivalent full-time service will be credited with a retirement contribution based on the value of accrued sick leave at the time of retirement to a maximum of the full-time equivalent of 165 days.

Personal Leave

Non-exempt employees who are salaried and who are appointed at 50% effort or more are eligible for credited personal leave unless they are in one of the categories listed below:

1. Hourly employees appointed July 1, 1993 or later.
- 2.- Employees appointed for the summer only.
- 3.- Employees in the non-exempt student titles Research Aide and Senior Research Aide.

Rate

Eligible **full-time** non-exempt employees will receive five days personal leave on their hire date and each subsequent anniversary date. Unused personal leave from the previous anniversary year will not be carried over.

Eligible **part-time** non-exempt employees will receive a pro-rated number of days personal leave on their anniversary date each year; for example, if employed at 75%, the number of personal leave days is 3.75 each year. Unused personal leave from the previous anniversary year will not be carried over.

No Payment is made for unused personal leave at termination of employment.

Compensatory Time

Non-exempt employees who work a 37.5 hour week earn compensatory time for the hours worked between 37.5 and 40 each week.

Payment will be made for unused compensatory time at termination of employment. This payment is charged to the grant(s) from which the individual is paid.

Holidays

The following legal holidays are currently observed by the Research Foundation:

New Year's Day	Labor Day
Martin Luther King, Jr. Day	Columbus Day
Lincoln's Birthday	Election Day
Washington's Birthday	Veteran's Day
Memorial Day	Thanksgiving Day
Independence Day	Christmas Day

Each year, employees will be given a holiday schedule indicating the dates of observance.

A full-time employee, regardless of his or her work schedule, will receive holiday leave for all holidays whether the employee is scheduled to work that day or not. The maximum holiday leave credited will be 7.5 hours for a 37.5 hour work week or 8 hours for a 40 hour work week.

A **full-time** employee who takes leave on a holiday will receive a full day's pay. If the employee works on a holiday, he or she will earn the holiday.

A **part-time** employee must have a work schedule on file with Human Resource Services to be eligible for holiday leave.

A **part-time** employee receives holiday leave for only those holidays that fall on a day that the employee is regularly scheduled to work or that are designated as floating holidays that fall on a Saturday or a Sunday. However, if a holiday that falls on a workday is designated as a floating holiday (e.g. Election Day), the employee must be scheduled to work that day in order to earn the floating holiday.

A **part-time** employee who takes leave on a holiday will receive pay for the hours he or she is scheduled to work. If the employee works on the holiday he or she will be paid the straight time rate.

A **part-time** employee's work schedule should not be arbitrarily changed prior to a Research Foundation holiday to deprive the employee of holiday pay or to provide additional pay inconsistent with the work schedule followed prior to the holiday.

Use of holiday leave should have advance approval. The manager or supervisor should not unreasonably withhold use of holiday leave and should encourage employees to use this leave within a reasonable period of time (for example, within one calendar year).

Holiday leave, if not used before termination of employment, will be lost.

Accrual Use for Exempt and Non-Exempt Employees

Vacation Leave

The Research Foundation recommends that each employee be encouraged to take vacation leave for rest and relaxation during the year, if accrued credits are available.

An employee may not take vacation leave until it is accrued.

Vacation leave may be used at any time during the calendar year. It must be requested in advance by the employee, and approved by the individual responsible for approving the employee's leave usage.

An employee may use accrued vacation or personal leave to supplement Research Foundation disability benefits, up to the equivalent of the employee's regular salary.

Sick Leave

The primary purpose of sick leave is to provide a reasonable measure of protection against loss of income due to illness or disability.

Whenever possible, an employee absent on sick leave should personally notify his or her supervisor within a half-hour of his or her normal starting time. *An employee absent on sick leave for five (5) or more consecutive days is required, before returning to work, to give his or her supervisor a medical certificate filled out by a physician. This should be attached to the next time-sheet submitted.*

In addition to personal illness, sick leave **may be charged** under the following circumstances **with prior supervisory approval**:

Doctor/Dentist Appointments: Employees are encouraged to schedule medical appointments during non-working time. However, if an appointment must be scheduled during the work day, sick leave may be charged.

Bereavement/Family Illness

An employee may charge up to fifteen (15) days accrued sick leave per calendar year for the death or illness of an immediate family member. After 5 days absent, a doctor's note is needed. Immediate family is defined as parent, child, spouse, sibling, parent-in-law, grandparent, grandchild or any person with whom the employee makes his or her home.

Personal Leave

Employees eligible for personal leave should use this leave to attend to pressing personal business and other similar circumstances, such as medical appointments, banking, meetings with attorneys, that cannot be taken care of except during normal working hours. Advance supervisory approval is needed,

except in emergency situations. The Research Foundation does not require an employee to give a reason for the use of personal leave.

An employee may use accrued vacation or personal leave to supplement disability benefits up to the equivalent of the employee's regular salary.

Compensatory Time

This may be used as leave with advance supervisory approval. Individuals will be paid for unused compensatory time at termination of employment. The payment is charged to the grant(s) from which the individual is paid.

Leaves for Exempt and Non-Exempt Employees

Duration of Leave

An employee cannot be approved for any leave, paid or unpaid, past his or her current period of appointment, with the exception of military leave.

Leave With Pay: Jury Duty

The Foundation recognizes that jury duty is a civic obligation of all citizens. Research Foundation employees will receive the necessary time off with full pay to fulfill that obligation. Documentation, such as a jury duty voucher, and advance notice of service are required.

The employee is expected to report to work on days when his or her attendance in court is not required. If an employee is not required to attend a full day in court, the employee is expected to report for work before or after court attendance or charge the time not in court to accrued leave (excluding sick leave).

Leave With Pay: Court Appearances on Behalf of the Research Foundation

If an employee is appearing in court on the behalf or at the request of the Research Foundation, that employee will receive the necessary time off with full pay. If an employee is an expert witness, a party to the action (plaintiff/defendant), or a subpoenaed or otherwise ordered witness, *she or he is not eligible for paid jury duty leave* but may charge accrued leave (excluding sick leave) for the absence.

Leave Without Pay: Disability

An employee unable to work because of illness or injury who is eligible for benefits under New York State Disability Law and who has exhausted sick leave credits will be placed on disability leave without pay.

Medical certification will be required for the disability leave.

An employee may use accrued vacation or personal leave to supplement disability income up to the equivalent of the employee's regular salary.

An employee returning from disability leave will be reinstated to his or her former position or appointed to a comparable position dependent upon the availability of work and funds.

Employees considering leaves for family or medical reasons are urged to call the Benefits Section of Human Resource Services at 2-6164 for guidance.

Leave Under the Federal Family and Medical Leave Act

This law allows eligible employees to be granted up to 12 weeks of unpaid leave in a 12-month period for certain family and medical reasons. This leave may be granted for full-time periods, a reduced work week, or intermittent periods based on qualifying circumstances. During approved FMLA leave, employees may choose to use accruals to remain on the payroll. Eligible employees must have a total of 12 months of employment with the Research Foundation and have worked at least 1,250 hours in the 12 months preceding the leave.

Family leave may be granted for the birth or adoption of a child, or the placement for foster care.

Medical leave may be granted for a serious health condition of the employee, a parent, a child under age 18, or a spouse.

"Serious health condition" means an illness, injury, impairment, or physical or mental condition that involves either: any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility, and any period of incapacity or subsequent treatment in connection with such inpatient care; or continuing treatment by a health care provider which includes any period of incapacity (i.e., inability to work, attend school, or perform other regular daily activities) due to:

- A health condition (including treatment for or recovery from) lasting more than three consecutive days, and any subsequent treatment or period of incapacity relating to the same condition, that also includes: treatment two or more times by a health care provider; or one treatment by a health care provider with a continuing regimen of treatment or
- Pregnancy or prenatal care; certain chronic serious health conditions; certain permanent or long-term conditions; or absences for a condition which would likely result in a period of incapacity of more than three days if not treated (i.e., chemotherapy treatments for cancer).

During the leave, health, vision, and dental benefits will be provided on the same basis as before the leave. If the leave is unpaid, the employee must pay the full premium. At the conclusion of the leave, the employee will be

reinstated to his or her same position or to the equivalent in salary, rank hours, and seniority.

When the need for leave is foreseeable, the employee must provide a written request to Human Resource Services/Benefits, with a copy to their department supervisor, at least 30 days in advance. When the need for leave is unforeseeable, the employee must provide at least verbal notice to Human Resource Services/Benefits and their department supervisor within two business days of learning of the need. Upon receipt of the request or notice, Human Resource Services/Benefits will provide the required application forms, which must be completed and returned by a specified due date.

Other leave benefits already available to individuals will be coordinated and run concurrently with the provisions of FMLA, and will only be supplemented where FMLA provides additional benefits.

Leave Without Pay: Child Care

Employees, regardless of gender, are entitled to leave without pay for child care for up to six months immediately following the date of delivery or adoption. Leave cannot extend beyond the period of appointment. *The leave period includes the period of medical disability following childbirth.* At the employee's discretion, paid leave, such as vacation or personal leave, may be charged on request; however, this leave cannot be used to extend the duration of child care leave. An employee who wishes to return from leave before his or her stated return date must be allowed to do so.

An employee returning from child care leave will be reinstated to his or her former position or appointed to a comparable position dependent upon the availability of work and funds.

Leave Without Pay: Military

A Research Foundation employee who is called to report to military duty will be placed on leave without pay for the duration of active duty. The employee must submit a copy of orders to his or her manager.

Upon separation from military service, an employee will be entitled to re-employment by the Foundation provided the employee seeks reinstatement within ninety (90) days of discharge or release from active duty. The employee must be reinstated to his or her former position or a comparable position.

Accruals for vacation and sick leave will be discontinued for the duration of the leave. Upon returning from military leave, time served will be credited as years of service when calculating accrual rates.

BENEFITS - QUESTIONS AND ANSWERS

Question: Will my Research Foundation health insurance continue?

Answer: For periods of approved military leave, your Health, Dental, and Vision Care coverage in effect at the time of the leave may be continued for up to 18 months.

Question: Will my health insurance continue for my dependents?

Answer: For periods of approved military leave, if you had family coverage in effect at the time of the leave, your dependents will continue to have health coverage for up to 18 months.

Question: Will my life insurance be in effect, while on Military Leave?

Answer: Your Life Insurance coverage in effect at the time of leave may be continued for up to 1 year. You will have to pay the full premium.
*Please note: this does not apply to graduate student employees.

HOW MUCH WILL MY BENEFITS COST ME?

Benefit	Time Period	Cost (Rate)
Health, Dental, Vision Care Coverage	1st 12 weeks of Military Leave	Pay the same share of the premium as an active employee
Health, Dental, Vision Care Coverage	13th –52nd week Military Leave	Full premium rate listed for Leave Of Absence
Health, Dental, Vision Care Coverage	53rd Week and the next 6 months Military Leave	The COBRA Premium rate (100% + 2% administrative
Basic Life(AD&D), Optional Life (AD&D)	Continued for up to 1 year, provided premium is paid	Full premium amount

MILITARY LEAVE - QUESTIONS AND ANSWERS

1. Who should I contact when I get notified of Military duty?

You should notify your Department Head/Supervisor immediately.

2. What documentation do I need to provide and to whom?

A copy of the military orders must be submitted to your Department Head/Supervisor and attached to the first time sheet reflecting military absence.

3. How should my Supervisor complete my time sheet?

Supervisors should indicate absences on time sheets noting "Military Leave."

4. How much time does The Research Foundation provide for Military Leave in a calendar year?

New York Military Law provides 30 calendar days or 22 workdays (whichever is greater) of paid leave for employees activated for military service, during any one calendar year or any continuous period of ordered military service.

5. Can I charge my leave accruals after I have exhausted Military Leave in order to continue being paid?

Yes, when you have exhausted military leave you may use accrued vacation, holiday, or personal leave credit, or be put on leave without pay for the period of military duty. Please note: the Fair Labor Standards Act (FLSA) does not allow salary reductions of less than a full workweek for exempt employees who are called to military duty. An exempt employee who has no appropriate leave accruals must be advanced appropriate leave so the absence of less than one week is paid in full.

6. Do I earn leave accruals while on Military Leave?

Accruals for vacation and sick leave are discontinued for the duration of unpaid leave. However, length of service during military leave will be credited for the purpose of determining accrual rates.

7. Once I have completed Military Service can I return to my former position?

Yes, under the Uniformed Services Employment and Reemployment Rights Act (USERRA) of 1994, an employee is entitled to re-employment by the Research Foundation upon separation from military service, provided that employee:

- was honorably discharged or terminated from service.
- was employed in a position for which there was an expectation of continued employment.
- has not been absent for duty in the uniformed services for longer than a cumulative period of five years.
- reported to work or notified his or her supervisor of an intention to return to work at the proper time, as indicated in the following table:

Period of Service	Action Employee Must Take	When Action Must Be Taken
1 – 30 days	Report to work	On the next regular work day
31 – 180 days	Notify his or her supervisor of the employee’s intent to return to work	Within 14 days
181 + days	Notify his or her supervisor of the employee’s intent to return to work	Within 90 days

Leave Without Pay: Reserve Duty

An employee who is a member of a reserve branch of the United States Armed Forces, or a member of the National Guard, will be granted up to thirty (30) calendar days leave without pay for attendance at required military training camp. An employee ordered to attend regular military training camp must present his or her manager with a copy of orders. By law, the employee cannot be required to give advance notice.

Accruals for vacation and sick leave will be discontinued during the leave.

Leave Without Pay: Other Leaves

An employee may request other leave without pay. Requests for leave must be in writing. The leave may be granted for up to one year but may not extend beyond the employee’s appointment period.

When an employee is granted leave without pay, she or he will receive a letter from Human Resource Services with the following information:

- effective date of leave
- termination date of leave,
- what is expected during and at the end of the leave period, and
- the employee’s obligation to return after leave.

It is the employee’s responsibility to notify his or her manager of any changes in the employee’s leave status, thirty (30) days before the termination date of the leave. An employee who wishes to return from leave before his or her stated return date must be allowed to do so.

An employee will not, during the leave, accrue vacation or sick leave. An employee returning from leave will be reinstated to his or her former position or appointed to a comparable position dependent upon the availability of work and funds.

Break In Service

Unused accrued sick leave will be restored to an employee who is reinstated with less than a one year break in service.

A retired employee who has decided to return to the Research Foundation within one year will have accrued sick leave restored, except for the 165 days on which a pension contribution was made.

Employees who leave the Research Foundation payroll or who drop from eligible status and return to eligible status within one year do not incur a break in service for the purpose of establishing leave accrual rates.

Eligible status is 50% or more of a 37.5 or 40 hour work week.

Dual Status

When a Research Foundation employee also has a SUNY appointment, only the Research Foundation appointment is considered for Research Foundation accrual eligibility and use. (Example: If the appointment is 75% FTE on SUNY and 25% FTE on Research Foundation, the employee will not accrue under Research Foundation policy).

Change in Percentage of Time

An employee whose percentage of time changes, or who changes from part time to full time, or vice versa, will maintain his or her accrual balances. As of the beginning of the next pay period after the effective date of the change, accruals will be earned at the appropriate new rate.

Change in Exempt Status

An employee whose status changes from nonexempt to exempt, or vice versa, will maintain his or her accrual balances. As of the beginning of the next pay period after the effective date of the change, accruals will be earned at the appropriate new rate.

Employee Status

An employee whose status changes from nonexempt to exempt will retain and may use his or her personal leave, but the employee will not be credited with additional leave upon his or her next anniversary date.

Change in Accrual Status

An employee going from a non-accruing position (includes student employees) to an accruing position will have his or her length of service credited when determining his or her accrual rate. The employee will not be required to observe the six month waiting period for vacation accrual use if the employee has been employed by the Research Foundation for at least six months.

An employee going from an accruing position to a non-accruing position will cease to accrue, but will maintain his or her accrual balances. If the employee becomes a fellow or a student and cannot charge accrued vacation leave, then the employee will be paid for that time.

Funding Sick Leave

If an employee is on paid sick leave for more than thirty consecutive calendar days, it is Research Foundation policy that payments to the employee for sick leave taken on the thirty-first day and thereafter should be charged to the Research Foundation's fringe benefit pool rather than the grant to which the employee was appointed.

Payment for Unused Vacation Leave

Payment for unused accrued vacation leave up to 30 days is to be made to employees who:

- actually terminate on all Research Foundation grants, or
- are reassigned to a non-accruing position where leave cannot be used, or
- transfer from operating location to operating location, unless the employee requests that the accrued vacation leave be transferred.

Payment will be made from the Research Foundation's fringe benefit pool.

Payment should not be made if a person is on leave-of-absence or if reappointment is contemplated or will occur within one pay period following termination.

NOTE: Requests for vacation payments at termination must be supported by an Employee Change Form (F640 - 890).

Transfers

An employee who transfers between operating locations will retain unused accrued sick leave, holiday leave, and unused personal leave (where applicable).

Unused accrued vacation time up to 30 days will be paid to an employee transferring between operating locations. However, this time may be transferred upon written request of the employee.

An employee who transfers between operating locations will be paid for compensatory time prior to the transfer. This time will not be transferred.

This publication can be made available in alternative format upon request.

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