

6 EMPLOYEE LEAVE & TRAVEL

03-16-2020 Revised Dues Paying Event Travel – Per Diem Rates
09-24-2019 Updated Travel Policies – Travel Over 85 Miles From Base
04-30-2019 Updated Leave Policies and Paid Absences Due to Job-Related Injury Policy
08-07-2018 Updated Travel Policies – Approved by Executive Council
07-10-2018 Revised Travel Policies – Approved by Executive Council
02-14-2018 Updated Title Changes
11-14-2017 Revised FMLA Usage Policy
07-13-2017 Revised Travel Procedures – Approved by Executive Council
11-15-15 Updated Entire Manual
10-14-14 Group/Field Trips Policy Revised pg. 6.14 & 6.15
07-15-14 Revised Out-of-State Travel Policy pg. 6.17
05-05-14 Revised Travel Policy pg. 6.15
06-10-13 Revised pgs. 6.1 - 6.11 to comply with St. Bd. Policy & FMLA guidelines
03-26-13 Revised pg. 6.15 Use of College Vehicles for Travel
03-26-13 Revised pg. 6.1 Leave Policies

LEAVE POLICIES

This section of the *Policies & Procedures Manual* provides information on typical types of leave that are available to qualified employees and may not include all information or all types of leave that may be available. A leave year for earning, accrual, and use of leave by College employees is defined as the year beginning September 1 and ending August 31.

Annual, sick, personal, or compensatory leave is approved by the employee's immediate supervisor. Employees are to make leave requests through the College Employee Information Center via the LBWCC website. Supervisory approval is granted through the same on-line process and the employee will receive an approval e-mail as documentation. All requests for leave, other than annual, sick, personal, or compensatory should be submitted, (through the employees supervisors), to the President for approval. Annual, personal, and compensatory leave should be requested one workweek in advance of requested leave date to ensure sufficient planning to cover the duties and responsibilities of employee taking leave. The on-line leave process will not accept a leave request for annual, personal, or compensatory leave for a date prior to the current date.

The immediate supervisors are responsible for assuring that leave approvals in their areas of responsibility are reported timely and accurately.

All employees engaged in outside employment or other activities during their normal work hours must use accrued compensatory time or request personal, annual, or unpaid leave.

Annual Leave

Instructors, counselors, or librarians (Salary Schedule D personnel) do not earn annual leave. Employees eligible to accrue annual leave are those compensated from Salary Schedules A,B,C,E and H (prorated). Employees compensated from Salary Schedule H shall receive annual leave under the same terms and conditions as other eligible employees, except a "day" of annual leave shall be as follows: four (4) hours for employees compensated from Schedule H-20, five (5) hours for employees compensated from Schedule H-25, six (6) hours for employees compensated from Schedule H-30, and seven (7) hours for employees compensated from Schedule H-35. Annual leave is earned based on years of service as follows:

- 0 - 4 years of experience -1.00 day per month
- 5 - 9 years of experience - 1.25 days per month
- 10-14 years of experience -1.50 days per month
- 15-19 years of experience -1.75 days per month
- 20 & above - 2.00 days per month

A "year of service" shall be a completed year of service at the current employing entity, not based on experience or service at other employers.

All new hires will begin accrual of annual leave under this policy at 0 years of service, with one exception: A President, upon request of a new employee within the first 90 days of employment, may award additional years of service for annual leave accrual purposes to an employee who has

been hired directly from one ACCS college or the ACCS System Office to an ACCS college with no time lapse between dates of employment. The years of service awarded by the President under this exception cannot be more than the number of years that the employee was employed at the ACCS System Office or prior ACCS institution. This policy is not applicable to employee hires from any other location or entity. The President is not required to award any additional years of service under this policy.

In order to move to the next year of service for annual leave accrual purposes, an employee must have worked at least nine months of the leave accrual year. As an example, if a new employee is hired on January 2, then that employee will not have worked 9 months by September 1 of the same year (when the annual leave rate changes occur) and will be required to wait until the following year to move to the next year of service).

On employment, personnel must work one-half of the work days in the initial month of employment to accrue a day of annual leave (except those under FMLA leave).

A maximum of 60 days of annual leave may be accrued and carried forward into each September. Earned annual leave may be taken at appropriate times as approved in advance by the immediate supervisor. Annual leave may exceed 60 days during a year; however, annual leave exceeding 60 days earned but not taken by September 1 is forfeited.

Persons who leave employment will be paid for the actual number of annual leave days earned and not used up to a maximum of sixty (60) days. Payment of annual leave will be based on the employee's salary in effect at the time of separation.

If an employee who is eligible to accrue annual leave assumes a regular (non-temporary) assignment on the D or local salary schedules where annual leave is not earned or accrued, payment for the unused portion of the accrued annual leave will be made at the conclusion of the eligible assignment and will be based on the eligible salary schedule upon request of the employee.

Court Attendance

Full-time employees and Salary Schedule H employees of the College who are required by a court to attend jury duty will be granted special leave with pay to attend. The jury duty summons must be presented in order to be granted leave with pay.

Any employee who is required by court order, valid subpoena, or by legal counsel representing ACCS or any of its entities, to appear in their capacity as an employee will be expected to attend as part of their normal work duties. Documentation will be required to be presented. This section does not apply to employees who are engaged in suit or charges against ACCS or any of its entities to include hearings, trials, depositions, meetings with lawyers, mediations, EEOC hearings, ethics commission interviews, meetings, or hearings, etc., as such is deemed a personal matter for which appropriate accrued leave must be taken.

On receipt of a summons for jury duty, the employee will submit a *Leave Request* form with a copy of the summons attached. Any employee receiving leave under this court attendance policy who has been released is required to return to work immediately once the event has concluded.

Family and Medical Leave Act (FMLA)

The *Family and Medical Leave Act (FMLA)* was passed by Congress to balance demands of the workplace with needs of families, promote stability and economic security of families, and promote national interests in preserving family integrity; minimize the potential for employment discrimination on the basis of gender by ensuring generally that leave is available for eligible medical reasons (including maternity-related disability) and for compelling family reasons; and promote the goal of equal opportunity for women and men.

The Alabama Community College System Board of Trustees and the institutions under its direction and control shall comply with the requirements of the FMLA. Those institutions administer the FMLA in conformance with regulations and guidelines promulgated by the Chancellor.

Lurleen B. Wallace Community College complies fully with this law. Any person requesting such leave should initiate the process in writing, to the immediate supervisor and to the Payroll Office.

FMLA entitles eligible employees to take up to twelve (12) weeks of unpaid, job-protected leave in a 12-month period for specified family and medical reasons. Designation of leave as FMLA must be made “up front” whenever possible.

Any accrued leave, excluding compensatory time, must be used concurrently with FMLA leave. All accrued leave, excluding compensatory time, must be exhausted before an employee is entitled to unpaid FMLA leave.

Upon returning from FMLA leave, an employee is entitled to be restored to the same job or to an equivalent job with equivalent pay, benefits, and other terms and conditions of employment. An employee’s use of FMLA leave cannot result in the loss of any employment benefit the employee earned or was entitled to before using FMLA leave.

Eligibility

An employee who has been employed with Lurleen B. Wallace Community College for at least twelve (12) months from the date on which any FMLA leave is to commence, and who has worked at least 1,250 hours during the previous twelve (12) month period is entitled to a total of twelve (12) workweeks, paid or unpaid, leave. The College uses a rolling year to calculate the twelve (12) weeks of FMLA leave entitlement beginning from the time the FMLA leave is to commence.

These guidelines generally do not cover temporary employees; however, if a temporary employee is extended beyond one (1) year, the employee would be covered if he/she had worked at least 1,250 hours during the previous twelve (12) month period.

FMLA Entitlement

Eligible employees are entitled to FMLA for one (1) or more of the following reasons:

1. For the birth of a child and to care for the child after birth, provided the leave is taken within a twelve (12) month period following birth;

2. For the employee to care for a child placed with the employee for adoption or foster care, provided the leave is taken within a twelve (12) month period following placement;
3. For the employee to care for the employee's child, spouse, or parent, where that child, spouse, or parent has a serious health condition; or
4. Because the employee has a serious health condition that makes the employee unable to perform the essential functions of his or her position.

Military Family Leave Entitlement

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

FMLA Usage

Lurleen B. Wallace Community College may require an employee who takes leave because of his or her own serious health condition or serious health condition of a family member to provide medical certification from the health care provider. Employees seeking to use FMLA leave are required to provide notice thirty (30) days in advance of the need to take FMLA leave when the need is foreseeable and such notice is practicable.

Designation of leave as being FMLA-qualifying must take place "up front" whenever possible. Each institution must provide a written notice designating employee leave as FMLA leave and detailing specific expectation and obligations of an employee who is exercising FMLA rights. The notice should be provided to the employee within one or two business days after the institution receives the employee's notice of need for leave and should include the following: (a) that the leave will be counted against the employee's annual FMLA leave entitlement; (b) any requirements for the employee to furnish medical certification and the consequences of failing to do so; (c) that the institution will require the use of accrued paid sick leave for FMLA leave prior to the use of unpaid FMLA leave; (d) any requirement for the employee to make co-premium payments for maintaining group health insurance and the arrangement for making such payments; (e) rights to job restoration upon return from leave; and (f) employee's potential liability for reimbursement

of health insurance premiums paid by the institution during the leave if the employee fails to return to work after taking FMLA leave.

Supervisors must contact the Human Resources Office when an employee has requested FMLA leave or is absent from work for more than three (3) consecutive work days due to an FMLA qualifying event. See the previous sections titled “FMLA Entitlement” and “Military Family Leave Entitlement” for descriptions of FMLA qualifying events.

If the College has knowledge to determine that leave is for an FMLA qualifying event at the time the employee either gives notice of the need for leave or the leave commences and the College does not notify the employee as required at that time that the leave is being designated as FMLA leave, the College may not then designate the leave as FMLA leave retroactively.

The College may designate such leave only prospectively, as of the date of notification to the employee of the designation that the time is being charged against the employee's FMLA leave entitlement.

If the College determines that leave is for an FMLA qualifying event at the time the employee either gives notice of the need for leave or the leave commences and the College notifies the employee at that time that the leave is being designated as FMLA leave, the College may then designate the leave as FMLA leave prospectively.

The College may not designate leave that has already been taken as FMLA leave after the employee returns to work, with two exceptions:

1. if an employee is out of work for an FMLA-qualifying reason and the College does not learn of the reason for the leave until the employee returns to work, the College may designate the leave as FMLA leave promptly (within two working days) upon the employee's return to work (including a provisional designation based on information from the employee, subject to confirmation upon the College's receipt of medical certification if the College requires it and has previously notified the employee of the requirement); or
2. if the College has provisionally designated the leave under FMLA and is awaiting receipt from the employee of medical certification or other "reasonable documentation" to confirm that the leave was FMLA-qualifying, or the College and employee are in the process of obtaining second or third medical opinions.

The employee is not entitled to the protections of the FMLA if the employee gives notice of the reason for the leave later than two days after returning to work.

If an absence which begins as other than FMLA leave later develops into an FMLA-qualifying absence, the entire portion of the leave period that qualifies under FMLA may be counted as FMLA leave.

A husband and wife who are eligible for FMLA leave and employed by the same College are permitted to take only a combined total of twelve (12) weeks of leave during any twelve (12) month period, when authorized for:

- a. the birth of a son or daughter or to care for the child after birth;
- b. placement of a son or daughter with the employee for adoption, for foster care, or to care for the child after placement; or
- c. to care for a parent (but not a parent “in-law”) with a serious health condition.

Health Insurance Coverage

If group health insurance coverage insurance was provided for an employee before FMLA leave was taken it will be provided on the same terms while the employee is on FMLA leave as if the employee had continued to work. The employee is responsible for making monthly health insurance premium payments in order to maintain health insurance coverage and benefits. Failure to make such payments in a timely manner will result in the lapse of health insurance coverage and benefits. Information on payment of insurance premiums is available from the Payroll Office.

Leave Beyond Twelve Weeks

Leave without pay beyond the twelve (12) week period or for employees not covered under the *Family and Medical Leave Act* guidelines may be granted. Under these provisions, employees must pay for health benefits coverage while on unpaid leave.

Additional information on employee rights and responsibilities under the *Family and Medical Leave Act* is available at www.dol.gov.

Maternity Leave

A full-time employee will be granted up to a maximum of one (1) year of maternity leave without pay. Persons on maternity leave without pay resulting from pregnancy will be paid for earned sick leave upon request. A person who resigns instead of taking maternity leave or accrued sick leave cannot be paid for accumulated sick leave. Persons taking maternity leave to stay home with adopted children will not be paid for earned sick leave; however, all provisions of the *Family and Medical Leave Act* will be followed as they relate to leave occurrences for individuals meeting the eligibility requirements. Leave earnings will continue for the period covered by maternity leave payments. The tenure status of persons on maternity leave will not be affected.

In addition, or as an alternative, an employee may use accrued sick leave. Accumulation of sick leave will continue while an employee is on paid sick leave. Accumulation of sick leave will not continue while employee is on unpaid maternity leave.

Military Leave

All full-time and Schedule H employees (as prorated) are eligible for paid military leave in accordance with applicable state and federal law per calendar year. During the period of paid military leave, the respective employee shall continue to accrue all employment benefits, including sick and annual or personal leave, as well as paid medical insurance benefits. Once available paid military leave is exhausted, the employee may take available annual or personal leave and continue

to receive all employment benefits.

Once the employee has exhausted all available paid leave, the employee may be considered to be on military leave of absence without pay. Employees on unpaid leave of absence do not accrue benefits but may choose to continue health insurance coverage by paying the designated premiums.

On receipt of orders, the employee will submit a *Request for Leave* form, with a copy of the orders attached, to the immediate supervisor for approval and submission to the Payroll Office.

Personal Leave

Personal leave is non-cumulative. A reason for personal leave is not required. However, personal leave with pay shall be requested prior to its occurrence. Personal leave will not be paid on separation of employment. Personal leave not taken will be converted at the end of the leave year to sick leave unless the employee notifies the Payroll Office in writing at least thirty (30) days prior to the end of the leave year. Personal Leave is requested through the College Employee Information Center via the LBWCC website, approved by the supervisor and forwarded to the Payroll Office. Personal leave will not be paid on resignation or termination.

Personal Leave on Salary Schedules A, B, C, E, and H Granted Annually

Up to two (2) regularly scheduled work days of personal leave with pay will be granted to each full-time employee on the above salary schedules during any leave year. Up to two days per year of personal leave is extended to all support personnel on Salary Schedule H as above, with a "day" defined as four (4) hours for persons paid from Salary Schedule H-20, five (5) hours for persons paid from Salary Schedule H-25, six (6) hours for persons paid from Salary Schedule H-30, and seven (7) hours for persons paid from Salary Schedule H-35.

Personal Leave on Salary Schedule D Granted Annually

Up to five (5) regularly scheduled work days of personal leave with pay will be granted to each full-time Schedule D employee on the first day of each academic year.

Employees who are not employed at the beginning of the leave year will accrue personal leave on a prorated basis based on their starting date.

Professional Development Leave

Professional Development leave with pay may be granted to any full-time employee based on availability of funds, the absence will not hamper the normal routine operations of the College, and the event is directly tied to the employee's current or anticipated job duties. If an employee who was granted professional development leave separates from the College within one year of the professional development event, the employee is required to reimburse the College for any funds expended on behalf of the employee. The College may deduct these amounts from an employee's paycheck. The President may elect not to require reimbursement due to special circumstances, such as separations due to medical reasons or layoffs.

A maximum of ten work days per leave year may be approved locally, but more than 10 days shall only be granted upon written approval of the Chancellor.

Professional Development leave is typically a direct personal benefit to the employee. Examples include but are not limited to leadership programs, training and workshops, local, state and national board positions or assignments, accreditation activities unrelated to the employee's college.

Approved activities sponsored by ACCS or the employee's college are part of the employee's regularly assigned duties and are not a type of leave.

Institutional Support Leave

Institutional support leave with pay may be approved by the President for any full-time employee based on the availability of funds and if the absence will not hamper the normal routine operations of the College. Institutional support leave is related to the employee's expertise and/or position of employment. Institutional support leave directly benefits the College and the employee's participation is requested by the College.

Examples of institutional support leave include but are not limited to business and industry partnerships with the College, grant-specified training, community partnerships through the College, accreditation activities related to employee's College, etc.

Any activity requiring more than five (5) regularly scheduled work days of institutional support leave during the leave year will require the Chancellor's written approval.

Approved activities sponsored by ACCS or the employee's College are part of the employee's regularly assigned duties and are not a type of leave.

Sick Leave

Each full-time College employee employed on Salary Schedules A, B, C, and E shall earn one day of sick leave which is the equivalent of 8 hours per month of employment.

Each full-time employee employed on Salary Schedule H shall earn one day of sick leave per month of employment with a "day" defined as 4 hours for persons on H-20, 5 hours for persons on H-25, 6 hours for persons on H-30, and 7 hours for persons on H-35.

Each full-time employee employed on Salary Schedule D shall earn one day of sick leave which is equivalent to 7 hours per month of employment to a maximum of nine days or 63 hours during the academic year (fall and spring semesters) and up to a maximum of three days or 21 hours during the summer term. Employees on D will be required to request 35 hours of sick leave for absences totaling an entire work week.

On employment, personnel must work one-half of the working days in the initial month of employment to accrue one day of sick leave (except those on FMLA leave). The maximum accumulated sick leave is authorized pursuant to *Section 16-1-18.1, Code of Alabama of 1975*, as amended.

Any unused balance of sick leave accumulated at the end of the leave year will be carried forward to the next succeeding year. Accumulated sick leave will not be paid on resignation or termination of employment.

Sick leave earned while employed by an Alabama public school system, higher education public institutions in Alabama, or the Alabama Community College System may be transferred into a two-year college upon employment. The transfer of sick leave is limited to the number of days authorized by statute for institutions in the Alabama Community College System.

Sick leave may be approved for personal illness or injury, dental and medical examinations, psychiatric or psychological examinations, attendance to immediate family members with illness or injury, or death in the family. Paid sick leave for prolonged illness or pregnancy will be granted on request through the College Employee Information Center via the LBWCC website. Medical Certification may be required in cases involving prolonged periods of paid sick leave.

An eligible employee is entitled to sick leave for attendance on an ill member of the immediate family or on an individual with a close personal tie to the employee. When death occurs where unusually strong personal ties exist, due to the employee's having been supported or educated by a person of some relationship other than those listed, the relationship may be recognized for leave purposes. In such cases, the employee should file with the appropriate supervisor a written statement of those circumstances that justify an exception to the general rule.

Illness must be reported to the immediate supervisor. It is not necessary for the leave request to be submitted in advance, except when the employee has knowledge of an up-coming absence (i.e., pre-scheduled appointments.) In this case, the leave request should be submitted prior to the absence. In all cases, absences are to be reported on the monthly time sheet.

Supervisors must contact the Human Resources Office when an employee has requested FMLA leave or is absent from work for more than three (3) consecutive work days due to an FMLA qualifying event. See the previous sections titled "FMLA Entitlement" and "Military Family Leave Entitlement" for descriptions of FMLA qualifying events.

Sick Leave Bank

The Sick Leave Bank is operated for the purpose of providing a loan of sick leave days for participating members or catastrophic leave after a member's accrued and compensatory leave has been exhausted if warranted as determined by the Sick Leave Bank Committee. The Sick Leave Bank is overseen by the Sick Leave Bank Committee. The Committee has five members. One member is the College President's designee and shall chair the Committee and appoint one of the other Committee members to take minutes of the meeting and all Committee action. The other four members are elected by secret ballot from the sick leave bank membership for a term of one year. No elected member may serve for longer than five (5) years.

All employees who earn sick leave are eligible to join the Sick Leave Bank by depositing five (5) sick leave days into the bank. Employees who wish to join the Sick Leave Bank and do not have the five (5) accumulated sick leave days to deposit may join with a five (5) day deficit. One day will be deducted each month until the deficit is paid.

The enrollment period is August 1 through September 1 each year. After September 1, only new employees are eligible to join before the next enrollment period. Employees who did not join the Sick Leave Bank will have an option to join upon deposit of the prerequisite number of Sick Leave days during any open enrollment period established by the Committee. Members may withdraw during the Open Enrollment period, which is August 1 through September 1, or upon termination of employment or retirement. Resignation must be made in writing on the proper form and presented to the Committee with a copy to the President. Membership automatically renews unless the member of the Sick Leave Bank submits a withdrawal form, retires, or employment is terminated.

Members of the Sick Leave Bank may borrow a maximum of fifteen (15) days with the approval of the Committee; the number of days loaned shall be determined by the Committee. A form is available from the Payroll Office. Borrowed days will be repaid each month as members earn sick leave. Upon resignation or retirement, the value of any unpaid sick leave days will be deducted from the final paycheck. If portions of the loan remain outstanding after separation, the employee is responsible for paying the remaining value to the institution. In cases where the Sick Leave Bank member has been incapacitated, his or her agent or representative, designated as such in writing, may apply to the Committee on the member's behalf. At the discretion of the Committee, and upon the request of the applicant, a loan may be granted retroactively to the fifteenth day of absence.

Employees do not lose days contributed to the Sick Leave Bank. Upon retirement or transfer the days on deposit will be withdrawn and transferred with you or made accessible for retirement credit.

Any alleged abuse of the bank shall be investigated by the Committee (or its designee). On a finding of wrongdoing, the abusing member shall repay all of the sick leave credits drawn from the sick leave bank and be subject to appropriate disciplinary action as determined by the institution.

Catastrophic Sick Leave

A catastrophic illness is any illness, injury, pregnancy or medical condition related to childbirth, certified by a licensed physician which causes the employee to be absent from work for an extended period of time.

Any member of the Sick Leave Bank who has exhausted all sick leave, annual leave, and personal leave but is still under a physician's order to stay off work may request the donation of catastrophic sick leave days from participating members. These days do not have to be repaid. Members may qualify for catastrophic sick leave to care for a family member if the member has a physician's excuse and other sick leave members will donate days. Before being eligible to use catastrophic sick leave days, the member of the Sick Leave Bank must first exhaust all sick, annual, and personal leave days and must borrow and use the maximum fifteen (15) days from the Sick Leave Bank. If the member later qualifies for catastrophic sick leave, donated catastrophic sick leave days may be used to repay days owed to the Sick Leave Bank to the credit of the affected member.

Sick leave days may be donated to someone as long as both the person needing the days and the person willing to donate the days are members of the Sick Leave Bank. The person to whom the days are to be donated must first meet the guidelines for catastrophic sick leave. Donated days which are used by the person needing the days are not recovered or returned to the donor. If a Sick Leave Bank member does not require all the days donated to his or her credit, the days revert to the credit of the member(s) who donated the days. No person may donate more than thirty (30) sick leave days to the Sick Leave Bank for catastrophic sick leave of any one employee.

The Sick Leave Bank is authorized to donate sick leave days to another Sick Leave Bank for use by a particular employee who is suffering a catastrophic illness. An employee must be a member of the Sick Leave Bank to donate or receive catastrophic sick leave days.

Beginning January 1, 2019, no employee may be awarded more than forty-five (45) work days of catastrophic leave during any five-year period of employment. Catastrophic leave is not available for on-the-job injuries.

See Section 11 of this manual for the *Sick Leave Bank Enrollment* form, *Application for Loan*, and *Notice of Resignation*.

Compensatory Time and Leave

Exempt FT Employees

Full-time exempt employees are required to work during the institution's regular business hours, unless the employee has express permission from the supervisor to work outside regular business hours.

Non-Exempt FT Employees

Non-exempt full-time employees are not permitted to work over 40 hours in one week, unless expressly required and approved by a supervisor. Non-exempt full-time employees who work over 40 hours without the express requirement and approval of their supervisor will be disciplined. Non-exempt full-time employees are entitled to overtime pay unless compensatory time is awarded instead when they physically work over 40 hours in one week (physical work hours do not include any paid leave time). It is the policy of ACCS that all institutions and entities shall award compensatory time rather than overtime to non-exempt full-time employees physically working over 40 hours in one week. Supervisors and non-exempt employees have a duty to work together to ensure that the employee does not work over 40 hours each week, absent emergency. In emergency situations where it is necessary for non-exempt employees to work over 40 hours in one week (and this has been required and approved by the supervisor), non-exempt employees must be given one and one-half hour for every hour physically worked over 40 in compensatory time, meaning if the employee works 44 hours in one week, then the employee receives 6 hours (4 x 1.5) in compensatory time. The supervisor of the non-exempt full-time employee must keep track of compensatory time and the non-exempt employee must use the time with supervisor approval within a reasonable period of it being accrued (recommend within the next

month). Supervisors are responsible for ensuring that compensatory time is being taken by non-exempt full-time employees so that overtime is not required to be paid. Non-exempt full-time employees may not accrue more than 80 hours of compensatory time, and any time over and above 80 hours in compensatory time will be required to be paid as overtime. Compensatory time for full-time non-exempt employees will be converted to overtime and paid at the time of separation at the College.

PAID ABSENCES DUE TO JOB-RELATED INJURIES

The President of the College is authorized to approve payment of salaries and fringe benefits for up to ninety (90) working days for absences arising from job-related injuries to employees. Continuation of an employee's salary or wages paid under these guidelines shall be computed based on a daily rate. The amount authorized for each work day lost due to the temporary disability shall be the full regular daily salary or wage the employee would have earned if the employee had worked as normally scheduled. This policy applies only to temporary disability of the employee as applicable to the job-related injury.

The employee must provide notification of the on-the-job injury to the President or designee within twenty-four (24) hours of the occurrence of the injury. If the employee is not clinically able to submit notification, such notification may be made by an individual representing the employee or on behalf of the employee. Such individual must be reasonably knowledgeable concerning the injury and the condition of the employee. In no event will this policy be utilized if notification is not made by the employee or the employee's representative within (5) work days of the injury.

The college or entity must receive within 72 hours after the notification of the on-the-job injury satisfactory evidence that the injury was on-the-job in the form of a statement from one or more witnesses who saw the incident causing the injury, or a signed, notarized statement from the injured employee if there were no witnesses. (In the event of an alleged stress-related injury, a sworn statement from the employee and a supporting statement from the employee's licensed healthcare provider shall be required.)

In the event the employee incurs the third absence related to the on-the-job injury, the college or entity must receive certification from a licensed healthcare provider, obtained at the employee's expense, as to the injury's severity and prognosis. The college or entity must receive the certification within three (3) work days from the third absence.

The President/designee shall require medical certification from the employee's licensed healthcare provider that the employee was injured and cannot return to work as a result of the injury. The President/designee may, within his/her discretion, require a second opinion from another licensed healthcare provider at the expense of the institution. The President/designee may require a statement from the licensed healthcare provider that there is a reasonable expectation that the employee will be able to return to work and the time frame for such return.

Employees are not precluded from using accrued leave for an absence or absences resulting from an on-the-job injury, if they elect.

The employee must provide to the college or entity notification from the licensed healthcare provider that the employee is released to return to regular duty. The college must receive the notification immediately upon release by the licensed healthcare provider.

Upon the President's receipt of a licensed healthcare provider's certification that an on-the-job injury is the cause of partial or total permanent disability, the employee shall be informed promptly about his or her right to bring a claim before the Alabama State Board of Adjustment.

Acceptance by an employee of salary and benefits continuation payments for a perceived temporary disability due to an on-the-job injury shall be upon the condition that the employee agrees to the deduction of the amount paid for temporary disability from any subsequent award by the Alabama State Board of Adjustment in the event the disability is subsequently determined to be permanent.

The President/designee shall inform in writing the employee who is injured on the job of the employee's rights to appear before the State Board of Adjustment and to claim unreimbursed medical expenses and costs through the State Board of Adjustment and shall inform the injured employee regarding applicable ACCS Board of Trustees policies. Such notification shall be made within thirty (30) calendar days of notice of the injury.

Incidents that occur during rest breaks or lunch periods, accidents resulting from carelessness or violation of published safety rules, and injuries caused by the behavior of fellow employees are subject to the judgment of the President as to whether they are on-the-job injuries.

There must be clear and convincing evidence that the injury was job-related, was not a result of intentional harm, carelessness, intoxication, provocation, or other inappropriate behavior of the injured employee and was not the result of a pre-existing condition for the President to determine an employee had an on-the-job injury.

External contractors, consultants, work-study students, and interns are not employees for the purposes of this policy.

Copies of the *Physician's Statement* form and the *Application for Salary Continuation* form are included on the following pages.

PHYSICIAN'S STATEMENT

A. Diagnosis:

B. Treatment:

C. Prognosis:

D. Estimated Date for Return to Work:

Signature of Physician

Date

Office Address of Physician:

Telephone: _____

**APPLICATION FOR SALARY CONTINUATION FOR ABSENCE
DUE TO JOB-RELATED INJURY**

Name of Injured Employee: _____

Employee Number: _____

Title or Position of Employee: _____

Institution: _____

Specific Place at Which Injury Occurred: _____

Date and Time of Injury: _____

Names of Witnesses to the Injury: (NOTE: If no witnesses, Employee must have statement notarized below. Otherwise, notarized acknowledgment is desired, but not required.)

Cause of Injury:

Circumstances at the Time of Injury:

Description of Physical Damage to Employee:

Date

Signature of Employee

STATE OF ALABAMA

COUNTY OF _____

BEFORE ME, the undersigned Notary Public, personally appeared _____, who is known to me, and being duly sworn, confirmed on the ____ day of _____, 20____, that the information contained hereinabove is true, accurate, and complete the best of his/her knowledge and information.

Notary Public, State of Alabama

My Commission Expires _____

TRAVEL PROCEDURES

Requests for all employees' official off-campus travel must be submitted through established administrative channels and have proper approval. An employee cannot be reimbursed by the College for travel undertaken without prior approval. *Request for Travel* forms are used for all travel requests and may be obtained from the Business Office, Switchboard, or online at www.lbwcc.edu. In-state travel requests should be presented through administrative channels to the appropriate administrator five (5) days prior to anticipated travel or as soon as scheduling permits. There must be funds in the requester's budget for travel and if not, then a budget amendment must be requested with the Chief Financial Officer. Out-of-State and In-State Dues Paying Event travel requests must be submitted to the appropriate administrator at least **one month** in advance of the travel or as soon as scheduling permits.

Authorization for Group/Field Trips

It is necessary to complete a *Request for Travel* form, a *Group/Field Trip Information* form, and a *Liability Release* form for any group trip such as athletics, performing groups, or field trips. The person in charge of the activity should prepare the *Request for Travel* form and the *Group/Field Trip Information* form. These two forms should be submitted to the Business Office to follow the same routing process as an employee's *Request for Travel* form. Attach to the form any requisitions such as those for lodging. Be sure to identify the driver of the College vehicle used for the trip on the *Group/Field Trip Information* form. The driver must be included on the *LBWCC Eligible Drivers List*. Students traveling should submit a *Liability Release* form to the person in charge of the activity. If a student is under the age of nineteen years, then the parent/legal guardian having custody of the student should also sign and date the *Liability Release* form.

Mileage Reimbursement Rate

The current state mileage reimbursement rate is set to be equal to the travel expense mileage allowance established by the United States Internal Revenue Service. The Chief Financial Officer is responsible for notifying employees when this rate changes and revising travel request forms.

Payment of Registration Fees

The College is not allowed to pay registration fees in advance except as noted below. The College may elect to prepay out-of-state travel expenses for which an invoice may be obtained in advance of the travel (i.e., commercial transportation and conference registration). The College does not provide any advance payment of travel or payments made directly to the traveler. Registration fees should be listed on the *Out-of-State and In-State Dues Paying Event Travel Expense Report* form or *In-State (Non-Dues Paying Event) Travel Expense Report* form, whichever is appropriate, with the receipt attached. Registration fees may be pre-paid using the following process:

1. Prepare a request for purchase order,
2. Send in purchase order number, if permitted, or

3. Pick-up check for registration fees from the Business Office on the day of departure and bring back receipt.

Travel Reports

Travel reports, in addition to travel expense reports, may be required of employees who make trips at College expense to professional association meetings, conferences, conventions, seminars, or to observe programs in operation at other institutions.

Use of College Vehicles for Travel

College-owned vehicles should be used when traveling on official College business if a vehicle is available on the employee's base campus. Employees have the option to use their personal vehicle and be reimbursed for mileage if the travel involves an over-night stay or the travel is greater than 85 miles one-way from the employee's base campus. Documentation must be provided verifying an over-night stay or travel greater than 85 miles one-way. When travel is for less than 85 miles, traveler has the option to use their personal vehicle in lieu of taking a College owned vehicle and be reimbursed the reduced federal rate. Persons attending the same meeting or functions are expected to travel together to minimize travel costs. Personal use of College-owned vehicles is prohibited.

College employees driving on official College business must maintain a valid driver's license and must submit a copy of their driver's license to the Director of College Facilities and Maintenance prior to official College travel. If an employee fails to submit a copy of his or her driver's license or is uninsurable through the College's auto insurance carrier, the employee is prohibited from driving a vehicle on official College business whether using a College owned vehicle, their personal vehicle, or any other vehicle. Employees who drive on official College business are required to notify the Director of College Facilities and Maintenance immediately if their driver's license is restricted or taken away for any reason.

Reservation of a Vehicle for Travel

College-owned vehicles may be reserved and reservations will be approved on an as-requested basis to approved travelers. Should travel plans change after making a reservation, the person making the reservation is responsible for canceling the request in a timely manner so that other employees can reschedule the vehicle for use. Vehicle reservations are subject to change if a request is received for a trip greater than those reserved. Notification will be sent to traveler if a change in reservation is made.

Seat Belt Usage

Any person driving or riding in a College-owned, College-operated, or College-hired vehicle shall have a duty to comply with Alabama's mandatory seat-belt law, including drivers of vans and buses.

Any exceptions to the *Use of College Vehicles for Travel Policy* should be submitted to the College President by the traveler's supervisor with documentation requesting an exception. Exceptions can be authorized only by the President.

Use of Gas Credit Cards for Travel

Authorized employees may use a College gas credit card only when traveling in a College vehicle. College gas credit card use is authorized only for expenses (fuel, oil, or emergency repairs) required in the operation of a College-owned vehicle. The College credit card expenses will be attributed to the appropriate division, department, or program.

In-State Travel (Non-Dues Paying Event)

The following rules and regulations govern in-state travel:

1. A *Request for Travel* form should be presented through administrative channels to the appropriate administrator five (5) days prior to the anticipated travel or as soon as scheduling permits.
2. An employee traveling by personal vehicle at state expense, when a College vehicle was not available, will receive mileage reimbursement at the state reimbursement rate (which coincides with the federal reimbursement rate.) An employee electing to travel by personal vehicle at state expense, when a College vehicle was available, will receive mileage reimbursement at the reduced federal reimbursement rate.
 - a. Current map mileage must be used where mileage is given on the road map. Otherwise, record the odometer readings at the beginning and ending of the trip. If travel involves more than one city, indicate route taken. For example, Montgomery-Tuscaloosa - Birmingham - Montgomery. Record all vicinity mileage as such and if it exceeds twenty miles on any day, indicate major points of travel covered.
3. The traveler will also receive one of the following allowances: (adjusted when meals provided)
 - a. a meal allowance of \$12.75 for a trip of six to twelve hours duration, or
 - b. a subsistence allowance of \$34.00 (\$12.75, meal allowance + 1/4 of the per diem allowance) for a trip that exceeds twelve hours duration but does not require an overnight stay, or
 - c. Per diem of \$85.00 per day for travel requiring one overnight stay, or
 - d. Per diem of \$100.00 per day for travel requiring two or more nights stay.
 - Under no circumstances will per diem be allowed for an employee at his official station or base.
 - Where, for traveler's personal convenience or through the taking of leave, there is interruption of travel or deviation from the direct route, the per diem in lieu of subsistence allowed will not exceed that which would have been incurred on uninterrupted travel by the most economical, usually traveled route.
4. The hour of departure from base and the hour of return to base shall be reported by the employee for each trip.
5. Miscellaneous expenditures may be reimbursed as follows. Where the payment of cash is necessary, receipts when practical to obtain them are required.
 - Operating expenses of college-owned vehicles, such as gasoline, oil, etc. Receipts must be itemized less federal tax.
 - Repairs or expenses of college-owned vehicles, the receipt is to be itemized.
 - Postage in excess of \$1.00.
 - Shipments, freight or express, or drayage.

- Stenographic or typewriting services in excess of \$1.00 (authorized or approved by the College.)
 - Travel related fees such as parking, toll and/or taxi (with a notation of “to” and “from”).
 - Telegrams, cablegrams, fax messages; copy of message required in lieu of receipt.
 - Telephone message, long distance, where the amount involved is in excess of \$1.00, a receipt will be required, except where a pay station is used at an automatic station and is so stated in the expense account.
 - Miscellaneous emergency expenditures. Receipts must be itemized, reasonable, approved by the appropriate administrator and be less than \$1,000.
 - Railroad and other transportation fares showing tax has been reduced.
 - Registration fees – include itemized breakdown, if applicable.
6. Receipts will not be required for meals and lodgings; however, it would be wise to keep lodging receipts in personal files.
 7. Tips will not be reimbursed unless unusual in nature and explained.
 8. Receipts will not be required when the disclosure of the traveler would be detrimental to the state’s interest.
 9. Storing personal vehicles is a reimbursable item of expense when the traveler is on official business for the state. Receipts, when practical to obtain, are required.

A *Statement of Official In-State Travel (Non-Dues Paying Event)* must be submitted to the Business Office on a timely basis to receive reimbursement. Employees traveling on state-funded programs must properly report and submit statements on or before September 30. Employees traveling on federally-funded programs must properly report and submit statements on or before the end of the particular program.

Out-of-State Travel and In-State Travel (DUES PAYING EVENT)

The following rules and regulations govern Out-of-State Travel and In-State (DUES PAYING EVENT TRAVEL):

1. Out-of-state travel is to be approved by the President prior to the date of travel. In-state dues paying event travel is to be approved by the appropriate administrator prior to the date of the travel. A request for out-of-state and in-state dues paying event travel should be submitted on the *Request for Travel* form to the appropriate administrator at least one month prior to the date of the anticipated trip or as soon as scheduling permits.
2. The purpose of the trip/nature of the program involved must be shown on the *Request for Travel* form and a copy of the agenda should be attached to the request.
3. Commercial airfare may be utilized for long distance trips (traveling 8 hours or greater). Personal vehicles may be utilized for long distance trips. However, mileage cost for the trip must be equal to or less than the cost of a round-trip commercial airline ticket or college owned vehicle costs to the travel destination. Comparable quotes should be within a reasonable time from departure date.

If an employee desires to use his personal vehicle on such long distance trips and claims tourist class plane fare, he must take annual leave for travel time to and from his destination beyond that time which is required for commercial air travel.

4. Traveler will receive a daily per diem for meals and incidental expenses (M&IE) based upon the location (city) of duty in an amount that corresponds with the U.S. General Services Administration M&IE per diem rates for the continental United States (“CONUS”). Current per diem rates can be found at <https://www.gsa.gov/travel/plan-book/per-diem-rates>. Per diem is a flat-rate allowance intended to cover costs for meals and incidental expenses. A traveler will not be required to submit receipts for these items, nor will they be allowed to claim any extra expense related to them. A traveler will receive per diem, as outlined above, regardless of actual expenses.
 - a. Note: If the hotel, conference or meeting provides meals for the traveler the per diem rate amount will be reduced by the meal rates per the GSA site. As an example, if the travel destination qualified for the \$51 M&IE rate and a lunch was provided as part of the conference, the agency head will reduce the per diem allowance to be claimed by the \$12 lunch.
 - b. Incidental expenses include tips and service charges related to lodging, baggage, and transportation.
 - c. On travel days, the traveler will be entitled to per diem for M&IE at a rate of seventy-five percent (75%) the daily rate. For all other days for which the individual is traveling, full per diem for M&IE will be paid. M&IE will not be paid for personal days.
 - d. For travel not requiring an overnight stay, the traveler will be entitled to per diem for M&IE at a rate of seventy-five percent (75%) the daily rate, if the travel is more than 12 hours. Travel that is from 6 to 12 hours duration is subject to a meal allowance of \$12.75.
 - e. Travel-related expenses other than meals and incidental expenses require a receipt for reimbursement of actual expenses.
5. Baggage fee receipts, including overweight fees, are required for reimbursement. One checked bag fee is allowed for standard travel. Justification and preapproval is required for additional checked bags. Tips for baggage handlers are included in per diem for M&IE and will not be reimbursed as travel-related expense.
6. Traveler will be allowed to depart home base one day before the event for which the individual is traveling begins and return to home base one day after the event concludes, regardless of the event start time or end time if it is determined by the President and the appropriate administrator to be necessary. Administrators and the President are expected to exercise good judgement and sound fiscal policy when approving travel departure and return dates. The Business Office may require written justification in cases where departure and return dates appear excessive.
7. All out-of-state and in-state dues paying event travel will be of tourist class when commercial transportation is employed.
8. Employees participating in professional development activities out-of-state should adhere to the rules and regulations governing out-of-state travel.
9. Tips related to transportation (shuttle, UBER, taxi) are included in per diem for M&IE and will not be reimbursed as a travel related expense.

Prepayment of Out-of-State Travel Expenses

Certain travel expenses may be prepaid by the institution, subject to the following:

1. Prepayment of travel expenses on behalf of an employee should be reimbursed to the College in the event the trip is not made due to personal, professional, or business reasons.
2. Authorization for prepaid travel expenses will be withheld from any compensation due the employee that has been paid and the trip not made because of termination of services.
3. The employee will file a signed statement verifying that prepaid expenses are for travel on official business.
4. Prepayment of travel expenses requires the approval of the appropriate administrator or director of grant funds and the College President.

Travel Reimbursement Procedures

Employees who travel on behalf of the College must complete and submit a *Statement of In-State Travel (Non-Dues Paying Event)* or a *Statement of Out-of-State and In-State Dues Paying Event Travel* form in order to be reimbursed for travel expenses. The form must be submitted to the appropriate administrator for approval.

Reimbursement will be in the form of an accounts payable check. The following information must be shown on the form:

1. Date and hour of departure,
2. Date and hour of return,
3. Mileage from base to destination or home to destination, shortest distance,
4. Amount of reimbursement at the per diem rate.
5. Receipts required for allowable actual expenses.
6. Printout of CONUS for travel area.
7. Itemized receipts must be signed and attached to the form.

Business Office personnel will review the reimbursement form and process it for payment. The reimbursement form with supporting documentation must be retained in the Business Office file for audit purposes.

Student Subsistence

Student meals should be paid at actual expense and are not subject to per diem per State law.