Present: Ahmadzadeh, Chapman (Vice Chair), Fairley, Fuerst, Gauthier, Haltinner, Hickman, Hoffmann, Hunter, Justwan, Kolok, Torrey Lawrence (w/o vote), Kindall, Long, Mittelstaedt, Murphy, Pfeifer, Quinnett (Chair), Raney, Rinker, Roberson, Sammarruca (w/o vote), Schiele, Schwarzlaender, Silsby, Thorne, Tibbals, Wargo, Walsh, Webb

Absent: Long (excused), Pfeifer

Guests/Speakers: Teresa Amos, Dan Ewart, Kristy Caldo, Darren Croom

Call to Order: Chair Quinnett called the meeting to order at 3:31 pm.

Approval of Minutes (vote):
Minutes of the 2022-23 Meeting #7 October 4, 2022 – Attach. #1
The minutes of the 2022-23 Meeting #7 October 4, 2022 were approved as distributed.

Chair’s Report:
• Our shared success stories: Taylor Raney (EHHS). Senator Raney is associate department chair and director of the Teacher Education program, and so his work extends across colleges. He has created a standard rubric for candidate progression through the program. The state mandates the standards to be met by the candidates before they can become certified teachers, and those cannot be changed. But the rubric provides a better way for our program to demonstrate positive growth towards meeting the standards, as well as to quickly detect problems so that students can get help as soon as possible.
• Senator Hickman will be the next to share a success story.
• Annual Enrollment for employee benefits: opens October 17; closes November 1.

Provost’s Report:
• Midsemester grades are due Monday, October 17. This is an important step in student retention. Please remind your colleagues of this deadline.
• David Talbot is the new University Ombuds. He brings 25 years of experience in conflict resolution from large corporations. He earned his Juris Doctor from the University of Idaho so is a UI alum and knows the institution. Initially, there may be some overlap with our current Ombuds. Contact: ombuds@uidaho.edu
• Update on the abortion law guidance. A memo from President Green and the Provost came out last week to clarify the situation. A lot of the initial media coverage was inaccurate. There are no changes in our policies, nor does OGC have the authority to make changes. We wanted employees to understand a law that is vague and impacts public employees specifically. The role of GC is to analyze the situation and offer guidance on the possible implications.

Discussion:
Addressing a question, Provost Lawrence reported that a group is working on the FAQs document. It should be ready soon, but the exact date is unknown. The communication will come from OGC and will be posted on an easy-to-find website.

Some senators asked in which way the information initially reported by the media was inaccurate. Provost Lawrence responded that the memo was incorrectly interpreted as a mandate, while none of our policies have changed. The guidance meant to interpret a state law but was taken, instead, as an official action or mandate from the university. Unfortunately – the Senator continued – the memo may have damaged the U of I reputation.

As Brandi Terwilliger was not yet able to zoom in for discussion and vote on FSH 3710 Paid Parental Leave, Chair Quinnett proposed to move on with APM 30.16 until Brandi joins the meeting.

Other Announcements and Communications:

- APM 30.16 Technology Hardware Lifecycle Management – Teresa Amos (Deputy Director IT Planning and Initiatives) Dan Ewart (Vice President Information Technology/CIO)
  Attach. #3 (IT Committee Report)

  Senator Mittelstaedt started the conversation summarizing the two issues recently brought up by faculty and discussed at the recent IT committee: procurement process and security software installed on computers. Both will be addressed. Although APM 30.16 is mostly about procurement, some of the security software components are covered in APM 30.16. Teresa Amos explained that APM 30.16 is part of our security posture, which is necessary for the institution to be eligible to receive federal grants. They have to be able to track and manage all computer resources that access certain types of data. More information, including FAQs, can be found at https://support.uidaho.edu/TDClient/40/Portal/KB/ArticleDet?ID=2304

  A Senator argued that many faculty are frustrated about hardware requirements, not security software. Why can’t faculty purchase what they want and then let IT install security software? This Senator has met representatives of many universities at a recruiting event and learned that none of them imposes restrictions on this type of purchase. Teresa Amos responded that OIT has been requested to adopt a business model known as “total cost of ownership.” The purchase of a computer is part of this ownership. With the present model, in the event of a problem, they have the ability to replace the computer of an impacted faculty member and handle the warranty replacing or repairing, with no loss of productivity on the faculty’s side. As requested by President Green, they worked with profit recovery partners and solicited RFP from several manufacturers – Lenovo came up as the best deal. When the choice is made, all software is configured consistently with U of I security policy. The OIT is trying to put forth an attitude of partnership with the faculty. There are exemption processes, and we are willing to work with someone whose needs are not being met in this model. The Senator reiterated that most faculty, while appreciating an attitude of partnership, prefer to make their own choices. This Senator had to purchase his own Mac computer in order to use a particular software for his class.

  Addressing some of the questions in the zoom chat, Vice President Ewart noted that APM 30.16 only covers equipment capable of storing and processing data (desktops, laptops, tablets). There are no restrictions on other types of purchases, such as peripherals – like a mouse or a microphone.
In response to a question about items purchased through IT that turn out not to meet the faculty’s need, Dan Ewart explained that they have a free-return policy.

Senators brought up costs and timeliness of delivery for computers purchased through IT. Several faculty members disagree that Lenovo is the best product. Also, they did not have a positive experience with timeliness of delivery. Both Teresa Amos and Dan Ewart emphasized that the past two years, due to the COVID disruption, are not representative of the quality service they can provide and have provided. Supply chain problems caused large delays.

Some Senators reiterated that they haven’t heard solid reasons why the choice of hardware is linked to security. Teresa Amos responded that one reason is the driver and the streamlined nature of the system – if they had to put on a larger driver, it would slow the system down and create problems for the user. Dan Ewart added that the computers ordered by IT have the TPM chips, which helps a lot with security. Other reasons are economy, efficiency, and supportability. They don’t have the time or the bandwidth to deal with different vendors and support potentially hundreds of computer models. Their standards don’t meet all needs, but they meet most. Streamlining enables us to do our best to help the smaller number of people whose needs are not met by the current model.

A Senator emphasized that diversifying is best for productivity. Lenovo is prone to failures. Relying on one vendor is putting “all your eggs in one basket” and not a good business practice.

An off-campus Senator brought up the limited IT support available at their remote locations. Moreover, IT has been consolidated up North. People-hours are already problematic for IT staff. How is it efficient for IT to increase their workload (by handling procurement, security, and support)? Are there plans for expanding and hiring more staff? Dan Ewart responded that there are currently 3 (soon to be 4) full-time IT people at Idaho Falls. They are working to cover the whole state. Efficiency comes from not having to deal with differences among 80% of the cases. They can then address efficiently, with existing staff, the minority of unique cases. They have purchased and deployed hundreds of computers for many years and are positioned to succeed, given the opportunity. If they do not succeed, changes will have to be made.

Brandi Terwilliger joined the meeting. Chair Quinnett put the IT discussion on hold to address FSH 3710.

Other Policy Business:

- FSH 3710 Paid Parental Leave (vote) – Attach. #2
  Vice Chair Chapman noted some minor edits in Section E to clarify the role of FML (eligibility) and PPL (compensation) in the policy.
  Vote: 23/24 in favor; 1/24 against. Motion passes.
  Vice President Foisy and Brandi Terwilliger will work on the transition phase. They hope to prorate the 432 hours for employees caught in the middle of the transition.

Thanks to Senate Vice Chair Erin Chapman and everyone who contributed to this most important effort!
Back to APM 30.16:
Vice President Ewart is confident that in 6 months his team will have data to show that their approach is successful. Secretary Sammarruca suggested that, in the meantime, the IT Committee could try and identify a middle ground.

  Vice Chair Chapman reviewed the reason for this solicitation: Two committees will be convened this year given the robust number of dossiers to be reviewed. Details about the committee schedule and the process, as well as the link to the nomination form, can be found in the binder’s attachment #4. Please note the number of nominees needed for each college/unit. The deadline is Friday, October 28, 2022.
  Discussion:
  There were some questions about eligibility. Do members have to be tenured or tenure-track? Are unit chairs and deans eligible? Program Directors? What about off-campus faculty?
  See section G: https://www.uidaho.edu/governance/policy/policies/fsh/3/3500

  The Provost said it is difficult to find nominees. Although per FSH the Provost can select the members of the ULPTC, he prefers to receive nominations from the faculty.

- Postponed: Course Materials - Kristy Caldo (Course Materials Manager, Vandal Store) and Darren Croom (President of Texas Book Company) Attach. #5.
  Apologies to these guests and thanks for their patience.

Adjournment:
Chair Quinnett called for a motion to adjourn. So moved and seconded (Tibbals/Fairley). Meeting adjourned at 5:00pm.

Respectfully Submitted,

Francesca Sammarruca
Secretary of the University Faculty & Secretary to Faculty Senate
University of Idaho
2022 – 2023 Faculty Senate Agenda

Meeting # 8

Tuesday, October 11, 2022 at 3:30 pm
Zoom Only

I. Call to Order

II. Approval of Minutes (Vote)
   • Minutes of the 2022-2023 Faculty Senate Meeting #7 (October 4, 2022) Attach. #1

III. Chair’s Report
   • Annual Enrollment

IV. Provost’s Report

V. Other Policy Business
   • FSH 3710 Paid Parental Leave (vote) Attach. #2

VI. Other Announcements and Communications
   • APM 30.16 Technology Hardware Lifecycle Management – Teresa Amos (Deputy Director IT Planning and Initiatives) Dan Ewart (Vice President Information Technology/CIO) Attach. #3 (IT Committee Report)
   • 2022-23 University Level Promotion and Tenure Committee Solicitation – Erin Chapman (Vice Chair) Attach. #4
   • Course Materials - Kristy Caldo (Course Materials Manager, Vandal Store) and Darren Croom (President of Texas Book Company) Attach. #5

VII. New Business

VIII. Adjournment

Attachments:

• Attach. #1 Minutes of the 2022-2023 Faculty Senate Meeting #7 (October 4, 2022)
• Attach. #2 FHS 3710
• Attach. #3 IT Committee Report
• Attach. #4 ULPT Committee Solicitation
• Attach. #5 Course Materials
2022 – 2023 Faculty Senate – Pending Approval
Meeting # 7
Tuesday, October 4, 2022, 3:30 pm – 5:00 pm
Zoom only

Present: Ahmadzadeh, Chapman (Vice Chair), Fairley, Fuerst, Gauthier, Haltinner, Hickman, Hoffmann, Hunter, Justwan, Kolok, Torrey Lawrence (w/o vote), Kindall, Long, Mittelstaedt, Murphy, Pfeifer, Quinnett (Chair), Raney, Rinker, Sammarruca (w/o vote), Schiele, Schwarzlaender, Silsby, Thorne, Tibbals, Wargo, Walsh, Webb
Absent: Roberson

Guests/Speakers: Ryanne Pilgeram, Julia McIlroy

Call to Order: Chair Quinnett called the meeting to order at 3:32 pm.

Approval of Minutes (vote):
Minutes of the 2022-23 Meeting #6 September 27, 2022 – Attach. #1
The minutes of the 2022-23 Meeting #6 September 27, 2022 were approved with the correction of a typographical error.

Chair’s Report:
• Chair Quinnett expressed appreciation for the intense yet graceful conversation with General Counsel (GC) last week. We are in an information-gathering phase and look forward to additional communication and to invite GC to Senate again. Faculty Affairs plans to prepare a statement and present it to Senators for their endorsement.
• Our shared success stories - Liz Wargo, Leadership and Counseling
Throughout her career, Liz has served Idaho education, which is her job and her passion. One of the exciting on-going projects is the Idaho Building Capacity project, well into its 3rd year of serving vulnerable schools in districts across Idaho. Presentations were made at the National Rural Education Association – many thanks to Taylor Raney! Partnerships with local community organizations in one school district in northern Idaho, aimed at reuniting schooling with nature, are receiving attention from USDA, SBOE, and more. Both academic and non-academic outcomes have improved.
• Taylor Raney will be the next to present one of “Our shared success stories.”
• Call for ad hoc senate committee for spread pay. This committee will be charged with researching spread pay records from 2015 and proposing solutions. Senators Murphy, Thorne, and Haltinner volunteered to join the committee.
• Additional members on the University Advising Committee. This group is charged by the Provost and the Senate with taking a deeper look at advising issues of concern to academic units and SEM, and suggesting ways towards a better partnership between departments and SEM. They will also develop a survey. The additional members are needed to represent all colleges and Senate. Colleges that need representation are: COB, CAA, EHHS, and CNR. This is not a permanent policy change in FSH 1640.88. Senator Ahmadzadeh volunteered to be on this ad hoc committee as the Senate representative.
• APM 30.16 IT Committee Report – Eric Mittelstaedt Attach. #2
Senator Mittelstaedt went over the IT committee report, see attachment #2. The main committee concerns are the protection and security of university data and the independence of individual faculty members’ research. The committee is also concerned about the data security or data management software currently installed on faculty computers, and encourages OTI/ITS to provide clarification because this could result in violations of the Idaho State Board of Education’s academic freedom policy. Although APM 30.16 covers everything, routine/minor purchases automatically qualify for exemption. But computers are restricted to a particular brand, Lenovo, which OIT found to have the most competitive prices. Exemptions are possible if required by the grant. See attachment #2 for additional information, including a link to items that can be purchased.

A Senator argued that, in their experience, the OIT/ITS prices are typically twice what one can get from stores or online.

In the interest of moving the meeting forward, Chair Quinnett suggested to continue this conversation in the new business part of the meeting.

- Women’s Center 50th anniversary is next week! https://www.uidaho.edu/diversity/edu/womens-center/events/50th-anniversary-keynote
- Many thanks to Kristin Haltinner for her help in putting together the Black Lives Matter Speaker Series: Fall 2022.

Provost’s Report:
- General Counsel continues to work on a FAQs regarding abortion guidance.
- Discussion:
  A Senator asked if and how the other universities in the state are addressing the impact of the abortion law. Provost Lawrence explained that institutions are handling it differently and not currently coordinated.

Committee Reports:
- Faculty Affairs Committee
  FSH 3500 Promotion and Tenure (vote); Ryanne Pilgeram Attach. # 3
  This proposed interim policy revision allows the formation of an additional University Promotion and Tenure Committee if, at the discretion of the provost, the number of dossiers to be considered exceeds the capacity of a single committee. The University Promotion and Tenure Committee has approximately 85 dossiers for consideration this cycle, a number which exceeds its capacity. An additional committee is needed in order to ensure a high quality of review. This revision is also requested as an interim policy, to be effective immediately, because committee assignments need to begin in Fall 2022.
  Vote:
  22/22 in favor; 0/22 against. Motion passes.

Other Policy Business:
- FSH 3710 Paid Parental Leave – Brandi Terwilliger Attach. #4
  Brandi Terwilliger started with a brief overview/history of the Paid Parental Leave (PPL) policy. Originally, they were tasked with developing a cost-neutral option. The survey that went out to all employees offered three options – 1. A plan modelled after ISU and BSU; 2. Make no changes; 3. A plan modelled after WSU. The outcome of the survey was overwhelmingly in favor of the last option. (Note: WSU doesn’t actually have a PPL policy – it uses the state program.) A bank of PPL has been established, from which full-time approved board-appointed employees can use 432 hours (prorated for part-time) to be used within the first 12 weeks from the birth,
adoption, or foster placement of a child. 432 hours come from 90% of 40 hours per week for 12 weeks. Brandi proceeded to describe the additional flexibility in our program as compared to WSU. Also, they are not implementing a cap, unlike WSU.

Discussion:
In response to a question, Brandi clarified that, while annual leave can be donated, we cannot donate family or sick leave.

There was an inquiry about fiscal impact and, more broadly, the impact on units when an employee takes family leave and how that would be managed. The Senator would have liked to see more information about that. Brandi and Brian noted that the external consultant performed a very robust cost analysis shared with the Athena/Senate subcommittee and presented to the leadership. The consultant’s estimate was just below $200K of being cost neutral, which President Green found to be sufficiently close to be worked into the budget. The consultant’s analysis is extremely thorough and accounts for the need to hire replacements. Brian will check the consultant’s analysis and report back any information that may be missing.

They are committed to move the policy through the shared governance process in time for an implementation date of January 1, 2023.

Retroactive implementation presents serious challenges and will not be available. However, Brandi noted that an eligibility review will occur and any remaining eligibility will be prorated in some cases – for instance, a full-time employee who has had a baby one week prior to the implementation date may be entitled to receive 11 weeks of PPL at 90% pay.

In response to a question, Brian replied that WWAMI will participate in the program.

To the question of why more flexibility could not be incorporated, Brandi responded that they mirrored the option favored by more than 70% of the employees (the WSU approach) as closely as possible.

Crystal Callahan spoke for Staff Council, who reviewed the policy and had similar questions/comments as those brought up by faculty. She looks forward to continue working with Senate.

Additional questions can be emailed to Brandi Terwilliger.

Other Announcements and Communications:
• Jaggaer Purchasing Software – Julia McIlroy, Director, Purchasing Services
JAGGAER is a web-based procurement software that manages purchases of goods and services from request to payment. Employees will access JAGGAER through Single Sign-On. The Idaho State Board of Education tasked the four higher education institutions to implement a shared procurement software to generate savings and efficiency. U of I, BSU, ISU and LCSC will go live simultaneously, although the individual JAGGAER sites will be specific to each institution. Employees who purchase goods and/or services for U of I using a purchase order, service agreement or P-card will now shop and buy goods and services through JAGGAER. JAGGAER will improve request-to-purchase order time by streamlining the order
process. Purchasing policies regarding bid limits, bid waivers, etc. will remain the same. All purchase orders and service agreements will be generated and managed in JAGGAER.

Discussion:
In response to questions concerning the purchase of computers and the restriction on the brand discussed earlier, Julia noted that Jaggaer does not remove those restrictions, but can help with any other purchase. Additional questions can be addressed to Julia McIlroy juliam@uidaho.edu

New Business:
Chair Quinnett noted the late hour and welcomed a few more comments to reconnect to the IT discussion. The main concern is about the data security/management software installed on faculty computers, and what kind of information is being monitored. This conversation will continue. We’ll invite General Counsel to clarify those questions.

Adjournment:
The agenda being completed, Chair Quinnett adjourned the meeting at 5:02pm.

Respectfully Submitted,

Francesca Sammarruca
Secretary of the University Faculty & Secretary to Faculty Senate
POLICY COVER SHEET

For instructions on policy creation and change, please see https://www.uidaho.edu/governance/policy

All policies must be reviewed, approved, and returned by the policy sponsor, with a cover sheet attached, to ui-policy@uidaho.edu.

Faculty Staff Handbook (FSH)
☐ Addition ☒ Revision* ☐ Deletion* ☐ Emergency ☐ Minor Amendment
Policy Number & Title: FSH 3710 LEAVE POLICIES FOR ALL EMPLOYEES

Administrative Procedures Manual (APM)
☐ Addition ☐ Revision* ☐ Deletion* ☐ Emergency ☐ Minor Amendment
Policy Number & Title:

*Note: If revision or deletion, request original document from ui-policy@uidaho.edu. All changes must be made using “track changes.”

Comprehensive Review was Conducted

Originator: Brandi Terwilliger, Director of Human Resources

Policy Sponsor, if different from Originator: Brian Foisy, VP Finance and Administration

Reviewed by General Counsel ☒ Yes ___No  Name & Date: Kim Rytter, 9/18/2022

1. Policy/Procedure Statement: Briefly explain the reason for the proposed addition, revision, and/or deletion. Update language and addition of paid parenting leave under FML

2. Fiscal Impact: What fiscal impact, if any, will this addition, revision, or deletion have? Fiscal impact has been provided by external consultants and shared with senior leadership

3. Related Policies/Procedures: Describe other UI policies or procedures related or similar to this proposed change, or that will be impacted by it.

4. Effective Date: This policy shall be effective on July 1, or January 1, whichever arrives first after final approval (see FSH 1460 D) unless otherwise specified in the policy.
LEAVE POLICIES FOR ALL EMPLOYEES

LAST REVISION: January 2020

CONTENTS:

A. General
B. Annual Leave
C. Sick Leave
D. Holidays
E. Parenting Leave
F. Military Leave
G. Leave for Court Required Service and Voting
H. Leave for Campaigning for or Service in Public Office
I. Administrative Leave
J. Academic Transitional Leave
K. Terminal Leave
L. Shared Leave
ML. Family Medical Leave
NM. Service member Family and Medical Leave
ON. Personal Leave
P. Extended Medical Leave
QO. Leave for Professional Improvement
RP. Exceptions
A. GENERAL.

A-1. The University of Idaho (hereinafter referred to as university) strives to offer leave programs that are both comprehensive and flexible to meet employee needs. Leave with or without pay is extended to employees under a variety of circumstances described below. Exceptions may be granted in special circumstances [see R below; APM 55.09, 55.07, 55.38; FSH 3120, 3720 and 6230].

A-2. The term “leave” refers to an employee’s absence from duty. Each leave type as contained in this policy discusses circumstances in which such an absence may be continued with pay when leave accruals are available or when leave is approved without pay. Certain types of leave may require or provide options to take one leave concurrent with another. For example, sick and annual leave may be taken or may be required to be taken concurrently with other types of leave. All leaves are subject to approval.

A-3. Unless otherwise noted, for purposes of this policy, “immediate family member” includes: your spouse, your child, parent, brother, sister, grandparent, and these same relationships of a spouse, by marriage, adoption, or foster arrangement. An immediate family member may also include an individual who has assumed a similar relationship to those above, other than the relationship of spouse*, and for whom the employee or the individual has had financial responsibility for the other. An immediate family member also may include any individual who is a qualified dependent under IRS regulations. The university reserves the right to request documentation establishing financial responsibility or qualifying status as an IRS dependent. Federal FMLA criteria will be used in determining “immediate family member”.

*Due to the 2006 “marriage amendment” to the Idaho Constitution the university, despite the wishes of the Faculty Senate, is unable to include domestic partnerships.

A-4. Separation from employment or the term terminating employee refers to an employee’s separation from all employment.

A-5. A break in State of Idaho service is defined as job termination that is separated by at least three (3) business days prior to re-employment with the university or any other State of Idaho employer.

A-6. Full and part-time employees are eligible for some or all leaves discussed in this policy.

a. Benefit-eligible employees are those who hold a board-appointed position [FSH 3080] and are employed at least half time or greater.

b. Individuals who are employed at least half time or greater as temporary help (TH) and who are expected to complete five (5) months or more of continuous university service and are eligible to participate in the Public Employers Retirement Plan for Idaho (PERSI) are eligible for limited benefits, including annual leave, sick leave and pay for holidays on which they do not work [FSH 3090].
A-7. Leave may not be taken in advance of accrual and may not be taken in excess of 80 hours in a pay period.

A-8. Leave may not be taken on an employee’s first day of employment. If an employee is unable to report for work on their specified first day of employment; employment will not begin until the first day that the employee reports for active duty.

A-9. All employees, including faculty and exempt employees, are responsible for recording all leave taken on bi-weekly time reports and complying with the terms of leave policies, including, but not limited to:

a. completing application for leave with supervisor or Human Resources as appropriate and providing any medical evidence to HR and other requested information;

b. abiding by any and all return-to-work restrictions; and

c. returning to work following expiration of approved leave.

Failure to uphold these responsibilities may result in absence without approved leave. Eligibility to preserve employment may be affected and/or the employee may be subject to disciplinary action, up to and including termination from employment as provided in appropriate university policies [FSH 3910, 3920 and 3930].

A-10. Exempt employees (full-time 40 hours per week expectation per FLSA) who work at least four (4) hours in a day will be paid regular pay for the full day. If they work fewer than four (4) hours, the difference will be charged to the appropriate accrued leave. If the employee is on approved intermittent Family and Medical Leave (FML) they must report each hour missed.

Employees who are not exempt from earning overtime accrual or payments shall record all approved absences in 1/4-hour increments, except when time loss has been made up through an approved flexible schedule.

A-11. Absent written agreement to the contrary, an eligible employee typically earns credit toward retirement plan vesting (see your PERSI, IORP or federal retirement plan document for details) and earns annual and sick leave accruals during the portion of any leave that is paid, except that sick and annual leave do not accrue during terminal leave [K], or in some circumstances during administrative leave. See I-7, [I-5]. An employee typically will not be given such credit for any periods of unpaid leave.

A-12. No break in service will occur during any approved paid or unpaid leave for the purposes of determining eligibility for retiree health benefits.

A-13. Attendance at work is a job requirement for all positions at the university. Excessive absenteeism can affect job performance and the employee may be subject to disciplinary action.
A-14. Departmental administrators are responsible for approving and ensuring the reporting of leave, via Banner, taken by the employees in their respective units. For procedures regarding reporting and monitoring leave see APM 55.09. The Banner system and Human Resources records are the official university leave records.

A-15. Human Resources is responsible for coordinating requests and reviewing compliance with all types of leave other than sick, annual and medical appointment leave discussed in this section. [APM 55.09]

B. ANNUAL LEAVE. (Available to UI employees listed in A-6 (a) and A-6 (b) as described in Section B)

B-1. Employees receive annual leave based on their classification of employment. [FSH 3080]

a. Classified Employees on full-time fiscal-year appointments accrue annual leave based on hours worked at the rate of approximately 3.7 hours bi-weekly for the first five full years of service, with a maximum accumulation of 192 hours; 4.6 hours bi-weekly up to 10 years of service, with a maximum accumulation of 240 hours; 5.5 hours bi-weekly up to 15 years of service with a maximum accumulation of 288 hours; and 6.5 hours bi-weekly for more than 15 years of service with a maximum accumulation of 336 hours. [RGP II.E.3; FSH 3080; APM 55.09]

b. Faculty on full-time fiscal-year appointments and exempt employees, including postdoctoral fellows, accrue annual leave at the rate of 7.4 hours bi-weekly and may accumulate a maximum of 240 hours. [RGPP II.F.3, FSH 3080, APM 55.09]

c. Faculty who hold academic-year appointments do not accrue annual leave. Their periods of obligation and leave are governed primarily by the academic calendar, subject to stipulation by the employee’s dean. [FSH 3120]

B-2. Annual leave for classified and exempt appointment of less than 100% full-time, but equal to or greater than half-time, is accrued based on hours worked and at a rate based on the employee’s classification [B-1]. No annual leave is accrued for less than half-time service.

B-3. Temporary employees who are eligible for PERSI accrue annual leave beginning on the first day of employment in an eligible position at a rate of .04625 times hours worked within each bi-week, however leave is not earned until the benefit qualification period has been satisfied.

[Annual leave for qualified temporary employees accrues, but is not earned until the employee has worked at least 20 hours per week and for a period of at least five (5) months (the benefit qualification period). Approval to use accrued, but unearned annual leave may be approved by the employee’s supervisor under special circumstances. However, in the event that accrued annual leave is taken before it is earned and the employee also voluntarily separates or is terminated for cause before annual leave is earned, the value of unearned annual leave taken will be withheld from pay, other earning or payments or must otherwise be repaid to university.]

Commented [TB(1): This contradicts A-7. Personal leave would be appropriate in cases where no leave is available and there is a need to be out. This paragraph is not necessary]
Annual leave accrues based only on hours worked. 62 hours worked times .04625 results in 2.90 hours of accrual and may accumulate to a maximum of 192 hours.

B-4. Annual leave accrual is temporarily suspended when the accumulation reaches the maximum allowance. Once the leave accumulation drops below the allowed maximum, accruals resume.

B-5. Employees eligible for overtime earn overtime based on only hours worked. There is no overtime accrual based on annual leave, sick leave, compensatory time, holidays or any other paid time off.

B-6. Annual leave continues to accrue while on any paid leave, except that annual leave does not accrue on hours of compensatory time used; during terminal leave [K]; during academic transitional leave [J] or for temporary employees who accrue annual leave based only on hours worked.

B-7. At the employee’s option, accrued annual leave may be used during any approved leave that could otherwise be taken as sick leave. See E-3. Parenting Leave for the requirement to use sick leave prior to use of annual leave. [RGP III.2.]

B-8. Annual leave must be scheduled in advance and requested in writing by the employee. Annual leave may not be taken without the supervisor’s written approval. Both the employee’s vacation preference and business needs of the unit must be considered in establishing mutually agreed periods of leave [APM 55.09].

a. Supervisors are responsible for coordinating and approving requests for annual leave of all employees in their respective units.

b. An employee on approved annual leave, who becomes eligible to use sick leave through unforeseen events, may use sick leave in lieu of annual leave. Documentation to support the use of sick leave may be required.

B-9. Annual leave balances are paid to employees upon separation (i.e. resignation, retirement layoff, non-renewal, termination) from all State of Idaho employment [I.C, 67-5334]. Leave balances are transferred from the university to other State of Idaho employers when the university employment ends and a new position is accepted with any State of Idaho employer when there is no break in state service [A-5]. However, the university reserves the right to require an employee to exhaust some or all annual leave prior to any job or employment separation.

Employees funded on grants or contracts are expected to use all earned annual leave during the appointment before expiration of the grant(s) or contract(s). Employees
separating employment upon the expiration or termination of a grant or contract, will be
required to use annual leave before their last day of employment.

In the event of an employee’s death, payment is made to the employee’s estate.

The effective date of the employee’s separation is the last day on which he or she reports to work for the university, unless Human Resources has approved a written request for alternative termination arrangements that are in the best interests of the university.

A termination extended through the use of accrued annual leave must be approved in advance, in writing, by Human Resources and unit administrator and shall be treated as terminal leave. [UK and APM 50.20]

In the event that an academic administrator transitions from a position eligible for annual leave to a faculty position in which annual leave does not accrue, balances should be exhausted prior to the start of the new appointment. Leave balances that cannot be used will be carried forward. If not used, the balance of unused annual leave will be paid at the time of separation of all State of Idaho service. Carry forward of annual leave balances exceeding eighty (80) hours must be approved in advance by Human Resources.

B-10. Any individual, regardless of type of appointment, with an annual leave balance who transfers or who is reassigned to another unit within the university may be required to exhaust all existing annual leave prior to starting the new assignment.

B-11. Payment in lieu of annual leave taken for any reason other than separation from employment is granted only by exception or under other special circumstances within the business needs of the university.

B-12. Eligibility requirements for annual leave for temporary help (TH) can be found in FSH 3090.

C. SICK LEAVE. (Available to UI employees listed in A-6 (a) and A-6 (b) as described in Section C)

C-1. Employees that work at least 40 hours in a bi-weekly pay period for at least five consecutive months accrue sick leave. Accrual is approximately 3.7 hours bi-weekly for full-time service. [FSH 3090 C]

C-2. Sick leave accumulation for half-time but less than full-time service is accrued proportionately based on hours worked and earned at the rate of .04625 for each hour worked.

C-3. Sick-leave may be accumulated without limit.
C-4. Sick leave cannot be taken in advance of accrual. If, at the end of a bi-weekly pay cycle, absences exceed sick leave accumulation, the hours will be charged to compensatory time first, if available, and then to annual leave. If there is no leave accumulation, time will be unpaid.

C-5. Sick leave continues to accrue while on any paid leave, except for hours of compensatory time used during terminal leave; and/or during academic transitional leave [J].

C-6. Sick leave may not be used in lieu of annual leave, except when the conditions of B-8. b. above have been met.

C-7. Sick leave may be taken only as follows:

a. Illness or Serious Medical Condition of Employee. An employee’s own illness, injury, or childbirth that prevents the employee from performing his or her assigned duties; or in the event of exposure to contagious disease if, in the opinion of responsible authority, the health of others would be jeopardized in the work place.

b. Illness or Serious Medical Condition of an Immediate Family Member. When the illness, injury, or childbirth of an immediate family member as defined in [A-3] of this policy requires the attendance of another, the employee may use his or her own available sick leave.

c. Death of an Immediate Family Member. In the event of a death of an immediate family member as defined in [A-3] of this policy; up to fifteen (15) days of sick leave may be used immediately following the event, but can be extended if there are special circumstances. The unit administrator and Human Resources may approve an extension of leave for up to a total of thirty (30) days of sick leave.

d. Death of a Family Member. Sick leave usage for the death of a family member other than a member of the immediate family as defined in [A-3] of this policy is limited to a maximum of five (5) days of sick leave immediately following the event.

e. Medical Appointments. Personal or family appointments for medical, dental, optical treatment or examination, or meeting with an Employee Assistance Program professional, including time for travel to and from such appointments. An employee is allowed up to two hours of time off per month for such appointments without charge to sick leave provided satisfactory arrangements have been made with the prior notification was provided to the employee’s supervisor regarding the needed time away (medical information need not be shared only the need for leave). If the employee has absences totaling more than two hours in a month, such absences must be reported and charged to sick leave. There is no carryover balance from month-to-month.

f. Parenting/Adoption/fostering. All eligible employees are entitled to use sick leave for parenting, adoption, and fostering as provided in E. Parenting Leave.

g. Organ Donation. Full-time employees may use up to five (5) workdays of prior approved organ donation leave to serve as a bone marrow donor and may use up to thirty (30) workdays of prior approved organ donation leave to serve as a human organ donor. Documentation must be provided to Human Resources in advance of the use of Bone
Marrow or Organ Donation leave. Bone Marrow or Organ Donation leave does not reduce the employee’s leave balances and is with continued pay and benefits up to the limits noted. Additional leave may be requested through an approved family medical [ML] or personal [ON] leave.

C-8. Documentation may be required to be submitted to Human Resources to support absences. Absences that occur during an approved family medical leave [ML] are exempt from these requirements.

C-9. The federal Family Medical Leave Act of 1993 (FMLA) was adopted as law to protect the best interest and job security of employees. The university may initiate family medical leave (FML) and will apply FML concurrently with sick leave when the employee’s own illness, work-related injuries, or an illness of a family member is covered by FML.

C-10. An employee may be eligible for FML after three (3) consecutive days of sick leave, unpaid or other absence [ML-4] and may initiate a request for FML at any time prior to an absence which they suspect may qualify. However, the university may also initiate FML and will typically take steps to determine if an absence qualifies as FML when an employee has missed five (5) consecutive workdays or longer by providing the employee with a medical certification form and FML application. A failure to comply with a request to complete and return the medical certification form and the FML application may result in absence without pay and/or disciplinary action, up to and including dismissal from employment (see FSH 3910, 3920 and 3930).

C-11. Employees transferring without a break in service from a qualified Idaho state agency or from the university to another state agency will be credited with their accrued sick leave by the receiving agency. All unused sick leave is forfeited when an employee is separated from state service. No compensation is made for such unused leave, except as provided in C-12 in the case of employees who are retiring from the university. If an employee returns to state service or to the university within three (3) years after separation, sick leave forfeited at the time of separation will be reinstated.

C-12. Employees who retire and then return to work at the university may not be entitled to reinstatement of sick leave balances. In this instance, only the unused portion of sick leave that was converted at the time of retirement (C-13 and FSH 3730 C) to pay for retiree health benefits may be reinstated for employees who separate for retirement purposes and later return to work at the university.

C-13. An employee who retires under the eligibility conditions for retirement or disability retirement as stated in FSH 3730 may apply a pre-determined amount of unused sick leave accrued since July 1, 1976, as payment for continued coverage under the university retiree health program. [FSH 3730, APM 55.39]

D. HOLIDAYS. (Available to UI employees listed in A-6.(a) and A-6.(b) as described in Section D)

D-1. The university is closed at least eleven (11) holidays each fiscal year. [FSH 3460 F-2]
D-2. Benefit-eligible employees [A-6.a.] who are employed full time (87.5 percent or greater) receive holiday pay based on eight (8) hours for each holiday. An employee who works a compressed work schedule to include more than eight (8) hours each day, such as four (4) ten (10)-hour workdays in one week, will still receive only eight (8) hours of holiday pay. With supervisor approval, the employee may make up the difference between their regular hours of work and the holiday pay for that day (two (2) hours in this example) through a flexible work schedule within the same work week [FSH 3460], or may use accrued compensatory time or annual leave, or take the time as unpaid.

D-3. Benefit-eligible employees [A-6.a.] who are employed at least half time but less than full-time, are entitled to receive holiday pay, pro-rated based on the average number of hours scheduled each week. The number of hours scheduled on a routine basis (not the hours worked in the week in which the holiday falls) is divided by five (5) days. For example:

Average of 20 hours worked per week / 5 days = 4 hours of holiday pay

Average of 25 hours worked per week / 5 days = 5 hours of holiday pay

Average of 30 hours worked per week / 5 days = 6 hours of holiday pay

D-4. The university embraces diversity and recognizes that our workforce is derived from many diverse cultures to include many different religious preferences. An individual may be absent from work to observe a religious holiday consistent with his or her own religious beliefs and practices when the day is not consistent with the university’s official holidays, provided advance notice is given. Pay for these absences are as follows:

a. Benefit-eligible employees may use their accrued compensatory time or annual leave to receive pay for an observed religious holiday that is not an official university holiday.

b. Employees who are not benefit-eligible, or who do not have compensatory or annual leave available, may observe the holiday without pay, or, with advance supervisory approval, employees may make up the hours in the same work week [FSH 3460].

D-5. Benefit-eligible employees are entitled to holiday pay while they are on other approved paid leave, or during any portion of paid or unpaid family medical leave. Extended medical leave and non-FML parenting leave are not family medical leave. Employees on unpaid extended medical leave or unpaid non-FML parenting leave are not entitled to holiday pay.

E. PARENTING LEAVE (paid or unpaid). (Parenting leave is available to UI employees listed in A-6 (a) who also meet the specific eligibility criteria as described in Section MLE.) Parenting Leave is Family and Medical Leave. FMLA allows for 480 hours of unpaid leave for a full-time employee. Eligible University of Idaho employees may use up to 432 hours (full-time employee or prorated for less than full time employees) of Family and Medical Leave as paid parental leave due to the birth, adoption, or foster placement of the child. Parenting Leave is Family and Medical Leave (FMLA allows for 480 hours of unpaid leave for a full-time employee). See FMLA section M for definition of parenting leave.
E-1. Definitions.

a. “Parenting” is defined as the period of bonding that occurs within the first twelve (12) months of the birth, adoption or foster placement of the child in the family.

b. “Parenting Leave” is leave taken by an employee under section E to bond with a child within the first twelve (12) months of the birth, adoption or foster placement of the child in the family. Parenting leave is separate and distinct from medical leave taken by a birth mother related to serious health conditions associated with pregnancy and child-birth and from medical leave taken by either parent to care for a child with a serious health condition. See Family Medical Leave Section M-L-1 for the relationship of Parenting Leave under this Section E and Family Medical Leave under Section M-L of this FSH 3710.

c. Child for purposes of this policy means Son or daughter means a biological son or daughter, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age 18, or age 18 or older and incapable of self-care because of a mental or physical disability.

E-2. Employees are eligible for paid Parenting Leave if they meet the criteria under M-L-3 on or after 180 days from their date of hire. Employees must also successfully complete any applicable initial probationary period or (extension thereof) to be eligible. Eligible employees are entitled to 12 weeks of job protected leave with continuation of group health insurance coverage within 12 months of the birth, adoption, or foster placement of a son or daughter. This is considered non-FML parenting leave. Parenting Leave used under Section E provides some compensation for Parenting Leave under Family Medical Leave and is Family Medical Leave.

a. Eligible employees will receive a maximum of 432 hours (full-time employees) of paid parental leave for the birth, adoption, or foster placement of a child that must be used within 12 weeks immediately after the birth, adoption, or foster placement of a child. Eligible employees working less than full-time will receive a pro-rated portion of paid parental leave corresponding to the percentage of hours they normally are scheduled to work.

b. An employee may not receive more than twelve (12) weeks of parental (paid or unpaid) leave in a rolling 12-month period. Multiple births within twelve months or adoptions within 12 months do not increase the length of parental leave. Employees may use paid parental leave continuously for up to twelve (12) weeks or as a predefined reduced work schedule as long as it is used within 12 weeks of the birth or adoption of the child. Employees may not use paid parental leave intermittently. Adoptive or foster parents are not entitled to use more than twelve (12) weeks of parental leave in a rolling 12-month period but are exempt from the continuous leave requirement if the adoption is not final.
c. Paid parental leave is compensated using up to the maximum allotted paid parental leave balance (432 hours for full-time) in the first 12 weeks following the birth, adoption, or foster placement of a child. Paid parental leave will be paid on regularly scheduled pay dates.

d. Paid parental leave shall run concurrently with leave under the FMLA. Any leave taken under this policy that falls under the definition of circumstances qualifying for leave due to the birth or adoption or foster placement of a child, will be counted toward the 12 weeks of available FMLA leave for a 12-month period. The employee must apply for and use Parenting Leave/FMLA.

e. If a holiday occurs while an employee is on parental leave, such day will be coded to holiday pay and will not count toward the employee’s parental leave entitlement or FMLA hours. If the employee is on parental leave/FMLA when the University authorizes paid administrative or emergency closure leave due to inclement weather and/or an office closure, that time will be recorded as parental leave/FMLA. Administrative and emergency closure leave will not extend the parental leave entitlement.

E-3. If both parents are employees of the university and eligible for FMLA leave under Section ML, the leave must be shared between parents and not exceed 480 hours (12 weeks) of total leave (paid or unpaid). Each is entitled to take the same amount of parental leave as allowed for a single employee. Only one employee is entitled to parental leave if both parents, as employees, have not met FMLA eligibility requirements as stated in M-3.

E-4. Employees can use parental leave as outlined or choose to use a combination of accrued paid leave or unpaid leave if all other leave is exhausted (See Section ON regarding use of unpaid leave). Employees must first use accrued paid leave (see FSH 3710 M-2). However, when the combination of the employee’s remaining sick leave, plus any additional accrued paid leave that may be available to the employee falls below 80 hours, then the employee may elect to use unpaid leave for parenting. Any leave taken under this policy sections E or L that falls under the definition of circumstances qualifying for leave due to the birth, adoption, or foster placement of a child, is FMLA leave. See section ML for FMLA criteria. Unpaid leave will be considered in accordance with FMLA and other applicable federal and state laws.

E-5. Parenting Leave shall be applied for through Benefit Services. When the need for Parenting Leave is foreseeable, an employee must request an application at least thirty (30) days in advance of the need for leave. When events are not foreseeable, employees must provide as much notice as is possible. If an employee is eligible for FMLA leave under Section ML, the Parenting Leave described in this section E. is intended to encompass the university’s obligation to provide Family Medical Leave under the federal Family Medical Leave Act. See Section ML for return-to-work requirements following approved leave.
E-6. Health benefits continue during Parenting Leave on the same basis as for any similarly-situated employee who is actively at work, regardless of whether the employee is using other forms of accrued leave or taking leave unpaid. The employee’s share of cost for health coverage is the amount that is typically payroll-deducted for the employee’s own coverage and/or coverage for his/her employee’s dependents. The employee is responsible for payment of these amounts during leave. Payroll deductions will be continued for any portion of the leave that is paid. During any portion of leave when no pay is received, the employee must make arrangements to self-pay these amounts. Retirement plan contributions, leave accruals, holiday pay, and credit toward vesting are suspended during unpaid portions of Parenting Leave.

E-7. Upon return from Parenting Leave, employees will be assigned to their same or similar position with equivalent pay and status.

E-8. Leave may not be used for both foster care and adoption consecutively if foster placement leads to the adoption of the child. Alternate or reduced work schedules are addressed in FSH 3710 ML-13.b.

E-9. See FSH 3710 R-1 for exceptions to university leave policies.

F. MILITARY LEAVE. When an employee goes on military leave it is not considered a break in service. (Available to all UI employees as described in Section F)

F-1. Faculty and staff, regardless of whether or not they hold a fiscal-year or academic-year appointment are eligible for leave of up to one hundred twenty (120) hours per calendar year for active duty or military training. Employees who are in board-appointed positions [FSH 3080] are eligible for full pay while on paid military leave. When called to active duty or training, the university will pay the difference between military pay received from the U.S. or State government, but cannot duplicate pay. The employee must provide documentation of military pay received during leave, within ninety (90) days of return from leave or upon earlier job separation. The employee is required to repay to the university any amount which exceeds their regular base pay for the same period. Unpaid military leave may be requested if the employee knows their military pay will exceed their university pay. Annual and sick leave credit towards length of service for retirement plan, and other vesting will continue to accrue according to the applicable plan documents. Instead of taking military leave, an employee may request annual leave on the same basis as any other vacation or other time off and if approved, retain full military pay. [APM 55.09 and 55.38]

F-2. Any employee who is called to active duty and/or is required to serve more than one hundred twenty (120) hours is eligible for up to five (5) years of military leave. Eligibility for employee health coverage will continue at a minimum through the first thirty (30) calendar days of service while on an approved military leave. The employee will be required to pay the employee share of the health care costs, as well as the costs for his/her employee’s dependents.
F-3. An employee may choose to use annual leave and/or accrued compensatory time for military service and continue to receive pay and benefits at any time.

F-4. Military leave beyond the first one hundred twenty (120) hours is generally granted without pay and benefits. Health care coverage will end for the individual who is called to active duty after the first thirty (30) days of service. However, coverage for the employee’s dependents may continue and are subject to the applicable benefits based on the university’s current Summary Plan Document at the time of reinstatement: contact Benefit Services.

F-5. An employee may also have the right to life insurance portability or conversion to an individual life insurance policy following termination of benefits in the group plan.

F-6. Upon reinstatement to active university employment, the employee’s health plan will resume as if their employment had not been interrupted.

F-7. In accordance with state and federal law, an employee upon return will be reinstated to their former position or a comparable position without loss of seniority, status or pay rate provided the employee returns with an honorable discharge and within five (5) years from departure date from the university.

   a. In some situations, re-employment may not be possible, such as when there has been a significant change in circumstances, if re-employment would impose an undue hardship on the university or department, or if the person’s employment was temporary in nature, such as positions that are grant-funded for a specific duration and/or temporary help (TH) positions.

   1. If the returning employee's skills need upgrading to meet the requirements for a prior or promoted position, the university will make reasonable efforts to refresh or update these skills unless such efforts would create undue hardship for the university.

   2. When an employee with a service-related disability is not qualified to perform the essential functions of the employee’s job after the university has made reasonable efforts to accommodate the disability, the employee may be placed in another position of comparable pay, rank, and seniority.

   b. Employees returning from military leave must provide the university with written timely notification of intent to return to their position. The university may require documentation that the person’s application for reemployment is timely and that the person’s discharge from uniformed services was under honorable conditions. University procedures will follow the applicable state and federal law, including but not limited to the Uniformed Services Employment & Reemployment Rights Act (USERRA), 38 U.S.C. 4301-4333, enforced by Department of Labor’s Veterans’ Employment & Training Services (VETS.)

F-8. Retirement benefit contributions are suspended while the employee is on unpaid military leave when the one hundred twenty (120) hours per F-1 have been exceeded. Upon reinstatement to active university employment after military leave, reenrollment in the retirement plan will be accomplished in accordance with the plan documents.
a. Credited state service continues during military leave as though no break in employment has occurred.

b. The employee may elect to make up any employee contributions missed during an approved military leave. Such contributions must be paid into the plan within a period not to exceed three (3) times the length of the military leave, up to a maximum of five (5) years.

c. The university will contribute the regularly scheduled match contributions for any employee make-up payments made in connection with an approved military leave.

d. For purposes of determining eligibility for retiree health coverage, military leave will not count as a break in service provided that re-employment occurs within the parameters of this policy. Further, an employee will receive university service credit for purposes of determining eligibility under the Retiree Health Program [FSH 3730] during the fifteen (15) days of approved paid military leave; however, the employee will not receive service credit for purposes of determining eligibility under the Retiree Health Program [FSH 3730] for any unpaid military leave.

F-9. This policy is intended to comply with applicable state and federal laws, including the Uniformed Services Employment and Reemployment Rights Act (USERRA) of 1994. To the extent that any provision of this policy is ambiguous and/or contradicts the Act or any other law, the applicable law or Act will prevail.

G. LEAVE FOR COURT REQUIRED SERVICE AND VOTING. (Available to all UI employees as described in Section G)

G-1. Any employee who is summoned for jury duty or subpoenaed as a witness before a court of competent jurisdiction or as a witness in a proceeding before any federal or state administrative agency will be granted leave. Benefit-eligible employees will be granted leave with pay, except as provided below in G-2. Travel expenses in connection with this duty are not subject to reimbursement by the university. [RGP II.I.5.; APM 55.09]

G-2. An employee must request annual leave or personal leave without pay for the following:

a. appearing as a party in a non-job-related proceeding involving the employee;

b. appearing as an expert witness when the employee is compensated for such appearance; or

c. appearing as a plaintiff or complainant, or as counsel for a plaintiff or complainant, in a proceeding in which the Board of Regents or any of its institutions, agencies, school or office is a defendant or respondent. [RGP II.I.5.]

G-3. Polling places are typically open extended hours and absentee voting is widely available. However, employees who are unable to vote outside of scheduled hours will be allowed time off to vote. If available, an employee may use accrued annual leave, compensatory time or, if approved in advance, may be able to make up time lost to vote
within the same work week [FSH 3460] through a flexible work schedule. Otherwise, time off will be approved, but unpaid.

**H. LEAVE FOR CAMPAIGNING FOR OR SERVING IN PUBLIC OFFICE.** Available to UI employees as described in Section H)

**H-1.** The president approves requests for leaves of absence for the purpose of campaigning for or serving in public office [RGP II. 1.5.]. See FSH 6230 E for provisions concerning leave for campaigning and serving in public office.

**H-2.** It is the Board of Regent’s intent that state salary not be duplicated to an employee serving as a member of the Idaho Legislature. Any leave for serving as a member of the Idaho State Legislature will be unpaid when the Legislature is in session [RGP II.I.5.]. Certain benefits may continue during the unpaid leave; however, the employee must pay the full cost of coverage.

**I. ADMINISTRATIVE OR EMERGENCY LEAVE.** (Available to all UI employees as described in Section I)

**I-1.** Administrative Leave is leave with pay and benefits. An employee will continue to receive pay and leave accruals in accordance with their regular rate and maintain eligibility for other benefit programs. (Terminal leave (K) and Academic transitional leave (J) are not considered administrative leave.)

**I-2.** At the discretion of the president or his/her designee, an employee may be granted administrative leave when the state or the university will benefit as a result of such leave. [RGP II.I.5.; FSH 3470 B]

**I-3.** Examples of circumstances that may qualify an employee for administrative leave are volunteer fire fighters attending class off campus, official delegates to the annual general convention of Idaho Public Employees’ Association, and members of state or local committees, such as the Human Rights Commission, attending official meetings.

**I-4.** With the approval of the president or designee, an administrator may also use administrative leave to remove an employee from the workplace (for example during an investigation or to mediate an employee relations issue), if approved in advance by Human Resources. The President’s Office or Provost’s Office, as appropriate must be notified.

**I-5.** In all cases involving administrative leave, payroll will coordinate with the department for the appropriate process based on the anticipated duration of the administrative leave. With a duration that is more than one bi-week, an electronic personnel action form (EPAF) must be processed. When leave is less than one full bi-week, hours attributed to administrative leave shall be coded as “Administrative DLeave” on the time/leave record and in the payroll system.

**I-6.** In the absence of a written agreement to the contrary, an employee on administrative leave must be available for recall to work during regular university business hours in the event that the employee’s services are required or otherwise requested to return to work.
I-7. Under certain circumstances, the university may require the use of accrued annual leave and/or compensatory time.

I-8. **Administrative Emergency Leave with Pay.** When the president or designee makes a decision to close, cancel classes, or postpone the opening of the university, employees will be authorized **Administrative Emergency Leave with pay** (see APM95.21 and FSH3470). When approved, employees will enter hours as follows for emergency closure days:

- Classified and PERSI-eligible TH will enter the hours they would have worked. Exempt and faculty enter leave if leave taken is more than 4\text{ four}~hours and will record leave only if they were out more than 4\text{ four}~hours.

  a. (TH) Temporary Help (PERSI-eligible only) – enter hours regularly scheduled but not worked due to the closure under the **Administrative Emergency Leave** code, up to 8\text{ eight}~hours

  b. Classified – enter hours not worked due to closure under the **Administrative Emergency Leave** code, up to 8\text{ eight}~hours

  c. Exempt & Faculty – enter hours not worked, if over 4\text{ four}, due to closure under the **Administrative Emergency Leave** code, up to 8\text{ eight}~hours.

J. **ACADEMIC TRANSITIONAL LEAVE.** (Available to all UI employees as described in Section J)

J-1. Academic transitional leave may apply when an academic administrator steps down from his/her administrative appointment and assumes a faculty appointment. The purpose of academic transitional leave is to prepare the employee for a new faculty appointment. Transition leave is not available in the event of transition from academic faculty to an administrative appointment. Academic transitional leave is granted at the discretion of the university, must be approved by the provost, and approved by the president or designee.

J-2. There is no accrual of annual leave during the period of academic transitional leave. All other benefits and leave accruals are provided on the same basis as afforded to similarly situated employees in a faculty job classification. Annual leave balances should be exhausted prior to a new academic faculty appointment. Leave balances that cannot be used will be carried forward. If not used, the balance of unused annual leave will be paid at the time of separation of all State of Idaho service. Carry forward of annual leave balances exceeding eighty-(80) hours must be approved in advance by Human Resources.

K. **TERMINAL LEAVE.** (Available to all UI employees as described in Section K)

K-1. Terminal leave is paid leave received by a terminating employee in lieu of wages at the employer’s discretion. An example of terminal leave is leave paid to an employee who is not completing the term of his/her contract at the request of the employer. Sick and annual leave is not accrued during the terminal leave period. Time toward length of service for retirement

**Commented [TBI(3)]:** OGC, HR and VP Foisy agree to removing terminal leave. This is essentially the same as Administrative Leave when used to finish out a contract and a requirement to use accumulated leave is made at that time.
vesting and eligibility for university retiree health benefits [FSH 3730] will continue. The duration of terminal leave is determined at the discretion of the university.

K-2. During terminal leave, health benefits continue for an employee and his/her covered family members on the same basis as employees of the same classification who are actively at work. The employee's share of all health care contributions, including employee and dependent medical/dental, supplemental life, and/or any other costs of coverage, will be withheld from the employee's pay. Upon separation from employment, the employee and/or his/her covered family members, as a family or individually, may have rights to medical/dental coverage through COBRA.

K-3. The university may require the use of accrued annual leave and/or compensatory time during the terminal leave period or may pay out some or all accrued, but unused balances at the time of termination.

LK. SHARED LEAVE. (Available to employees listed in A-6 (a) subject to specific eligibility criteria described in Section LK)

LK-1. University employees who earn annual leave may donate annual leave hours to shared leave. Shared leave may be donated to a shared leave pool or to the benefit of a specific eligible recipient. See FSH 3710 L-5 below and APM 55.07 C-3 for conversion of donated leave to shared leave.

LK-2. Eligibility. Benefit-eligible employees, including academic year faculty who do not accrue annual leave, are eligible to receive shared leave. If an employee is only eligible for benefits under the Patient Protection and Affordable Care Act (PPACA) they do not qualify for shared leave.

a. Qualifying Events. If any benefit-eligible employee [A-6. a. ] who has a health condition [L-2.a.1] or whose immediate family member [A-3] who has such a condition and the employee is required to take time away from work, and has exhausted all leave, the employee may apply for shared leave.

1. The health condition of the affected individual must be certified by a competent health care provider to be considered as acceptable evidence by the university, and qualify as a serious health condition as defined by family medical leave [ML] to include a need resulting from human organ or bone marrow donation. This provision applies only to the acceptable medical conditions of family medical leave. An employee need not meet the service and other requirements of family medical leave to be considered as an absence eligible for shared leave.

2. An applicant for shared leave who has used his or her own annual leave for purposes other than attending to a medical condition that is known to create potential for an extraordinary need for leave typically is not eligible for leave from the shared leave pool.
Under extraordinary circumstances, such an applicant may request an exception to receive shared leave from directed donations.

3. Shared leave that is donated from the shared leave pool is intended for use by employees who intend to return to work. An applicant who wishes to receive shared leave and otherwise meets the criteria of the program and does not intend to return to work may apply for shared leave; however, shared leave in this instance is available only from donations directed specifically to that one recipient.

b. Prerequisites. An employee must use all other available leave such as sick leave, annual leave, and compensatory time to qualify for shared leave. If an employee receives shared leave during the first year of their employment with the university, and does not return to active service for at least thirty days after completion of their leave, they may be expected to repay the compensation they received, unless this requirement is waived by the president or his/her designee.

c. Disability Income. To be eligible for shared leave for the employee’s own medical condition that is expected to last longer than thirty days, employees must first apply for wage replacement benefits that may be available through disability coverage. In cases of job-related injuries, employees must first apply for wage replacement through workers’ compensation. Once such benefits begin eligibility for shared leave benefits end. However, an otherwise eligible employee may use shared leave while satisfying the waiting period or after exceeding maximum disability periods for income replacement programs. Shared leave cannot be claimed when time away will be paid through wage replacement programs such as disability and workers’ compensation benefits.

LK-3. Donating Annual Leave.

a. Employees who have an accrued annual leave balance may donate to shared leave regardless of their funding salary source. Donations may be made to the shared leave pool and accessed by any eligible recipient or donated directly to a specific shared leave recipient.

b. Leave donations made for a specific individual will be drawn from donors’ accounts based on a first-received basis. The first donation request received by Benefit Services will be processed before a second donation from other recipients or before hours are withdrawn from the shared leave pool. Donations will be drawn from the donor’s annual leave account.

c. Leave donations may be made in any amount of not less than ½-hour (.50) increments.

d. Shared leave donations may not cause the donor’s annual leave balance to fall below forty (40) hours at the time the donation is processed, unless the donor is terminating active employment from the university. Donors should be aware that any shared leave not used by the intended recipient will be returned to the Shared Leave Pool, not returned to the donor(s). Leave donors who desire to donate only as much leave as the intended recipient needs are encouraged to work with HR to make incremental donations to that person.

a. Maximum Benefit. The maximum shared leave benefit is limited to four (4) working weeks of leave within a rolling twelve (12)-month period. Shared leave hours granted will be prorated based on employee’s FTE.

b. Recipients of shared leave from the shared leave pool will receive the benefit on a first-come, first-serve basis as the pool balance must not fall below zero dollars. If funds are unavailable from the shared leave pool, then the recipient would be required to solicit direct donations.

c. Shared leave requests are reviewed and granted by Benefit Services in accordance with this policy. Applicants awarded shared leave will be notified in writing; if the request is denied, the reason(s) for denial shall also be stated in writing. The requestor may appeal a denied request for shared leave. Appeals must be made in writing to Human Resources within thirty (30) days from the date of denial and must reference the applicable sections of policy and reasons why there is disagreement. Human Resources will respond to appeals within thirty (30) days.

LK-5. Funding and Conversion.

a. Funding for a full year of base salary is provided for most positions. A department typically has received funding for the duration of the employee’s full appointment. If an employee is absent without pay, the department would achieve salary savings as a result. The only exceptions would apply to those working from certain special funding sources or who hire a temporary replacement during the period of unpaid leave. Consequently, the department of the employee who will receive shared leave is responsible for funding the employee’s pay during leave from shared leave donations.

b. Conversion for donations. Hours donated by an employee are calculated at the donor’s hourly rate and converted to dollars that will be distributed to the recipient using the recipient’s hourly rate. Direct donations donors should be aware that if the conversion value from donated hours is greater than the intended recipient uses, any unused dollars will go into the Shared Leave Pool.

ML. FAMILY MEDICAL LEAVE. (Available to all UI employees subject to specific eligibility criteria described in Section ML.) Federal Family and Medical Leave Act 29 U.S.C 2601 and amendments will be followed when administering FMLA. Upon exhaustion of FMLA, when there is a continued need for leave for an employee’s own serious health condition, federal and state guidance will be followed.

ML-1. Family medical leave may be requested by an eligible employee for the following reasons:

a. the birth of a son or daughter of the employee and/or in order to care for such son or daughter;

b. the placement of a son or daughter with the employee for adoption or foster care;
c. to care for an immediate family member as defined in [ML-5] of this policy with a serious health condition as defined in [ML-5] of this policy;

d. because of the employee's own serious health condition [ML-5]; or

e. to serve as a human organ or bone marrow donor.

The entitlement to leave under subparagraphs (a) and (b) of this section ML-1 for a birth or placement of a son or daughterchild is encompassed in the Parenting Leave described in Section E, of this policy. Parenting Leave taken under Section E. is Family Medical Leave and by an employee who is also eligible for Family Medical Leave shall be counted as Family Medical Leave, to the full extent of the employee’s eligibility for Family Medical Leave at the time the leave is taken. Parenting Leave that falls outside of the requirements of the Family Medical Leave Act does not count against an employee’s Family Medical Leave entitlement.

ML-2. Family medical leave and/or service member family medical leave is generally leave without pay. However, when the absence also qualifies for the use of sick leave, if available, employees must first use accrued sick leave. See Parenting Leave for wage replacement. When the combination of the employee’s remaining sick leave plus any other accrued paid leave that may be available to the employee falls below 80 hours, the employee may then elect unpaid leave for the Family Medical Leave. When the type of absence does not qualify for the use of sick leave, the employee must use other available accrued paid leave until the employee’s remaining sick leave plus any other accrued paid leave that may be available to the employee falls below 80 hours before the employee may use unpaid leave for the Family Medical Leave.

ML-3. Eligibility. If the employee has been employed by the university for a minimum of twelve (12) months and has worked at least 1250 hours during the previous twelve (12) month period prior to the requested leave, the employee is eligible for family medical leave. This eligibility requirement does not apply to eligibility for Parenting Leave under Section E.

ML-4. Length of Leave. A maximum of up to twelve (12) weeks or a total of 480 hours of family medical leave may be granted to eligible full-time employees during a rolling twelve (12) month period. Eligible part-time employees may be granted up to twelve (12) working weeks of leave or a total number of hours consistent with their regular work schedule within a twelve (12) week period. (i.e. 20 hours per week x 12 weeks = 240 hours). The period is measured from the date the employee last used/exhausted family medical leave or became employed by the university to the date leave is to begin. Family medical leave may be taken on a continuous, intermittent, or reduced-hour basis. See Section E for parenting leave requirements.

ML-5. Definitions.

a. “Serious health condition” is defined as an illness, injury, impairment or physical or mental condition that involves any period of incapacity or treatment connected with in-patient care (i.e. overnight stay) in a hospital, hospice, or residential medical-care facility, and any period of incapacity or subsequent treatment in connection with such in-patient care; 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:

1. treatment two or more times by or under the supervision of a health care provider; or one treatment by a health care provider with a continuing regimen of treatment; or

2. pregnancy or prenatal care. A visit to the health care provider is not necessary for each absence; or

3. chronic serious health condition, which continues over an extended period of time, requires periodic visits to a health care provider, and may involve occasional episodes of incapacity (e.g., asthma, diabetes). A visit to a health care provider is not necessary for each absence; or

4. permanent or long-term condition for which treatment may not be effective (e.g., Alzheimer's, a severe stroke, terminal cancer). Only supervision by a health care provider is required, rather than active treatment; or

5. absences to receive multiple treatments for restorative surgery or for a condition which would likely result in a period of incapacity of more than three days if not treated (e.g., chemotherapy or radiation treatments for cancer).

6. Conditions for which cosmetic treatments are administered (such as most treatments for acne or plastic surgery) are not serious health conditions unless inpatient hospital care is required or unless complications develop. Ordinarily, unless complications arise, the common cold, the flu, ear aches, upset stomach, minor ulcers, headaches other than migraine, routine dental or orthodontia problems, periodontal disease, etc., are examples of conditions that do not meet the definition of a serious health condition and do not qualify for FMLA leave. Restorative dental or plastic surgery after an injury or removal of cancerous growths are serious health conditions provided all the other conditions of this section are met. Mental illness or allergies may be serious health conditions, but only if all the conditions of this section are met.

**ML-6.** Health benefits continue during family medical leave on the same basis as for any similarly situated employee who is actively at work, regardless of whether the employee is using other forms of compensation including accrued leave or taking leave unpaid. The employee's share of cost for health coverage is the amount that is typically payroll-deducted for the employee's own coverage and/or coverage for his/her the employee's dependents. The employee is responsible for payment of these amounts during leave. Payroll deductions will be continued for any portion of the leave that is paid. During any portion of leave when no pay is received, the employee must make arrangements to self-pay these amounts. Retirement plan contributions, accruals for sick and annual leave and credit toward vesting are suspended during unpaid portions of family medical leave.
ML-7. All qualified absences, including those due to a work-related injury, will be considered as family medical leave.

ML-8. If there are reasonable circumstances to support that an employee’s absence qualifies as family medical leave, the university has the right to classify such absence as family medical leave.

ML-9. When the need for family medical leave is foreseeable, an employee must request an application for family medical leave at least thirty (30) days in advance of the need for leave. Application assistance is available from Benefit Services. When events are not foreseeable, employees must provide as much notice as is possible. Application for family medical leave after a return from absence is not recommended; rights to preserved employment and benefits may be adversely affected. In any event, absent extraordinary circumstances, an employee may not claim an absence as a qualified family medical leave event unless done so within the first two (2) days of return from an absence. See Parenting Leave Section E.

ML-10. When leave is taken for personal illness or to care for an immediate family member with a serious health condition, leave may be continuous or intermittent and may include a reduction in hours worked. For intermittent leave, the employee must provide certification from the health care provider caring for the employee and/or family member stating the leave must be taken intermittently. Employees needing intermittent leave must attempt to schedule their leave so as not to disrupt university operations. The university reserves the right to assign an employee to an alternative position with equivalent pay and benefits that better accommodates the employee’s intermittent or reduced leave schedule.

ML-11. Employees on family medical leave are required to provide documentation to Benefit Services as requested, including intent to return to work. During leave, the university may require an employee to re-certify the medical condition that caused him/her to take leave. A return-to-work release from the health care provider is required before an employee absent due to his or her own serious health condition may return to work.

ML-12. Family medical leave requests for medical treatment or care giving requires certification from the health care provider documenting medical necessity.

ML-13. Family medical leave requests for parenting must be approved in advance and completed within twelve (12) months of the birth, adoption, or foster care placement of a child. See Section E for Parenting Leave requirements.

- a. Shared leave (if granted) may be used for the disability period related to childbirth. See Section LK for Shared Leave and Section E for Parenting Leave requirements.

b. Intermittent leave or reduced work schedule requests for parenting may not be granted, or may be cancelled by the university with thirty (30) days written notice, based on business needs of the university.

ML-14. Family medical leave taken by two (2) university employees to care for a family member who has a serious health condition consists of a maximum twelve (12) weeks of
leave for each employee. See Section E for Parenting Leave requirements. Family medical leave for parenting is addressed in FSH 3710 E.

ML-15. If the university obtains information from a credible source, such as the workers’ compensation authority, disability carrier, or a medical practitioner, that alters, changes, casts doubt, or fails to support continued leave or the leave application, the university has the right to:

a. revoke leave;

b. not grant leave;

c. require new evidence to support the leave request;

d. require the employee to return to work if the leave is not substantiated; and/or

e. when appropriate under applicable employee discipline policies [FSH 3910, 3920, and 3930], take disciplinary action, up to and including dismissal.

ML-16. Upon return from family medical leave, employees will be assigned to their same or similar position with equivalent pay and status with or without reasonable accommodation, as appropriate, in accordance with the Americans with Disabilities Act. Job reassignment must be coordinated with Employment Services and approved by Human Resources. The university has no obligation to restore employment to temporary hourly (TH) or other employees if the employment term or project is over and the university would not otherwise have continued employment.

ML-17. Family medical leave is not intended available for individuals who do not plan to return to work. An employee who applies for and is granted family medical leave and fails to return to work for at least thirty (30) days upon the expiration of their family medical leave period may be obligated to repay the costs of health coverage and any portion of paid parental leave provided by the university during any portion of family medical leave. If the university is notified that the employee does not intend to return to work, the family medical leave period will terminate immediately and the employee will be separated from employment on that date. Medical, dental and under some circumstances Health Care Spending Accounts may be continued through the Consolidated Omnibus Budget Reconciliation Act (COBRA). Options for life insurance portability or conversion may also be available. Job separation under these circumstances will result in a lump sum payment of annual leave and/or compensatory balances. In addition, the employee will no longer have a right to restoration to the same or equivalent position.

NM. SERVICE MEMBER FAMILY AND MEDICAL LEAVE. The federal Family and Medical Leave Act (FMLA) now entitles eligible employees to take leave for covered family members’ service in the Armed Forces (Service member Family and Medical Leave) in two instances. This section of the policy supplements the above family medical leave policy and provides general notice of employee rights to such leave. Except as stated below, an employee’s
rights and obligations to service member family and medical leave are governed by the general family medical leave policy.

-NM-1. Definitions: The following definitions are applicable to this section of the policy.

a. “Eligible employee” is a spouse, son, daughter, parent, or for purposes of caring for a family member, the next of kin of a covered family member.

b. “Next of kin” is the nearest blood relative of a family member who is in the Armed Forces.

c. “Covered family member” means any family member who is a member of the Armed Forces, including a member of the National Guard or Reserves, regardless of where stationed and regardless of combative activities.

d. A “covered veteran” is an individual who was a member of the armed forces (including a member of the National Guard or reserves) and was discharged or released under conditions other than dishonorable at any time during the 5-year period before the first date the eligible employee takes FMLA leave to care for the covered veteran.

1. An eligible employee must begin leave to care for a covered veteran within 5 five years of the veteran’s active duty service, but the “single 12-month period” may extend beyond the 5five-year period.

-NM-2. Leave Entitlement: Eligible employees are entitled to take service member family and medical leave for any one, or for a combination of the following reasons:

a. Any “qualifying exigency” (as defined by the Secretary of Labor) arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on active duty or has been notified of an impending call or order to active duty in the Armed Forces in support of a “contingency operation,” and/or

b. To care for a covered family member who has incurred an injury or illness in the line of duty while on active duty in the Armed Forces, or that existed before the beginning of the member’s active duty and was aggravated by service in the line of duty on active duty in the armed forces, provided that such injury or illness may render the covered family member medically unfit to perform duties of the family member’s office, grade, rank or rating.

c. In the case of a covered veteran, an injury or illness that was incurred by the member in the line of duty on active duty in the armed forces (or existed before the beginning of the member’s active duty and was aggravated by service in the line of duty on active duty in the armed forces) and manifested itself before or after the member became a veteran and is:

1. A continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the armed forces and rendered the service member unable to perform the duties of the service member’s office, grade, rank, or rating; or
2. A physical or mental condition for which the covered veteran has received a U.S Department of Veterans Affairs Service-Related Disability (VASRD) rating of 50 percent or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; or

3. A physical or mental condition that substantially impairs the covered veteran’s ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or

4. An injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the U.S Department of Veteran’s Affairs Program of Comprehensive Assistance for Family Caregivers.

NM-3. Duration of service member family and medical leave:

a. When leave is due to a qualifying exigency: an eligible employee may take up to 12 work weeks of leave during any 12-month period.

b. When leave is to care for a covered family member: an eligible employee may take up to 26 workweeks of leave during a single 12-month period to care for the covered family member. Leave to care for a covered family member, when combined with other qualifying family medical leave may not exceed 26 weeks in a single 12-month period.

c. Concurrent leave: service member family and medical leave runs concurrent with other leave entitlements provided under federal, state and local law.

ON. PERSONAL LEAVE. (Available to UI employees listed in A-6-(a) and A-6-(b) as described in Section ON.)

ON-1. Any employee not covered by another university leave type within this policy may request a personal leave of absence.

ON-2. Personal leave is leave without pay and without benefits. However, the university supervisor may require the use of sick, annual or any other type of accrued leave if the absence qualifies and leave is available. Personal leave may be taken with pay and benefits when other paid leave such as annual leave is taken concurrently. In rare circumstances, leave may be approved without pay, with continued benefits, but only when approved as an exception and only when doing so meets the business needs of the university. Hiring units are responsible for funding the benefits under these circumstances. [APM 55.38]

ON-3. Reasons for requesting a personal leave may include, but are not limited to, religious, personal, and educational matters or for extension of any leave when all other leaves have been exhausted.

ON-4. All requests for personal leave must be made to the supervisor in writing. A leave of three (3) working days or less can be approved by the supervisor and are recorded by the timekeeper on the employee’s time record as Leave Without Pay with Benefits. The president or his/her
designee (i.e., provost) must approve a personal leave which exceeds three (3) working days. Personal leave is not guaranteed and is granted on a case-by-case basis, with the approval of the supervisor and the unit administrator, based on the business needs of the university.

ON-5. The president or designee (i.e., provost) may grant personal leave without pay with or without benefits for a period of up to one (1) calendar year, with extensions not to exceed a total of three (3) successive calendar years [RGP II.I.5.]. Consideration is given to such requests on an individual basis in the light of the reason for which it is requested, whether it is leave with or without paid benefits and the effect that granting it will have on the employee’s unit or program.

ON-6. When a personal leave of absence is granted, the university assures reinstatement of the individual to a position of similar status and pay, but only to the extent that such position continues to exist and would have continued to exist had no leave been taken. Return to work in the same job within the same department is not promised.

ON-7. During personal leave without pay an employee is not eligible for holiday pay, the accrual of sick or annual leave, or the use of medical appointment leave, and may not be granted any other type of leave of absence such as family medical or military leave until the employee has first returned to work under active status and otherwise qualifies for such leave.

ON-8. An employee who has received approval from the president or his/her designee for a personal leave without pay without paid benefits may not continue to contribute toward and receive the benefits of the institution’s insurance and retirement programs, if the laws, rules, regulations, policies and procedures governing the administration of such insurance and retirement programs permit [RGP II.I.5.]. Employees should consult Benefits Services for more detailed information on how personal leave without pay will impact their benefits and their rights to continue coverage through COBRA and life insurance conversion or portability. [APM 55.09 and 55.38]

ON-9. Employees who are granted a personal leave of absence without pay are responsible for making arrangements with Benefit Services, before the leave begins, for the continuation or discontinuation of benefits. Also, they should call Benefit Services on their return to active status to make sure that any benefits that had been discontinued are reinstated or to adjust for changes that occurred while they were on leave. [APM 55.38]

ON-10. Personal leave is not intended as a vehicle to continue benefits for periods when employees are not working due to academic or seasonal work schedules or for a reduction in hours.

P. EXTENDED MEDICAL LEAVE. (Available to all UI employees subject to specific eligibility criteria described in Section P)

P-1. Extended medical leave (EML) extends job protection and health benefits beyond the expiration of family medical leave. EML is not family medical leave. EML is intended for the following:
a. Individuals who plan to return to work and have a prognosis to support return to work with assumption of full duties and responsibilities of their position, with or without reasonable accommodation, within a total absence period of no more than twelve (12) consecutive months; or

b. Individuals who do not have an acceptable prognosis to return to work, but whose absence qualifies for the use of sick leave and who have an unused sick leave balance upon the expiration of family medical leave.

P-2. EML and other options for an employee’s return to work following an approved family medical leave must be coordinated and approved through Benefit Services, in consultation with the supervisor, and are granted at the discretion of the university, but are not guaranteed. EML may not exceed a total absence period of twelve (12) consecutive months.

P-3. Acceptable medical certification and/or other documentation to support a prognosis for return to work must accompany all requests for EML. If acceptable medical certification and/or other documentation are not provided, notice of contemplated job action to separate the employee from employment at the expiration of family medical leave may be served upon the employee if all sick leave has been exhausted.

P-4. If there is not a prognosis to return to work as defined above [P-1], notice of contemplated action for job separation will be issued. However, if the employee has a remaining sick leave balance and his/her condition qualifies for the use of sick leave, employment and EML leave will be extended through the earlier of:

a. the date in which all sick leave will be exhausted; or

b. expiration of six (6) months of accumulated leave, measured from the date in which leave was first granted for the same condition.

All sick leave is forfeited upon separation from employment, except as provided in P-6, or as provided in (Idaho State Code 53-4001) rights to reinstate sick leave upon return to work for any State of Idaho agency.

P-5. Sick and all other available paid leave must be used concurrently with and taken first before any period on unpaid leave during EML. EML is leave with benefits but without pay, unless accrued sick or annual leave or compensatory time is used. Employees are not eligible for holiday pay while on extended medical leave without pay.

P-6. An employee with a sick leave balance who separates from employment upon the expiration of EML and qualifies as a disabled retiree, or as a retiree eligible for any tier of university retiree medical coverage that requires retiree cost sharing, may convert a predetermined amount of the unused sick leave to pay for the retiree’s share of the cost for their own university medical coverage. [FSH 3730]

P-7. Health benefits will continue during an approved EML in the same manner afforded to any employee of the same classification who is actively at work.
-a. The employee must make arrangements to self-pay his/her share of employee and dependent benefit costs during any portion of EML that is unpaid.

-b. Sick leave, annual leave, holiday pay and credited service hours toward vesting of annual leave accruals and retirement are not continued during any portion of leave that is unpaid.

c. Short and/or long term disability wage replacement payments and/or actively at work provisions for death and other benefits provisions within PERSI and similar contracts refer to an employee being actively at work (employed and not on leave) on the date in which the disability has first begun. An employee whose condition began before taking a leave of absence and who has qualified or met the conditions in accordance with provisions set by the carrier will continue to receive benefits and/or remain eligible for such benefits during Extended Medical Leave, and/or upon separation from employment if unable to return to work. (Refer to Disability and Retirement Plan Handbooks)

P-8. Employees who have been granted EML are required to provide documentation to human resources to support progressive medical improvement. Medical certification and other documentation may include temporary restrictions of duties and/or periods of part-time work. However, restrictions of job duties and/or part-time work restrictions must be approved by Human Resources and the hiring authority, and must intend and attempt to phase an employee back to work to a level of full assumption of job duties, with or without reasonable accommodation.

P-9. During EML, the university may require reasonable periodic re-certification and updates regarding the employee's medical condition, prognosis for improvement, and fitness for duty. A release to return to work from the health care provider is required before an employee may return to work. The university, at its own expense, may require medical pre-screening for return to work in a position that includes pre-employment medical pre-screening to ensure the safety and fitness for prescribed job duties before an employee is allowed to return to work with or without restriction of job duty.

P-10. When an employee's own medical condition or restriction is expected to be chronic, or when the condition fails to progressively improve, notice of contemplated action and job separation or accommodation of disability under ADA should be explored.

P-11. If at the expiration of the EML period the employee is still unable to perform the essential duties of his/her position with or without reasonable accommodation, the university has the right to separate any employee from employment and/or to end EML and begin job separation when the medical prognosis ceases to support a return to work within EML limits. (FSH 3910, 3920 and 3930)

QQ. LEAVE FOR PROFESSIONAL IMPROVEMENT. (Available to faculty with instructor rank or above, exempt employees and classified staff as described in Section QQ.)

QQ-1. Leave for professional improvement is paid leave with benefits for the purpose of participating in professional development programs or experiences for an extended period
of more than two (2) weeks to attain or enhance a skill set that will result in a mutual benefit to the both the university and the employee.

**QO-2.** Members of the faculty who hold the rank of instructor or above, exempt employees, and classified staff are encouraged to participate in programs of professional improvement. (Tenured faculty may also be eligible for sabbatical leave and should refer to FSH 3720.) Generally, on the recommendation of an applicant’s administrative supervisor, and with the approval of the dean/director and the provost/vice president, professional improvement leave may be granted under the following conditions (individual departments may have additional requirements and restrictions):

a. To participate in this plan, the faculty or staff member must have completed four (4) years of service before the time the leave is to begin.

b. Generally, at least two (2) years of service must intervene between a sabbatical leave and a leave for professional improvement or at least five (5) years of service must intervene between a leave for professional improvement and a subsequent request for the same type of leave.

**QO-3.** The employee requests professional improvement leave with pay by submitting a letter of application to the supervisor at least three (3) months before the leave is to begin. The letter should address the professional development to be derived from the leave, what activities (i.e. research, writing, experience, etc.) will be involved to achieve the professional goals, the duration of the leave, the level of support requested, and the source of funds, if known.

**QO-4.** Persons granted leave under this policy are expected either to return to the active service of the university for at least one academic or other full work year after completion of the leave, or are required to repay the money received from the university for the period of professional improvement leave granted.

**QO-5.** The employee must submit a report to the supervisor, the dean/director, and the provost/president regarding his or her developmental experience upon return to active work status.

**QO-6.** The employee may request approval to use accrued annual leave and to have an equal amount of administrative leave with pay granted to permit his or her participation in a program of professional improvement.

**RP. EXCEPTIONS.**

R-1. Exceptions to these policies may be considered to the extent that such an exception is not contrary to state and federal laws, the Board of Regents policies and procedures, and are considered in the best interest of the university. The respective unit administrator, Human Resources, and the president or designee as required, can grant exceptions. A request for exception must be submitted and approved by the supervisor and forwarded to Human Resources for further consideration of all approvals.
Version History

Amended January 2020. Changes were made pursuant to FSH 1460 C-3 to comply with Idaho Code 59-1608 and 67-5343 and for clarification purposes.

Amended July 2017. Edits were made for clarification purposes and cleanup.

Amended July 2016. Many changes were put in place to comply with federal regulation changes on family medical leave. The section on Parenting Leave was revised, and changes were made to allow employees more flexibility in leave use.

Amended July 2015. Changes were made to comply with federal regulation changes on family medical leave, a new section on Parenting Leave was added, and to allow employees more flexibility in leave use.

Amended July 2011. Section R was removed and a new policy, FSH 3450, was created to address employment actions such as temporary furloughs.

Amended July 2010. Section R was added to address the Fiscal Year 2010 Furlough.

Amended July 2008. Changes were approved following work involving Faculty and Staff Affairs, General Counsel, and Human Resources and a new section M was added on servicemember family leave due to a federal law change.

Amended 2002. Extensive changes were made to subsection K that reflected Regent policy and current practice.

Adopted 1979.
University of Idaho Information Technology Committee's Report on APM.30.16

The University Information Technology (UI-IT) committee and the faculty senate leadership team met with Teresa Amos from the Office of Information Technology/Information Technology Services (OIT/ITS) on Wednesday, September 21, 2022 (3:00 pm - 4:00 pm). Teresa Amos provided very helpful feedback and important comments regarding APM.30.16 or 30.16 - Technology Hardware Lifecycle Management (uidaho.edu), which was rewritten in the summer of 2022 and has been posted since July 01, 2022. We, the university information technology committee, hereby submit a summary of our comments.

- The committee understands the goal of APM.30.16 is to make sure assets and intellectual property/products can be protected for the University and the faculty.

- The committee is concerned about the issue of data security or data management software currently installed on faculty computers. Although the committee understands the importance of data security and management for the University and the faculty, the committee would encourage OIT/ITS to clarify in more detail since this could probably result in possible violations of the Idaho State Board of Education’s academic freedom policy III.B. - Academic Freedom and Academic Responsibility | Idaho State Board of Education. OIT/ITS suggests faculty members carefully review the list of hardware and equipment specifications on the website below and comply with policies or restrictions at the federal, state, and university levels. https://support.uidaho.edu/TDClient/40/Portal/Requests/ServiceDet?ID=640; the OIT/ITS is willing to work with individual faculty members more closely for the part of equipment procurement in grant proposals. The committee appreciates the support and raises concerns regarding a timely submission of grant proposals.

- The committee appreciates the comment that there are no intentions to intervene in individual faculty members’ research projects and faculty members can acquire any equipment (e.g., a 3D printer) that is not listed on the website of OIT/ITS if these purchases comply with the APM 30.16 policy and most of these purchases have automatically been considered exceptions.

- OIT/ITS has been building a stock of spare parts and computers. The committee believes this will help faculty members acquire the equipment needed for instruction, research, and service/outreach amid an emergency (e.g., the faculty member’s computer is not functioning in the middle of the semester).

- OIT/ITS has been addressing special computing needs such as a dual boot OS (e.g., Windows plus Linux) on a case-by-case basis. Faculty computers are on the employee network with faster speed and increased bandwidth, as compared to computers on the student network. The committee very much appreciates the support and clarification.
# Appendix: University Information Technology Committee Members

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<thead>
<tr>
<th>Faculty</th>
<th>Chair Mo.</th>
<th>Liao Haifeng Felix</th>
<th>2022-23</th>
<th><a href="mailto:hliao@uidaho.edu">hliao@uidaho.edu</a></th>
<th>Earth and Spatial Sciences</th>
<th>COS</th>
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<tbody>
<tr>
<td>Vice President for Research or Designee</td>
<td>w/o vote</td>
<td>Harner Archibald</td>
<td>N/A</td>
<td><a href="mailto:aharner@uidaho.edu">aharner@uidaho.edu</a></td>
<td>ORED</td>
<td></td>
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<tr>
<td>Registrar or Designee</td>
<td>w/o vote</td>
<td>Miller Tammy</td>
<td>N/A</td>
<td><a href="mailto:tmiller@uidaho.edu">tmiller@uidaho.edu</a></td>
<td>Registrar's Office</td>
<td></td>
</tr>
<tr>
<td>Vice President for Finance and Administration or Designee</td>
<td>w/o vote</td>
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<td>Vice President for Digital Learning or Designee</td>
<td>w/o vote</td>
<td>TBD</td>
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<tr>
<td>Vice President for Information Technology or Designee</td>
<td>w/o vote</td>
<td>Amos Teresa</td>
<td>N/A</td>
<td><a href="mailto:tamos@uidaho.edu">tamos@uidaho.edu</a></td>
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<td>Director of CETL or Designee</td>
<td></td>
<td>Smentowski Brian</td>
<td>N/A</td>
<td><a href="mailto:bsmentkowski@uidaho.edu">bsmentkowski@uidaho.edu</a></td>
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<tr>
<td>Faculty</td>
<td>Turner-Rahman Gregory</td>
<td></td>
<td>2024-25</td>
<td><a href="mailto:gtrahman@uidaho.edu">gtrahman@uidaho.edu</a></td>
<td>Art &amp; Design</td>
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<tr>
<td>Faculty</td>
<td>Woolley Darryl</td>
<td></td>
<td>2024-25</td>
<td><a href="mailto:dwoolley@uidaho.edu">dwoolley@uidaho.edu</a></td>
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<tr>
<td>Faculty</td>
<td>Johnston Jason</td>
<td></td>
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<td><a href="mailto:jjohnston@uidaho.edu">jjohnston@uidaho.edu</a></td>
<td>Music</td>
<td>CLASS</td>
</tr>
<tr>
<td>Faculty</td>
<td>Shih Ting-Yen</td>
<td></td>
<td>2024-25</td>
<td><a href="mailto:tshih@uidaho.edu">tshih@uidaho.edu</a></td>
<td>Electrical &amp; Computer Engineering</td>
<td>COS</td>
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<tr>
<td>Faculty/Library</td>
<td>Williams on Evan</td>
<td></td>
<td>2022-23</td>
<td><a href="mailto:ewilliamson@uidaho.edu">ewilliamson@uidaho.edu</a></td>
<td>Library</td>
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<tr>
<td>Faculty/Off Campus</td>
<td>Godfrey Bruce</td>
<td></td>
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<td><a href="mailto:bgodfrey@uidaho.edu">bgodfrey@uidaho.edu</a></td>
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Date: October 7, 2022
To: Erin Chapman, Vice Chair, Faculty Senate
From: Diane Kelly-Riley, Vice Provost for Faculty
Subject: Selection of Members for University-Level Promotion and Tenure Committee
CC: Francesca Sammarruca, Faculty Secretary

Please alert faculty senators nominations are open for individuals to serve on this year’s University-Level Promotion and Tenure Committees. Two committees will be convened this year given the robust number of dossiers to be reviewed. Details about the committee meetings and nomination process follow:

Nomination deadline: Friday, October 28, 2022
Meeting dates: Saturday, January 28, 8:00am PT, via zoom
Saturday, February 4, 8:00am PT, via zoom
Committee make-up: Two

Meeting availability:
Nominees must be available for both meeting dates, but can express preference for one of the dates. Faculty selected for the committee will only participate on one day. The review meeting typically takes between six and eight hours. An orientation meeting will be held within the first two weeks of December. Dossier review begins after the orientation.

Senator nomination process:
College senators must submit the total number of nominees as identified below regardless of the returning 1/3 membership of the committee. If senators do not complete the nomination form by the deadline, the provost shall appoint members from that college/unit.

Senator consideration:
Please ask the Senators to consider the broad cross section of academic duties for the professorate-- scholarly work via teaching, research/creative activity, outreach, and service when making nominations. It is important to have a committee that is representational of these major pursuits. Additionally, encourage senators to nominate professors who have not previously served on the committee recently. Also nominate individuals seen as leaders in their colleges and departments. The responsibilities of the committee collectively are to understand and implement the university’s policies regarding promotion and/or tenure.

<table>
<thead>
<tr>
<th>College/Unit</th>
<th>Number of Nominees (FSH 3500 G.)</th>
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<tr>
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<td>One Committee</td>
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<tr>
<td>College of Agricultural &amp; Life Sciences</td>
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<tr>
<td>Faculty w/&gt;50% Teaching &amp; Research</td>
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<tr>
<td>College of Agricultural &amp; Life Sciences</td>
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<tr>
<td>Faculty w/&gt;50% University Extension</td>
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<tr>
<td>College of Letters, Arts &amp; Social Sciences</td>
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<td>College of Art &amp; Architecture</td>
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<tr>
<td>College of Business &amp; Economics</td>
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<tr>
<td>College of Education</td>
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<td>College of Science</td>
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<td>Faculty at Large</td>
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WHAT IS INCLUSIVE ACCESS?

Inclusive Access (IA) is a program where the cost of course materials (usually digitally) are automatically charged to a student’s account. Students, however, may opt out.

The two main reasons instructors choose inclusive access material for their courses are:

- Guaranteed day one access for all their students.
- Potential cost savings to their students may reduce or eliminate cost barriers to obtaining class materials.

Though most IA materials are exclusively digital content, a variety of options include low cost print options, loose-leaf or alternative formats.

PROS

- As faculty already know and surveys have proven, student outcomes are better with day one access.
- Reduced pricing.
- No guesswork in textbook purchasing such as editions and instructor’s versions, etc.

CONS

- Print texts are available but at an additional cost.
- Student must take an extra step to opt-out.

BENEFITS TO STUDENTS

- Access on day one
- Knowing they have the correct materials
- No need to shop or hunt down materials
- Materials charged directly to student account
- Up to 60% less than cost of printed textbooks

BENEFITS TO INSTRUCTORS

- Faculty choose the content
- Begin online assignments on the first day of class
- Increased student interaction with course content

UPCOMING DATES

Oct. 25, 2022
Spring 2023 Textbook Adoption Deadline

Dec. 20, 2022
Fall final grades are due at noon.