

Leave

Administrative Professional employees are eligible for paid leave as outlined in this section. Relevant law or other University policy may supersede the following leave guidelines. Consult Human Resource Services at 509-335-4521 for current applicable rules, regulations, and procedures. A link to the leave policy can be found at wsu.edu/~forms/PDF/BPPM/60-56.pdf

All Administrative Professional employees are eligible to receive leave. Administrative Professional appointments must be for a minimum of .50 FTE (Full-Time Equivalent) and must be for more than a 6-month appointment term. (i.e. 6-mos plus 1-day).

EXCEPTION: Retiree/Rehires cannot be appointed for more than a 40% appointment in a 12-month term and are not eligible to receive leave.

Leave is reported monthly on the following:

- Faculty, Administrative Professional Leave Report for positions exempt from the Fair Labor Standards Act (not eligible for overtime); or
- Time Report for Overtime-Eligible Employees for positions covered by the Fair Labor Standards Act.

Civil Service employees who accept Administrative Professional positions carry forward all accumulated sick and annual leave if there is no break in service. The releasing department at the time of transfer will pay any accrued compensatory time earned in the Civil Service position.

Employees from other state agencies who join WSU without a break in service transfer their annual and sick leave balances.

Annual Leave

Accrual

Full-time Administrative Professional employees earn 14.67 hours of annual leave for each month of completed service. Unused leave is cumulative to a maximum of 352 hours.

Annual leave accrues on a pro-rata basis

- For less than 100 percent appointments
- For partial months worked

Employees on less than 12-month appointments earn annual leave for each month of their scheduled work year. Leave is accrued while an employee is on paid leave. Leave is not accrued while an employee is on unpaid leave. Leave is prorated for partial months of unpaid leave.

Use

Leave is scheduled with the approval of the unit administrator. Annual leave may not be taken before it is earned; annual leave is not earned until the first day of the following month. **EXCEPTION:** The annual leave

hours earned during the final month of the appointment may be used in the final month.

Employees on temporary appointments must use annual leave prior to the expiration of their appointment to avoid loss of earned leave.

Administrative Professional employees are free during the time outside the service period or during annual leave to seek other employment, perform consulting work, or take advantage of educational opportunities. Employment or consulting work must be consistent with University policy and applicable laws.

Payment

Annual leave is paid at the time of separation from state service. Human Resource Services authorizes payment based on the total accrued leave balance.

Accumulated annual leave for employees on temporary appointments must be used prior to the termination date, unless the employee obtains a written exception from the Appointing Authority. These restrictions are noted on the employee's Personnel Action Form.

Payment is calculated with the following formula:

- Hours of unused leave x monthly salary x .0063

Sick Leave

Accrual

Full-time Administrative Professional employees earn eight (8) hours of sick leave for each month of completed service.

Sick leave accrues on a pro rata basis:

- For less than 100 percent appointments
- For partial months worked

Employees on less than 12-month appointments earn sick leave for each month of their scheduled work year. Leave is accrued while an employee is on paid leave. Leave is not accrued while an employee is on unpaid leave. Leave is prorated for partial months of unpaid leave.

Use

Sick leave may not be taken before it is earned; sick leave is not earned until the first day of the following month. It may be used in case of illness or disability of the Administrative Professional employee or his or her immediate family member. Sick leave may be used for condolence or bereavement. (See emergency leave for additional information.)

Payment

Administrative Professional employees may participate in the sick leave

Attendance Incentive Program. A link to the policy can be found at [wsu.edu/~forms/HTML/BPPM/60 Personnel/60.41 Payment for Unused Sick Leave .htm](http://wsu.edu/~forms/HTML/BPPM/60_Personnel/60.41_Payment_for_Used_Sick_Leave.htm)

- In January of each year, employees may elect to receive monetary compensation for unused sick leave hours accrued in the previous year. The sick leave balance cannot be reduced to less than 480 hours.
- Upon retirement or death the employee or beneficiary shall be compensated 25% of all unused sick leave. For retirement the Voluntary Employee Beneficiary Association (VEBA) Medical Expense Plan may apply.

Payment is based on two figures: (1) 25 percent of unused sick leave and (2) salary at the time of payment. Payment is calculated with the following formula:

$$25 \text{ percent} \times \text{hours of unused sick leave} \times \text{monthly salary} \times .005747$$

VEBA Medical Expense Plan ("VEBA MEP")

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. A link to the policy can be found at wsu.edu/~forms/PDF/BPPM/55-49.pdf

Re-employed from Former State Service

Sick Leave will be restored to former state employees who are re-employed to the AP Service within three (3) years of their separation date. Sick leave will not be restored if the employee retired and the accrued sick leave was cashed out to a VEBA Trust account.

Leave for Work-Related Injury or Illness

Employees who suffer a work-related injury or illness that is compensable under the state workers' compensation law may select time loss compensation exclusively or a combination of time loss compensation and accrued paid leave. If the employee receives pay for accrued leave or holidays and also receives workers' compensation for time loss, he or she is entitled to both payments without any deduction for the industrial insurance payment. For more information, call Benefits Services at 509-335-4521, or refer to the web hrs.wsu.edu/employees/disability-services/workers-compensation/#Benefits

Military Leave

WSU grants employees 21 days of leave with pay for active training duty with any of the armed forces of the United States, upon receipt of military orders. Military orders are not required for those employees called to active duty.

During a period of military conflict, an employee whose spouse or state

registered domestic partner is a member of the military who has been called to active duty or deployed is entitled to 15 days of leave per deployment. During this period of leave, they may use their own leave accruals or request unpaid leave.

Civil Leave

Administrative Professional employees are entitled to leave for jury duty, as subpoenaed trial witnesses, and/or for other subpoenaed civil duty.

Leave for Voting

In accordance with [RCW 49.28.120](#), supervisors are to arrange employees' working hours on the day of a primary, general or special election to allow employees reasonable time to vote. (Up to two hours may be allowed.)

The supervisor may not deny the use of compensatory time or annual leave for up to two hours on an election day if:

- The employee's work schedule does not include two consecutive free hours during the time the polls are open, and
- The employee was not advised of his/her work schedule in time to obtain an absentee ballot.

Leave for Testimony at Trials and Hearings

University employees, as all citizens, have a duty to provide accurate information to adjudicatory bodies. When Administrative Professional employees are subpoenaed because of facts gained within the course of University duties, arrangements for leave and for providing expertise to litigants will be reviewed by the appointing authority or designee in consultation with the WSU Division of the Office of the Attorney General to ensure the University's interests are protected.

Expert Testimony

Expert testimony by Administrative Professional employees will be in accordance with University policy and procedure.

Emergency Leave

Emergency leave applies only to cases of death of a family/household member or a comparable emergency. "Comparable emergency" is defined as severe or life threatening illness or injury.

For purposes of emergency leave, family members include spouse, state registered domestic partner, children, parents, siblings, spouse's parents, state registered domestic partner's parents, spouse's children, state registered domestic partner 's children, grandparents, grandchildren, stepparents, stepchildren, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepbrother, stepsister, and dependents living in the employee's home regardless of the family relationship to the employee. Household members, partners and state registered domestic

partners are defined as persons who reside in the same home who have reciprocal duties to and do provide financial and/or emotional support for one another.

Such leave, with pay, may be granted to the Administrative Professional employee by the dean or other principal administrative officer in charge, provided the regular duties of the person concerned are assumed by other staff members without additional expense to the University. Up to five days leave shall be granted for each emergency without charge to sick leave or annual leave balances. Under exceptional circumstances, the leave may be extended to 10 days with authorization of the employee's administrative officer and the Director of Human Resource Services.

Professional Leave

Administrative Professional employees are eligible for WSU's Professional Leave Program. Professional leave provides an opportunity for study, research, and creative activities for the enhancement of the institution's instructional and research programs. Each fall, the Office of the Provost announces program guidelines and application procedures.

Shared Leave

The shared leave program allows state employees to donate leave to a state employee who is suffering from, or has a family/household member suffering from an extraordinary or severe illness, injury, impairment, or physical or mental condition that is likely to cause the employee to take leave without pay or terminate employment; or if an employee is called to uniformed services; or in case of volunteer service during a state of emergency or if an employee is a victim of domestic violence, sexual assault, or stalking. To receive shared leave the employee is required to meet the following conditions:

- Have a 50 percent or greater appointment;
- Exhaust all other leave balances;
- Submit a Shared Leave application and supporting documentation.

The following criteria apply to the donation of shared leave:

- A minimum of one hour of annual or sick leave;
- All or part of a personal holiday;
- Annual leave balance may not fall below 80 hours at the time the donation is processed;
- Sick leave donation may not fall below 176 hours at the time the donation is processed

Further information found in [wsu.edu/~forms/HTML/BPPM/60 Personnel](http://wsu.edu/~forms/HTML/BPPM/60_Personnel) or contact Human Resource Services at 509-335-4521.

Leave of Absence without Pay

The following guidelines apply to extended leave of absence without pay (LWOP). An employee granted leave must state in writing an intention to return to the service of the University for at least one year after the leave or to retire, if eligible, at the end of the leave:

- May be granted for up to 12 months by the appointing authority.
- May be extended for up to an additional 12 months upon the approval of the appointing authority and the director of Human Resource Services.
- Requests for and actions relating to leave of absence without pay are submitted in writing in advance of the leave.
- If LWOP is for entire calendar month, annual and sick leave are not earned and cannot be taken while on leave of absence without pay.
- Annual and sick leave are pro-rated based on hours in paid status during months of partial LWOP.
- Employees on parental or disability leave without pay may use a minimum of eight (8) hours per month of accrued leave (annual or sick) for up to four months to maintain insurance benefits. Employees are encouraged to contact Human Resource Services to determine if eight (8) hours will be enough to cover their portion of the insurance premiums. Contact HRS at 509-335-4521.
- The granting of such leave is discretionary with the appointing authority.

Family Medical Leave Act

The Family Medical Leave Act (FMLA) allows up to 12 weeks of paid or unpaid, job-protected leave to eligible employees for certain family and medical reasons for each 12-month period. An eligible employee is an employee who has worked for the state for at least 12-months and for at least one thousand two hundred fifty (1,250) hours during the previous 12-month period. The employee may use annual leave, sick leave, leave without pay, or any combination thereof.

Family Medical Leave may be requested for the following:

- The birth of a child or placement of a child with the employee for adoption or foster care.
- To care of an employee's spouse, child, or parent who has a serious health condition;
- A serious health condition that makes the employee unable to perform essential functions of their job.
- For any qualifying exigency arising out of the fact that a spouse, son, daughter, or parent is a military member on covered active duty or call to covered active duty status.

The combined FML for a husband and wife (both employed by WSU) cannot exceed 12 weeks for each birth, adoption, or foster care placement. Health benefits continue for the 12-week Family Medical Leave period. The employee is responsible for his or her share of premium payments. Employees are encouraged to contact HRS at 509-335-4521 for information on how to use their leave to cover their portion of the premiums, or to set-up a payment plan to pay for their portion of the premiums.

The employee is responsible for the following:

- Completing a Request for FML form;

- In general, the employee must give the employer at least 30 days advance notice of the need to take FMLA leave when he or she knows about the need for the leave in advance and it is possible and practical to do so. When the need for leave is unexpected, the employee must provide notice to the employer as soon as possible and practical
- Providing a fitness-for-duty release prior to returning to work in the case of an employee's serious health condition;
- Following appropriate leave notification procedures, as needed.

Parental Leave

Administrative Professional employees may request parental leave for up to 12 weeks 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. This leave may be in addition to any leave may be in addition to any leave for illness or temporary disability due to pregnancy and/or childbirth.

Victims of domestic violence, sexual assault or stalking Leave

Employees who are victims of, or have a family member who is a victim of domestic violence, sexual assault, or stalking may take reasonable leave from work to seek assistance, obtain medical treatment, mental health, counseling, legal assistance, confidential secure shelter, or to participate in a safety plan. Employees may use annual leave, sick leave, leave without pay, or any combination thereof.

Additional Family Medical and other leave entitlements are found in BPPM 60.56

[public.wsu.edu/~forms/HTML/BPPM/60 Personnel/60.56 Faculty and Administrative Professional Personnel Leave.htm](http://public.wsu.edu/~forms/HTML/BPPM/60_Personnel/60.56_Faculty_and_Administrative_Professional_Personnel_Leave.htm)

For additional information contact Human Resource Services at 509-335-4521.

Holidays

There are 11 holidays, generally 10 scheduled holidays and one personal holiday. Employees on less than 12-month appointments are eligible for holidays scheduled within their appointment term. An AP employee must be in pay status the work-day prior to the holiday in order to receive pay for the holiday.

An employee's workplace location determines the holiday schedule. The WSU holidays are posted at

hrs.wsu.edu/resources/holiday-schedule/

Personal Holiday

Employees are eligible for a one-day personal holiday accrued on a fiscal year basis (an employee's workplace location may determine the personal holiday schedule) to be used:

- In a one-day block; or
- As a partial-day if donated for shared leave; or
- As a partial-day if used for emergency leave

Change in Appointment

Change in Appointment Status

An appointing authority may reduce or increase the FTE (full-time equivalent) percentage or change the appointment term for an AP appointment.

Requirements:

- The employee will be given at least a 30-day written notification if a department is reducing or increasing the FTE (full-time equivalent) percentage or changing the appointment term.
- The appointment must be for a minimum of 0.50 FTE and for 6-month + 1 day appointment term.
 - o AP employees who previously held permanent status in a WSU Civil Service staff position may have a right of reversion in accordance with the state civil service laws.

Administrative Professional personnel may at the discretion of their appointing authority, request in writing a reduction/increase in FTE or appointment term.

Change in Title and/or Reduction to Salary

An appointing authority may change the official title of an occupied position. As long as there is no negative impact to the employee's salary, a 30-day written notification is required.

If the change in the official title outlined above will cause a permanent reduction to salary, the employee is to be provided with the same minimum notice as required for discontinuation of their appointment.

For other AP salary determinations and adjustments see BPPM 60.12

For additional information contact Human Resource Services at 509-335-4521.

Separation

Separations generally may be divided into the following categories: (1) resignation, (2) retirement, (3) end of term appointment, (4) discontinuation of appointment, (5) termination due to financial exigency, (6) termination for cause, (7) disability separation, and (8) termination due to reorganization, reconfiguration, deletion of programs,

or end of grant funding.

Administrative Professional employees who previously held permanent status in a WSU Civil Service staff position may have a right of reversion in accordance with the state civil service laws at the conclusion of the exempt appointment unless there are terms and conditions of a WSU Collective Bargaining Agreement, which apply. For additional information contact Human Resource Services at 509-335-4521.

Employees separating from the University will receive Consolidated Omnibus Budget Reconciliation Act (COBRA) paperwork from the Health Care Authority, which will provide information about their rights to continue their employer-paid medical and dental coverage on a self-pay basis. For additional information please contact HRS at 509-335-4521.

Resignation

An employee is requested to submit notice of his or her resignation at least thirty (30) days prior to the intended date of separation.

Presumption of Resignation

An employee may be presumed to have resigned his/her position when there has been an absence without authorized leave from the job for a period of three (3) consecutive working days. Thereafter, a notice acknowledging the presumption of resignation shall be sent by certified mail to the last known address of the employee. The employee has seven (7) calendar days after receipt of notice to petition to the Provost or appropriate Vice President in writing for reinstatement upon proof that the absence was involuntary or unavoidable.

The appeal shall be conducted on the basis of the written material unless, in the discretion of the Provost or appropriate Vice President, oral statements are allowed. The Provost or appropriate Vice President shall render a final decision within thirty (30) calendar days of receipt of the appeal. This decision shall be the final decision of the University.

Retirement

Employees should notify the employing department and Human Resource Services in writing of their intention to retire. Eligibility for retirement is dependent upon the retirement plan in which the Administrative Professional employee is participating. A Personnel Action Form is prepared by Human Resource Services and routed to the employing department. The employing department forwards the form and the employee's leave reports to Human Resource Services for processing.

Reappointment of Retired Employees

Retired employees may be re-employed at the discretion of WSU. Retirement plans set limits on reappointment, and Human Resource Services must be consulted prior to re-employing a retired WSU employee. Retirees are

required to comply with all applicable retirement rules and regulations. Retired employees who participated in retirement plans managed by the Department of Retirement Systems (DRS) should contact DRS at 800-547-6657 for specific rules regarding the effects of re-employment on retirement benefits. For WSURP participants, and for more information, call Human Resource Services at 509-335-4521.

End of Term Appointment

Administrative Professional appointments with a pre-established appointment end date automatically terminate on the date indicated on the most recent Personnel Action Form unless positive action is taken to renew the appointment.

Notwithstanding the end date stated on the Personnel Action Form, terminal appointments supported by self-sustaining, grant, contract or other non-state funds may be terminated if the supporting grant or contract is terminated prior to that end date.

Administrative Professional employees with a pre-established appointment end date or supported by a extramural grant or contract, may be terminated prior to the end date with a thirty (30) day written discontinuation of Appointment Notice.

Discontinuation of Appointment: Notice Requirements

Discontinuation of an appointment pursuant to the notice requirements is not "Termination for Cause" and does not reflect poor performance, misconduct, or other cause for termination.

Administrative Professional employees hired on or before June 30, 2004, on appointments without end dates shall be entitled to minimum advance notice of discontinuation of appointment in accordance with the following:

Years of WSU Notice Employment	Minimum Advance in Calendar Days
< 1 Year	30 Days
1- 2 Years	60 Days
> 2 Years	180 Days

Administrative Professional employees hired on or after July 1, 2004, on appointments without end dates shall be entitled to minimum advance notice of discontinuation of appointment in accordance with the following:

Years of WSU Notice Employment	Minimum Advance in Calendar Days
< 1 Year	30 Days
1- 2 Years	60 Days
> 2 Years	90 Days

Former Administrative Faculty - Discontinuation of Appointment:

Notice Requirements

Administrative Professional employees, whose current positions were originally covered under the Faculty Manual and who were on

appointments without end dates AND who were notified in writing by Human Resources Services of the change of employment type from Administrative Faculty to Administrative Professional, shall be entitled to minimum advance notice of discontinuation of appointment in accordance with the following:

<i>Years of WSU Notice Employment</i>	<i>Minimum Advance In Calendar Months</i>
<i>1 Year</i>	<i>3 Months</i>
<i>2 Years</i>	<i>6 Months</i>
<i>3 or more</i>	<i>12 Months</i>

Disability Separation

An Administrative Professional employee who is unable to adequately perform the essential functions of his/her position due to mental, sensory, or physical disability will be separated from service after the institution has attempted reasonable accommodation of the employee's disability in accordance with law and policy.

The employee shall be provided a written notice of separation with the effective date. The notice shall state that the employee is being separated from service due to disability and shall be provided at least thirty (30) calendar days prior to the effective date.

Administrative Professional employees who held permanent status within the civil service may have a right of reversion under State civil service laws unless there are terms and conditions of a WSU Collective Bargaining Agreement, which apply. The employee has thirty (30) calendar days after the separation effective date to request the reversion rights. For former permanent civil service employees WAC 357-19-475 Reasonable Accommodation - Re-employment may apply.

Appeal of Disability Separation

Any Administrative Professional employee who is terminated for cause or for a Disability Separation may appeal the termination to the Provost, appropriate Vice President, or their designee. The appeal must be in writing and must be received by the Provost, appropriate Vice President, or their designee within ten (10) working days after the date of the notice of termination or disability separation letter. In no case will such request affect the notice of termination, separation, or extend the period of the employee's appointment. Both the employee and the employer may submit written material to be considered in the appeal.

The appeal shall be conducted on the basis of the written material unless, in the discretion of the Provost, appropriate Vice President, or their designee oral statements are allowed. The Provost, appropriate Vice President, or their designee shall render a final decision within

thirty (30) calendar days of receipt of the appeal. This decision shall be the final decision of the University.

Unemployment Insurance

Administrative Professional employees who separate or are terminated from employment may be eligible to receive unemployment insurance. Employees who have cyclic, non-annual appointments are not eligible to receive unemployment insurance during the cyclic non-work period, provided there is an expectation of renewed or continued employment.

Corrective Action/Disciplinary Action

Administrative Professional employees who violate the rights of others or University policy may be subject to appropriate corrective action or disciplinary procedures.

Corrective Action

Corrective action may include but is not limited to: informal verbal counseling, a verbal reprimand, training or retraining, a written counseling memo, a performance improvement plan, or a letter of reprimand.

Disciplinary Action (rev. 05-01-2010)

Disciplinary action is at the discretion of the University and may include, but is not limited to, suspension without pay, demotion, disciplinary reassignment, or reduction in salary. When considering disciplinary action, the University shall provide the employee written notice of the charges against him or her, together with the factual basis for those charges, and an opportunity for the employee to present reasons, in writing, why he or she should not receive disciplinary action. The employee will be given ten (10) working days to respond to the charges.

The following is a non-inclusive list of conduct that may lead to corrective/disciplinary action:

1. Discrimination against any person based on race, ethnicity, religion, age, color, creed, gender, national origin, physical, mental or sensory disability, use of a guide dog or service animal, marital status, sexual orientation, gender identity/expression, genetic information, or status as a Vietnam-era or disabled veteran which deprives that person of civil rights, employment opportunities, or housing, or which, in any way, impedes, hinders, delays, or restricts the individual's membership or subsequent full participation in any activities of the recognized organizations of the University.
2. Sexual Harassment, Quid pro quo: Any sexual advances by males or females which indicate or imply that compliance is a condition for hiring, job retention, job promotion, grades, pay increases,