

## **Research Faculty Leave, Benefits, and other Policies**

**April 2012**

This information provides an overview of basic leave and benefits policies for individuals hired in the "Research Faculty" (Professional Research Assistants, Senior Professional Research Assistants, Research Associates and Senior Research Associates) and in the "Research Professor Series" (Assistant Research Professor, Associate Research Professor and Research Professor). Research faculty are "twelve-month" employees, who are paid on a monthly salaried appointment and hired in a "regular position"; "temporary positions" are not benefits-eligible, and do not accrue leave accrual earnings.

Since this material is subject to change, the University of Colorado Boulder assumes no liability for the information herein described. All research faculty with a hiring date of March 1, 2003 and thereafter are required to be provided a signed (by the employee's supervisor) copy of this document, due to the implementation of Policy 11-H (adopted September 7, 2000, amended October 2000) by the University of Colorado's System Administration.

### **LEAVE POLICIES**

**Vacation Leave:** Full-time (100%) research faculty earn 1.83 days (14.67 hours) per month worked, or 22 working days (176 hours) of paid vacation leave each year. Part-time research faculty (99% or less) earn vacation on a prorated basis, based upon the percentage of the appointment. Supervisors are encouraged to urge employees to use earned vacation during the year. Waiver or postponement of vacation may be allowed only on review of circumstances and must be approved by the senior officer to whom the person reports, and approval by the Vice Chancellor for Research. Under no circumstances may more than 44 days (352 hours) of vacation be accrued. Individual units may allow fewer than 44 days total vacation accrual. Direct compensation is not provided in lieu of earned vacation. Upon termination, resignation or retirement, direct payment is made in the equivalent amount of the employee's earned unused vacation up to a maximum of 44 days (352 hours), contingent upon written verification of the accrued leave by submitting a finalized Employee Leave Work Record to the Office of the Vice Chancellor for Research. When a holiday occurs during a vacation the holiday is not considered a day of vacation. Vacation accrual is frozen during periods of leave without pay.

**NOTE: July 1, 2004 and after: employees allowed to transfer accrued vacation leave balances, provided a verified written Employee Work Record is submitted, to a new position, rather than being required to "terminate" at the time of accepting a new position.**

**EXCEPTIONS: the 7/1/04 policy does not apply to employees transferring in or out of LASP, or to from another campus of the University of Colorado system.**

**Sick Leave:** Full-time (100%) research faculty earn 1.25 days (10 hours) per month worked or 15 days (120 hours) sick leave per year. Part-time research faculty (99% or less) appointments earn sick leave on a prorated basis. There is no limit on how many hours of sick leave accrual can be earned; however, employees hired after May 2, 2001 are limited, per Regents' Policy, to being paid for no more than 30 days (25% of 120 days) upon retirement, if the employee meets age and service requirements to be considered as "retirement eligible", and upon submission of the signed Employee Leave Work Record. Sick leave should be used when the employee is unable to perform his/her job because of an illness, or injury not covered by workers' compensation. Sick leave may also be granted for dental and medical appointments with the supervisor's approval. Employees are limited to five days of accrued sick leave per year to care for members of their immediate family who are ill or to take an immediate family member to a medical or dental appointment. Employees may use all their accrued sick leave as necessary in order to care for a member of the employee's immediate family with a serious health condition. Sick Leave balances are carried forward with the employee if the employee transfers to a new department.

**\*Retirement Grandfather Clause: Verification of accrued sick leave predating May 1, 2001 was entered into the University of Colorado HRMS/Peoplesoft System by 5/30/01, if the accruals are to be used as the basis for future claims. NOTE: upon death, an employee's beneficiary is entitled to be paid for 1/4<sup>th</sup> of an employee's accrued sick leave, per the established maximums, and verification of the Employee Leave Work Record.**

**The grandfather clause states: "employees who have earned unused sick leave in excess of 120 days on May 2, 2001, will be eligible to receive payment for 1/4th (25%) of that sick leave balance or any unused portion of the balance when they terminate, if they meet the age and service requirements for retirement (or upon death). A Frozen Sick Leave balance was created by the PBS (Payroll/Benefits Service) to serve as information only and to assist in determining the sick leave payout at retirement or death of an employee. If employment is terminated, direct compensation is not provided for unused sick leave.**

**Family Medical Leave (FML):** Information regarding Family Medical Leave is accessible at <http://www.colorado.edu/humres/support/leave.html?a=4>. Please refer to information posted at this link for the most up-to-date information. Employees remain in "paid leave status" while on FML if they use their accrued sick and/or vacation leave hours. Research faculty who meet the criteria for FML are eligible for 12 weeks of FML in a calendar year. Please contact the Office of the Vice Chancellor for Research for additional information.

**Court and Jury Leave:** Research faculty are granted jury leave with full pay for the period of jury duty. When an employee appears as a witness under subpoena or direction of the proper authority, he/she is granted paid court leave for such service. Compensation received by employees for jury duty or as a witness, with the exception of parking and other verified expenses, must be returned to the University. If an employee appears in court in an individual capacity without being served a subpoena, the employee will use vacation leave or leave without pay. Any compensation received by the employee may be kept in this situation.

**Funeral Leave:** Research faculty may receive up to five paid working days of funeral leave to arrange for and attend the funeral of a member of the employee's or spouse's immediate family when they would otherwise have to work. Immediate family members include: spouse, children, parents, grandparents, grandchildren, brothers, sisters, mothers-in-law, fathers-in-law, sisters-in-law, brothers-in-law, sons-in-law, and daughters-in-law. A supervisor may allow an employee to receive up to five paid working days of funeral leave for other individuals not included in this definition.

**Leave for Job-Related Illnesses and Injuries:** Research faculty who suffer an injury or illness in the line of duty covered by workers' compensation are granted up to ninety (90) work days of paid injury leave. These benefits replace the more limited coverage of workers' compensation insurance, which is waived by the employee during the ninety (90) days of injury leave. If an employee is unable to return to work after that time, he/she is eligible to take accrued vacation and sick leave with full pay in addition to workers' compensation.

**Leave without Pay:** Research faculty may be granted leave without pay for valid reasons for a period not to exceed three months. Such leaves must be approved by the employee's supervisor and the senior officer of the unit (i.e., Department Chair, Institute Director, etc.) or his or her delegate. Leave without pay will not be granted until all vacation leave is exhausted, unless otherwise requested by the employee, approved by the supervisor and the Vice Chancellor for Research. Extensions beyond the three-month period must be requested, and approved by the Vice Chancellor for Research. Employees do not accrue vacation and sick leave during periods of leave without pay, except for military leave. Employees should check with the PBS (Payroll/Benefits Services) regarding health insurance payments and possible effects on retirement, prior to being placed on leave without pay.

**Leave Sharing:** Employee can contribute to excess vacation hours to the Leave Bank. Employees are eligible to apply for leave hours ONLY IF their vacation and sick leave accruals exhausted and the request is for a "catastrophic/life threatening illness", as endorsed by a physician and the employee's supervisor.

**Military Leave:** Use of military leave shall be consistent with State and federal laws. Upon presentation of proper military orders, research faculty who are a reservist or member of the National Guard is granted fifteen calendar days of leave with pay to attend training or active service. This leave is not charged to vacation leave. A research faculty member who enters military service is granted military leave without pay until the end of the initial period of service, plus any period of additional service imposed by law. If the employee fails to return to the University after this period or voluntarily extends military service beyond the initial period, the employee is considered to have resigned.

**Parental Leave:** not available to research faculty. Please refer to the information regarding FML.

**Short-Term Disability:** Eligible ONLY if employee signed up for this coverage upon employment or during open enrollment for insurance benefits. Employees must exhaust all accrued sick leave before being eligible for Short-Term Disability, which is provided by the Standard Insurance Company.

**Long-Term Disability:** Automatically enrolled upon employment.

**Administrative leave with pay, educational leave with pay, and compensatory time:** Research faculty are ineligible, as defined by the Fair Labor Standards Act, for these leave benefits.

#### **VERIFICATION OF LEAVE ACCRUALS AND RECORDING LEAVE USAGE**

Each supervisor is responsible for maintaining accurate and complete vacation and sick leave records for personnel within his/her department or unit. The departmental Payroll Personnel Liaison (PPL) is responsible for entering usage of leave into the HRMS/PeopleSoft system on a monthly basis. The University of Colorado Human Resources System will serve as the official repository for vacation and sick leave accruals and usage. The written Employee Work Record will be used to verify

leave benefits involved in termination, retirement, or interinstitutional transfer. This written record must accompany termination papers for payment of annual leave.

Every employee and supervisor shall sign the University of Colorado Employee Work Record to verify leave balances by the beginning of each fiscal year. No employee has the authority to verify the accuracy of his/her own vacation and sick leave record.

Claims for termination, retirement, or interinstitutional transfer benefits based on accrued unused sick leave or vacation time, as provided in University policies, will only be honored on the basis of records verified as of May 1, 2001, and annually thereafter.

Verification of accrued vacation and sick leave predating May 1, 2001, must have been entered into the University of Colorado Human Resources System by 5/30/01, if they are to be used as the basis for future benefit claims.

Each supervisor is responsible for ensuring that these policies for vacation, sick leave, and other leaves for officers, exempt professionals, and faculty on twelve-month appointments are applied in a consistent manner, and in consultation with appropriate human resources personnel where necessary, to achieve substantial uniformity across all campuses of the University of Colorado.

### **BENEFITS**

**Health, Dental and Life Insurance and Retirement:** All employees who hold regular appointments for 50% or more are eligible to participate in group medical and life insurance plans. All employees must enroll in health and life insurance benefits within the first 31 days of employment. NOTE: employees who begin on any day, other than the first day of the month, are ineligible for health and life insurance coverage until the subsequent month. Social Security (FICA) and Medicare Tax Coverage are automatic upon employment (any appointment percent). The CU Optional Retirement Plan (Fidelity Investments, TIAA-CREF, and Vanguard Group) is required coverage for 50% or above appointments after a one-year waiting period. Inquiries about availability and eligibility for specific plans should be directed to the Payroll/Benefits Service Center, telephone (303) 860-4200.

**Tuition Waiver:** The State of Colorado Fiscal rule 2-8-04 allows for a tuition waiver program (maximum of 9 hours per year) for "regular" (not temporary) employees of the University, contingent upon the employee receiving supervisor approval. NOTE: research faculty who wish to become "degree-status" concurrent with full-time employment must petition the Office of the Vice Chancellor for Research and the Office of the Dean of the Graduate School: this petition (which must address how satisfactory progress toward the degree and satisfactory performance will be maintained) must be submitted in memo format, signed and approved by the employer, the advisor of the individual and the employee.

**"Severance of Employment":** Employees in research faculty appointments are considered "employees-at-will"; therefore, the following statement must be included in all research faculty offer letters classifications: "Under Section 24-19-104 of the Colorado Revised Statutes, your employment contract with the University of Colorado is subject to termination by you or the University at any time during the term of the contract and you are deemed to be an employee at will. No compensation, whether as liquidated damages, or as any other form of remuneration, shall be owed or paid to you upon or after the termination of such contract except for compensation that was earned prior to the termination, or prorated to the date of termination."

### **MANDATORY TRAINING REQUIREMENTS**

**Discrimination and Harassment Training:** research faculty must complete the required Discrimination and Harassment Training every five years. Information regarding this training is accessible at <http://www.colorado.edu/humres/training/mandatory.html?a=4>.

**Other Training:** Research faculty who have financial and budgetary responsibilities will be required to complete the mandatory Fiscal Code of Ethics and other Procurement Service Center training. Research faculty who supervise other employees will be required to complete the appropriate supervisory training programs. Please consult with your home department regarding additional training requirements which must be completed.

### **SALARY INCREASE INFORMATION**

**SALARY (merit) INCREASES:** Salary (merit) increases for research faculty may be granted only once per year and are based upon an annual merit evaluation of employee performance. Policies for determining the average percentage of this increase permitted are established by the Board of Regents each year, and the level for research faculty is equal to the level established for tenure-track (regular) faculty increases in that fiscal year. The Office of the Vice Chancellor for Research will issue information during the latter part of Spring Semester each year regarding the salary increase process. Salary recommendations are required to be submitted by mid-July each year in order for the salary recommendations to become effective on October 1 of each year. No increases are considered at any other time during the fiscal year except when a written request and justification for a prevailing wage and/or employee retention issue for which a salary adjustment request must be submitted for review and subsequently reviewed and approved by the Vice Chancellor for Research. Any increase above the established maximum level based upon a change in duties (or for any other reason) must be accompanied by a letter of justification containing a minimum of three relevant comparison salaries from a University of Colorado Boulder unit. Requests for exceptions are reviewed and receive initial approval from the Vice Chancellor for Research. Final approval is subject to action by the Chancellor of the University of Colorado Boulder.

### **PATENT AND COPYRIGHT POLICIES**

University policies with respect to patents and copyrights should be consulted if the employee believes they are relevant to work done while employed by the University of Colorado. Questions should be directed to the Office of Technology Transfer ([TTOContact@cu.edu](mailto:TTOContact@cu.edu), phone: 303-492-5647, fax: 303-492-2128) or University Legal Counsel Office (303-492-7481).

### **MULTIPLE APPOINTMENTS**

- Research faculty are not allowed to be employed more than 100% total for a single appointment and/or multiple appointments, per Circular A-21.
- Research faculty ARE allowed, with appropriate pre-approval, to accept an additional responsibility for additional compensation provided the additional responsibility is of a “sporadic/non-regular” nature (example: once a year reoccurring not less than two or three years, etc.). IF the additional job/responsibility is on a regular basis, then the employee will be required to reduce his/her %age of time and respective amount of compensation so as to not exceed the 100% equivalent salary approved for the respective fiscal year.
- Research faculty are allowed to have “additional jobs” provided the total of all of the jobs do not exceed 100% time.
- Instructional faculty (non-tenure track only) are allowed, provided the appropriate review and approvals have been obtained in writing, to hold a 100% research faculty appointment during the summer without having any affect on their “nine-month/academic year appointment”, and are limited to the “3/9ths” rule.

***This form is not intended to replace a formal offer letter that is required by the University.***

The employee, by affirming receipt of this signed (by the supervisor) Research Benefits and Leave Policies document in accepting and signing the original offer letter, agrees to comply with all resolutions, rules and regulations adopted by the Campus, academic unit and/or department in which the appointment is made.

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Supervisor's Name (print)

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Supervisor's Signature

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Date

***This document MUST be signed by the respective supervisor OR departmental hiring authority and enclosed with every research faculty offer letter***