

Charleston Research Institute Policy Memorandum

Title: Charleston Research Institute (CRI) Employee Tour of Duty and Leave Policy

Reviewed by: Board of Directors

Implementation Date: 04/15/2015

Revision Date: 02/14/2020

Next Scheduled Review Date: 02/14/2023

Approval: R. Amanda C. LaRue Ph.D., Chairperson

Policy Statement: This policy applies to all CRI employees and their supervisors

Background: South Carolina law does not require an employer to provide an employee with leave benefits. However, if an employer decides to do so, the employer must give notice of the policy to the employee, abide by the policy, and not discriminate in its administering of the policy. CRI reserves the right to amend this policy at any time subject to approval by the CRI Board of Directors.

Guidelines: Supervisors are responsible for recommending tours of duty necessary for each position under their supervision, scheduling employees within the established tours of duty; and assuring that such schedules are adhered to. Employees are responsible for reporting for duty on time and remaining on duty for the entire shift; observing established meal periods.

Supervisors are responsible for approving leave in a fair and equitable manner so that the needs of the company and the employee can be met. Supervisors are responsible for preventing leave abuse and for initiating appropriate administrative action when leave abuse is present. Employees are responsible for observing leave policies. Employees may not accept other employment or apply for unemployment insurance while on leave. Acceptance of other employment while on leave will be treated as a voluntary resignation from CRI employment.

Tour of Duty

Tour of Duty is an employee's normal working hours as approved by their supervisor and outlined on their South Carolina Department of Labor Terms of Employment Form in compliance with Section 41-10-30 of the SC. Code of Laws, 1976, as amended. These hours are used to calculate Holiday Pay and are dictated by budgets. Non-exempt employees must have all changes to their work schedules outside of their normal Tour of Duty approved in advance by their supervisor and noted with an additional signature on that weeks' timesheet. This includes working more hours than are approved for an employee's position on his/her Terms of Employment Form. Any hours work outside an employee's normal Tour of Duty should be denoted under the "Non-Tour of Duty Hours" column on the time sheets.

Overtime

Non-exempt employees must have all overtime approved in advance by a supervisor and noted with an additional signature on that weeks' timesheet. Overtime hours should be denoted under "OVERTIME" column on time sheets.

Holidays

Federal law (5 U.S.C. 6103) establishes public holidays for Federal employees. CRI observes federal holidays. When a holiday falls on a Saturday or Sunday, the holiday usually is observed on Monday (if the holiday falls on Sunday) or Friday (if the holiday falls on Saturday). Immediately upon hire, regular full-time and part-time employees are eligible to receive paid holidays in proportion to the number of Tour of Duty hours normally scheduled to work on that particular day of the week as outlined on the Terms of Employment Notice.

Vacation Leave

Vacation leave for regular full-time and part-time employees is calculated based on number of hours worked each pay period and a multiple based on number of years of service. Eligible employees may earn up to the hours accrued in the following schedule:

Employees with less than 3 years' service	# hours per pay period multiplied by .05
Employees with 3 but less than 15 years of service	# hours per pay period multiplied by .075
Employees with 15 or more years of service	# hours per pay period multiplied by .10

There is no waiting period before you may utilize earned Vacation. While employees have a right to use their annual leave, the scheduling of that leave is subject to the supervisor's need to maintain adequate coverage.

Vacation pay is not granted in lieu of taking the actual time off. However, vacation time can be carried over to the following year, up to a maximum of two hundred forty (240) hours. Payment for unused Vacation is made upon termination.

Sick Leave

All regular full-time and part-time employees will accrue sick leave without regard to length of service based on the number of hours worked per pay period multiplied by .05. There is no waiting period before you may utilize earned sick leave hours. In addition to an employee's own illness, an employee may use accrued sick time to care for his/her sick child or other immediate family members. Any sickness that requires an absence of more than three consecutive tour of duty days will require the employee to provide a doctor's note verifying that the employee has medical clearance to return to work. Violation of this policy will result in unpaid leave until proper documentation is produced.

Sick leave pay is not granted in lieu of taking the actual time off. Unused sick leave may be carried forward from one year to the next with no maximum. No payment for unused sick leave is made upon termination.

Family and Medical Leave

The Family and Medical Leave Act of 1993 (FMLA), as amended, requires employers with 50 or more employees to provide eligible employees with unpaid leave. FMLA does not apply to CRI; however, CRI policies are based on FMLA guidelines when possible.

Employees are eligible for FMLA leave if they have worked for CRI for at least 12 months (the 12 months need not be consecutive) and have worked at least 1,250 hours during the 12-month period before commencement of the leave. Hours paid, but not worked, and unpaid leave will not be counted in determining the 1,250 hours of service.

Employees who meet the eligibility requirements described above are eligible to take up to 12 weeks of leave during any 12-month period for any of the following reasons:

- The birth of the employee's son or daughter and/or to care for the child during the first 12 months following birth;
- The placement of a son or daughter with the employee for adoption or foster care and/or to care for the child during the first 12 months following placement;
- To care for an employee's spouse, son, daughter, or parent who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform his/her job, including incapacity due to the employee's pregnancy, prenatal medical or childbirth.

The relevant 12-month period used to determine eligibility for Basic FMLA Leave will be calculated on a rolling basis, measured backwards from the date the employee uses any such leave. An employee is required to use his/her accrued paid time off (vacation and sick leave) for all or part of their FMLA leave period.

The terms serious health condition, spouse, parent, son and daughter are defined in accordance with the FMLA. If you have any questions regarding these definitions, please contact Human Resources.

Jury Duty

Unless otherwise required by law, up to ninety-nine (99) paid days off are available for missed work due to jury duty. An employee who receives a court summons must notify his/her supervisor immediately. The court summons must be submitted to the supervisor if the employee misses work. (Note that under rules of the Federal Labor Standards Act, deductions may not be made to Exempt Employees' pay due to partial workweek absences caused by jury duty or attendance as a witness.)

An employer is not required to pay an employee for time spent responding to a jury summons or serving on a jury.

Bereavement Leave

Three (3) paid time off days are available (per occurrence) if a death occurs in an employee's immediate family. Employee must arrange the appropriate time off with his/her supervisor. Immediate family includes spouse, child, parent, brother, sister, grandparent, mother-in-law, father-in-law, domestic partner, and domestic partners' mother or father.

Voting Leave

CRI believes that every employee should have the opportunity to vote in any state or federal election, general primary or special primary. Supervisors may excuse employees, without charge to leave, for voting and registration. Generally, where the polls are not open at least 3 hours either before or after an employee's regular work hours, approving officials may grant a limited amount of excused absence that will permit employees to report for work 3 hours after the polls open or leave from work 3 hours before the polls close, whichever requires the lesser amount of time off.

An employee's Tour of Duty hours should be used to determine the time of day the employee normally arrives at and departs from work.

Military Leave

Employees who are required to fulfill military obligations in any branch of the Armed Forces of the United States or in state military service will be given the necessary time off and reinstated in accordance with federal and state law.

Regular full-time and part-time employees are paid the difference between their normal rate of pay and their military pay for up to a maximum of two weeks. Thereafter, the time off is unpaid.

All other employees are granted an unpaid leave in order to serve.

Exempt employees may be provided additional time off with pay when necessary to comply with state and federal wage and hour laws.

Accrued vacation may be used for this leave if the employee chooses. Military orders should be presented to the supervisor and arrangements for leave made as early as possible before departure. Employees are required to give advance notice of their service obligations to CRI unless military necessity makes this impossible.

An employee must notify his/her supervisor of intent to return to employment based on requirements of the law. Benefits may continue to accrue during the period of leave in accordance with state and federal law. Per S.C. Code Ann. §§ 25-1-2310 to 25-1-2340, members of the South Carolina National Guard and State Guard called to state duty by the governor are entitled to unpaid leave for service. Returning employee must be reinstated to previous position or one with same seniority, status, and salary; if no longer qualified, must be given another position, unless employer's circumstances make reinstatement unreasonable.

Witness Leave

Employees are given the necessary time off with pay to attend or participate in a court proceeding in accordance with state law. An employee is required to notify his/her supervisor of the need to take witness leave as far in advance as is possible.