



UTAH SYSTEM OF
HIGHER EDUCATION

MEMORANDUM

TAB M

May 20, 2022

Policy R821, *Employee Benefits*

Amended Board Policy R821 adds Juneteenth National Freedom Day to the list of holidays and provides observation guidelines based on recently passed [H.B. 238](#). There are also some minor clarifying edits added throughout.

Executive Committee Recommendation

The Executive Committee reviewed the proposed amended policy in its May 2022 meeting and recommends the Board adopt the revisions.

Commissioner's Recommendation

The Commissioner recommends the Board adopt the revisions.

Attachments

R821, Employee Benefits¹

R821-1 Purpose: To provide guidelines for employee benefits including vacations, paid holidays, sick leave, emergency leave, military leave, jury and witness service, tuition reduction and sabbatical and administrative leave.

R-821-2 References (Policy Subhead Style)

- 2.1 Utah Code [§ 53B-2-106](#), Duties and Responsibilities of the President
- 2.2 Utah Code [§ 39-3-2](#), Government Employees in United States Armed Forces or National Guard

R821-3 Policy

3.1 Vacation Policy

3.1.1 Standard Vacation Schedule: All full-time salaried non-exempt personnel on 12-month appointments are entitled to annual vacation benefits between 12 and 22 days based on graduated years of service as determined by institutional policy.

3.1.2 Maximum Accrual: Subject to availability of funding, the maximum accrual, pursuant to the standard vacation schedule, of unused vacation time for which payment is due upon termination of employment shall not exceed 30 days plus the current year's accrued vacation time.

3.1.3 Transferability of Vacation Benefits: Employees in the System who transfer from one employing unit to another within the System should be deemed to retain their accumulative service credits for the purpose of calculating their accumulating vacation benefits earned while in the new employment situation.

3.2 Paid Holidays

3.2.1 Standard Holiday Schedule: All full-time employees are entitled to the following paid holidays:
New Year's Day

¹ Adopted July 27, 1977; amended November 22, 1977, November 8, 1991, and January 17, 1992; XXX.

Martin Luther King/Human Rights Day
President's Day
Memorial Day
[Juneteenth National Freedom Day](#)
Independence Day
Pioneer Day
Labor Day
Thanksgiving Day
Christmas Day
Three additional Days (as declared by the Institutional President)

3.2.2 Variations from Standard Holiday Schedule

3.2.2.1 A holiday falling on Saturday will be observed the previous Friday.

3.2.2.2 A holiday falling on Sunday will be observed the following Monday.

3.2.2.3 [Juneteenth National Freedom Day is on June 19 and will be observed that day if it falls on a Monday. If Juneteenth National Freedom Day falls on a Tuesday, Wednesday, Thursday, or Friday, it will be observed the immediately preceding Monday. Notwithstanding subsections 3.2.2.1 and 3.2.2.2, if June 19 falls on a Saturday or Sunday, Juneteenth National Freedom Day will be observed the following Monday.](#)

3.2.2.4 The institutions will make reasonable efforts to avoid scheduling regular classes on a scheduled holiday, but ~~in the event~~[if](#) classes are so scheduled, the holiday will not be observed by the faculty.

3.3 Sick Leave

3.3.1 All full-time non-exempt salaried personnel shall accumulate sick leave credits at the rate of one day for each month of continuous service, subject to such limitations on maximum accrual as may be imposed by institutional policy.

3.3.2. In exceptional cases after all accrued sick leave and earned vacation have been exhausted, extended sick leave may be authorized by the president pursuant to institutional policy.

3.3.3. Each institution shall have a sick leave conversion policy for all employees covered by [subsection 3.3.1](#). Such institutional policy shall include the following features:

3.3.3.1. The employee may convert a maximum of four ~~(4)~~ days per year of accrued sick leave to vacation;

3.3.3.2. The employee must maintain a minimum level of annual sick leave credits before he or she is allowed to convert excess sick leave above that minimum level to vacation;

3.3.3.3. Usage by the employee of more than specified levels of sick leave days in a given year shall limit that employee's conversion of sick leave for that year; and

3.3.3.4. Sick leave converted to vacation leave must be included within the maximum accrual of the employee's unused vacation balance for purposes of payment at termination.

3.4 Emergency Leave: Emergency leave for death in ~~the~~ an employee's immediate family may be authorized by institutional policy, but shall not exceed three working days ~~in duration~~.

3.5 Military Leave: Full-time personnel who are members of any reserve branch of the United States Armed Forces are entitled to leaves of absence with full pay for all time not in excess of 15 working days per year spent on duty at annual encampments or other required active duty training. This leave shall be in addition to annual vacation leave with pay. ~~(See Section 39-3-2, Utah Code Annotated (1953).)~~

3.6 Jury and Witness Service

3.6.1 Employees necessarily absent from work in compliance with an official requirement to appear for jury service or a subpoena to appear as a witness at a trial, deposition, or other official proceeding will continue to receive the equivalent of full pay, provided that the institution will request of the employee, in writing, ~~the employee in a general communication~~ to return the jury or witness fee.

3.6.2 This allowance covers only time lost while actually engaged in jury service or attendance as a witness, and in reasonable travel to and from the place of such service.

3.6.3 This policy does not apply when an individual appears in court on his or her own behalf.

3.6.4 Under the laws of the state of Utah, adult citizens of the United States who are able to read, speak, and understand the English language, and who are not incapacitated by physical or mental disability, are eligible and may be called to render jury service. The law

specifies that no qualified prospective juror is exempt from jury service, but that the court may excuse an individual from such service, at the discretion of the judge, upon a showing of undue hardship, extreme inconvenience, or public necessity for any period the court deems necessary.

3.7. Tuition Reduction: ~~The~~ Utah System of Higher Education institutions may provide for reduced tuition and/or fees as an employee benefit for faculty, staff, and emeritus personnel, subject to the limitations prescribed by institutional policy.

3.8. Sabbatical and Administrative Leave: Sabbatical and administrative leaves are not employee benefits, but rather are programs for professional development which benefit the entire educational enterprise and are granted by the institutions in consideration thereof. Because of the differences in academic roles of the several institutions, maximum discretion should be allowed to each institution to develop its own sabbatical and administrative leave policy.

R821, Employee Benefits¹

R821-1 Purpose: To provide guidelines for employee benefits including vacations, paid holidays, sick leave, emergency leave, military leave, jury and witness service, tuition reduction and sabbatical and administrative leave.

R-821-2 References (Policy Subhead Style)

- 2.1 Utah Code [§ 53B-2-106](#), Duties and Responsibilities of the President
- 2.2 Utah Code [§ 39-3-2](#), Government Employees in United States Armed Forces or National Guard

R821-3 Policy

3.1 Vacation Policy

3.1.1 Standard Vacation Schedule: All full-time salaried non-exempt personnel on 12-month appointments are entitled to annual vacation benefits between 12 and 22 days based on graduated years of service as determined by institutional policy.

3.1.2 Maximum Accrual: Subject to availability of funding, the maximum accrual, pursuant to the standard vacation schedule, of unused vacation time for which payment is due upon termination of employment shall not exceed 30 days plus the current year's accrued vacation time.

3.1.3 Transferability of Vacation Benefits: Employees in the System who transfer from one employing unit to another within the System should be deemed to retain their accumulative service credits for the purpose of calculating their accumulating vacation benefits earned while in the new employment situation.

3.2 Paid Holidays

3.2.1 Standard Holiday Schedule: All full-time employees are entitled to the following paid holidays:

New Year's Day

¹ Adopted July 27, 1977; amended November 22, 1977, November 8, 1991, and January 17, 1992; XXX.

Martin Luther King/Human Rights Day
President's Day
Memorial Day
Juneteenth National Freedom Day
Independence Day
Pioneer Day
Labor Day
Thanksgiving Day
Christmas Day
Three additional Days (as declared by the Institutional President)

3.2.2 Variations from Standard Holiday Schedule

3.2.2.1 A holiday falling on Saturday will be observed the previous Friday.

3.2.2.2 A holiday falling on Sunday will be observed the following Monday.

3.2.2.3 Juneteenth National Freedom Day is on June 19 and will be observed that day if it falls on a Monday. If Juneteenth National Freedom Day falls on a Tuesday, Wednesday, Thursday, or Friday, it will be observed the immediately preceding Monday. Notwithstanding subsections 3.2.2.1 and 3.2.2.2, if June 19 falls on a Saturday or Sunday, Juneteenth National Freedom Day will be observed the following Monday.

3.2.2.4 The institutions will make reasonable efforts to avoid scheduling regular classes on a scheduled holiday, but if classes are so scheduled, the holiday will not be observed by the faculty.

3.3 Sick Leave

3.3.1 All full-time non-exempt salaried personnel shall accumulate sick leave credits at the rate of one day for each month of continuous service, subject to such limitations on maximum accrual as may be imposed by institutional policy.

3.3.2. In exceptional cases after all accrued sick leave and earned vacation have been exhausted, extended sick leave may be authorized by the president pursuant to institutional policy.

3.3.3. Each institution shall have a sick leave conversion policy for all employees covered by subsection 3.3.1. Such institutional policy shall include the following features:

3.3.3.1. The employee may convert a maximum of four days per year of accrued sick leave to vacation;

3.3.3.2. The employee must maintain a minimum level of annual sick leave credits before he or she is allowed to convert excess sick leave above that minimum level to vacation;

3.3.3.3. Usage by the employee of more than specified levels of sick leave days in a given year shall limit that employee's conversion of sick leave for that year; and

3.3.3.4. Sick leave converted to vacation leave must be included within the maximum accrual of the employee's unused vacation balance for purposes of payment at termination.

3.4 Emergency Leave: Emergency leave for death in an employee's immediate family may be authorized by institutional policy, but shall not exceed three working days.

3.5 Military Leave: Full-time personnel who are members of any reserve branch of the United States Armed Forces are entitled to leaves of absence with full pay for all time not in excess of 15 working days per year spent on duty at annual encampments or other required active duty training. This leave shall be in addition to annual vacation leave with pay.

3.6 Jury and Witness Service

3.6.1 Employees necessarily absent from work in compliance with an official requirement to appear for jury service or a subpoena to appear as a witness at a trial, deposition, or other official proceeding will continue to receive the equivalent of full pay, provided that the institution will request of the employee, in writing, to return the jury or witness fee.

3.6.2 This allowance covers only time lost while actually engaged in jury service or attendance as a witness, and in reasonable travel to and from the place of such service.

3.6.3 This policy does not apply when an individual appears in court on his or her own behalf.

3.6.4 Under the laws of the state of Utah, adult citizens of the United States who are able to read, speak, and understand the English language, and who are not incapacitated by physical or mental disability, are eligible and may be called to render jury service. The law specifies that no qualified prospective juror is exempt from jury service, but that the court may excuse an individual from such service, at the discretion of the judge, upon a

showing of undue hardship, extreme inconvenience, or public necessity for any period the court deems necessary.

3.7. Tuition Reduction: Utah System of Higher Education institutions may provide for reduced tuition and/or fees as an employee benefit for faculty, staff, and emeritus personnel, subject to the limitations prescribed by institutional policy.

3.8. Sabbatical and Administrative Leave: Sabbatical and administrative leaves are not employee benefits, but rather are programs for professional development which benefit the entire educational enterprise and are granted by the institutions in consideration thereof. Because of the differences in academic roles of the several institutions, maximum discretion should be allowed to each institution to develop its own sabbatical and administrative leave policy.