

Civil Service Employee Leave

NOTE: The website URL for **Workday reference guides** that are referenced in this section is:
<https://confluence.esg.wsu.edu/display/WKB/Workday>

OVERVIEW

Leave rules address voluntary leave usage, leave needed for illness and care of family, as well as mandatory leave for reasons such as jury duty.

The civil service employee leave regulations included in this section are primarily based upon *Washington Administrative Code (WAC) 357-31*. Unless otherwise noted, definitions used throughout this section are in accordance with *WAC 357-01*.

Employees Covered by Collective Bargaining Agreements

Employees covered by collective bargaining agreements are to refer to the applicable Agreements for information regarding leave.

Types of Leave

Types of leave described in this section include:

- [Annual leave](#)
- [Bereavement leave](#)
- [Civil leave](#)
- [Civil service employee leave with pay](#)
- [Compensatory time](#)
- [Disability leave](#), including disability leave due to pregnancy and/or childbirth
- [Faith or conscience holiday](#)
- [Family care emergency](#)
- [Family medical leave](#)
- [Holiday](#)
- [Leave due to inclement weather](#)
- [Leave due to suspended operations or emergency closures](#)
- [Leave for life-giving procedures](#)
- [Leave for spouse of member of the military](#)
- [Leave for voting](#)
- [Leave without pay \(LWOP\)](#)
- [Military leave](#)
- [Parental leave](#)
- [Personal holiday](#)
- [Sick leave](#)
- [Training release time](#)

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Types of Leave (cont.)

- [Unauthorized absence](#)
- [Victims of domestic violence, sexual assault, or stalking](#)
- [Work-related injury or illness](#)

Shared Leave

For information regarding shared leave, see *BPPM* 60.58.

Departmental Guidelines

In addition to the rules specified in the *Business Policies and Procedures Manual (BPPM)*, *WAC* 357-31, and any applicable collective bargaining unit agreements, departments must develop internal processes for requesting and approving all leave. (*WAC* 357-31-100)

Assistance

Supervisors and employees may contact Human Resource Services (HRS) regarding leave issues and for interpretations of these regulations; e-mail hrs@wsu.edu, or telephone the campus HRS office at:

- Pullman: 509-335-4521
- Spokane: 509-358-7566
- Tri-Cities 509-372-7302
- Vancouver: 360-546-9587
- Everett: 425-405-1754

Reporting Leave

All civil service employees and employees covered by collective bargaining agreements report leave use in Workday. (See the applicable Workday Time and Absence reference guide.)

ANNUAL LEAVE

Earning Annual Leave

Full- and part-time civil service employees are eligible to accrue and use annual leave. A full-time civil service employee is scheduled to work 40 hours in a workweek. A part-time civil service employee is scheduled to work any configuration of hours less than 40 hours but is required to work 20 or more hours in a workweek.

Annual leave is credited each month upon completion of the month.

Accrual Rates

A civil service employee progressively accrues annual leave throughout their years of state employment.

The accrual rates established for Washington State University are listed in [Table 1](#), in accordance with state rules. (*WAC* 357-31-166(2)). The accrual rates are based on full-time civil service

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Accrual Rates (cont.) employment. The accrual rates for a part-time civil service employee is based upon the percent of employment. (*WAC 357-31-170(2)*).

Full-Time Accrual Rate View the accrual rates for full-time employees in *Table 1* below:

Table 1

Year – Accruals as of July 1, 2017	Accrual Per Year	Accrual Per Month
1-2 (of continuous state employment)	14 days	9.33 hrs.
3 (of continuous state employment)	15 days	10.00 hrs.
4 (of continuous state employment)	16 days	10.67 hrs.
5-6 (of total state employment)	17 days	11.33 hrs.
7-9 (of total state employment)	18 days	12.00 hrs.
10-14 (of total state employment)	20 days	13.33 hrs.
15-19 (of total state employment)	22 days	14.67 hrs.
20-24 (of total state employment)	24 days	16.00 hrs.
25 and longer (of total state employment)	25 days	16.67 hrs.

For years one through four, the accrual rate is based upon *continuous* state employment.

For years five and after, the accrual rate is based upon *total* state employment. See *BPPM 60.19* for transferring service credit from other state agencies.

Contact HRS – Records for Accrual Rate Charts prior to July 1, 2017.

Part-Time Accrual Rate The accrual rate for a part-time classified staff employee is based upon the percent of employment. (*WAC 357-31-170(2)*)

NOTE: Percent of employment is also expressed as FTE (Full-Time Equivalent). **Example:** During the first and second years of employment, an employee who has an appointment of 75 percent FTE earns 75 percent of 9.33 hours, which equals 7 hours of annual leave per month. In the third year of employment, the employee earns 75 percent of 10 hours, which equals 7.5 hours of annual leave per month.

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Change in FTE	If the FTE for a position changes or if an employee moves to a position with a different FTE, the annual leave accrual for the employee is based on the FTE of the employee's permanent appointment on the last day of the month.
LWOP Rule	If an employee is on LWOP for more than ten full working days in a calendar month, they do not earn annual leave or service credit for the month. (<i>WAC 357-31-175, WAC 357-31-180(2)</i>)
<i>Exceptions</i>	Employees on LWOP for the following reasons earn monthly service credits: <ul style="list-style-type: none">• Military leave (<i>WAC 357-31-180</i>)• Worker's Compensation• Periods of scheduled leave for cyclic employees. See <i>BPPM 60.30</i> and <i>WAC 357-31-180</i>.
New Employees	A new or reappointed employee appointed between the first through the fifteenth of the month accrues annual leave at the appropriate rate based upon percent of employment. If the employee is appointed or reappointed on or after the sixteenth of the month, the employee receives no annual leave accruals for that month.
Terminating Employees	An employee who separates from WSU service effective the first through the fifteenth earns no annual leave accruals for the month of separation. An employee who separates effective the sixteenth through the end of the month accrues annual leave.
Maximum Accrual	The maximum annual leave accrual as of the employee's anniversary date is 240. (<i>WAC 357-31-210</i>) The civil service regulations (<i>WAC 357-31-215</i>) allow exceptions to the maximum accrual of 240 hours for voluntary excess accrual and denials of requests for annual leave.
Voluntary Excess Accrual	An employee may accrue more than 240 hours between anniversary dates. For detailed information regarding this exception, see <i>WAC 357-31-215(2)</i> .
<i>Anniversary Date</i>	Anniversary date is defined as the employee's date of hire for the most recent period of unbroken service at WSU. (<i>WAC 357-01-022</i>)

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Prior State Service

An employee who transfers to WSU with no break in service transfers accrued annual leave hours if they transfer from:

- A state of Washington agency.
- A state of Washington higher education institution.
- A state of Washington educational service district.
- A state of Washington school district.
- The office of the Washington superintendent of public instruction.

(*WAC 357-31-110*)

Employment by a state of Washington educational service district and a state of Washington school district is not considered to be state service. Employees may transfer accumulated leave from the educational service district or school district. However, such employees do not receive credit for state service. See *BPPM 60.19* for more information and instructions.

Using Annual Leave

Annual leave *must* be earned before it may be used.
(*WAC 357-31-195*)

NOTE: Probationary employees are eligible to use annual leave.

Supervisor's Approval

The employee must obtain the supervisor's approval before using annual leave.

A supervisor considers the employee's needs as well as the department's operational schedule and requirements when approving annual leave requests. (*WAC 357-31-205*)

The supervisor *must allow* the employee to use annual leave for the reasons specified below, in accordance with *WAC 357-31-200*:

- An employee's serious health condition.
- To care for a spouse, parent, parent-in-law, or grandparent of the employee who has a serious health condition or an emergency health condition.
- To care for a minor/dependent child with a health condition that requires treatment or supervision.
- For parental leave as provided in *WAC 357-31-460* (see also [Parental Leave](#)).

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Supervisor's Approval (cont.) The supervisor *must also allow* the employee to use annual leave for the reasons specified below:

- To report for active duty or to take part in active training duty in the armed forces of the U.S. (see also [Military Leave](#)).
- Leave for an employee whose spouse is a member of the military who has been notified of an impending call or order to active duty or who has been deployed (see also [Leave for Spouse of Member of Military](#)).
- To care for a spouse, son, daughter, parent, or next of kin who is suffering from a serious illness or injury arising from injuries incurred in the line of duty in the armed forces of the U.S. (see [Leave to Care for Service Member](#) for definition of the term *next of kin*. (*WAC 357-31-525*))
- To recover from and cope with the effects of domestic violence, sexual assault, or stalking. (*RCW 49.76*) See also [Victims of Domestic Violence, Sexual Assault, or Stalking](#).

Denial of Request for Leave
Causing Excess Accrual
Balance

When a supervisor must deny an employee's request to use annual leave, which then results in a leave accrual balance above 240 hours as of the employee's anniversary date, the supervisor must:

- Grant an extension as defined in *WAC 357-31-215*, and
- Submit a Statement of Necessity to HRS, in accordance with the instructions in *WAC 357-31-220*. NOTE: The supervisor must submit the Statement of Necessity to HRS before the employee's annual leave balance exceeds 240 hours.

If HRS approves the extension request, HRS notifies the employee and the supervisor of the date by which the employee must use the excess leave hours. HRS files the approved request in the employee's personnel folder. Deferred leave hours are lost if the hours are not used before the date specified.

LWOP

Annual leave may not be used while on extended leave without pay.

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LWOP (cont.)

EXCEPTION: An employee who is on LWOP for one of the following reasons may schedule paid leave each month to maintain eligibility for WSU-sponsored employee benefits (see [Leave Without Pay](#)), in accordance with *WAC* 357-31-555, *WAC* 182-12-133, *WAC* 357-31-235, and *RCW* 49.76:

- Family medical leave, up to 12 weeks
- Disability leave, up to 4 months
- Disability leave due to pregnancy or childbirth, as long as medically certified
- Parental leave, up to 6 months
- Worker's Compensation, as long as medically certified
- Military leave service in the uniformed services of the United States or the state of Washington, as long as required to serve
- Leave for an employee whose spouse is a member of the military who has been notified of an impending call or order to active duty or who has been deployed, up to 15 days
- Leave to care for a spouse, son, daughter, parent, or next of kin who is suffering from a serious illness or injury arising from injuries incurred in the line of duty in the armed forces of the U.S., up to 26 weeks (see [Leave to Care for Service Member](#) and *WAC* 357-31-525)
- Domestic violence leave (see [Victims of Domestic Violence, Sexual Assault, or Stalking](#)).

NOTE: Due to the multiple types of leave available for the above purposes, consult with HRS regarding appropriate use of such leave.

Annual Leave Payoff

Upon termination of employment, WSU pays civil service employees who have completed at least six continuous months of service for all unused accrued annual leave hours. See *BPPM* 55.49 and *WAC* 357-31-225 for more information regarding annual leave payoff.

BEREAVEMENT LEAVE

A supervisor may approve the use of up to three days of bereavement leave to a civil service employee for a death in the family or household, as defined in *WAC* 357-01-172 and *WAC* 357-01-182. Upon request, the supervisor may approve additional leave to be charged against the employee's available paid leave balances, or the supervisor may approve the use of LWOP. (*WAC* 357-31-250)

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CIVIL LEAVE

WSU grants employees leave of absence with pay to serve on jury duty, as trial witnesses or for other subpoenaed civil duties. Civil service employees refer to *WAC 357-31-310*, *WAC 357-31-315*, and *WAC 357-31-320*.

Public Hearings or Court Appearances

If the employee is representing WSU at a court appearance or before a public hearing the employee is not considered to be on leave. The activity is part of the employee's regular assignment.

CIVIL SERVICE EMPLOYEE LEAVE WITH PAY

WSU *must* grant a civil service employee leave with pay for the employee to:

- Receive assessment from the Employee Assistance Program (EAP). See *BPPM 60.86*.
- Take a state examination.
- Interview for another state position, unless it interferes with operational necessity.

Employers may limit the number of occurrences or the total amount of paid leave to be granted to an employee to participate in interviews or take examinations during scheduled work hours.

See *WAC 357-31-325*.

WSU *may* also grant a civil service employee leave with pay for the reasons listed in *WAC 357-31-325(2)*.

COMPENSATORY TIME

Overtime-eligible civil service employees refer to *BPPM 60.59* and *WAC 357-31-230* regarding compensatory time.

DISABILITY LEAVE

In certain circumstances, supervisors must grant leave to permanent civil service employees who are unable to perform their job duties because they are disabled. *WAC 357-31-500* specifically provides such leave for civil service employees who are sick or temporarily disabled because of pregnancy and/or childbirth. Employees with other types of disabilities may be granted leave under the reasonable accommodation process (see *BPPM 60.21*).

Requesting Disability Leave

To request disability leave, an employee submits the request in Workday. See the Workday Request a Leave of Absence reference guide.

Civil Service Employee Leave

Requesting (cont.)

The employee must submit medical certification or verification to HRS for the period of disability.

Leave Usage

Disability
(Not Pregnancy, Childbirth,
or FMLA-Related)

Disability leave not related to pregnancy, childbirth, or covered by the Family Medical Leave Act (FMLA) may be a combination of sick leave, annual leave, personal holiday, compensatory time, and LWOP. However, the employee may not move in and out of paid status during such disability leave. Usually, the employee uses paid leave until such leave is exhausted and then uses unpaid leave for the remainder of the disability leave period. (See [Family Medical Leave](#) for information about FMLA.)

Disability for Pregnancy
or Childbirth

Disability leave related to pregnancy and/or childbirth may be a combination of sick leave, annual leave, personal holiday, compensatory time, and LWOP. The employee chooses the combination and use of paid and unpaid leave during such disability leave. (*WAC 357-31-515*)

Continuing Employer-Paid
Benefits

If necessary due to disability, the employee is allowed to use a minimum of eight hours of accrued paid leave per month for up to four months of disability leave due to pregnancy and/or childbirth (or as long as medically certified) to provide for continuation of employer-paid benefits. (The total months of such disability leave include the 12 workweeks provided under FMLA, if eligible. See *WAC 357-31-525*.)

NOTE: If using LWOP, eight hours of paid leave per month may not be sufficient to cover the employee's portion of the insurance premiums. Contact HRS for more information.

During the fourth month following the family medical leave period, or if the employee is not eligible for family medical leave under FMLA, the eight hours paid leave should be used on the first working day of the month.

FAITH OR CONSCIENCE HOLIDAYS

Civil service employees are eligible to take two unpaid holidays per calendar year for reasons of faith or conscience or to engage in organized activity conducted under the auspices of a religious denomination, church, or religious organization. (*RCW 1.16.050*)

Employees may select the days desired for the unpaid holidays. Employees must provide reasonable advance notice to the employing official. The employing official must allow the

Civil Service Employee Leave

FAITH (cont.)

requesting employee to take the unpaid holidays on the selected dates unless the employee's absence would impose an undue hardship on the University or the employee's attendance is necessary to maintain public safety. HRS is available to assist in making hardship determinations.

Employees must take each unpaid holiday as a full day or full shift. The employee may not split an unpaid holiday by taking part of the hours on one day and the balance on another day.

See [Effect of LWOP on Probationary or Trial Service Periods](#) for information about how LWOP affects probationary or trial service periods and leave accruals.

FAMILY CARE EMERGENCY

Civil service employees refer to *WAC* 357-31-285 through 357-31-305 regarding leave for family care emergencies and limits placed on such leave.

Civil service employees must be authorized to use emergency leave to care for:

- Employee's or spouse's minor/dependent childcare emergencies, such as:
 - Unexpected absence of a regular care provider.
 - Unexpected closure of a child's school.
 - Unexpected need to pick up a child at school earlier than normal.
- Elder care emergencies, such as the unexpected absence of a regular care provider or the unexpected closure of an assisted living facility. Elder care applies to care of the employee's spouse, household member, or employee's or spouse's parent or grandparent.

After a civil service employee has used all accrued compensatory time, the employee must be allowed to use up to three work days per calendar year of accrued annual leave, accrued sick leave, or LWOP for the purpose of family care emergencies.

Upon request, the supervisor may approve additional leave to be charged against the employee's available annual and/or sick leave balances, or the supervisor may approve the use of LWOP. (*WAC* 357-31-300, *WAC* 357-31-295)

Civil Service Employee Leave**FAMILY CARE
EMERGENCY (cont.)**

The appropriate manager in a civil service employee's supervisory chain may authorize the employee to work from home during family care emergency lasting less than a week.

NOTE: A temporary telework arrangement is not required to accommodate work from home during a period of an unanticipated circumstance lasting less than a week that requires an employee to remain at home, such as care of a family member. (See also *BPPM* 60.34.)

To request emergency leave an employee submits the request in Workday. See the Workday Request a Leave of Absence reference guide.

**FAMILY MEDICAL
LEAVE**

In accordance with the Family and Medical Leave Act (FMLA) of 1993 (29 *USC* 2601 et seq.), an employer must grant eligible civil service employees up to a total of 12 workweeks of absence during a rolling twelve-month period for any of the following reasons:

- To seek treatment and recover for an employee's serious health condition.
- To care for an employee's parent, spouse, or child who has a serious health condition.
- To provide care to an employee's newborn, adopted, or foster child. See *WAC* 357-31-460.

See also *WAC* 357-31-525.

Eligible Employees

An eligible employee is an employee who has:

- Worked for the state for at least 12 months, *and*
- Worked at least 1,250 hours during the previous 12-month period. Paid leave does not count towards the 1,250 hours of work.

See 29 *CFR* Part 825 and *WAC* 357-31-530.

**Leave to Care for
Service Member**

Upon request, the University must grant an eligible civil service employee up to a total of 26 workweeks of absence during a rolling 12-month period to care for an allowed individual. Allowed individuals include a spouse, son, daughter, parent, or next of kin who is suffering from a serious injury or illness arising from

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Care for Service Member (cont.)

injuries incurred in the line of duty in the armed forces of the U.S. For FMLA purposes, the term *next of kin* is defined as the nearest blood relative of the ill or injured individual.

Definition of Spouse

The regulatory definition of *spouse* includes all individuals in legal marriages, in all locations in the United States. Legally married couples, whether opposite-sex, same-sex, or common law, have family leave rights regardless of whether the state in which they currently reside recognizes such marriages. See 29 *CFR* Part 825.102 and 825.122(b).

Provisions

The following provisions apply to civil service employees for granting and use of family medical leave under FMLA:

- HRS designates absences that meet the criteria of family medical leave. (*WAC* 357-31-535)
- Designated paid or unpaid leave, excluding compensatory time, is counted towards the 12 weeks of family medical leave. (*WAC* 357-31-535)
- The employee may choose to use accrued paid leave or LWOP during a period of family medical leave. (*WAC* 357-31-540)
- The University must grant family medical leave to an employee on an intermittent or reduced schedule at the employee's request when medically necessary. (*WAC* 357-31-545)
- The employee must return to the same or equivalent position they held prior to the family medical leave absence. (*WAC* 357-31-550)
- The University must continue an eligible employee's employer-paid health insurance benefits during the family medical leave period. The employee is still responsible for their portion of the premiums and must make arrangements with Benefit Services to ensure that these premiums are paid. (*WAC* 357-31-555)

Application Guidelines

For application advisory guidelines and more detailed information concerning family medical leave see the HRS website at:

hrs.wsu.edu/employees/disability-services/medical-leave/

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HOLIDAY

A holiday is a day when all University offices and departments on a WSU campus are closed except for certain essential service units.

The University provides ten holidays each fiscal year for civil service employees. Refer to the holiday schedule in *BPPM* 60.76 for current WSU holiday schedules for specified University locations.

Qualifications for Holiday Pay

Full-time and part-time civil service employees who are in pay status the entire work shift prior to the holiday qualify to receive pay for the holiday. (*WAC* 357-31-010)

Civil service employees refer to *WAC* 357-31-030 when a holiday falls on a scheduled day off.

A cyclic-year employee who is in full pay status on their last regularly scheduled working day prior to the cyclic break, qualifies for holiday(s) in that month.

An employee working a night shift schedule during which the holiday occurs is compensated their holiday leave as defined in *WAC* 357-31-050.

Holiday Hours Earned

A full-time civil service employee receives eight hours of holiday pay. Any differences between the scheduled shift for the day and eight hours may be adjusted by use of vacation leave, accrued compensatory time, or LWOP.

Part-time employees calculate their percent of employment times eight hours to determine the number of paid holiday hours earned. **Example:** an employee on a 75% FTE appointment earns $75\% \times 8$ hours = 6 hours of holiday pay.

Holiday Worked

Overtime-eligible civil service employees who are directed to work on a designated holiday must receive their regular rate of pay for the holiday, plus premium pay at the overtime rate for all hours worked on the holiday. See *BPPM* 60.59 and *WAC* 357-28-200.

Overtime-exempt civil service employees do not qualify for holiday premium pay.

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LEAVE DUE TO INCLEMENT WEATHER

A civil service employee may request the use of annual leave or personal holiday to cover absence due to inclement weather.

A civil service employee may be required to use compensatory time for absence due to inclement weather before using annual leave hours, unless this requirement would result in a loss of accumulated annual leave.

A civil service employee may use up to three days of sick leave per calendar year for absence due to inclement weather after all other paid leave is exhausted.

Civil service employees may request to use LWOP for absences due to inclement weather.

The appropriate manager in a civil service employee's supervisory chain may authorize the employee to work from home during inclement weather.

NOTE: A temporary telework arrangement is not required to accommodate work from home during a period of inclement weather (see *BPPM* 60.34).

Refer to *WAC* 357-31-255 for more information regarding leave due to inclement weather.

LEAVE DUE TO SUSPENDED OPERATIONS OR EMERGENCY CLOSURES

Civil service employees refer to *BPPM* 50.40, 60.40, and *WAC* 357-31-260 regarding suspended operations and emergency closures.

The appropriate manager in a civil service employee's supervisory chain may authorize the employee to work from home during a period of suspended operations.

NOTE: A temporary telework arrangement is not required to accommodate work from home during a period of suspended operations (see *BPPM* 60.34).

Overtime-Eligible Civil Service Employees

Supervisors must allow overtime-eligible civil service employees to use personal holiday, accrued annual leave, or accrued compensatory time to cover work time lost as a result of suspended operations. (*WAC* 357-31-265)

Supervisors may allow overtime-eligible civil service employees to use LWOP and give them an opportunity to reschedule work

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Overtime Eligible CS (cont.) time lost as a result of suspended operations. The employee must reschedule lost work time within the same workweek as the suspension of operations.

If rescheduling lost work time causes an overtime-eligible employee to work in excess of forty hours in the workweek, compensation must be provided in accordance with *WAC 357-28-255, 357-28-260, and 357-28-265*. However, the amount of compensation earned must not exceed the amount of salary lost by the employee due to the period of suspended operations. Refer to *WAC 357-31-265*.

LEAVE FOR LIFE-GIVING PROCEDURES Employees are eligible for paid leave for the sole purpose of participating in life-giving procedures. (Executive Order 02-01)

Paid leave for participation in life-giving procedures:

- Is not to exceed five days in a two-year period.
- Is not charged against sick leave or annual leave.
- Does not require the use of LWOP.

A life-giving procedure is defined as a medically-supervised procedure involving the testing, sampling, or donation of blood, platelets, organs, fluids, tissues, and other human body components for the purposes of donation, without compensation, to a person or organization for medically necessary treatments.

Employees must provide reasonable advance notice of a desire to take paid leave time to participate in live-giving procedures. Supervisors may take into account program implementation and staffing replacement requirements in determining whether or not to grant such leave time.

In order to be credited with organ/blood donation leave time, an employee must provide written proof from an accredited medical institution, physician, or other medical professional that the employee participated in a life-giving procedure.

WSU takes into account provisions of collective bargaining agreements, which cover leave usage. Employees covered by collective bargaining unit agreements should refer to the appropriate agreements. Any additional time needed for life-giving procedures is subject to University leave policies and collective bargaining agreements. Supervisors may also continue or

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LIFE-GIVING PROCEDURES (cont.)

implement informal, flextime, or other leave arrangements for these purposes.

The University's life-giving procedures leave policy does not create any entitlement or other right, which may be converted to cash, other compensation, or any other benefit. The policy is intended only to encourage altruistic life-giving procedures, and to allow paid leave to participate in such procedures.

LEAVE FOR SPOUSE OF MEMBER OF MILITARY

During a period of military conflict, an employee whose spouse is a member of military who has been notified of an impending call or order to active duty or who has been deployed is entitled to a total of 15 days of unpaid leave per deployment. Applicable military units are the Armed Forces of the United States, National Guard, or reserves.

The employee may choose to use accrued paid leave, e.g., annual leave, to cover any or all of the fifteen days of leave per deployment for which they are entitled.

The employee is entitled to 15 days of military spousal leave:

- After the military spouse has been notified of an impending call or order to active duty and *before* deployment; **or**
- When the military spouse is on leave from deployment.

Notifying Employer

An employee who seeks military spousal leave is to request leave through Workday in either of the following cases:

- Within five business days of the employee's spouse receiving official notice of an impending call or order to active duty.
- Within five business days of the employee's spouse receiving official notice of leave from deployment.

LEAVE FOR VOTING

Supervisors may allow the use of compensatory time, annual leave, flexible scheduling and/or LWOP on the day of a primary, general, or special election to allow employees reasonable time for in person voting.

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LEAVE WITHOUT PAY

Uses for Authorized LWOP

Leave without pay may be allowed for any of the reasons listed below:

- For any reason leave with pay may be granted, as long as the conditions for leave with pay are met
- Educational leave
- Leave for government service in the public interest
- Military leave of absence (*WAC 357-31-370*)
- Parental leave (*WAC 357-31-460*)
- Family care emergencies (*WAC 357-31-295*)
- Bereavement or condolence
- Absence due to inclement weather (*WAC 357-31-255*)
- Absence due to suspended operations or emergency closures (*WAC 357-31-260*)
- To accommodate annual work schedules of employees occupying cyclic year positions (see *BPPM 60.30* and *WAC 357-19-295*)
- Serious health condition of an eligible employee's child, spouse, or parent (*WAC 357-31-525*)
- Leave taken voluntarily to reduce the effect of an employer's layoff
- Leave that is authorized in advance by the appointing authority as part of a plan to reasonably accommodate a person of disability;
- Employees receiving time loss compensation due to worker's compensation
- Leave for or an employee whose spouse is a member of the military who has been notified of an impending call or order to active duty or who has been deployed.

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- Authorized LWOP (cont.)**
- Leave to care for a spouse, son, daughter, parent, or next of kin who is suffering from a serious illness or injury arising from injuries incurred in the line of duty in the armed forces of the U.S. (see [Leave to Care for Service Member](#)).
 - Leave to recover from and cope with the effects of domestic violence, sexual assault, or stalking.

See also *WAC* 357-31-330 and *RCW* 49.76.

Requesting LWOP

The employee submits a leave of absence request for LWOP through Workday. See the Workday Request a Leave of Absence reference guide.

More Than Ten Working Days

If the request is for more than ten full working days of LWOP, the request automatically routes to the appropriate employing official and HRS for approval.

Effect of LWOP on Probationary or Trial Service Periods

A civil service employee's probationary period or trial service period is extended by one workday for each workshift of leave without pay that the employee takes during this period. (*WAC* 357-31-355)

Accruals While on LWOP

LWOP may impact an employee's accruals for annual leave, sick leave, and whether they receive compensation for University holidays.

Annual Leave

See [Annual Leave](#).

Sick Leave

See [Sick Leave](#).

Holiday Hours Earned

See [Holiday](#).

Benefits Eligibility

LWOP for a period that is equal to or greater than one calendar month requires personal payment of insurance premiums unless:

- Employee is on approved family medical leave and is paying their portion of the premiums.
- Employee is on parental leave under FMLA for up to 12 weeks and is paying their portion of the premiums.
- Employee is not eligible for family medical leave, is on disability LWOP or parental leave, *and*

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Benefits Eligibility (cont.)

Employee is using eight hours of paid leave per month to keep benefits in effect for up to four months for their own condition or six months of parental leave.

NOTE: Eight hours of pay may not generate enough pay to cover the employee's portion of the insurance premium. Contact HRS to inquire how much leave must be used each month to cover employee's portion of the insurance premiums.

An FMLA-eligible employee may use eight hours of paid leave for one additional month beyond the family medical leave period in order to maintain benefits.

An employee may not move in and out of paid status during a disability leave not related to pregnancy, childbirth, or family medical leave. Usually, the employee uses paid leave until such leave is exhausted and then uses unpaid leave for the remainder of the disability leave period.

Contact Benefits Services regarding personal payment of insurance premiums, as needed; telephone 509-335-4521.

Review the following for more information regarding eligibility for benefits during periods of LWOP:

- Family Medical Leave
- Disability Leave
- Parental Leave

Employee Return Rights

An employee returns from extended LWOP to the same position or to another position within the same class in the same geographical area and organizational unit if reemployment does not conflict with rules relating to layoff. (*WAC 357-31-340*)

MILITARY LEAVE

Upon presentation of military orders to the supervisor, WSU grants civil service employees leave for active training duty with any of the armed forces of the United States.

Military Leave With Pay

Employees must be granted military leave with pay not to exceed 21 working days during each year in order to report for active duty or to take part in active training duty in:

- Washington National Guard
- Army reserves
- Navy reserves

Civil Service Employee Leave

Military Leave (cont.)

- Air Force reserves
- Coast Guard reserves
- Marine Corps reserves of the United States
- Any organized reserve or armed forces of the United States

For purposes of calculating military leave, the year begins October 1st and ends the following September 30th.

Military Leave Without Pay

If the leave exceeds 21 working days, WSU must grant a military leave of absence without pay to a civil service employee for service in the uniformed services of the United States or the state, and to reinstatement as provided in *RCW 73.16*.

No adjustments are made to the seniority date, leave accrual rate, or periodic increment date while an employee is on paid military leave or a military leave of absence without pay.

Shared Leave During Military Leave Period Requesting Military Leave

See *BPPM 60.58* for information regarding eligibility and application for shared leave to cover a period of military leave. Upon presentation of military orders to the appropriate dean or principal administrative officer, the University grants employees leave with pay and/or LWOP for active armed forces training duty and active service duty.

PARENTAL LEAVE

An eligible employee may request up to six months of parental leave for the birth and care of the employee's newborn child or the placement of a child with the employee for adoption or foster care.

Civil service employees refer to *WAC 357-31-460* and *WAC 357-31-465* regarding parental leave eligibility.

Refer to *WAC 357-31-475* regarding circumstances in which the six-month period of leave may be denied or extended.

A total of 12 weeks of parental leave may be taken in addition to any family medical leave taken for sickness or temporary disability due to pregnancy and/or childbirth. (*WAC 357-31-480*, *WAC 357-31-495*)

Parental Leave Request

The employee submits a leave of absence request for parental leave through Workday, providing a 30-day notice. In the event that the employee is unable to give 30 days notice due to the early birth or placement of a child, the employee is to submit a request as soon as possible. (*WAC 357-31-470*)

Civil Service Employee Leave

Parental Leave Request (cont.)

The leave of absence request is to include the anticipated dates of the leave and the purpose of the leave. See the Workday Request a leave of Absence reference guide.

If the requested period of parental leave exceeds the period allowed by FMLA, the employee is notified within ten working days as to whether the request is approved or denied. Denial may be based on justifiable operational necessity only. (*WAC 357-31-485*)

Parental Leave Usage

Parental leave may be a combination of annual leave, personal holiday, compensatory time, and LWOP. The employee chooses the combination and use of paid and unpaid leave during parental leave. (*WAC 357-31-490*) Sick leave may be used for parental leave only if such use meets the criteria specified in *WAC 357-31-130*.

A civil service employee may use a minimum of eight hours of paid leave each month of a LWOP period to maintain eligibility for the WSU-sponsored employee benefits for up to six months of parental leave. (*WAC 357-31-490(2)*)

The employee is responsible for their portion of the insurance premiums. NOTE: Eight hours of pay may not generate enough pay to cover the employee's portion of the insurance premium. The employee may contact Benefit Services with questions regarding their benefits.

PERSONAL HOLIDAY

A civil service employee who is scheduled to be or has been continuously employed for at least four months is entitled to a paid personal holiday.

The personal holiday is in addition to the designated legal holidays, which all civil service employees receive in a calendar year. See *BPPM 60.76* for the schedule of designated holidays.

Requirements

The civil service employee must take their personal holiday within the current calendar year or the holiday is forfeited.

EXCEPTION: If the employee is denied use of the personal holiday during the current year, they may take the holiday the following year. (*WAC 357-31-080*)

Request

The employee requests a personal holiday through Workday for a specific day in accordance with departmental leave guidelines.

Civil Service Employee Leave

Request (cont.) The supervisor may deny use of the holiday on a particular date if the employee's absence interferes with the operations of the department. (*WAC 357-31-070*)

Use An employee must use their personal holiday as a full day or shift. (*WAC 357-31-090*) The employee may not split the personal holiday by taking part of the hours on one day and the balance on another day except as allowed for the following:

- Care of a minor or dependent child (*WAC 357-31-070(2)(a)*)
- Care for an eligible family member (*WAC 357-31-070(2)(b)*)
- Donation to the shared leave program (*WAC 357-31-425(3)*)

Compensation

Full-Time Employees A full-time civil service employee receives eight hours pay for the personal holiday. An employee accounts for differences between the scheduled daily shift and eight hours by using accumulated annual leave, compensatory time, or LWOP. (*WAC 357-31-065(1)*)

Part-Time Employees A part-time civil service employee receives personal holiday hours based upon the percentage of FTE (full time employment) times eight hours. **Example:** 75% FTE x 8 hours = 6 hours of personal holiday. (*WAC 357-31-065(2)*)

SICK LEAVE

Earning Sick Leave Sick leave is credited to the employee's leave balances on a monthly basis, upon completion of the month. Civil service employees may accumulate unlimited sick leave hours. (*WAC 357-31-115*)

Accrual Rate

Full-Time Accrual Full-time civil service employees earn eight hours of sick leave per month. (*WAC 357-31-115(1)*)

Part-Time Accrual The accrual rate for a part-time civil service employee is based upon the percent of employment. (*WAC 357-31-115(3)*)

NOTE: Percent of employment is also expressed as FTE (Full-Time Equivalent). **Example:** An employee who has an appointment of 75% FTE will earn 75% of eight hours = 6 hours of sick time.

Civil Service Employee Leave

LWOP Rule

Overtime eligible employees on LWOP exceeding 80 hours in the month, accrue sick leave prorated to the number of hours in paid status during the month the LWOP is used. (*WAC 357-31-121*). Overtime exempt employees on LWOP exceeding 80 hours in a month (prorated for part-time) do not earn accrual of sick leave. (*WAC 357-31-120*)

Prior State Service

An employee who transfers to WSU with no break in service transfers accrued sick leave hours if they transfer from:

- A state of Washington agency.
- A state of Washington higher education institution.
- A state of Washington educational service district.
- A state of Washington school district.
- The office of the Washington superintendent of public instruction.

Employment by a state of Washington educational service district and a state of Washington school district is not considered to be state service. Employees may transfer accumulated leave from the educational service district or school district. However, such employees do not receive credit for state service.

See *BPPM 60.19* and *WAC 357-31-110*.

WSU restores unused sick leave balances, if any, for Washington state employees who are re-employed within five years of the termination of prior state employment. See *BPPM 60.19* and *WAC 357-31-160* for more details and limitations.

New Employees

A new or reappointed employee appointed between the first through the fifteenth of the month accrues sick leave at the appropriate rate based upon percent of employment. If the employee is appointed or reappointed on or after the sixteenth of the month, the employee receives no accruals for that month.

Using Sick Leave

Sick leave *must* be earned before it is used. (*WAC 357-31-140*)

The supervisor *must allow* the employee to use accrued sick leave for the following reasons, in accordance with *WAC 357-31-130*.

Civil Service Employee Leave

Using Sick Leave (cont.)

An employee *may* use sick leave as specified below, in accordance with *WAC* 357-31-130:

- Bereavement or condolence.
- Inability to report to work because of inclement weather, in accordance with the employer's policy on inclement weather (*WAC* 357-31-255).

If an employee who is on approved annual leave were to have a condition arise that would be eligible for sick leave use under *WAC* 357-31-130(1), WSU may allow the employee to use sick leave in place of annual leave. The employee may request to adjust their leave balance by calling the supervisor notifying them of the need for sick leave. The employee may contact the supervisor with this request at the time the condition arises or upon their return from leave.

The University may require medical verification of the reason for sick leave use upon the employee's return to work.

| LWOP

Sick leave may not be used while on extended LWOP.

EXCEPTION: An employee who is on LWOP may use sick leave under the following conditions:

- Employee is approved to receive Worker's Compensation from the Department of Labor and Industries (see [Work-Related Injury or Illness](#)); *or*
- Employee is scheduling leave each month to maintain eligibility for WSU-sponsored employee benefits, *if* the leave taken meets the criteria in *WAC* 357-31-490 *and*:

The employee is eligible for family medical leave; *and/or*

The employee is eligible for disability leave due to pregnancy or childbirth; *and/or*

The employee is eligible for parental leave and meets the criteria specified in *WAC* 357-31-130 and *WAC* 357-31-460.

Civil Service Employee Leave

LWOP (cont.)

- Employee whose spouse is a member of the military who has been notified of an impending call or order to active duty or who has been deployed is scheduling leave.
- Employee is on leave to care for a spouse, son, daughter, parent, or next of kin who is suffering from a serious illness or injury arising from injuries incurred in the line of duty in the armed forces of the U.S. (see [Leave to Care for Service Member.](#))
- Employee is on domestic violence leave.

Requesting Leave/
Notifying Supervisor

An employee reports inability to work due to illness or disability to the supervisor at the beginning of any period of sick leave and daily thereafter unless the employee and the supervisor make other arrangements.

If the need to use sick leave causes the employee to miss more than three days of work, or is a chronic condition that requires ongoing treatment or ongoing intermittent leave, the employee must apply for medical leave.

For application advisory guidelines and more detailed information about disability leave or family medical leave, contact HRS; telephone 509-335-4521.

Payment For Accrued Sick Leave

The following two options allow an employee to be paid for accrued sick leave:

- Attendance incentive. See *BPPM* 60.41 and *WAC* 357-31-150(1).
- Payment upon retirement or death. See *BPPM* 55.49 and *WAC* 357-31-150(2).

At retirement, an eligible employee may either receive benefits from the Voluntary Employee's Benefit Association Medical Expense Plan (VEBA MEP) or receive payment for accrued sick leave. The employee does not personally choose between VEBA MEP or sick leave payment. See *BPPM* 55.49 for more information.

NOTE: Employees who separate from WSU for any reason other than retirement or death are not eligible for payment of accrued sick leave. (*WAC* 357-31-155)

Civil Service Employee Leave

TRAINING RELEASE TIME

Employees are entitled to 96 hours of release time per year to attend training sessions (*BPPM* 60.72). Applicable training sessions may include management-assigned Skillsoft online classes.

Training release time is considered time worked for purposes of computing overtime for overtime-eligible employees.

UNAUTHORIZED ABSENCE

Unauthorized absences will be treated as unauthorized leave without pay. Possible ramifications of unauthorized absences are addressed in *WAC* 357-31-105.

VICTIMS OF DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALKING

If an employee or an employee's family member is a victim of domestic violence, sexual assault, or stalking, the employee may take unpaid leave or use any accrued leave to recover from and cope with the effects of such violence.

Individuals considered to be family members are parent, step-parent, sister, brother, parent-in-law, spouse, grandparent, grandchild, minor/dependent child, and child. For the purpose of leave for victims of domestic violence, sexual assault, or stalking, family member also includes a person with whom the employee has a dating relationship. (*WAC* 357-01)

For definitions of domestic violence and sexual assault, see *RCW* 26.50.010. For definition of stalking, see *RCW* 9A.46.110.

Documentation

Employees seeking to use accrued leave or unpaid leave may be required to submit the following documentation.

Verification of Domestic Violence, Sexual Assault, or Stalking

When an employee or the employee's family member is a victim of domestic violence, sexual assault, or stalking and the employee is seeking to use accrued leave or LWOP, HRS may require verification to support the request.

If verification is required, the employee provides HRS with one or more of the following:

- A police report indicating that the employee or the employee's family member was a victim of domestic violence, sexual assault, or stalking.
- A court order protecting or separating the employee or employee's family member from the perpetrator of the act of domestic violence, sexual assault, or stalking.

Civil Service Employee Leave

Verification (cont.)

- Evidence from the court or prosecuting attorney that the employee or the employee's family member appeared, or is scheduled to appear, in court in connection with an incident of domestic violence, sexual assault, or stalking.
- The employee's written statement that the employee or the employee's family member is a victim of domestic violence, sexual assault, or stalking.
- Documentation from any of the following persons from whom the employee or employee's family member sought assistance that the employee or the employee's family member is a victim of domestic violence, sexual assault, or stalking:
 - An advocate for victims of domestic violence, sexual assault, or stalking
 - An attorney
 - A member of the clergy
 - A medical or other professional.

Verification of Familial Relationship

If the victim of domestic violence, assault, or stalking is the employee's family member, verification of the familial relationship between the employee and the victim may include but is not limited to the following documents:

- A statement from the employee
- A birth certificate a court document
- Other similar documentation

WORK-RELATED INJURY OR ILLNESS

In the event that a civil service employee sustains a work-related injury or illness and is approved to receive Workers' Compensation from the Department of Labor and Industries, *WAC 357-31-235* allows the employee to:

- Receive Workers' Compensation exclusively and go on LWOP with WSU.
- Use accrued paid leave for their time off while receiving Workers' Compensation.
- Use a combination of LWOP and accrued leave while receiving Workers' Compensation.

During the first three months in which an employee is off, they may use any combination of leave and LWOP.

Civil Service Employee Leave

WORK-RELATED (cont.)

As of month four, University policy does not allow for an employee receiving Worker's Compensation to move back and forth from a paid leave to LWOP status.

See also *SPPM 2.30*.

Use of Accrued Leave While on Worker's Compensation

For information regarding the implications of using sick leave while on Worker's Compensation, see *SPPM 2.30*.

For information regarding the implications of using annual leave, compensatory time, or holiday pay while on Worker's Compensation, see *SPPM 2.30* and *WAC 357-31-245*.

NOTE: An employee may use any combination of leave and LWOP during the first three months they are off work.