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 Standard 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 632-6162 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 employee 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 summer only.
4. Employees in any student title.
To accrue vacation leave, an 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 bi-weekly 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 78% effort, an employee will accrue at 75% of the full-time rate based on length of service.

<table>
<thead>
<tr>
<th>Months of service</th>
<th>Vacation Accrual Per Bi-Weekly</th>
<th>Total Accrual Per Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-24</td>
<td>.615 days</td>
<td>16 days</td>
</tr>
<tr>
<td>25 - 36</td>
<td>.654 days</td>
<td>17 days</td>
</tr>
<tr>
<td>37 - 72</td>
<td>.731 days</td>
<td>19 days</td>
</tr>
<tr>
<td>73 - 84</td>
<td>.808 days</td>
<td>21 days</td>
</tr>
<tr>
<td>85 +</td>
<td>.846 days</td>
<td>22 days</td>
</tr>
</tbody>
</table>

**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 of 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 any student title.

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

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 SUNY appointment.

Full-time employees accrue sick leave for each bi-weekly 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.

<table>
<thead>
<tr>
<th>Sick Leave Accrual Monthly Rates and Yearly Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Eligible Full-Time Exempt Employees</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Months of Service</th>
<th>Vacation Accrual Per Bi-Weekly</th>
<th>Total Accrual Per Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-24</td>
<td>.577 days</td>
<td>15 days</td>
</tr>
<tr>
<td>25 - 36</td>
<td>.615 days</td>
<td>16 days</td>
</tr>
<tr>
<td>37 - 72</td>
<td>.692 days</td>
<td>18 days</td>
</tr>
<tr>
<td>73 - 84</td>
<td>.769 days</td>
<td>20 days</td>
</tr>
<tr>
<td>85 +</td>
<td>.808 days</td>
<td>21 days</td>
</tr>
</tbody>
</table>
**Maximum Accrual and Carry-Over**

**Full-time** employees may accumulate in excess of 200 sick days during a calendar year by combining current and unused past accruals. However, no more than 200 sick days 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 for compensatory leave.

**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 200 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 of 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 any student title.

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.

<table>
<thead>
<tr>
<th>Number of years served</th>
<th>For Employees Working 37.5 Hours Per Week</th>
<th>For Employees Working 40 Hours Per Week</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than Seven</td>
<td>3.75 hours = ½ day</td>
<td>4.00 hours (~ ½ day)</td>
</tr>
<tr>
<td>Seven or more</td>
<td>5.75 hours</td>
<td>6.15 hours</td>
</tr>
</tbody>
</table>
Additional leave is credited on the employee’s anniversary date as indicated in the table below:

### Additional Vacation Leave Credited to Eligible Full-Time Non-Exempt Employees on Anniversary Date

<table>
<thead>
<tr>
<th>Months of Service Completed</th>
<th>Additional Leave Credits</th>
</tr>
</thead>
<tbody>
<tr>
<td>12</td>
<td>1 day</td>
</tr>
<tr>
<td>24</td>
<td>2 days</td>
</tr>
<tr>
<td>36</td>
<td>3 days</td>
</tr>
<tr>
<td>48</td>
<td>4 days</td>
</tr>
<tr>
<td>60</td>
<td>5 days</td>
</tr>
<tr>
<td>72</td>
<td>6 days</td>
</tr>
<tr>
<td>84</td>
<td>7 days</td>
</tr>
<tr>
<td>More than 84</td>
<td>Additional Leave is no longer credited</td>
</tr>
</tbody>
</table>

**Part-time** employees accrue vacation leave on a pro-rata basis according to percentage of effort. For example, if employed at 78% effort, an employee will accrue at 75% of the full-time rate based on length of service.

### Additional Vacation Leave Credited to Eligible Full-Time Non-Exempt Employees on Anniversary Date

<table>
<thead>
<tr>
<th>Level of effort</th>
<th>For Employees with 0-6 Years of Service Completed</th>
<th>For Employees with 7 years of Service or Greater</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full-time = 100%</td>
<td>37.5 Hr. Week</td>
<td>40 Hr. Week</td>
</tr>
<tr>
<td>100%</td>
<td>3.75</td>
<td>4.0</td>
</tr>
<tr>
<td>95%</td>
<td>3.56</td>
<td>3.80</td>
</tr>
<tr>
<td>90%</td>
<td>3.38</td>
<td>3.6</td>
</tr>
<tr>
<td>85%</td>
<td>3.19</td>
<td>3.40</td>
</tr>
<tr>
<td>80%</td>
<td>3.0</td>
<td>3.2</td>
</tr>
<tr>
<td>75%</td>
<td>2.81</td>
<td>3.0</td>
</tr>
<tr>
<td>70%</td>
<td>2.63</td>
<td>2.80</td>
</tr>
<tr>
<td>65%</td>
<td>2.44</td>
<td>2.60</td>
</tr>
<tr>
<td>60%</td>
<td>2.25</td>
<td>2.40</td>
</tr>
<tr>
<td>55%</td>
<td>2.06</td>
<td>2.20</td>
</tr>
<tr>
<td>50%</td>
<td>1.88</td>
<td>2.00</td>
</tr>
</tbody>
</table>

*Non-exempt employees-8*
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 leave unless they are in one of the categories listed below:
1. Hourly employees appointed July 1, 1993 or later.
2. Employees appointed for summer only
3. Employees in any of the student titles.

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

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

<table>
<thead>
<tr>
<th>Length of work week</th>
<th>Accruals Per Pay Period (pay period = 2 weeks)</th>
</tr>
</thead>
<tbody>
<tr>
<td>37.5 hours</td>
<td>3.75 hours (~ ½ day)</td>
</tr>
<tr>
<td>40 hours</td>
<td>4.00 hours (~ ½ day)</td>
</tr>
</tbody>
</table>

Part-Time employees accrue sick time 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.

Non-Exempt Employees Sick Leave Accruals Per Pay Period in Hours

<table>
<thead>
<tr>
<th>FTE 100%</th>
<th>Standard 37.5 Hour Week</th>
<th>Standard 40 Hour Week</th>
</tr>
</thead>
<tbody>
<tr>
<td>100%</td>
<td>3.75</td>
<td>4.00</td>
</tr>
<tr>
<td>95%</td>
<td>3.56</td>
<td>3.80</td>
</tr>
<tr>
<td>90%</td>
<td>3.38</td>
<td>3.60</td>
</tr>
<tr>
<td>85%</td>
<td>3.19</td>
<td>3.40</td>
</tr>
<tr>
<td>80%</td>
<td>3.0</td>
<td>3.20</td>
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<tr>
<td>75%</td>
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<tr>
<td>65%</td>
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<tr>
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<tr>
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<td>2.06</td>
<td>2.20</td>
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<tr>
<td>50%</td>
<td>1.88</td>
<td>2.00</td>
</tr>
</tbody>
</table>
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 the 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 a value of accrued sick leave at the time of retirement to a maximum of the full time equivalent of 200 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 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 Aid and Senior Research Aid.

**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 (Paid time off in lieu of wages)

Non-exempt employees who work a 37.5 hour week earn compensatory time for 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 Years 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 dates of observance.

A full-time employee, regardless of his or her work schedule, will receive holiday leave for all holidays weather 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 the Research Foundation payroll office to be eligible for holiday leave.

A part-time employee receives holiday leave for 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 the holiday pay or to provide additional pay inconsistent with the work schedule followed prior to the holiday.

Use of holiday leave should have advanced 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 who is absent on sick leave for five (5) or more consecutive days is required, when returning to work, to send his or her doctor’s note to their Payroll Specialist in Research Foundation Payroll. This doctor’s note should NOT be attached to their time-sheet.

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. Immediate family is defined a 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 Research 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 is 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 to 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 of 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 2-6180 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 charge lost time (not for full-time periods, that would be unpaid leave) or may charge 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 1250 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 serious health conditions requiring inpatient or continuing outpatient care for the employee, a parent, a child under 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 impairment 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 healthcare 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 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 former 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 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 childcare 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?

<table>
<thead>
<tr>
<th>Benefit</th>
<th>Time Period</th>
<th>Cost (Rate)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Health, Dental, Vision Care</td>
<td>1st - 12 weeks of Military Leave</td>
<td>Pay the same share of the Premium as an active employee</td>
</tr>
<tr>
<td>Health, Dental, Vision Care</td>
<td>13th - 52nd week Military Leave</td>
<td>Full Premium rate listed For Leave Of Absence</td>
</tr>
<tr>
<td>Health, Dental, Vision Care</td>
<td>53rd Week and the next 6 Months Military Leave</td>
<td>The COBRA Premium rate (100% + 2% administrative)</td>
</tr>
<tr>
<td>Basic Life (AD&amp;D), Optional</td>
<td>Continued for up to 1 year,</td>
<td>Full premium amount</td>
</tr>
<tr>
<td>Life (AD&amp;D)</td>
<td>Provided premium is paid</td>
<td></td>
</tr>
</tbody>
</table>

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 not appropriate leave accruals must be absence 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:

<table>
<thead>
<tr>
<th>Period of Service</th>
<th>Action employee must take</th>
<th>When Action Must Be Taken</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-30 days</td>
<td>Report to work</td>
<td>On the next regular work day</td>
</tr>
<tr>
<td>31-180 days</td>
<td>Notify his or her supervisor of the Employee’s intent to return to work</td>
<td>Within 14 days</td>
</tr>
<tr>
<td>181 + days</td>
<td>Notify his or her supervisor of the Employee’s intent to return to work</td>
<td>Within 90 days</td>
</tr>
</tbody>
</table>

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 the University Human Resources 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 form 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 & Vacation**

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

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

Eligible status is 50% or more of the 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 in SUNY and 25% 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 non-exempt 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 non-exempt 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 (30) 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 (HAFRM007).

Transfers
An employee who transfers between operating locations will retain unused accrued sick leave, holiday 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.