PURPOSE

This policy provides guidance to employees of the University of Nevada, Reno Facilities Services Department (FSD) regarding attendance, leave and break periods.

SCOPE

This policy applies to all FSD employees. These guidelines are intended to provide policy clarification to applicable sections of the Nevada Administrative Code and the Administrative Manual, and may be more restrictive in some areas.

GENERAL

To best carry out the mission of the FSD in serving the University community and campus facility needs, it is important to plan leave in advance. Advanced planning assists the department in achieving work execution and customer satisfaction goals. It is the employee’s responsibility to ensure they have adequate leave accruals to support all leave requests. The leave keeper will verify available leave for approved absences for supervisors and issue Employee Leave Balance Statements quarterly. In the event of an absence unsupported by available leave balances or other approved leave of absence status, the absence will be unauthorized, unpaid, and subject to disciplinary action.

ANNUAL LEAVE

Employees are encouraged to take annual leave each year, as the purpose of leave is to grant the employee a substantial period of rest and relaxation. The supervisor grants annual leave after considering the needs of the unit and needs of the employees.
• All requests for annual leave are submitted on the approved leave slip to the supervisor at least one week, seven calendar days, prior to the first day of leave. Upon approval by the supervisor, leave is granted. Leave requests received at least seven days in advance will receive first consideration. Leave requests are considered based on department workload and leave already approved for other employees. Leave requests submitted less than seven days in advance are less likely to be approved.

• Absences without pre-shift notification are not eligible for annual leave, are unauthorized, and may be subject to disciplinary action.

• Leave requests are denied in circumstances where an employee’s absence is detrimental to the safe and effective operation of the unit or when several requests for the same period are received. In some cases, rotating annual leave during the holidays among employees in the unit is required. In units where rotating leave during the holidays is practiced, procedures as to how leave is scheduled and approved are made available to all employees. In the event of a denied request for leave, the supervisor will provide written reasons for denying the leave on the Leave Request Form in the remark section.

• A medical certification is required to verify the absence when sick leave is subsequently taken on a day(s) when a request for annual leave was denied.

• When an employee has earned compensatory time, compensatory time is taken prior to annual leave.

• Compensatory time is requested at least one week, seven calendar days, prior to the first day of leave. Upon approval by the supervisor, leave is granted. Leave requests received at least seven days in advance will receive first consideration. Leave requests are considered based on department workload and leave already approved for other employees. Leave requests submitted less than seven days in advance are less likely to be approved.

For Classified staff, annual leave accruals may not exceed 240 hours on December 31. Any amount over 240 hours is forfeited. To avoid forfeiture, a request for permission to take annual leave must be made by October 15. Leave requested after October 15 may be denied.

For Faculty, annual leave accrued in excess of 48 days must be used by June 30, after which it is forfeited. To avoid forfeiture, a request for permission to take annual leave must be made by April 1. Leave requested after April 1 may be denied. Leave is taken in four-hour increments; if the faculty member is away from the workplace less than four hours, the supervisor at his or her discretion may require that the leave be requested and accounted for in four-hour increments.

**SICK LEAVE**

• Sick leave may only be used for authorized reasons. Authorized reasons are listed in NAC 284.544 and include, but are not necessarily limited to: illness, injury, or incapacity to work, medical, dental, psychological, or optometric appointments, counseling through an employee assistance program; illness, death, or other authorized medical need of an immediate family member (subject to limitations and requirements outlined in NAC 284.558 and NAC 284.562); or absence which qualifies under the Family Medical Leave Act.
• Sick leave absences taken without pre-shift notification (see below) are “unauthorized,” unpaid and subject to disciplinary action.

• Use of annual leave as a substitute for unscheduled sick leave is not allowed. However, annual leave may be used for any personal purposes, including future medical needs, provided the annual leave is requested and approved in advance in accordance with this policy.

• It is the supervisor’s responsibility to indicate the type of sick leave used on the leave request (i.e., planned or unplanned sick).

• Absences of more than three consecutive days may require a medical release to return to work. Documentation for absences of less than three days may be required when sick leave abuse is suspected.

For Classified, sick leave is subject to banking when the balance is 720 or more hours. Banking takes place at the end of December.

For Faculty, sick leave accrued in excess of 96 days on June 30 is forfeited.

**Planned sick leave** is defined as a request for sick leave provided at least two days in advance of the date on which the leave is proposed to be taken. Planned sick leave requested for authorized reasons will not be unreasonably denied and upon approval by the supervisor, leave is granted. Where the planned leave will exceed three consecutive working days, or sick leave abuse is suspected, the employee may be required to provide documentation substantiating the absence.

**Unplanned Sick Leave** is defined as a short-notice request less than two days prior to the incident.

• Employees must notify the supervisor no later than 15 minutes prior to the start of a shift; in the event the supervisor is not available, leave a voicemail indicating the time and date of the call and the reason for the leave. If an employee is unable to make the notification, the employee’s spouse, family member, or other individual must make the notification. The supervisor may require the employee to make the notification if the supervisor believes the sick leave policy is being abused.

• Notification is required on each day of sick leave unless otherwise approved by the supervisor in advance. Upon returning to work, a written sick leave request must be submitted to the supervisor within two days of returning to work.

• If an employee reports to work and subsequently gets ill and requires unplanned sick leave, they must notify their supervisor of the need to leave work early prior to leaving work.

• An **incident** is defined as any unplanned sick leave, irrespective of the amount of time, within a single work day. For example, if an employee leaves two hours early on unplanned sick leave due to sudden illness on a Thursday, it is classified as one incident. If that same employee continued to be sick and called in unplanned sick on the next day, Friday, that is also considered another separate incident, thereby totaling two incidents for Thursday and Friday.
• An employee suspected of abusing sick leave may be required to provide medical certification supporting the leave under NAC 284.566. An employee’s sick leave history will automatically be reviewed for potential abuse when, during any rolling twelve-month period (which is defined as the twelve months immediately preceding the date of the incident), an employee uses:
  o a total of either eight working days (64 hours) of unplanned sick leave, or
  o nine incidents of unplanned sick leave, or
  o after one year of service the employee’s sick leave balance drops below 40 hours, or
  o the supervisory chain of command suspects abuse of sick leave by the employee.

• The fact an employee’s leave history is triggered for review for potential abuse under the factors above does not automatically result in a determination that the employee is suspected of sick leave abuse. Rather, in order to determine if sick leave abuse is suspected, the employee’s supervisory chain of command will consider the totality of the circumstances, including but not limited to the following:
  o the number of incidents of unplanned sick leave occurring within a rolling twelve-month period,
  o the frequency of unplanned sick leave taken in conjunction with annual leave, weekends, holidays, and planned sick leave,
  o the total number of unplanned sick leave hours taken,
  o past history of unplanned sick leave taken during an employee’s tenure with the University,
  o extenuating circumstance(s) an employee may wish to share that provides insight into reasons for increased unplanned sick leave, and
  o such other facts and circumstances as are deemed relevant to the determination.

Upon written notification by the supervisor of suspected abuse, medical certification may be required for up to four months after which time, the need for certification will be reviewed.

Please note that unplanned sick leave accompanied by medical certification is not counted toward either the eight work days (64 hours) or nine incidents threshold mentioned previously. Approved FMLA is also exempt from this process.

LOW BALANCE SICK LEAVE NOTICE

When an employee’s request for sick leave brings the total available sick leave balance to or below 40 hours, a reminder letter is generated by the leave keeper, signed by the supervisor, to the employee, informing the employee of their low sick leave balance.

ATTENDANCE AND LEAVE RECORD

An Attendance and Leave Record Report is provided to each employee once per quarter. The report provides the employee with a summary of sick and annual leave earned and used, by month for the previous quarter. The report is produced by the leave keeper and audited by a separate, trained individual. The audited report, signed by the leave keeper, is due to the employee within four weeks of the end of the quarter (July – September, due by October 31;
October – December, due by January 31; January – March, due by April 30; and April – June, due by July 31).

The employee is encouraged to review the quarterly Attendance and Leave Record Report for accuracy and bring any discrepancies to the supervisor’s attention. Once reviewed, the employee is required to sign the report and return it to the supervisor. The supervisor is required to sign the report and return the signed report to the leave keeper. Signed copies are due to the leave keeper within two weeks of receipt of the report (first quarter due May 15; second quarter due August 15; third quarter due November 15; fourth quarter due February 15). Signature indicates the employee concurs with the leave balance as stated.

UNAUTHORIZED ABSENCE

Employees must have the appropriate type of leave accruals to support any absence from work or the absence is considered “unauthorized.” Unauthorized absences are unpaid and are subject to disciplinary action.

Tardiness
An employee shall report for a work shift on time and ready to perform the duties and tasks assigned to the position. Employees are obliged to notify their supervisors when they are unable to report to work on time. All time must be accounted for with the appropriate type of leave; reporting to work late may result in unauthorized leave. Unauthorized leave is subject to disciplinary action and is taken without pay. Sick leave can only be used for authorized reasons; annual leave shall be requested and approved in advance.

BREAKS

- Employees are allowed one 15-minute break for each four hours worked; two 15-minute breaks during an eight hour shift; and three 15-minute breaks in a 12-hour shift.
- One unpaid lunch break is required during a 6, 8, 10 or 12-hour shift. This break may be 30 or 60 minutes in duration as defined by the supervisor, and is unpaid. At no time may an employee refuse to take lunch or not take the required unpaid meal period (this does not apply to the winter heat plant employees working the graveyard shift.)
- Break and lunch periods are scheduled by the supervisor. Breaks begin when the employee stops working and leaves the assigned work area and end when the employee re-enters the work area and begins working. The supervisor may require breaks be taken in the field. The supervisor may stagger break and lunch periods among employees in the unit to achieve operational goals or ensure appropriate duty coverage.
- Smoking is only allowed during designated break periods in designated locations. The University is implementing a Tobacco-Free University policy effective August 1, 2015.
- Employees should respect their co-workers by not disturbing them during a break.

IMPLEMENTATION

The Directors of the FSD are responsible for the implementation of this policy within the respective areas of responsibility.
TRAINING

All FSD personnel shall receive training by the supervisor on the Attendance, Leave and Break policy during the first month of employment. Each FSD supervisor shall ensure review of and compliance with the policy.

COMPLIANCE

Compliance with all UNR and FSD policies is required of each employee. Failure to comply with this policy may result in disciplinary action as outlined in the Nevada Administrative Code, the Nevada System of Higher Education Prohibitions and Penalties, and/or the Nevada System of Higher Education Board of Regents Handbook.