

Regulation on Interpreting the Special Annual Leave Bonus Appropriations Act Provisions

- I. Purpose. This regulation provides the process for implementing special annual leave bonus (“bonus leave”) as appropriated by the General Assembly of North Carolina and in accordance with the State Budget Act, Chapter 143C of the North Carolina General Statutes. Summaries of the relevant Appropriations Act provisions applicable to bonus leave covered by this regulation are provided in Appendix A of this regulation.
- II. Eligibility. This regulation shall apply to the following university employees:
 - A. Senior academic and administrative officers as defined in Section 300.1.1 of the UNC Policy Manual.
 - B. Employees exempt from the State Human Resources Act (EHRA) as defined in Section 300.2.1 of the UNC Policy Manual.
 - C. The provisions of this regulation shall also apply to EHRA faculty who are eligible for annual leave unless a constituent institution adopts an alternative policy that complies with the relevant legislative provisions.
- III. Scheduling Bonus Leave
 - A. Bonus leave shall be taken consistent with the leave-approval process adopted or utilized by the constituent institution.
 - B. Bonus leave may be used for any purpose for which regular annual leave is used.
 - C. Bonus leave shall be charged in units of time consistent with regular annual leave guidelines.
 - D. The employee shall determine whether to charge approved leave to regular annual leave or bonus leave.
- IV. Accounting for Bonus Leave
 - A. Bonus leave shall be accounted for separately from regularly earned annual leave, but together with all of the bonus leave awarded under the statutory provisions referenced in Appendix A.
 - B. Any balance of bonus leave at the end of the reporting year will be retained by the employee and transferred into the next year, unless the legislation requires otherwise as noted in Appendix A. It will not be considered as part of the maximum 30 days of annual leave that can be retained.

- C. Bonus leave will not be subject to conversion to sick leave.
 - D. Bonus leave may be applied to negative balances of regular earned leave as authorized by the constituent institution's leave policies.
 - E. Bonus leave is available to be donated as annual leave under the Voluntary Shared Leave provisions, unless the legislation requires otherwise as noted in Appendix A.
- V. Transfer. Any balance of bonus leave will be transferred with the employee who transfers within the UNC System or to another state agency eligible for bonus leave, regardless of a constituent institution's policies regarding the transfer of leave.
- VI. Separation/Status Change. Bonus-leave balance will be paid in addition to regular annual leave if the employee leaves state government or changes to a non-leave earning status, unless the legislation requires otherwise as noted in Appendix A.
- VII. Other Matters
- A. Effective Date. The requirements of this regulation shall be effective on the date of adoption of this regulation by the president.
 - B. Relation to Federal and State Laws and Policies. The foregoing regulation as adopted by the president is meant to supplement, and does not purport to supplant or modify, those statutory enactments, regulations, and policies which may govern or relate to the subject matter of this regulation.

Appendix A

I. 2002 Appropriations Act, Part XXVIII., Salaries and Employee Benefits, Section 28.3A. Provisions and eligibility:

- A. Permanent full-time university employees who are eligible for annual leave as of September 30, 2002, shall receive 10 days as an annual bonus, hereafter referred to as "bonus leave." This includes employees separating on September 30, 2002.
- B. Full-time employees who are eligible for annual leave and who have other than 12-month appointments shall receive a pro rata amount of the 10 days.
- C. Permanent part-time employees (half-time or more) who are eligible for annual leave shall receive a pro rata amount of the 10 days.
- D. Employees on leave without pay shall be credited with the 10 days upon their return based on their type of appointment at the time of leave without pay.

II. 2003 Appropriations Act, Part XXX., Salaries and Employee Benefits, Section 30.12B. Provisions and eligibility:

- A. Permanent full-time university employees who are eligible for annual leave as of July 1, 2003, shall receive 10 days as an Annual Bonus, hereafter referred to as "bonus leave."
- B. Full-time employees who are eligible for annual leave and who have other than 12-month appointments shall receive a pro rata amount of the 10 days, based on the term of the appointment.
- C. Permanent part-time employees (half-time or more) who are eligible for annual leave shall receive a pro rata amount of the 10 days.
- D. Employees on leave without pay shall be credited with the 10 days upon their return based on their type of appointment at the time of leave without pay.

III. 2005 Appropriations Act, Part XXIX., Salaries and Employee Benefits, Section 29.14A. Provisions and eligibility:

- A. Permanent full-time university employees who are eligible for annual leave as of September 1, 2005, shall receive five days as an Annual Bonus, hereafter referred to as "bonus leave."
- B. Full-time employees who are eligible for annual leave and who have other than 12-month appointments shall receive a pro rata amount of the five days, based on the term of the appointment.
- C. Permanent part-time employees (half-time or more) who are eligible for annual leave shall receive a pro rata amount of the five days.

D. Employees on leave without pay shall be credited with the five days upon their return based on their type of appointment at the time of leave without pay.

IV. 2012 Appropriations Act Technical Corrections, Part V1-B, Salaries and Benefits, Section 6B.1. Provisions and eligibility:

A. Permanent full-time university employees who are eligible for annual leave as of July 1, 2012, shall receive five days as an annual bonus, hereafter referred to as "FY 13 Leave."

B. Full-time employees who are eligible for annual leave and who have other than 12-month appointments shall receive a pro rata amount of the five days, based on the term of the appointment.

C. Permanent part-time employees (half-time or more) who are eligible for annual leave shall receive a pro rata amount of the five days.

D. Employees on leave without pay shall be credited with the five days upon their return based on their type of appointment at the time of leave without pay.

E. The leave must be used by June 30, 2013, or it will be forfeited. It cannot be donated as Voluntary Shared Leave and cannot be paid out upon termination, except in the case of a separation due to retirement.

V. 2013 Appropriations Act, Part XXXV., Salaries and Benefits, Section 35.10C. Provisions and eligibility:

A. Permanent full-time university employees who are eligible for annual leave as of July 1, 2013, shall receive five days as an annual bonus, hereafter referred to as "FY14 Leave."

B. Full-time employees who are eligible for annual leave and who have other than 12-month appointments shall receive a pro rata amount of the five days, based on the term of the appointment.

C. Permanent part-time employees (half-time or more) who are eligible for annual leave shall receive a pro rata amount of the five days.

D. Employees on leave without pay shall be credited with the five days upon their return based on their type of appointment at the time of leave without pay.

E. The leave must be used by June 30, 2014, or it will be forfeited. It cannot be donated as Voluntary Shared Leave and cannot be paid out upon termination, except in the case of a separation due to retirement.

VI. 2014 Appropriations Act, Part XXXV., Salaries and Benefits, Section 35.10A. Provisions and eligibility:

A. Permanent full-time university employees who are eligible for annual leave as of September 1, 2014, shall receive five days as an annual bonus, hereafter referred to as "bonus leave."

B. Full-time employees who are eligible for annual leave and who have other than 12-month appointments shall receive a pro rata amount of the five days, based on the term of the appointment.

C. Permanent part-time employees (half-time or more) who are eligible for annual leave shall receive a pro rata amount of the five days.

D. Employees on leave without pay shall be credited with the five days upon their return based on their type of appointment at the time of leave without pay.

VII. 2017 Appropriations Act, Part XXXV., Salaries and Benefits, Section 35.18A. Provisions and eligibility:

A. Permanent full-time university employees who are eligible for annual leave as of July 1, 2017, shall receive three days as an annual bonus, hereafter referred to as "FY18."

B. Full-time employees who are eligible for annual leave and who have other than 12-month appointments shall receive a pro rata amount of the three days, based on the term of the appointment.

C. Permanent part-time employees (half-time or more) who are eligible for annual leave shall receive a pro rata amount of the three days.

D. Employees on leave without pay shall be credited with the three days upon their return based on their type of appointment at the time of leave without pay.

E. The leave does not expire, but shall remain available during the length of an employee's employment. It cannot be donated as Voluntary Shared Leave and cannot be paid out upon termination or retirement.

VIII. 2018 Appropriations Act, Part XXXV., Salaries and Benefits, Section 35.26. Provisions and eligibility:

A. Permanent full-time university employees who are eligible for annual leave as of July 1, 2018, shall receive five days as an annual bonus, hereafter referred to as "bonus leave."

B. Full-time employees who are eligible for annual leave and who have other than 12-month appointments shall receive a pro rata amount of the five days, based on the term of the appointment.

C. Permanent part-time employees (half-time or more) who are eligible for annual leave shall receive a pro rata amount of the five days.

D. Employees on leave without pay shall be credited with the five days upon their return based on their type of appointment at the time of leave without pay.

E. The leave does not expire, but shall remain available during the length of an employee's employment. It cannot be donated as Voluntary Shared Leave and cannot be paid out upon termination or retirement.

F. Any vacation leave remaining on December 31 of each year in excess of 30 days shall be reduced by the number of days awarded during the year, such that the calculation of annual (vacation) leave days that would have normally converted to sick leave, shall reflect a deduction of those days of special annual leave bonus awarded that were used by the employee during the year.

G. The number of special annual leave bonus days that carry forward each year shall equal the number of special annual leave bonus days remaining on December 31 of each year, plus the number of special annual leave bonus days that were deducted from vacation leave in excess of 30 days that would have normally converted to sick leave (S.L. 2018-145).

*Supersedes Section 300.2.9[R], originally adopted August 12, 2005, and last amended September 2, 2014.