

# SEMINOLE STATE COLLEGE



## Employee Benefits & Leave

**The policies included in this booklet have been approved by the Seminole State College Board of Regents. Please check for any updates to the policies in the Seminole State College Policy Manual online at [www.sscok.edu](http://www.sscok.edu) or in the Human Resources Office.**

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## RETIREMENT

- **NORMAL RETIREMENT AGE**

Unless federal law precludes the action, all employees are required to retire at the end of the contract period during which the age of seventy (70) years is attained. The Board reserves the right to retire employees previous to their 70th birthday, or to continue offering contracts on a yearly basis, if in their judgment such action would serve the best interests of the College.

- **OPTIONAL RETIREMENT AGE**

Eligible personnel who have been employed full-time in the Oklahoma State System of Higher Education for not less than five years immediately preceding the date of retirement may avail themselves of early retirement at the age authorized or permitted by the Oklahoma Teacher's Retirement System.

- **RETIREMENT BENEFITS**

**Social Security** — In accordance with federal regulations, all SSC employees are participants in the Social Security System. Social Security provides benefits for retirement, disability, death, and medical expense.

**Oklahoma Teacher's Retirement System (OTR)**—All full-time employees are members of OTR. The College will pay the full contribution for each employee's OTR contribution based on salary and fringe benefits.

**Retirement Incentive**—The Seminole State College Board of Regents authorizes an annual Retirement Incentive Plan with employees who are eligible to retire through the Oklahoma Teachers' Retirement System. The incentive payment consists of 25% of the employee's last contracted annual salary with incentive checks issued on July 31, or the last day of the month following retirement, or at a time mutually agreed upon by the College and the employee. The one-time payment would be subject to applicable taxes.

To qualify for the plan, eligible faculty and staff must be in active, full-time employment, and must submit a formal retirement statement with a request to participate in the plan by April 1 to the Human Resource office. The employee's retirement date must be effective no later than June 30 of the current fiscal year. Participation in the incentive plan is not automatic. The President must approve final participation in the plan and may suspend or terminate the plan due to financial exigency. The President is authorized to approve exceptions to this policy on a case-by-case basis. All such exceptions shall be reported to the Board of Regents.

- **ANNUITY (TAX SHELTERED 403 (B) PLAN)**

After a College employee has completed one year of full-time employment, the College President may authorize a contribution of an amount equal to 3.5 percent of the employee's salary into a qualified tax sheltered 403 (B) Plan. This plan is based on employee and/or employer contributions into one of the approved tax-deferred annuity plans. The combined employee and employer contribution may be as much as is allowable by the Internal Revenue Service. The employer contribution to the 403 (B) Plan will not be made for employees on unpaid leave of absence, unpaid FMLA leave, disability leave, or military leave in excess of 20 days in any fiscal year.

## INSURANCE BENEFITS

- **HEALTH/DENTAL INSURANCE**

The College pays full-time employees' single membership health and dental premiums. Unless otherwise approved by the President, medical and dental insurance will be paid for all retirees of the Oklahoma Teachers' Retirement System with at least nine and one-half years of service at Seminole State College until they qualify for Medicare.

- **Health/Dental Insurance Option**

Full-time employees who have duplicate health and/or dental insurance through a spouse or other responsible parties may choose to contribute an amount equal to the College's contribution for health and/or dental insurance to their 403(B) Plan. The amount will be equivalent to the lowest available single premium.

- **LIFE INSURANCE**

The College provides a life insurance policy equal to the highest thousand-dollar amount of twice the annual salary for each full-time employee.

- **DISABILITY INSURANCE**

The College pays long term disability insurance for all full-time employees, which pays equivalent to sixty percent of the employee's monthly salary beginning on the 180th calendar day of the employee's disability. Disability can either be physical or mental but must be documented by a physician.

- **TUITION WAIVER**

Full-time employees, their spouses, and their dependent children may enroll in courses at Seminole State College and receive a tuition waiver for those courses. To promote health and wellness, Seminole State College employees may enroll in, any HPER activity classes and tuition costs will be waived. No part of this policy shall preclude an employee, spouse, or dependent child from receiving other financial assistance from Seminole State College for which they qualify.

## OTHER EMPLOYEE BENEFITS

- **USE OF RECREATIONAL FACILITIES**

All employees of SSC are entitled to utilize recreational facilities when the facilities are open and properly staffed and when classes or other administratively approved activities are not utilizing the facility. Spouses and children of employees may use the recreational facilities under the same conditions as long as the employee accompanies them. Nothing in this policy should be construed as permitting unlimited and unconditional use of College facilities by employees or their spouses and/or children.

## LEAVES AND ABSENCES

### • **ABSENCE REPORTS/TIME SHEETS**

Employees are required to document the amount of time worked in accordance with established procedures. All full-time employees must file a Leave of Absence Form when absent from work.

### • **FACULTY ABSENTEEISM**

Any instructor who is unable to meet a scheduled class for any reason must contact the appropriate Division Chair as far in advance as possible. The instructor and Division Chair will make arrangements for classroom activities, or in case of emergency notify students, when possible, that class will not meet.

### • **ANNUAL LEAVE**

Each full-time twelve-month employee is eligible for annual leave as follows:

1. 1 to 3 years of employment—10 days
2. 4 to 9 years of employment—15 days
3. 10+ years of employment—18 days

Additional Annual Leave information.

1. On July 1 of each year, employees are granted annual leave earned the previous fiscal year.
2. Annual leave will not be granted prior to being earned.
3. Employees may accumulate up to twenty annual leave days.
4. Annual leave days in excess of twenty on June 30 will be forfeited. The President may extend the excess leave on an individual basis.
5. Employees completing their first partial year of employment will have their annual leave time pro-rated based on the number of months worked by June 30. The initial employment date will be rounded to the nearest first of the month.
6. Annual leave may not be earned while on approved leave without pay, FMLA leave without pay, drawing disability pay, or drawing Workers' Compensation benefits.
7. The College reserves the right to require employees to take annual leave at certain times of the year or in the case of a College emergency.
8. Employees who terminate employment will be compensated for any earned and unused annual leave plus pro-rated annual leave since July 1st.

### • **PERSONAL BUSINESS LEAVE**

The College grants personal business leave to full-time 12-month employees to prevent a loss of pay during certain types of absences. It is intended for such reasons as attending a funeral of someone outside the immediate family, conducting legal business, and similar matters of a personal nature. It is not intended as additional vacation time or sick leave. Approval for personal leave must be obtained in advance from the appropriate administrative officer. Exceptions to advanced approval may be granted in the case of any emergency. Each full-time twelve-month employee is granted the equivalent of five working days on July 1 of each fiscal year. Unused time does not accumulate and is not paid upon termination.

• **PERSONAL LEAVE—FACULTY**

Each full-time instructor shall be granted a maximum of two (2) days of personal leave each academic year. Personal leave days may be taken with pay, may be used at the faculty member's discretion, and will be non-cumulative from year to year.

Personal leave beyond the established two days must be requested, and if granted, full pay will be deducted from the instructor's salary for each day absent. Each faculty member requesting personal leave must meet all assigned responsibilities at SSC before leaves of absence will be granted.

• **COURT/JURY DUTY LEAVE**

An employee who is granted a leave of absence for jury duty shall be entitled to such duty with full pay. A copy of the subpoena must be submitted to HR prior to the start of the leave. An employee who is not selected for jury duty after reporting each of the required days, must return to work for the remainder of the day.

No deduction in salary will be made if an employee must appear in court when subpoenaed as a witness by the Federal Government, State of Oklahoma, or political subdivisions thereof. Court cases involving an employee's personal business shall be taken as personal business leave, annual leave, compensatory time, or leave without pay.

• **FAMILY AND MEDICAL LEAVE (FMLA)**

Seminole State College will provide up to 12 weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons. The twelve weeks leave does not have to be continuous but begins and is determined at the first date an employee takes FMLA leave (paid or unpaid) for a specific qualifying health condition. Employees should visit with HR for more information.

**A. Eligible employees.**

To be eligible for FMLA leave, an employee must have 12 months of cumulative service with the College and at least 1,250 hours of service during the 12-month period prior to the date leave is to begin.

**B. Annual leave/Other paid time off.**

1. The College may require or an employee may opt to substitute annual leave or other paid time off during FMLA leave.
2. Employees on leave for their own serious health condition who are receiving workers' compensation or state disability insurance benefits *cannot* be required or allowed to substitute annual leave or other paid time off if the College wishes to count the time against the employee's FMLA entitlement.

**C. Qualifying leave.**

Leave may be requested for the following reasons:

1. To care for a new child upon birth or placement for adoption or foster care.

Leave for this reason must be concluded within 12 months of the birth or placement;

2. To care for the employee's child, parent or spouse who has a serious health condition;
3. When due to the employee's own serious health condition, the employee is unable to perform the essential functions of the job or needs medical treatment.

**D. Serious health condition.** A serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves either:

1. In-patient care (i.e., overnight stay) in a hospital, hospice or residential medical care facility or any subsequent treatment in connection with such in-patient care; or,
2. Continuing treatment by a health care provider.

**E. Continuing treatment is defined as:**

1. A period of incapacity requiring absence from work, school or other regular daily activities of more than three consecutive calendar days and any subsequent treatment or period of incapacity relating to the same condition that also includes either
  - a) Treatment two or more times by or under the supervision of a health care provider or
  - b) Treatment by a health care provider one time with a continuing regimen of treatment;
2. Any period of incapacity due to pregnancy or prenatal care, or treatment for a chronic serious health condition, such as asthma or diabetes, which require periodic visits to a health care provider and may involve occasional episodes of incapacity; or
3. Incapacity that is permanent or long-term due to a condition for which treatment may not be effective, such as terminal cancer.

**F. Advance notice and medical certification.** An employee may be required to provide advance leave notice and medical certification of necessity. Leave may be denied if requirements are not met.

1. **30 days advance notice.** If the need for leave is foreseeable, the employee must provide notice at least 30 days prior to the commencement of the leave. In cases of unforeseeable need, notice must be provided as soon as practicable – typically within one or two working days of learning of the need for leave.
2. **Medical certification.** When leave is requested due to a serious health condition, the employee shall provide medical certification of the condition in writing. This is true whether leave is for the employee's health condition or to care for an ill family member.
  - a) If leave is planned, the employee shall provide the certification before the leave begins.
  - b) If the leave is not foreseeable, the employee shall provide certification within 15 calendar days after the request for leave, or as soon thereafter as reasonably possible.
  - c) If an employee fails to provide certification in a timely manner, leave can be re-designated as some other qualifying leave or as an unexcused absence, in accordance with the College's policies.
  - d) If the College has reason to doubt the validity of a medical certification for the employee's own serious health condition, it may obtain second opinion at the College's expense.



- e) If the opinions of the employee's and SSC's designated health care providers differ, the employer may require the employee to obtain certification from a third health care provider, again at the employer's expense. This third opinion shall be final and binding. The third health care provider must be approved jointly by the employer and the employee.
- f) Medical certification must be obtained using form WH-380 provided by the U. S. Department of Labor. The medical certification must include at a minimum:
  - 1) the date the serious health condition commenced, and the health care provider's best judgment of the probable duration of the condition;
  - 2) the diagnosis;
  - 3) a brief statement of the prescribed regimen of treatment; and
  - 4) whether inpatient hospitalization is required.
- g) The College may request re-certification for the continuation of leave at reasonable intervals (no more often than every 30 days).

#### **G. College notification.**

- 1. In order to count time off toward an employee's FMLA leave entitlement, the College must provide an employee with notice *in writing* that leave will be counted as FMLA leave, provided that the College knows that a qualifying event exists.
- 2. Under the FMLA, such notice should generally be provided to the employee within two business days after receipt by the College of the Request for FMLA leave.
- 3. The College can designate leave as FMLA qualifying even if the employee does not request it, if the College has sufficient information to determine that the leave is FMLA qualifying. In such cases, the College can explain to an employee that designation is for the employee's own protection – to guarantee reinstatement and to ensure that absences will be excused.
- 4. If the College's notice is late, the College may not count the leave taken prior to providing the notice towards an employee's 12-week entitlement.
- 5. The College may designate FMLA leave retroactively if
  - a) the College did not know the reason for the leave at the time the leave was taken but makes the designation within two business days after the employee returns to work; or
  - b) the College has preliminarily designated the leave as FMLA qualifying and notified the employee but is awaiting medical certification.

#### **H. Jobs benefits and protection.**

- 1. Health coverage.
  - a) during FMLA leave Seminole State College will continue to maintain the employee's payment for coverage under group health, dental, life, and disability until such time as the employee returns to work, resigns, fails to return to work after 12 weeks, or exhausts FMLA leave.
  - b) if the employee carries coverage for dependents, the College may elect to cancel coverage if the employee's premium payments for dependents are not received within 30 days of the due date. Should this occur, College staff will notify the employee 15 days before the employee's dependents are dropped from coverage for failure to pay.

2. Oklahoma Teachers' Retirement under paid or unpaid FMLA will be considered as continuous for purposes of eligibility and vesting for retirement plans.
3. Annual leave and sick leave will continue to accrue under paid FMLA leave but will not accrue under unpaid FMLA leave.
4. The maximum lengths of time an employee may be absent from work while his or her job is protected under the FMLA policy is 12 weeks. This is the case whether the leave is paid or unpaid or a combination of the two.

### **I. Return to Work**

A physician's medical release must be presented to the College by an employee who has been on leave for more than 5 days before he/she can return to work.

### **J. Job Restoration**

1. Upon return from FMLA leave, an employee will be restored to the employee's original job, or to an equivalent job with equivalent pay, benefits, and other terms and conditions of employment.
2. The employee's use of FMLA leave will not result in the loss of any employment benefit that the employee earned or was entitled to **before** using FMLA leave.
3. Under specified and limited circumstances where restoration to employment will cause substantial and grievous economic injury to operations, SSC may refuse to reinstate "key" employees after using FMLA leave during which health coverage was maintained. (A "key" employee is a salaried "eligible" employee who is among the highest paid ten percent of employees within 75 miles of the work site.)

In order to refuse reinstatement, SSC will:

- a. notify the employee of his/her status as a "key" employee in response to the employee's notice of intent to take FMLA leave;
- b. notify the employee as soon as the employer decides it will deny job restoration, and explain the reasons for this decision;
- c. offer the employee a reasonable opportunity to return to work from FMLA leave after giving this notice; and
- d. make a final determination as to whether reinstatement will be denied at the end of the leave period if the employee then requests restoration.

### **• SICK LEAVE**

All full-time employees are entitled to sick leave at a rate of one and one-quarter days per month or a total of fifteen days for a complete year of service. Unused days may be accumulated up to 200 working days. An employee may use earned sick leave up to one-hundred-twenty consecutive workdays at his/her regular rate of pay in any given year. If an employee anticipates being gone for more than one-hundred-twenty consecutive workdays the employee should visit with the Human Resources Office about applying for long-term disability or other payroll arrangements.

Employees working full-time but less than twelve consecutive months will receive sick leave on a pro-rata basis.

### **A. Sick Leave and One's Immediate Family**

Personnel may use sick leave time for illness or injury in the immediate family. The term "immediate family" shall be understood to include only the spouse, brothers, sisters, sons, daughters, grandchildren, father, mother, father-in-law, mother-in-law, or a relative who makes his or her home permanently in the household of the employee.

### **B. Additional Sick Leave Information**

1. The employee, or a representative, shall give notification of absence due to personal illness or injury, in accordance with the sick leave policy, to the appropriate supervisor at the beginning of each workday, unless this is not possible due to incapacitation. Failure to give such notice may be considered an abuse of sick leave and may be cause for disciplinary action. Sick leave may be denied for failure to notify the appropriate supervisor within a reasonable time frame.
2. The College may require employees to furnish satisfactory proof of illness or disabling injury in chronic or unusual cases before paid sick leave is approved. In so doing, the supervisor may require the staff member to provide a written statement by a qualified, licensed medical practitioner certifying that the employee is ill or incapacitated. The information must include medical facts which support that certification, any suggested alterations to the staff member's regular duties (including ability to perform essential functions), the anticipated length of the illness or other incapacitating condition, as well as other information which may be necessary to determine whether granting sick leave is appropriate may be required
3. In addition, the supervisor may require the staff member to provide periodic recertification from a licensed medical practitioner for continued use of sick leave. In rare cases of continuing or excessive use of sick leave, a second opinion may be requested of a doctor chosen by SSC. Falsification of information regarding any sick leave may be cause for termination of employment.
4. Unless otherwise authorized, a physician's medical release must be presented to the employee's supervisor by an employee who has been on leave for more than 5 consecutive days before he/she can return to work.
5. Sick leave may not be earned by an employee during leave of absence without pay, FMLA leave without pay, or suspension.
6. Sick leave will be granted to personnel who become ill or suffer disabling injury while on annual leave provided such illness or disabling injury be verified by medical certification from a licensed practitioner.
7. There will be no salary reduction or sick leave charged for absences related to the death in the immediate family unless the absence exceeds five working days.
8. Personnel who resign or who are terminated from College employment shall forfeit all unused sick leave.
9. An employee may request documentation of accrued sick leave for the Oklahoma Teachers' Retirement System.
10. The President may approve a transfer of accrued sick leave of a terminated employee if they fall within the following as a state employee. State employees who are terminated from their employment may be eligible to have sick leave accrued at the time of termination of employment restored if they return to state employment, provided that the re-employment occurs within two years and they are eligible to accrue sick leave before the two years expire. (§74-840-2.20)

- **EXTENDED SICK LEAVE**

Any employee who is on approved leave in excess of one week (five working days) due to an illness or injury will be placed on medical leave of absence. Upon notification from an employee, a supervisor will review the circumstances with the assistance of the Office of Human Resources. If it is determined that a formal Medical Leave is required, the supervisor will submit a written request for Medical Leave to the Office of Human Resources. The length of this leave will be paid in accordance with his/her combined accumulated sick leave, annual leave (unused and pro-rated), compensatory time, and personal leave. When the accumulated leave time has been exhausted, the employee will be placed on leave without pay unless eligible for shared sick leave and shared leave is available.

While a physician's certificate evidencing illness or disability is not required each time an employee does not report for duty, the College reserves the right to require such a certificate from the employee's physician. If the illness is prolonged, the Human Resources office must be provided with a doctor's statement on a monthly basis so that work may be planned. If it becomes necessary for the employee to request leave of absence without pay due to prolonged illness, the College may request that the employee continue to pay the monthly premium for the employee's group medical insurance. If the employee wishes to continue employee paid dependent coverage, he/she must make arrangements with the business office to pay the monthly premium.

The employee who has been on Medical Leave must provide a physician's release to the College before he/she may return to work. A full time employee's job may be protected by the FMLA when he/she is on an approved extended Medical Leave. Failure to return to work on the next scheduled work day following the end of the period (or earlier, if released by a physician) may result in the employee's termination from College employment unless Medical Leave is extended by the appropriate Vice President.

- **BEREAVEMENT LEAVE**

It is the policy of SSC to ensure state employees that must be off work due to the death of an immediate family member for time lost due to the death of the family member. SSC employees are eligible for Bereavement leave if they have completed their initial probationary period.

If an employee is absent from work due to the death of a member of his/her immediate family, he/she will be paid for time lost at regular rate from his/her regular scheduled shift up to a maximum of five (5) work days. Leave for full time employees must begin within ten (10) calendar days of the date of death of the family member or the date of the funeral. Time may be extended by use of vacation, personal, or sick leave with approval of the employee's supervisor.

For purposes of bereavement leave, immediate family is defined as follows.

Employees - spouse or significant other ("significant other" is defined to mean one who stands in place of a spouse and who resides with the employee), child, step-child, grandchild, parent, step-parent, grandparent, great-grandparent, brother, sister, step-sibling, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law or legal guardian or other person who stands in the place of a parent (in loco parentis).

Upon his/her return, the employee will submit a Request for Leave form to his/her immediate supervisor for taking bereavement leave and may be requested to attach supporting documentation.

- **ABANDONMENT OF POSITION**

An employee who has failed to report to work for three consecutive workdays without notifying his/her supervisor will be considered to have voluntarily resigned his/her position.

- **MILITARY LEAVE**

All officers and employees of the state, or a subdivision thereof, or a municipality therein, who are members, either officers or enlisted men/women of the Reserve Corps of the Army, the Navy, the Marine Corps, the Coast Guard, the Woman's Auxiliary Corps, or any other component of the Armed Forces of the United States, shall, when ordered by the proper authority to active duty or service, be entitled to a leave of absence from such civil employment for the period of such active service without loss of status or efficiency rating and without loss of pay during the first twenty (20) calendar days of such leave of absence during any federal fiscal year. Neither the state, or a subdivision thereof nor a municipality therein, shall be required to pay an officer or employee for more than twenty (20) calendar days of such leave of absence in any twelve-month period.

A. Employees must secure approval of military leave by the College prior to the employee commencing duty assignments. To obtain approval, the employee must submit a copy of the official military duty orders to the Human Resources Office.

B. The College will continue to pay the employee's group health, dental, life and disability insurance premiums while the employee is on paid Military Leave provided evidence is presented to Human Resources Office that the employee is not covered while on leave.

C. Annual leave and sick leave will continue to accrue under paid Military Leave but will not accrue under unpaid Military Leave.

- **INSURANCE COVERAGE WHILE ON LEAVE**

While on an approved paid leave of absence or disability, the College will continue to pay the monthly premiums for the College-paid portion of group medical insurance, dental insurance, disability, and life insurance. Monthly premiums will not be paid while an employee is on unpaid leave of absence, on military leave beyond twenty calendar days a year, or drawing workers' compensation. Employees carrying optional coverage must make arrangements through the Payroll Office to make monthly payments for those policies they wish to continue.

- **ADMINISTRATIVE LEAVE – WEATHER**

The Public Relations personnel will be responsible for contacting the news media if the President makes the decision to close any part of the College due to inclement weather conditions. Unless administrative offices are specifically mentioned as being closed, employees should always assume they are open.

Should classes not be held and only the administrative officers are to be open, employees who are unable to come to work will charge the time missed to annual leave. Should administrative offices be closed that day's absence would be entered on the time sheet as "administrative leave/weather."

When administrative offices are closed, there may still be a few employees who are required to be on the job due to the nature of their work assignment. When this situation exists, these employees will earn compensatory time.

• **PROFESSIONAL LEAVE**

Employees shall be entitled to attend professional meetings required by their positions. Requests to attend such meetings shall be made through the appropriate administrative channels.

• **SHARED LEAVE**

The Leave Sharing Program provides a means for employees to donate paid leave to a fellow College employee who is eligible for and requires donated leave due to an extraordinary or catastrophic illness, injury, impairment or physical or mental condition for either the employee or an immediate family member, and which has caused or may cause the employee to take leave without pay or terminate employment.

For the purposes of this policy, "relative of the employee" shall be limited to the spouse, child, stepchild, grandchild, grandparent, stepparent, or parent of the employee; "household members" means those persons who reside in the same home, who have reciprocal duties to and do provide financial support for one another (This term shall include foster children and legal wards even if they do not live in the household.); "severe or extraordinary" means extreme or life threatening; "state employee" means a permanent full-time employee with one (1) year or more continuous service with the state; "terminal" means likely to result in death within two (2) calendar years.

The President, or his/her designee, shall determine the amount of donated leave an employee may receive and authorize to use, as outlined in (§74-840-2.23) the State leave sharing program.

# Have Questions?

## Contact the Human Resource Office

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