VII - 7.00 - POLICY ON ANNUAL LEAVE FOR REGULAR NONEXEMPT STAFF EMPLOYEES

(Approved by the Board of Regents, April 25, 1991; Amended by the BOR on February 14, 2014)

I. Purpose and Applicability

This policy governs the accrual and use of Annual Leave and applies to all Regular Status Nonexempt Staff employees of the University System of Maryland, except to the extent that the provisions of a collective bargaining agreement between an institution and one of its bargaining units provides otherwise.

II. Earned Leave:

A. Nonexempt Staff Employees – Regular full-time Nonexempt Staff employees will earn annual leave on a biweekly basis according to the following schedule.

1. Beginning with the Date of Employment through completion of the 1st year: 11 days
2. Beginning with the 2nd year through completion of the 2nd year: 12 days
3. Beginning with the 3rd year through completion of the 3rd year: 13 days
4. Beginning with the 4th year through completion of the 4th year: 14 days
5. Beginning with the 5th year through completion of the 10th year: 15 days
6. Beginning with the 11th year through completion of the 20th year: 20 days
7. Beginning with the 21st year and thereafter: 25 days

B. Regular Status part-time Nonexempt Staff employees working 50% or more will earn Annual Leave on a pro-rated basis.

C. Leave can be used to the extent it is accrued and available.

III. Leave Accumulation:

A. Annual leave with pay shall be available only to the extent earned, provided that the dates of such leave have been approved in advance by the employee's supervisor.

B. A maximum of 45 work days of annual leave may be carried into a new calendar year by all Regular full-time employees; this maximum will be pro-rated for part-time employees working 50% or more.
IV. Leave Advancement:

A. With the approval of the institution's President or designee, an employee may be advanced 5 days of annual leave provided that no other leave, including personal leave, compensatory leave or sick leave is available to the employee and is appropriate to the purpose of the leave.

B. The President or designee shall make a determination to advance annual leave, based on the supervisor's demonstration that such an advance would not impair the work of the unit and that the employee has demonstrated a substantial need for such leave.

V. Payment For Denied Annual Leave:

At the end of each calendar year, a supervisor may, through appropriate channels, recommend to the institution's President or designee that an employee be paid for days of annual leave lost pursuant to Section III of this policy. Such payment may be made only when the employee has submitted one or more timely written requests to use annual leave during the calendar year and such requests have been denied in writing for administrative reasons. The supervisor shall provide any such denial in writing and shall state the administrative reasons for such denial. The supervisor's recommendation for payment for lost annual leave shall be accompanied by copies of the written requests and denials and the explanation (in writing) of why the lost annual leave was not taken at another time during the calendar year.

Payment is limited to unused annual leave that is in excess of the maximum accumulation and that is lost by the employee at the end of the calendar year. The amount of annual leave for which payment may be made shall be decreased hour for hour by the amount of compensatory leave used during the calendar year.

VI. Leave Transfer:

When an employee transfers to another institution in the University System of Maryland or transfers to another department in the same institution and/or moves from one employment category to another, all unused accumulated annual leave shall be transferred.

VII. Termination Payment:

Employees who leave the University System of Maryland are entitled to compensation for any unused annual leave that has been credited and available for use as of the date of separation.
VIII. Leave of Absence Without Pay:

An employee on leave of absence without pay due to temporary disability resulting from mental or physical disability may elect to receive payment for all accumulated unused annual leave or retain all accumulated unused annual leave for a period not to exceed the first six months of the approved leave of absence without pay. Retention of the accumulated unused annual leave must be requested in writing by the employee or the employee's designated representative. Upon completion of the first six months leave of absence without pay, payment of all such accumulated unused annual leave shall be made to the employee if the employee does not return to work.

IX. Rate of Annual Leave Earnings Upon Return to State Service:

A Nonexempt Staff employee who is entering or returning to USM service is entitled to credit towards the rate of annual leave earning for previous USM and/or State service. This previous service must have included at least 180 days of continuous and satisfactory performance in an allocated position.

X. Reinstatement:

A Nonexempt Staff employee returning to USM service with an authorized status of reinstatement within two years of separation is entitled to earn annual leave at the same rate in effect at the time of separation from active service.

IMPLEMENTATION PROCEDURES:

1. Effective Date:
   Each institution shall ensure that the terms of this policy are implemented no later than April 15, 2014.

2. Each President shall identify his/her designee(s) as appropriate for this policy, develop procedures as necessary to implement this policy, communicate this policy and applicable procedures to his/her institutional community, and post it on its institutional website.