

## Leave Programs for Faculty and Staff Exempt from the North Carolina Human Resources Act

### I. Holidays and Leave Entitlement

A. Holidays. Employees covered under this Policy shall be subject to the same State-prescribed paid holidays given to employees subject to the North Carolina Human Resources Act (SHRA).

### B. Annual Leave

1. Eligibility. The following employees are eligible under this policy for Annual Leave:

a. All permanent Senior Academic and Administrative Officers (SAAO) or Exempt Professional Staff (EPS) with appointments made before the effective date of the Personal Leave program established in I.C. below;

b. For employees covered in B.1.a. above, new SAAO and EPS appointments within the employee's same institution that are effective on or after the effective date of the Personal Leave program established in I.C. below; and

c. Employees who were in a position subject to the North Carolina Human Resources Act and who subsequently transfer or convert to an SAAO or EPS appointment within the same institution, provided the employee's original hire date at the institution was before the effective date of the Personal Leave program established in I.C. below.

2. Annual Accrual. A permanent full-time employee (1.00 FTE) in a position covered by this policy shall be entitled to accrue 24 workdays per year for Exempt Professional Staff and 26 workdays per year for Senior Academic and Administrative Officers.

3. Accrual Rate. Annual Leave is accrued at a monthly rate and is adjusted proportionately for permanent part-time employees who work halftime or more (0.50 - 0.99 FTE) as well as for permanent employees who are on a contract period of less than one year. The monthly accrual amount is equal to one-twelfth of the annual accrual. Monthly leave is earned when an employee works or is on approved paid leave at least half the working days of a month.

4. Leave Year Defined. An employing institution shall define a year as either "fiscal year" (July 1 - June 30) or "calendar year" (January 1 - December 31). Employing institutions that have previously defined a year as "contract year" may continue to do so.

5. Exception for Prior Higher Accrual Rate. With respect to an incumbent employee who earns more than 24 days of Annual Leave per year as of the date that this policy

becomes effective, or as of the date that an employee accepts a position subject to this policy, such employee shall be entitled to continue to earn leave at their current rate.

6. Annual Carryforward of Leave. The maximum number of unused days of Annual Leave that may be carried forward from one year to the next shall be 30 workdays. Annual Leave in excess of 30 workdays will be automatically converted to sick leave at the end of the calendar year.

7. Scheduling Leave. The scheduling of an employee's Annual Leave shall be subject to the approval of the employee's supervisor.

8. Advancement of Annual Leave. Subject to institutional policy and approval by the employee's supervisor, an employee may be advanced the amount of leave that can be accrued during the remainder of the defined leave year. If an employee separates from the employing institution and has taken more Annual Leave than has been accrued, the employing institution must determine the amount of leave that the employee must repay to the institution and make deductions from the employee's final salary check accordingly.

9. Transfer and payout of accrued Annual Leave. For new appointments within the same employing institution that are subject to this policy, all Annual Leave will transfer to the new appointment. Upon discontinuation of employment from the employing institution, or upon transfer to a position not subject to this policy, the employee's Annual Leave balance shall be paid out, up to a maximum of 30 workdays (pro-rated for part-time employees).

10. No employee may accrue both Personal Leave and Annual Leave simultaneously.

C. Personal Leave. The president shall set regulations for a Personal Leave program containing the following elements to be effective at a date determined by the president but no sooner than July 1, 2024.

1. Eligibility.

a. All permanent Senior Academic and Administrative Officers (SAAO) and Exempt Professional Staff (EPS) with appointments on or after the effective date determined by the president.

b. Faculty with 12-month appointments effective on or after the effective date determined by the president.

c. The president shall set regulations for employees holding an SAAO or EPS appointment who are eligible to accrue Annual Leave (as provided in Section I.B above) to make an irrevocable election to join the Personal Leave program and end Annual Leave accruals. Employees making this irrevocable election may:

(1) receive a payout of their accrued Annual Leave, up to a maximum of thirty (30) workdays (pro-rated for part-time employees), either at the time of, or subsequent to, their irrevocable election, with approval from their employing institution, or

(2) retain up to a maximum of 30 workdays (pro-rated for part-time employees) of accrued Annual Leave while they remain employed at that institution in a position subject to this policy. Upon the employee's discontinuation from employment, transfer to another institution, or transfer to a position not subject to this policy, then the employee shall receive a payout of the retained accrued Annual Leave, at the pay rate as of the time of the discontinuation or transfer. Any retained Annual Leave must be tracked separately from accrued Personal Leave.

Any Annual Leave in excess of 30 workdays under either option is forfeited.

2. Annual Accrual. A permanent full-time employee (1.00 FTE) in a position covered by this regulation shall be entitled to accrue 26 workdays per year.

3. Accrual Rate. Personal Leave is accrued at a monthly rate and is adjusted proportionately for permanent part-time employees who work halftime or more (0.50 - 0.99 FTE) as well as for permanent employees who are on contract for less than one year. The monthly earnings amount is equal to one-twelfth of the annual rate. Monthly leave is earned when an employee works or is on approved paid leave at least half the working days of a month.

4. Leave Year Defined. The president shall define a leave year cycle for this program.

5. Annual Carryforward of Leave. Employees may carry forward a maximum of 20 days of Personal Leave into the next defined leave year. Any excess leave expires at the end of the defined leave year and does not convert to sick leave.

6. Scheduling Leave. The scheduling of an employee's Annual Leave shall be subject to the approval of the employee's supervisor.

7. Advancement of Personal Leave. Subject to institutional policy and approval by the employee's supervisor, an employee may be advanced the amount of Personal Leave that can be accrued during the remainder of the defined leave year. If an employee separates from the employing institution and has taken more Personal Leave than has been accrued, the employing institution must determine the amount of Personal Leave that the employee must repay to the institution and make deductions from the employee's final paycheck accordingly.

8. Transfer of accrued Personal Leave.

a. If an employee receives a new appointment to a position subject to this policy and within the same employing institution, then all Personal Leave will

transfer to the new appointment. Any Annual Leave retained pursuant to Section C.1.c(2) of this Policy will transfer to the new appointment.

b. If an employee transfers to another UNC constituent institution in a position subject to this policy, then up to a maximum of 20 days of Personal Leave shall transfer to the new institution, and any excess leave shall be forfeited. Any Annual Leave retained pursuant to Section C.1.c(2) of this Policy shall be paid out.

c. If an employee otherwise discontinues employment, all Personal Leave shall be forfeited. Any Annual Leave retained pursuant to Section C.1.c(2) of this Policy shall be paid out.

9. No employee may accrue both Personal Leave and Annual Leave simultaneously.

D. Sick Leave. All permanent Senior Academic and Administrative Officers (SAAO), Exempt Professional Staff (EPS), and faculty with 12-month appointments are eligible for sick leave in the same manner as provided to state employees subject to the North Carolina Human Resources Act.

E. Other Leave Programs for employees subject to this policy. The president shall issue regulations to provide for other leave programs as necessary, including those similarly available to employees subject to the North Carolina Human Resources Act or as required by State or Federal Law.

II. Implementation. The board of trustees of each constituent institution shall adopt for the institution personnel policies for covered positions within the institution that are consistent with all provisions of these policies. Any proposed provision in an institutional policy statement that in any manner adds to or modifies the provisions of these policies must be submitted for review and approved by the president prior to its adoption and implementation.

III. Other Matters

A. Effective Date. The requirements of this policy shall be effective on the date of adoption of this policy by the Board of Governors.

B. Relation to State Laws. This policy is meant to supplement, and does not purport to supplant or modify, those statutory enactments which may govern or relate to the subject matter of this policy.

C. Regulations and Guidelines. This policy shall be implemented and applied in accordance with such regulations and guidelines as may be adopted from time to time by the president.