

## Other Leave Types (Other than Annual and Sick Leave)

Employees occupying leave eligible positions may be eligible for the following types of additional paid or unpaid leave. Temporary employees are not eligible for paid leave, but may be eligible for certain unpaid leave options as outlined in this document.

Type	Definition
<b>Administrative Leave</b>	State employees in full-time equivalent (FTE) positions who are physically attacked while in the performance of official duties and suffer bodily harm as a result of the attack must be placed on administrative leave with pay by their employers, rather than sick leave. The period of administrative leave for each incident may not exceed 180 calendar days. Denial of the use of administrative leave by the agency will be grounds for review by the Division of State Human Resources upon request of the employee. Administrative review by the DSHR will be final. <b>(S.C. Code Ann. Section 8-11-40)</b>
<b>Adoption Leave</b>	An adoptive parent who is employed by this State, its departments, agencies, or institutions may use up to six weeks of earned sick leave to take time off for purposes of caring for the child after placement. The agency shall not penalize an employee for requesting or obtaining time off according to this Section. The leave authorized by this Section may be requested by the employee only if the employee is the person who is primarily responsible for furnishing the care and nurture of the child. <b>(S.C. Code Ann. Section 8-11-155)</b>
<b>American Red Cross Certified Disaster Service Leave</b>	An employee who is a certified disaster service volunteer for the American Red Cross may use up to 10 days of paid leave in a calendar year to participate in specialized disaster relief services with the approval of the agency designee. This leave is in addition to other leave to which the employee is entitled. <b>(S.C. Code Ann. Section 8-11-180)</b>
<b>Blood Drive and Donation Leave</b>	Employees are permitted to participate in a blood drive during their work hours without using sick and annual leave. <b>(S.C. Code Ann. Section 8-11-175)</b>  The employee desiring to donate blood shall notify their agency of the scheduled donation and the amount of time needed for the donation as far in advance as may be practicable. The agency may deny the employee's request for time to donate if the absence of the employee would create an extraordinary burden on the agency. The agency may, as condition of approving the request, require the employee to provide documentation of the donation. <b>(S.C. Code Ann. Section 8-11-175)</b>
<b>Bone Marrow/Donor Leave</b>	An employee who works an average of 20 hours or more a week and who seeks to undergo a medical procedure to donate bone marrow may be granted bone marrow donor leave with pay. The total amount of paid leave may not exceed 40 work hours unless a longer length of time is approved by the agency head. Such leave requires verification by a health care practitioner of the purpose and length of each request. If a medical determination is made that the employee does not qualify as a bone marrow donor, the paid leave granted to the employee before that determination will still be allowed. <b>(S.C. Code Ann. Section 44-43-80)</b>

<p><b>Court Leave</b></p>	<p><b><u>Jury Duty (With Pay)</u></b></p> <p>An employee who is summoned as a member of a jury panel shall be granted court leave with pay. Any jury fees and travel payment shall be retained by the employee.</p> <p>An employee who is excused from jury duty and is not required to be at court the number of hours equal to the employee's workday is required to return to the job. The employee must be on authorized leave for any time the employee is excused from jury duty and does not return to work.</p> <p>An employee who is summoned to jury duty will be required to work on any given day only the number of hours that equal the employee's work schedule, minus the hours required to be at court.</p> <p><b><u>Subpoenaed As a Witness (With Pay)</u></b></p> <p>An employee who is subpoenaed as a witness and who will not receive any personal gain from the outcome of the litigation shall be entitled to court leave with pay for those hours required for the subpoena and may retain any witness fee and travel expenses.</p> <p>An employee subpoenaed to represent the College as a witness or defendant is considered to be working. The employee may be reimbursed for meals, lodging and travel expenses, as appropriate.</p> <p><b><u>Victim or Witness (With Pay)</u></b></p> <p>An employee who is victim of or witness to a crime and must attend court in relation to the case or in order to obtain an Order of Protection or restraining order shall receive court leave with pay.</p>
<p><b>Death in Immediate Family Leave</b></p>	<p>An employee, upon request, shall be granted up to three consecutive workdays of leave with pay on the death of any member of the employee's immediate family. Immediate family is defined as the spouse, great-grandparents, grandparents, parents, legal guardians, brothers, and spouse of brothers, sisters, spouse of sisters, children, and spouse of children, grandchildren, great-grandchildren of either the employee or the spouse. (S.C. Code Ann. Section 8-11-177)</p>
<p><b>Extended Disability Leave</b></p>	<p>Under the Americans with Disabilities Act (ADA), the Americans with Disabilities Act Amendments Act (ADAAA), and other applicable law, certain extended impairments may be protected as disabilities and may require reasonable accommodation. In certain cases, the use of leave may be considered a reasonable accommodation. Determinations regarding reasonable accommodations should be made on a case-by-case basis as dictated by the circumstances.</p> <p>Prior to approval of leave as a reasonable accommodation, the agency shall require certification by the health care practitioner to a reasonable degree of medical certainty to include at a minimum: (a) the date on which the disability commenced; (b) the probable duration of the condition and a probable return date; and (c) appropriate medical facts within the knowledge of the health care practitioner regarding the condition and any work limitations. Dates set forth in the health care practitioner's certificate may be amended. The agency may require additional documentation from the health care practitioner issuing the certificate, or may secure additional medical opinions from other health care practitioners. If an employee's health care practitioner or the employee identifies a disability as long-term, the agency may suggest to the employee to contact the Public Employee Benefit Authority (PEBA) as soon as possible to evaluate eligibility for any appropriate benefits, such as insurance or</p>

	retirement, if the employee believes it would be appropriate. This leave is not paid unless the employee has accrued leave available for use as appropriate.
<b>Family and Medical Leave (FMLA)</b>	Refer to Family and Medical Leave Act policy ( <a href="http://policy.cofc.edu/documents/9.3.1.pdf">http://policy.cofc.edu/documents/9.3.1.pdf</a> )
<b>Hazardous Weather/Emergency Closures</b>	In the event that a hazardous weather condition or other emergency exists, the College may determine that it is in the best interest of faculty, staff and students to close the facilities. The College will generally follow the delay and closing determinations made by Charleston county government officials. Employees designated as 'essential' may be required to work. If the Governor declares a state of emergency for Charleston county AND authorizes leave with pay, you are not required to account for the covered time missed at work. If you miss work and the Governor does not authorize leave with pay, employees are required to account for the time missed at work by either taking annual leave, compensatory time or leave without pay. Employees may be allowed to work from home or to make up the time later, if approved by the supervisor.
<b>Military Leave</b>	<p><b>Short-Term Military Training</b></p> <p>An employee who is an enlisted on commissioned member of the South Carolina National Guard, the United States Army Reserve, the United States Air Force Reserve, the United States Naval Reserve, the United States Marine Corps Reserve or the United States Coast Guard Reserve is entitled to a leave of absence without loss of pay, time, or efficiency rating for one or more periods, not exceeding an aggregate of fifteen (15) regularly scheduled average workdays in any one year*, during which time the employee is engaged in training or any other duties ordered by the Governor, the Department of Defense, the Department of the Navy, the Department of the Treasury, or any other department or agency of the government of the United States having authority to issue lawful orders requiring military service. In the event that the employee is called upon to serve during an emergency, such leave of absence shall not exceed thirty (30) additional days.</p> <p>A state employee in a full time position who serves on active duty in a combat zone and who has exhausted all other available for military purposes is entitled to receive up to thirty (30) additional work days of military leave in any one year.</p> <p>Saturdays, Sundays and State holidays are not included in the aggregate unless that particular day is a regularly scheduled workday for the employee. Leave for military training in excess of fifteen (15) workdays will be charged against accrued annual leave, unless annual leave is not available; the absence will be recorded as leave without pay.</p> <p>*Any one year means a calendar year unless the agency issuing the orders operates on a fiscal year basis.</p> <p><b>Long-Term Military Leave of Absence</b></p> <p>Any employee who has been or shall be commissioned, enlisted or selected for service in the Armed Forces of the United States (excluding short-term training) shall, so long as the requirements and regulations of the Armed Forces shall prevent return to civil employment for a period of ninety (90) days thereafter, but in no event for a period longer than five (5) years from the date of entry into the Armed Forces, be entitled to leave of absence from duties as an employee of the State without loss of seniority or efficiency rating.</p> <p>Employee must provide employer with a copy of official orders or appropriate military certification to claim Military Leave.</p>

<p><b>Organ Donor Leave</b></p>	<p>All employees who wish to be an organ donor and who accrue annual or sick leave as part of their employment are entitled to leaves of absence with pay for one or more periods not exceeding an aggregate of thirty regularly scheduled workdays in any one fiscal year during which they may engage in the donation of their organs. Saturdays, Sundays, and State holidays may not be included in the thirty-day aggregate unless the particular Saturday, Sunday, or holiday to be included is a regularly scheduled workday for the officer or employee involved. The employee must show documentation from the attending physician of the proposed organ donation before leave is approved that confirms that the employee is the donor. <b>(S.C. Code Ann. Section 8-11-65 (A.))</b></p>
<p><b>Sabbatical Leave</b></p>	<p>Refer to Faculty/Administration Manual (<a href="http://academicaffairs.cofc.edu/FAM.pdf">http://academicaffairs.cofc.edu/FAM.pdf</a>)</p>
<p><b>Voting Leave</b></p>	<p>An employee who lives at such distance from the assigned work location as to preclude voting outside of working hours may be authorized a maximum of two hours of leave with pay for this purpose. To work at the polls during elections, an employee must be on authorized leave.</p>
<p><b>Workers' Compensation Leave</b></p>	<p>If there is an accidental injury arising out of and in the course of employment with the State, which is covered under Workers' Compensation, an employee who is not eligible for or who has exhausted his paid administrative leave, shall make an election to use either earned leave time (sick and/or annual) or Workers' Compensation benefits awarded in accordance with Title 42 of the South Carolina Code of Laws. <b>(S.C. Code Ann. Section 8-11-145)</b></p>

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