

The University of Wisconsin System UNCLASSIFIED PERSONNEL GUIDELINE #9

Subject: Unclassified Staff Paid Vacation, Holiday, and Catastrophic Leave Policy

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9.01 Policy Statement

- (1) Paid leave is a significant fringe benefit for a UW System unclassified employee. Board of Regents policies are intended to provide uniformity and accountability for proper leave use and reporting across all UW institutions. Accurate leave reporting is part of the UW System's responsibility to the public and is essential to ensure the on-going availability of this valuable benefit.

9.02 Eligibility for Paid Vacation

- (1) Annual pay basis unclassified employees whose expected duration of employment is a year or more, other than students, student assistants, employees-in-training and hourly appointees, accrue a paid vacation entitlement of 22 work days (176 hours) per fiscal year of full-time employment upon meeting the initial sick leave eligibility requirements of UWS 19.02 (1), Wis. Adm. Code. Employees with a less than full-time appointment accrue vacation based on their percentage of appointment.
- (2) With the exception of eligibility for Paid Holidays under Section 9.07 and Catastrophic Leave under Section 9.08, academic year basis unclassified employees (9-month appointments) are not eligible for benefits described in this policy document.

9.03 Vacation/Annual Leave Scheduling

- (1) In determining vacation schedules for eligible unclassified employees, the employing unit/supervisor shall try to accommodate the employee's wishes, subject to workload demands on the employing unit.

9.04 Unused Vacation

- (1) Employees are encouraged to use vacation in the year in which it accrues. Where, in the judgment of the Chancellors or his/her designees, special circumstances validate the need, unused vacation may be carried over to the next fiscal year for up to one year after the year in which it accrues. Each institution may further limit both the amount of vacation carried over and the period within which the vacation must either be used or forfeited.
- (2) The institution, after sufficient notice to the employee, may require an annual pay basis unclassified employee to use all accrued vacation, personal holidays, floating holidays and leave accumulated in the Annual Leave Reserve Account prior to retirement, layoff or termination without cause or forfeit any unused leave balance.

9.05 Annual Leave Reserve Account (ALRA)

- (1) Beginning with the fiscal year starting on July 1, 1993, employees who have completed ten or more years of continuous service to the State of Wisconsin in appointments earning vacation or as unclassified university participants in the Wisconsin Retirement System, may, at their option, reserve up to 5 days (40 hours) of vacation each fiscal year (or a prorated number of days for staff employed less than full-time) in an Annual Leave Reserve Account. To

administer this program easily and without pro-ration, the ALRA benefit will be made available beginning with the 11th fiscal year of employment. Vacation accumulated in the Annual Leave Reserve Account may be used at any time.

- (2) Beginning with fiscal year starting July 1, 2003, staff who have completed 25 or more years of continuous service to the State of Wisconsin in appointments earning vacation, or as unclassified university participants in the Wisconsin Retirement System, may, at their option, elect to reserve up to an additional 5 days (40 hours) of vacation each fiscal year (or a prorated number of days for staff employed less than full-time) in an Annual Leave Reserve Account. To administer this program easily and without pro-ration, this option will be made available beginning with the 26th fiscal year of employment.

9.06 Personal Holidays

- (1) Beginning with the fiscal year starting July 1, 2003, annual pay basis employees, other than students, student assistants, employees-in-training and hourly appointees, who accrue a paid vacation entitlement are eligible to receive 4.5 days (36 hours) of non-accumulating personal holiday leave (or a prorated number of days for staff employed less than full-time). Employees may not accrue greater than 4.5 days during any one fiscal year.
- (2) If an employee receives an annual unclassified appointment and held a classified appointment immediately prior to this action, recognition must be given to the employment year. The unclassified employment year is based on a fiscal year and the classified employment is based on the calendar year. If the unclassified appointment is effective between 7/1 and 12/30 the individual will receive 4.5 unclassified personal holidays. If the unclassified appointment is effective between 1/1 and 6/30 the individual will not receive additional personal holidays until the beginning of the next fiscal year or 7/1.

9.07 Paid Holidays

- (1) Unclassified employees, except students, student assistants, employees-in-training and hourly appointees, are eligible for the paid legal holidays listed in §230.35 (4) (a), Wis. Stats. Employees must be in pay status either the first work day prior to the holiday or the first work day following the holiday to be eligible to receive the paid holiday. Paid holidays are prorated based on the staff member's percentage of appointment in effect on the date the holiday occurs.
- (2) Paid holidays which occur on a non-scheduled work day, referred to as Floating Holidays, will be treated in the same manner as Personal Holidays.

9.08 Catastrophic Leave

- (1) Board of Regents Policy 20-15 established a catastrophic leave plan for faculty and academic staff. Where, in the judgment of the Chancellor or designee, special circumstances validate the need, unclassified employees may at their option donate leave to another unclassified employee who has exhausted all paid leave benefits. Only vacation, personal holidays, floating holidays and leave "banked" in an annual leave reserve account may be donated. Sick leave may not be donated.
- (2) **Definition of Catastrophic Illness**
For the purposes of this subsection a catastrophic illness shall be defined as any illness, medical condition, or injury that incapacitates or is expected to incapacitate an unclassified employee or unclassified employee's "immediate family member," as defined in Unclassified Personnel Guideline (UPG) #10.01, and that requires the employee's personal attention for an extended period of time.

(3) Recipient Requirements

- (a)** In order to qualify for the receipt of donated leave under this program, the unclassified employee must satisfy the following conditions:
 1. Be on an approved unpaid leave of absence due to a catastrophic illness or medical condition of the unclassified employee or the employee's "immediate family member" as defined in Unclassified Personnel Guideline (UPG) #10.01.
 2. Provide sufficient information, in writing, to the Chancellor or designee, to conclude a catastrophic illness or medical condition exists. Such information or correspondence shall be treated in a highly confidential manner due to the sensitivity of the personal/medical nature of the request.
 3. Must have exhausted all paid leave benefits available to him/her including sick leave.
- (b)** All unclassified employees may benefit from leave donated under this program. Recipients of donated leave will not be limited to those in vacation earning positions. The recipient may use the leave donated in any amount up to the percentage of his/her budgeted position.

(4) Donation Requirements

- (a)** Leave may be donated as frequently as the unclassified donor desires but may be donated in full day increments only. Unclassified leave may not be donated to classified employees or vice versa.
- (b)** Donated leave shall be transferred to a leave account for the recipient's use. Donated leave will not be credited to the recipient's account until needed. Unused donated leave will be returned to the donor's account. Institutions are required to maintain adequate documentation to support leave use and adjustments to leave balances.
- (c)** Leave donated under the Catastrophic Leave program may be used to meet the Income Continuation Insurance (ICI) elimination period. Once the ICI elimination period has been met and the recipient is eligible to receive ICI benefits, no more donated leave may be used. At no time may payments received under the Catastrophic Leave Program and the Income Continuation Insurance Program, or any other state sponsored income replacement program, be collected simultaneously.
- (d)** The manner in which leave is solicited and credited to the recipient shall be left to the discretion of each institution; however, great care should be taken to protect the confidentiality and the medical status of the recipient and of the recipient's family.
- (e)** Leave donated for the purpose of a catastrophic illness or medical need shall in no way assume the rights, character or benefits of sick leave.

9.09 Reporting and Recording Leave

(1) Reports

- (a)** The UW Service Center will provide each unclassified employee with a report of his/her leave balances at least once each month. This process should allow for review by the unclassified employee for accuracy of the record.
- (b)** Each UW System unclassified employee is required to complete, sign, and file a monthly leave report with his/her designated unit record keeper whether or not leave is used. The leave report must contain the written attestation "*I certify that my leave report is accurate. I understand that misrepresentation can lead to disciplinary action.*" The monthly leave report must also be signed by the unclassified employee's department chair, director, supervisor, or designee. The designated signatory for the Chancellor's monthly leave report is the Provost/Vice Chancellor (deputy) or the CBO/Vice Chancellor. The

designated signatory for the System President's monthly leave report is the Executive Senior Vice President.

- (c) The report or its contents must be transmitted to a divisional or campus-wide office and to the UW Service Center at least once per month. A report must be submitted for each unclassified employee from each institution regardless of whether sick leave was used.
- (d) Each institution must establish leave reporting procedures that require the signature of the unclassified employee and the signature of a department chair, director, supervisor, or designee and a report to the employee of his or her sick leave balances.
- (e) The University of Wisconsin System Administration must develop a standard leave reporting form for data sent by the employee to the unit record keeper and for reports made by institution to the University of Wisconsin Service Center. Such forms shall conform to all the requirements of UPGs #9 and #10.

9.10 Amount of Leave to be Charged

- (1) Leave for full-time unclassified employees shall be charged in increments of one-half day for full-time appointments. Absences of between one-quarter and three-fourths day shall be charged as one half-day. Absences of between three-fourths and one and one quarter day shall be charged as one day.
- (2) Employees with less than full-time appointments should report actual hours absent.

9.11 Vacation Credits Upon Retirement, Layoff, Termination Or Transfer

- (1) Annual pay basis unclassified employees retiring or terminating their employment with a UW System institution shall receive a lump sum payment for any remaining balance of vacation, personal holidays, floating holidays or leave accumulated in an Annual Leave Reserve Account (ALRA) subject to Section 9.04. Calculation of the value of outstanding leave shall be made consistent with Financial and Administrative Policy 29 using the ending salary prior to retirement, layoff or termination.
- (2) With institutional approval, where the termination is not the result of layoff or termination for cause, staff may extend their University termination date beyond the last day worked by using Annual Leave Reserve Account (ALRA) credits and/or unused earned vacation, personal holidays and floating holidays.
- (3) Staff transferring from one institution to another within the UW System, or from the UW System to a Wisconsin state agency, may negotiate with the new employer or UW institution to accept responsibility for unused earned vacation, personal holidays, floating holidays or leave accumulated in an ALRA. Where unused earned vacation, personal holidays, floating holidays and leave accumulated in an Annual Leave Reserve Account (ALRA) is not transferred, the employee will receive a lump sum payment for the amount.
- (4) Where the unclassified employee is transferring, within the same UW institution, to an appointment ineligible for earning vacation, vacation accrued and leave accumulated in the ALRA may be paid, in its entirety, to the staff member as a lump sum amount or may be retained in a separate account until either all university employment is terminated or the staff member transfers to an eligible vacation-earning appointment. Leave held in this separate account may be used in lieu of sick leave. Personal and floating holidays may not be transferred and held in a separate account but must be used or paid as a lump sum prior to transfer.

- (5) Where the staff member is transferring from one UW institution to another, to an appointment ineligible for earning vacation, vacation accrued and leave accumulated in the ALRA may be paid, in its entirety, to the employee as a lump sum amount prior to transfer or may be retained, with the approval of the receiving UW institutional, in a separate account until all university employment is terminated. Leave held in this separate account may be used in lieu of sick leave. Personal and floating holidays must be used or paid as a lump sum prior to transfer.

9.12 Sabbatical

- (1) Faculty in 12 month appointments will continue to earn vacation while on an approved sabbatical at the same rate earned prior to the sabbatical date.

9.13 Authority

Paid leave is authorized by §230.35(4)(a) of the [Wisconsin Statutes](#) and ch. ER 18 and UWS 19 of the [Wisconsin Administrative Code](#).

1997 Wisconsin Act 237 amended the compensation plan for University of Wisconsin System senior executives. Following the Act, senior executive leave benefit entitlements became regulated by the rules of the Board of Regents in the same manner as provided for faculty and academic staff under Unclassified Personnel Guidelines [#9](#) and [#10](#) and ch. UWS 19, [Wisconsin Administrative Code](#)

In addition, the Board of Regents and the UW System have approved the following guidelines relating to paid leave:

Board of Regents Policy 20-5. This policy covers the Faculty Sabbatical Leave Program.

Board of Regents Policy 20-10. This policy covers establishment of Annual Leave Reserve Accounts for Unclassified staff earning vacation.

Board of Regents Policy 20-11. This policy covers establishment of personal holidays for Faculty, Academic staff and Limited Appointees.

Board of Regents Policy 20-13. This policy covers paid annual leave options for Unclassified staff.

Board of Regents Policy 20-15 (Board of Regents Resolution 8227, October 6, 2000). This policy covers established a catastrophic leave plan for faculty and academic staff.

Financial and Administrative Policy 29. This policy sets forth proper bases to use for calculations concerned with salaries and fringe benefits of Unclassified staff.