


Idaho Department of Correction 	<b>Standard Operating Procedure</b>	Title: <b>Paid Leaves</b>		Page: 1 of 13
		Control Number: <b>206.07.01.002</b>	Version: <b>2.0</b>	Adopted: 01-15-2010

**Sharla Means, manager of Human Resources, approved this document on 06/22/2015.**

**Open to the public:**  **Yes**

**SCOPE**

This SOP applies to all Idaho Department of Correction (IDOC) employees to include Correctional Industries.

<b>Revision Summary</b>
<p>Revision date (06/22/2015) version 2.0:</p> <ul style="list-style-type: none"> <li>• Update to new format</li> <li>• Updates throughout to include use of Regular Hours Held (RHH)</li> <li>• Update and revise language around funeral attendance</li> </ul> <p>Previous revision date: 08/26/2010 v1.6</p>

**TABLE OF CONTENTS**

1. Vacation Leave.....	3
2. Use of Vacation Leave .....	4
3. Effect of Transfers on Accrued Vacation .....	5
4. Vacation Leave upon Separation.....	5
6. Recording Unscheduled Vacation .....	6
7. Sick Leave .....	6
8. Effect of Transfers on Accrued Sick Leave .....	8
9. Sick Leave upon Separation .....	8
10. Receiving Donated Sick Leave .....	8
11. Employee’s Sick Leave Medical Status .....	8
12. Return to Work Release .....	9
13. Modified Duty Requests and Accommodation .....	9
14. Recording Unscheduled Sick Leave .....	10
15. Suspected Sick Leave and/or FMLA Leave Abuse .....	10

<b>Control Number:</b> 206.07.01.002	<b>Version:</b> 2.0	<b>Title:</b> Paid Leaves	<b>Page Number:</b> 2 of 13
---	------------------------	------------------------------	--------------------------------

16.	Sick Leave Balance Usage for Health Premiums upon Retirement.....	11
17.	Disability Leave.....	11
18.	On-the-Job Injury Resulting in Loss of Hours Worked.....	12

**BOARD OF CORRECTION IDAPA RULE NUMBER**

None

**POLICY CONTROL NUMBER 206**

Attendance, Work Hours, Leaves, and Workers' Compensation

**PURPOSE**

The purpose of this standard operating procedure (SOP) is to establish guidelines and procedures for the accumulation and disposition of paid leaves, such as vacation and sick.

**RESPONSIBILITY**

***Manager of Human Resources (HR)***

The manager of HR is responsible for providing guidance and interpretation to fulfill the expectations of this SOP.

***Managers***

Managers (or designees) are responsible for:

- Planning work schedules
- Ensuring that supervisors (or designees) and employees perform their duties as directed
- Ensuring that employees are adhering to the rules, guidance, and procedures provided herein

***Supervisors***

Supervisors (or designees) are responsible for:

- Managing work schedules, leave accruals, and timesheet authorization
- Training employees and enforcing the rules, guidance, and procedures provided herein

***Employees***

Employees are responsible for:

- Reporting to work on time as scheduled
- Being prepared to work
- Accurately reporting their work and leave time on their timesheets
- Keeping their supervisor (or designee) informed of their medical status (to include scheduled medical appointments and procedures and the anticipated return to work date) when off or planning to be off from work due to their own or a family member's illness or injury

<b>Control Number:</b> 206.07.01.002	<b>Version:</b> 2.0	<b>Title:</b> Paid Leaves	<b>Page Number:</b> 3 of 13
---	------------------------	------------------------------	--------------------------------

- Complying with the rules, guidance, and procedures provided herein

### **GENERAL REQUIREMENTS**

Eligible employees will earn vacation and sick leave and be entitled to take these leaves in accordance with applicable State of Idaho statutes **and** Idaho Administrative Procedure Act (IDAPA) rules of the Division of Human Resources (DHR) and Personnel Commission.

#### **1. Vacation Leave**

##### ***Eligibility***

Employees will meet the criteria to qualify as eligible for benefits in order to accrue vacation leave. Some employees are ineligible for vacation, such as:

- Employees who regularly work less than 20 hours per week
- Employees who are in non-pay status (i.e., on unpaid leave of absence)
- Temporary employees who are hired to work less than five (5) months, regardless of number of hours worked per week. An employee who is originally not expected to work five (5) or more months but who does so is entitled to receive vacation leave benefits retroactively in accordance with the accrual rates within this SOP and Idaho Code.

##### ***Accrual***

Employees earn vacation leave for every hour worked or paid (with the exception of paid compensatory time [comp-time]). For example, employees earn vacation leave while on paid vacation or paid sick leave.

The State of Idaho's DHR designates job classifications as non-exempt/covered (C), law enforcement (L), administrative (A), professional (P), or executive (E). The amount of vacation or sick leave an employee accrues per qualifying paid hour depends on that designation and the hours of service.

In addition, employees are limited in the amount of vacation leave which can be accrued. Those limits are also dependent upon that designation. The following table reflects the amount of vacation accrued per employee type and corresponding accrual limits.

##### ***Vacation Accrual Rates and Limits***

<b>Employee Designation</b>	<b>Hours of Service</b>	<b>Accrual Rate Per Hour</b>	<b>Accrual Rate per Pay Period for Full-time Employees*</b>	<b>Accrual Limit</b>
Non-exempt (covered)/Law Enforcement	0-10,400	0.04615	3.7 hours	192 hours
Non-exempt (covered)/Law Enforcement	10,401 - 20,800	0.05769	4.6 hours	240 hours
Non-exempt (covered)/Law Enforcement	20,801 - 31,200	0.06923	5.5 hours	288 hours
Non-exempt (covered)/Law Enforcement	31,201 or more	0.08077	6.5 hours	336 hours
Administrative/Professional	0-10,400	0.05769	4.6 hours	192 hours

<b>Control Number:</b> 206.07.01.002	<b>Version:</b> 2.0	<b>Title:</b> Paid Leaves	<b>Page Number:</b> 4 of 13
---	------------------------	------------------------------	--------------------------------

Administrative/Professional	10,401 - 20,800	0.06923	5.5 hours	240 hours
Administrative/Professional	20,801 - 31,200	0.08077	6.5 hours	288 hours
Administrative/Professional	31,201 or more	0.08077	6.5 hours	336 hours
Executive	0-10,400	0.09615	7.7 hours	200 hours
Executive	10,401 - 20,800	0.09615	7.7 hours	240 hours
Executive	20,801 - 31,200	0.09615	7.7 hours	288 hours
Executive	31,201 or more	0.09615	7.7 hours	336 hours
*amounts are rounded to the nearest tenth				

## 2. Use of Vacation Leave

Employees are required to obtain approval from their supervisor (or designee) prior to the use of vacation leave. Supervisors (or designees) will approve vacation leave with reasonable consideration for the employee's needs and desires, on the basis of work requirements, and when it will least interfere with the efficient operation of the IDOC.

### ***Use Prohibited before Accrual***

Vacation leave will not be taken in the same pay period in which it is earned. For example, an employee will not use the three and seven tenths (3.7) hours earned during the current pay period until a subsequent pay period.

### ***Use Limitations***

Vacation leave will not be utilized if it will result in pay in excess of the employee's normally scheduled work week. For example, if a full-time employee who normally works 40 hours a week plans Friday off from work but works nine (9) hours per day on Monday through Thursday of that week, the employee's timesheet would reflect:

	SUN	MON	TUE	WED	THUR	FRI	SAT	TOTAL
ACT		9	9	9	9			36
VAC						4		4
								40

### ***Use When Ill***

Employees may elect to charge time off from work that is due to illness to another accrued leave rather than to accrued sick leave. Also, in the event an employee is ill and has no accrued sick leave, other accrued leave balances (including vacation leave) will be used prior to the employee receiving leave without pay unless the employee is absent from work due to a covered event under the Family and Medical Leave Act (FMLA) in accordance with SOP [206.07.01.004](#), *Family and Medical Leave Act (FMLA) Leave*, or is absent from work due to a work-related illness or injury in accordance with SOP [206.07.01.005](#), *Workers' Compensation*.

### ***Use for Emergency Conditions***

If an employee is unable to report to work because of severe weather, road, or other related emergency conditions, and the work facility has not been declared closed or inaccessible by the director of the IDOC (or designee), the employee will be permitted to use accrued vacation leave, comp-time, or regular hours held (RHH) to cover the period of absence from work.

<b>Control Number:</b> 206.07.01.002	<b>Version:</b> 2.0	<b>Title:</b> Paid Leaves	<b>Page Number:</b> 5 of 13
---	------------------------	------------------------------	--------------------------------

### ***Use in Conjunction with Other Leave Types***

Leave shall be taken **in the following order, provided doing so does not cause the employee to lose vacation leave due to the maximum accrual limits:** (1) comp-time, (2) on-call leave (if eligible), and (3) vacation leave.

### ***Use Parameters for Executive (E) Employees Only***

Employees designated as executive (E) are not required to use accrued vacation in less than one-half (1/2) day increments. For example, based on an eight (8)-hour day, if an executive (E) employee works for six hours, and takes the remainder of that day off from work, the decision to use vacation leave is at the employee's discretion. Conversely, if that executive (E) employee works for two hours, and takes six hours of vacation that day, then six hours of accrued vacation leave is used.

Executive (E) employees who work 40 hours in a work week should record no leave taken, even if they take more than a one-half (1/2) day off from work on a particular day.

### **3. Effect of Transfers on Accrued Vacation**

An employee's accrued vacation leave transfers with the employee when transferring from one State of Idaho agency to another with no break in service.

**Note:** Any separation that exceeds a weekend (Saturday and Sunday) would be considered a break in service; therefore, accrued vacation leave would not transfer.

### **4. Vacation Leave upon Separation**

When separating from State of Idaho employment, an employee will receive a lump-sum payment for accumulated vacation leave balance. Comp-time balances are paid out only for non-exempt/covered (C) **and** RHH is paid out only for law enforcement (L) employees. (See section 2 above to see how vacation is accrued.)

Payouts will be included on the employee's final check following an employee's separation.

In the event of an employee's death, payment will be made to the employee's beneficiary or estate.

### **5. Donated Vacation Leave**

With HR approval, State of Idaho employees may donate accrued vacation leave to an eligible State of Idaho employee for use as paid sick leave. (Idaho Code, Section 67-5334[2][g].)

#### ***Eligibility to Donate Leave***

To donate leave, an employee will:

- Donate a minimum of four hours
- Have at least 80 hours of accrued vacation remaining after the donated leave is deducted
- Not exceed the maximum of 80 hours vacation leave donation per fiscal year

**Note:** To donate accrued vacation leave, employees will submit to HR a Transfer of Vacation Hours/Receipt of Sick Hours Form, which may be obtained by visiting the State of Idaho's Office of the State Controller website. It is recommended that the employee contact HR for assistance with this process.

<b>Control Number:</b> 206.07.01.002	<b>Version:</b> 2.0	<b>Title:</b> Paid Leaves	<b>Page Number:</b> 6 of 13
---	------------------------	------------------------------	--------------------------------

### ***Eligibility to Receive Donated Leave***

To receive donated leave, an employee will:

- Be eligible to accrue sick and vacation leave
- Have exhausted all of their accrued comp-time, RHH, and sick and vacation leave
- Be suffering from or have a family member suffering from a serious illness or injury necessitating the employee's absence from work
- Not exceed the maximum of 160 hours of donated leave per fiscal year
- Provide a written request to HR. (It is recommended that the employee contact HR for assistance with this process.)

### ***Conversion Details***

Donated vacation leave will be converted to sick leave on a one hour to one hour basis, and will be paid out at the receiving employee's current salary.

Any unused leave that has been donated to an employee will remain in their sick leave accrual balance until used. Any unused leave will not be returned to the employee who made the donation.

### ***Confidentiality***

The names of employees' donating time will be kept confidential and will not be provided to the employee who receives the donated leave. This confidentiality is intended to preclude any repercussions for employees who do not donate leave as well as for those who do donate.

The nature of the 'serious illness or injury' causing the employee to request and receive donated leave is also confidential. This information will not be shared with other employees who are being asked to donate leave without the express written permission of the employee requesting donating leave.

## **6. Recording Unscheduled Vacation**

Supervisors (or designees) are responsible for recording all unscheduled vacation to include the date and number of hours the employee was absent.

**Note:** The supervisor (or designee's) responsibility to record all unscheduled vacation does not include the recording of absences in the State of Idaho's online time entry system (I-time).

## **7. Sick Leave**

### ***Eligibility***

Employees will meet the criteria to qualify as eligible for benefits in order to accrue sick leave.

Some employees are ineligible for sick leave, such as:

- Employees who regularly work less than 20 hours per week
- Employees who are in non-pay status (e.g., unpaid leave of absence)

<b>Control Number:</b> 206.07.01.002	<b>Version:</b> 2.0	<b>Title:</b> Paid Leaves	<b>Page Number:</b> 7 of 13
---	------------------------	------------------------------	--------------------------------

- Temporary employees who are hired to work less than five months, regardless of number of hours worked per week. An employee who is originally not expected to work five (5) or more months but who does so is entitled to receive sick leave benefits retroactively in accordance with the above accrual rates.

### ***Accrual***

A benefited employee accrues sick leave at the rate of three and seven tenths (3.7) hours per 80 hour pay period. If an employee works less or more than 80 hours, then the sick leave accrual amount is prorated according to the employee's scheduled hours worked. Sick leave accrues without limit.

Employees earn sick leave while on paid vacation or paid sick leaves.

Sick leave will not accrue when an employee is on a leave of absence without pay, suspension without pay, comp-time, or on a layoff.

If an employee takes more sick leave than what has accrued, the remainder of time will be deducted from the employee's comp-time balance. If the sick leave taken exceeds the comp-time balance, time will be deducted from vacation leave. When the employee has zero leave balances, the employee will be placed on leave without pay.

Regularly scheduled days off from work and official holidays falling within a period of sick leave will not be counted against sick leave usage.

### ***Use of Sick Leave***

When possible, employees will plan time away from work by notifying their supervisor (or designee) in advance prior to the absence. For example, when scheduling a routine doctor's appointment or planned medical event an employee's supervisor (or designee) should be consulted.

Sick leave may be used in cases of the employee's illness, disability, or other medical reasons.. In addition, an employee may use sick leave when needed to attend to a family member's serious illness, disability, or death in the family. Eligibility to use sick leave includes self, spouse, child, foster child, parent, brother, sister, grandparent, grandchild, or the same relation by marriage.

Sick leave may be used to attend a funeral of a qualified family member. Time taken may be up to five working days. If additional leave is needed then vacation time may be used and in certain circumstances the employee may qualify for medical leave.

In the event that an employee will be absent from work for more than five consecutive work days due to the employee's own medical condition, a family member's medical condition, or the birth or adoption of a child, the employee will inform his supervisor (or designee) of the need for extended leave. It is recommended that the employee contact HR for assistance with this process..

### ***Limitations on Sick Leave Use***

- Employees will not use sick leave for time off from work due to a birth, adoption, or foster care placement unless the child or mother has a medical condition requiring care. Fathers are allowed one week of sick leave (SIC/FMS) after a regular delivery, to provide care for a legal spouse, by providing supporting documentation from a medical provider indicating the birth. Pursuant to FMLA and SOP 206.07.01.004, *Family and Medical Leave Act Leave*, fathers may be entitled to the use of additional

<b>Control Number:</b> 206.07.01.002	<b>Version:</b> 2.0	<b>Title:</b> Paid Leaves	<b>Page Number:</b> 8 of 13
---	------------------------	------------------------------	--------------------------------

sick leave with documentation from a medical provider indicating the need for their continued presence.

- Sick leave will not be used in lieu of vacation leave. If an employee exhausts accrued sick leave, the employee will use other accrued leave balances prior to the employee receiving leave without pay (unless the employee is on approved FMLA leave or absent due to a work-related illness or injury).
- Sick leave will not be taken in the same pay period in which it is earned.
- Sick leave will not be utilized if it will result in pay in excess of the employee's normally scheduled work week. For example, if a full-time employee calls in sick on Monday, then works nine hours per day on Tuesday through Friday, that employee's timesheet would reflect:

	SUN	MON	TUE	WED	THUR	FRI	SAT	TOTAL
ACT			9	9	9	9		36
SIC		4						4
								40

### ***Use Parameters for Executive (E) Employees Only***

Employees designated as executive (E) will not use accrued sick leave in less than one-half (1/2) day increments. For example, if an executive (E) employee works for six hours, and takes the remainder of that day off from work due to a qualifying illness, no accrued sick leave is used. Conversely, if an executive (E) employee works for two hours, and takes the remainder of the day off from work due to a qualifying illness, then six hours of accrued sick leave is used.

### **8. Effect of Transfers on Accrued Sick Leave**

Accrued sick leave transfers with employees when they transfer from one State of Idaho agency to another.

### **9. Sick Leave upon Separation**

When employees leave State of Idaho service, all accrued and unused sick leave will be forfeited, except upon retirement (see section 12 below).

If an employee returns to credited State of Idaho service within three years of separation, all sick leave forfeited at the time of separation will be reinstated.

### **10. Receiving Donated Sick Leave**

Use the same process for donated vacation leave (see section 5 above).

### **11. Employee's Sick Leave Medical Status**

#### ***Medical Practitioner's Statement***

During the employee's sick leave (which may include the use of FMLA leave), the IDOC may require (see section 8 below) an updated medical practitioner's statement regarding:

- The need for extended time off due to illness or injury, prior to the absence.
- The employee's expected length of absence or date of return to work;



<b>Control Number:</b> 206.07.01.002	<b>Version:</b> 2.0	<b>Title:</b> Paid Leaves	<b>Page Number:</b> 9 of 13
---	------------------------	------------------------------	--------------------------------

- Clarification of the employee's medical condition; and/or
- A change in the employee's medical condition.

### ***Grounds for Medical Lay Off and Rehire***

If an employee is unable to return to work (with or without accommodation) after 12 weeks **or** after exhausting accrued sick leave and FMLA leave (when eligible), whichever is longer, the employee may be medically laid off from work. Any exceptions to this rule will be at the discretion of the division chief (or designee) in consultation with Human Resources.

If the employee's medical practitioner releases the employee to return to work after the medical layoff, the employee's name will be placed on a layoff register. The employee will be given all layoff rights for a rehire in accordance with SOP [231.07.01.001](#), *Reduction in Force*.

## **12. Return to Work Release**

The IDOC will require a return to work release from the employee's medical practitioner ensuring that the employee's return to work will not create a significant risk of harm to himself or others **or** create a liability for the IDOC. The employee will provide a return to work release:

- For any absence, due to illness or injury, lasting more than four consecutive work days (32 standard work hours)
- Following a surgery (including outpatient surgery)
- Following medical treatment for any on-the-job accident or incident requiring emergency medical services at work
- Upon his supervisor, immediate manager, or designee's request when it is believed that the employee may be abusing his use of sick leave (which may include the use of FMLA leave). (See section 11 below.)

The return to work release must indicate all dates of absence due to illness or injury, any restrictions (e.g., no lifting over 25 lbs.), and length of restrictions or the date of the next follow up appointment.

If the nature of the employee's medical condition restricts his ability to perform essential job function, a medical practitioner's statement is required to fully identify the restriction(s) and how long they are expected to be in place. The medical practitioner's statement will be used to determine if modified duty (see section 9 below) can be accommodated.

## **13. Modified Duty Requests and Accommodation**

Modified duty work accommodations may be made when it does not impact the IDOC's operation and necessary work can be completed. A modified duty accommodation will not include creating a new position or bumping another employee from his bid post without his agreement and will not consist of unnecessary work.

Modified duty will be approved by Human Resources, the division chief/deputy chief (or designee) for a specific amount of time, at his discretion. The modified duty may or may not be at the employee's regular post or assignment, shift, or for the entire expected length of absence provided in the medical practitioner's statement (see page 10, section 7). Modified duty will be reviewed before the specific amount of time designated by the division chief (or

<b>Control Number:</b> 206.07.01.002	<b>Version:</b> 2.0	<b>Title:</b> Paid Leaves	<b>Page Number:</b> 10 of 13
---	------------------------	------------------------------	---------------------------------

designee) expires so that it can be determined whether the modified duty should continue and/or is still available. To return to regular duty, the employee must obtain a return to work release as described in section 8.

#### **14. Recording Unscheduled Sick Leave**

Use the same process for recording unscheduled vacation (see page 8, section 7).

#### **15. Suspected Sick Leave and/or FMLA Leave Abuse**

Patterns or excessive absences can negatively impact individual performance and services provided by the IDOC. Consistent with the provisions of the Americans with Disabilities Act (ADA) (42 USC 12101 et seq.) and the FMLA (29 CFR 825) (29 USC 2601 et seq.), a supervisor, immediate manager, or designee may investigate when he suspects sick leave (which may include the use of FMLA leave) abuse. Sick leave abuse includes, but is not limited to:

- A pattern of unscheduled absences that have a negative impact on the job requirements and/or the efficient operation of the work unit
- A pattern of scheduled or unscheduled absences that coincide with a day off from work or a weekend
- Any employee who is on approved sick leave and is found to be working at another job; unless the work is military duty
- Using sick leave for purposes other than reasons allowed (see page 9, section 3)

##### ***Investigating Suspected Sick Leave Abuse***

When a supervisor, immediate manager, or designee suspects that an employee is or has abused sick leave (which may include the use of FMLA leave), he may investigate. The investigation may include, but may not be limited to:

- Gathering facts
- Comparing attendance and other records
- Interviewing the employee, coworkers, or others
- Identifying patterns of schedule and unscheduled absences

**Note:** As a part of the fact gathering process, the supervisor, immediate manager, or designee may require a medical practitioner's statement from the employee's medical practitioner (see page 10, section 7) to verify whether the employee has or had a medical condition necessitating the absence. Because the employee has a right to confidentiality, the supervisor, immediate manager, or designee will not ask the medical practitioner to provide a medical diagnosis.

If the supervisor, immediate manager, or designee is able to confirm that the employee abused the use of sick leave, the supervisor, immediate manager, or designee will develop a plan to address the abuse. Sick leave abuse will be subject to corrective or disciplinary action in accordance with SOP [205.07.01.001](#), *Corrective and Disciplinary Action*.

<b>Control Number:</b> 206.07.01.002	<b>Version:</b> 2.0	<b>Title:</b> Paid Leaves	<b>Page Number:</b> 11 of 13
---	------------------------	------------------------------	---------------------------------

## 16. Sick Leave Balance Usage for Health Premiums upon Retirement

Upon retirement, one-half (1/2) of the cash value of the unused sick leave earned after July 1, 1976, will be used to pay the employee's State of Idaho paid health and/or NCPERS life insurance premium to the limits indicated below.

Credited Hours of State Service	Estimated Years of State Service	Minimum Hours of Sick Leave Needed to Receive Maximum Sick Leave Entitlement	Maximum Allowable Sick Leave Hours
0 – 10,400	5	480	240
10,401 – 20,800	5 – 10	960	480
20,801 – 31,200	10 – 15	1080	540
31,201 and over	15 and over	1200	600

## 17. Disability Leave

In the event that an employee cannot perform the essential job functions due to illness or injury, the State of Idaho provides both short and long-term disability coverage for eligible employees.

### **Short-term Disability**

The State of Idaho provides short-term disability benefits for an employee who meets the eligibility requirements for other group-insurance benefits.

After 30 days of being medically unable to return to work or when an employee's accumulated sick leave expires, whichever is longer, an employee may be eligible to receive a partial source of income for a total of 26 continuous weeks following the date of total disability. (See the State of Idaho's Employee Group Insurance Handbook for the definition of total disability.) The monthly benefit amount is approximately 60% of the employee's monthly salary.

**Note:** Claim forms and the Employee Group Insurance Handbook are managed by the Office of Group Insurance and can be obtained by visiting the State of Idaho's Department of Administration website or by contacting HR for assistance.

### **Long-term Disability**

The State of Idaho provides long-term disability benefits for an employee in the event of continued total disability following short-term disability. Long-term disability benefits are also equal to 60% of the employee's monthly salary providing that the employee meets the definition of total disability. (See the State of Idaho's Employee Group Insurance Handbook for the definition of total disability.)

An employee may be eligible for long-term disability if the employee is unable to return to work for medical reasons after 26 continuous weeks following the date of total disability.

<b>Control Number:</b> 206.07.01.002	<b>Version:</b> 2.0	<b>Title:</b> Paid Leaves	<b>Page Number:</b> 12 of 13
---	------------------------	------------------------------	---------------------------------

**Note:** Claim forms and the Employee Group Insurance Handbook are managed by the Office of Group Insurance and can be obtained by visiting the State of Idaho's Department of Administration website or by contacting HR for assistance.

## 18. On-the-Job Injury Resulting in Loss of Hours Worked

In the event an employee incurs an on-the-job injury that results in a loss of hours worked, see SOP [206.07.01.005](#), *Workers' Compensation*.

### DEFINITIONS

**Compensatory Time (Comp-time):** Overtime that is unpaid and become hours that accumulate in an earned leave balance for the employee to take time off work with pay at a later date.

**Regular Hours Held (RHH):** Generated for FLSA 'F' and 'L' employees to reduce hours paid to eighty (80) in a pay period. RHH is always earned at straight time and must be paid out upon transfer to a non FLSA 'F' or 'L' position, transfer to another state agency or separation from the state. When coding this type of time, Actual Hours Worked (ACT) cannot be used and all hours for the pay period must be coded. Available to agencies with FLSA 'F' and 'L' employees. A time code used to reflect hours worked that have not yet met the definition of overtime, yet need to be tracked, accrued or compensated. RHH earned is always hour-for-hour when converted to accruals or when paid in cash. RHH applies to law enforcement (L) coded positions only (e.g., correctional and probation and parole officers).

**Full-time Employee:** An employee who is scheduled to work a 40 hour work week in an assigned full-time position. For law enforcement (L) coded positions (e.g., correctional and probation and parole officers), this is an employee who is scheduled to work 160 hours in a 28 consecutive day period.

**Hours Worked:** Hours actually spent in the performance of the employee's job, excluding holidays, vacation, sick leave or other approved leaves of absence, and excluding on-call time.

**Manager:** An employee appointed to manage, direct, and control a designated work unit. Managers include division chiefs, deputy division chiefs, facility heads, deputy wardens (or second-in-commands), district managers, designated lieutenants, program managers, or any appointed unit manager.

**Non-exempt (Covered)Employee:** Any employee covered under the Fair Labor Standards Act (FLSA) overtime provisions who is subject to being paid cash or accruing overtime at one and one-half (1 ½ ) times his hourly rate of pay for overtime worked.

**Overtime:** Hours worked on holidays, and hours worked in excess of 40 hours in a set work week. For law enforcement (L) coded positions (e.g., correctional and probation and parole officers), overtime is hours worked in excess of 160 hours in a 28 consecutive day period. Excluded are hours such as traded time and occasional or sporadic work that is specifically excluded under federal law.

**Scheduled Absence:** An absence that is known, requested, and approved in advance within acceptable time lines by the employee's supervisor (or designee).

**Unscheduled Absence:** An absence that occurs suddenly and is taken without advance notification or approval (e.g., an unplanned illness, the failure to report to work as

<b>Control Number:</b> 206.07.01.002	<b>Version:</b> 2.0	<b>Title:</b> Paid Leaves	<b>Page Number:</b> 13 of 13
---	------------------------	------------------------------	---------------------------------

scheduled, tardiness, an on-the-job accident, leaving a post early, abandoning a post or job, being placed on leave without pay due to an investigation, etc.).

**Vacation:** A period of paid exemption from hours worked.

## REFERENCES

Code of Federal Regulation, Title 29, Chapter V, Part 825, *The Family and Medical Leave Act of 1993*

Idaho Code 59-1605, *Sick Leave Computation*

Idaho Code 59-1606, *Vacation Time*

Idaho Code 67-5302, *Definitions*

Idaho Code 67-5333, *Sick Leave*

Idaho Code 67-5334, *Vacation Time*

IDAPA 15.04.01, *Rules of the Division of Human Resources and Personnel Commission*, Section 24, Conflict of Interest and Personal Conduct

IDAPA 15.04.01, *Rules of the Division of Human Resources and Personnel Commission*, Section 140, Reduction in Force

IDAPA 15.04.01, *Rules of the Division of Human Resources and Personnel Commission*, Section 240, Sick Leave

IDAPA 15.04.01, *Rules of the Division of Human Resources and Personnel Commission*, Section 240.02, Interagency Transfer

IDAPA 15.04.01, *Rules of the Division of Human Resources and Personnel Commission*, Section 240.04, Serious Medical Conditions

IDAPA 15.04.01, *Rules of the Division of Human Resources and Personnel Commission*, Section 241.02, Layoff after Twelve Weeks Disability

Standard Operating Procedure [205.07.01.001](#), *Corrective and Disciplinary Action*

Standard Operating Procedure [206.07.01.004](#), *Family and Medical Leave Act (FMLA) Leave*

Standard Operating Procedure [206.07.01.005](#), *Workers' Compensation*

Standard Operating Procedure [231.07.01.001](#), *Reduction in Force*

State of Idaho, Department of Administration ([www.adm.idaho.gov](http://www.adm.idaho.gov))

State of Idaho, Division of Human Resources ([www.dhr.idaho.gov](http://www.dhr.idaho.gov))

State of Idaho, Office of the State Controller ([www.sco.idaho.gov](http://www.sco.idaho.gov))

United States Code, Title 29, Chapter 28, *Family and Medical Leave*

United States Code, Title 42, Chapter 126, *Equal Opportunity for Individuals with Disabilities*

– End of Document –