

WINTHROP UNIVERSITY ANNUAL LEAVE POLICY

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A. Intent of Policy

It is the intent of this policy to communicate how Winthrop University employees assigned to permanent positions shall earn and use annual leave credits in accordance with the provisions of the State “Annual Leave Act,” as amended, the State Human Resources Regulations.

In addition to leave with pay for vacation purposes, annual leave may be used on those occasions when an employee must be away from work due to a family emergency or to conduct personal business which cannot be conducted outside the employee’s normal working hours. All employees are encouraged to maintain a reserve equal to a few days of annual leave credits to provide for these occasions.

B. Applicability

The provisions set forth below apply to all employees assigned to established classified positions and to those assigned to unclassified positions who are scheduled to work 12 months per year. The vacation periods for faculty members, and others assigned to unclassified positions who are employed less than 12 months per year, have been incorporated into the academic calendar.

C. Earning and Using Annual Leave

1. Annual Leave is earned by and granted to:
 - a. all leave eligible full-time employees, and
 - b. on a prorated basis, all leave eligible part-time employees who are scheduled to work at least 20 hours per week.
2. Temporary employees and employees scheduled to work less than 20 hours per week do not earn annual leave credits.
3. In order to earn annual leave credits, the employee must be in paid status for one-half or more of the working days in the month.

4. Earning Rates

- a. Full-time employees on a 37.5 hour workweek schedule with less than 10 years of state service earn annual leave at the rate of 9.38 hours per month.
- b. Full-time employees on a 40 hour workweek schedule with less than 10 years of state service earn annual leave at the rate of 10 hours per month.
- c. Full-time employees on a five day per week work schedule who have completed more than 10 years of state service earn a bonus of one and ¼ workdays of annual leave per year for each additional year of continuous service up through 22 years of service. (See charts below for bonus leave earnings for 37.5 hour workweek employees and for 40 hour workweek employees.)
- d. Earning rates for full-time employees who work schedules other than a five day per week work schedule of 37.5 or 40 hours per week will vary according to the length of the work day. If the work day differs from seven and 1/2 or eight hours, divide the number of hours in the work day by eight, then multiply this ratio by the earnings rate in the last column of Chart #2 below. All employees earn the number of days per year based on their years of service.

Chart # 1		
Five Days, 37.5 Hours Per Workweek Schedule		
YEARS OF SERVICE	DAYS EARNED PER YEAR	HOURS PER MONTH
1 – 10	15.00	9.38
11	16.25	10.16
12	17.50	10.94
13	18.75	11.72
14	20.00	12.50
15	21.25	13.28
16	22.50	14.06
17	23.75	14.84
18	25.00	15.62
19	26.25	16.40
20	27.50	17.19
21	28.75	17.97
22 & Over	30.00	18.75

Chart #2		
Five Days, 40 Hours Per Workweek Schedule		
YEARS OF SERVICE	DAYS EARNED PER YEAR	HOURS PER MONTH
1 – 10	15.00	10.00
11	16.25	10.83
12	17.50	11.67
13	18.75	12.50
14	20.00	13.33
15	21.25	14.17
16	22.50	15.00
17	23.75	15.83
18	25.00	16.67
19	26.25	17.50
20	27.50	18.33
21	28.75	19.17
22 & Over	30.00	20.00

- e. Part-time employees earn annual leave credits in accordance with the 40 hour per workweek schedule but on a prorated basis.
- f. Employees scheduled to work on a full-time basis but on a schedule of other than 37.5 or 40 hours per week will earn and use annual leave credits at a rate which will provide an equivalent amount of leave time.
- g. Former employees of South Carolina school districts are eligible to earn bonus annual leave as of October 1, 1994, based on employment which they may have had with SC school districts. It is the employee's responsibility to obtain a written statement, which includes beginning and ending dates of employment, from the school district(s) and to provide the statement to HR.
- h. The annual leave accrual date will be affected when the employee experiences a break in service.
- i. Annual leave taken is submitted on the web based portal each pay period in which annual leave is taken.
- j. In the event that leave taken by the employee is reported incorrectly, the employee's supervisor should return the submission to the employee for correction. If the leave has already been approved on the web portal, the supervisor should contact HR to request an adjustment to the employee's leave balance.

5. Maximum Carry Over

- a. Full-time employees earn and accrue annual leave credits each month. However, not more than 45 workdays of leave credits may be carried over from one calendar year to the next.
 - b. Part-time employees earn and accrue annual leave credits each month. However, not more than an amount which, on a prorated basis, would be the equivalent of 45 workdays for full-time employees may be carried over from one calendar year to the next.
6. The maximum number of annual leave hours which may be taken during the calendar year is 30 workdays for full-time employees or the proportional equivalent for part-time employees. Exceptions may be made under certain circumstances, including emergencies or serious health conditions. Contact the Office of Human Resources for additional information.

7. Requesting, Scheduling and Reporting Leave

- a. Except in the case of an emergency, all annual leave must be approved in advance by the employee's supervisor.
- b. An employee must obtain approval for leave from his/her immediate supervisor. The employee must specify the dates and times for which leave is requested.
- c. It is the responsibility of both the employee and the employee's supervisor to ensure that the employee has annual leave credits available which are equal to or greater than the amount of leave requested.
- d. Annual leave time should be charged to the nearest one-quarter hour for the actual time the employee is away from the job, and reported on the web based portal for each pay period in which annual leave is taken.
- e. Whenever possible, an employee's request for annual leave will be honored. However, the university reserves the right to limit the number of employees who may be absent from any given unit or department at any one time and to deny any leave request when the employee's absence would place an undue hardship on the department's operations.
- f. When a holiday is observed by the university during the period an employee is on annual leave, the employee will receive only his/her regular holiday pay

for that day and the day will not be charged against the employee's annual leave earnings.

D. Transfer of Annual Leave from one SC State Agency to another

1. When an employee transfers from one SC State Agency to another without a break in service, all annual leave credits are transferred with the employee from the losing agency to the gaining agency. Annual leave credits are not transferred with the employee when transferring between a school district and another SC State Agency.
 - a. Break in Service – In the event of one of the following occurrences, an employee has experienced a break in service and may not transfer annual leave credits to the gaining agency (unless a break in service extension has been approved in advance by the employee's agency head or the state human resources director). An employee may not receive payment for unused annual leave unless the employee has experienced a break in service:
 - The employee does not report to work with the gaining agency within 15 calendar days following the last day worked (or approved day of leave) at the losing agency.
 - The employee is moving from a permanent position to a non-FTE temporary grant position.
 - The losing agency paid out the employee's annual leave upon separation.
 - The employee has been in leave-without-pay status for a period of more than one calendar year.

Break in Service defined: An interruption of continuous State service. An employee experiences a break in State service when the employee either (1) separates from State service; (2) moves from one State agency to another and is not employed by the receiving agency within 15 calendar days following the last day worked (or approved day of leave at the transferring agency); (3) remains on leave for a period of more than 12 months; (4) separates from State service as a result of a reduction in force and is not recalled to the original position or reinstated with State government within 12 months of the effective date of the separation; (5) involuntarily separates from State service and the agency's decision is upheld by the State Employee Grievance Committee or by the courts; or (6) moves from a full-time equivalent (FTE) position to a temporary, temporary grant, or time-limited position.

E. Moving to another position within the university

1. In the event an employee transfers within the university from a position in which the employee earns leave under these provisions to a position in which the employee would not earn annual leave, the employee will be paid for unused annual leave and will retain his/her sick leave credits. The number of days for which the employee is to be paid shall not exceed 45 days for a full-time employees or the equivalent for part-time employees. The calculation of the amount of this payment will be based on the employee's final salary in the old position.
2. Annual leave cannot be transferred to or from temporary grant positions. An employee in a regular position who transfers to a grant position will receive an annual leave pay out as described below in paragraph "2." The language of the grant will specify whether or not – and the conditions under which – annual leave may be paid out to a temporary grant employee transferring to a regular position.

F. Payment for Annual Leave Credits Upon Termination

1. The leave credits to which a terminating employee is entitled will be determined as of the last day the employee actually works.
2. Upon termination from employment, payment for unused annual leave credits is determined under South Carolina law according to university policy and will be paid in a lump sum at the pay rate provided below, provided that the total of the days represented by the lump sum payment does not exceed 45 days for a full-time employee or the equivalent for a part-time employee.
 - a. Calculating Annual Leave Payout – An employee who works a regular 37.5 hour work week, as determined in the sole discretion of the university, shall have their annual leave payout computed by dividing the employee's annual salary by 1950 (average annual hours worked) to determine an hourly salary. An employee who works a regular 40 hour work week, as determined in the sole discretion of the university, shall have their annual leave payout computed by dividing the employee's annual salary by 2080 (average annual hours worked) to determine an hourly salary. The hourly salary will then be multiplied by the employee's unused annual leave earnings up to 45 days for a full-time employee or the equivalent for a part-time employee.
 - Example for an employee who works a regular 37.5 hour work week and is paid out for the maximum earnings of 45 days - \$20,000 annual salary divided by 1950 and multiplied by 337.5 hours = \$3,461.53

- Example for an employee who works a regular 40 hour work week and is paid out for the maximum earnings of 45 days - \$20,000 annual salary divided by 2080 and multiplied by 360 hours = \$3,461.53
 - Example for a 9-month employee, or an employee who works a regular 30 hour work week and is paid out for the maximum earnings of 45 days - \$20,000 annual salary divided by 1560 and multiplied by 270 = \$3,461.53
3. When an employee retires or in the event of an employee's death, a lump sum payment will be made for the employee's unused annual leave earnings up to 45 days for a full-time employee or the equivalent for a part-time employee.
 4. An employee beginning participation in the TERI program after June 30, 2005, will not receive payment for unused annual leave until after the employee terminates from state employment and ends participation in the TERI program.
 5. An employee who has retired and terminated from state employment and returns to work in a leave earning position may not receive a lump sum payment for unused annual leave credits upon termination.