
 Environment, Health & Safety Office	SOP #: EHS-04-012
	Revision # 3 Date: 01/28/09
	Implementation Date 08/18/04
Title: EHS Leave Policy	Page #: 1 of 9
SOP Author: Nadia Morrison	Approval:  <hr/> Director, EHS

EHS Leave Policy

Compliance with Institute Leave Policies and Procedures

EHS personnel will comply with Institute policies and procedures regarding Request for vacation, sick, personal leave, maternity leave, bereavement leave, jury duty, service in the US Armed Forces, religious observance leave, National Guard leave, Time off to vote and leave without pay. In addition to compliance to Institute policies and procedures, there are EHS Office approval processes. Failure to follow these processes will cause delay in requests.

MIT's Leave Policies can be found at: <http://hrweb.mit.edu/policy/4/index.html>

Also, all personnel are expected to follow a high ethical standard and good business practice whenever encountering a situation not specifically addressed by MIT policy. Questions regarding policy and business practice compliance should be addressed to the EHS Office Director.

EHS Roles & Responsibilities

EHS Office Employees:

Make sure work can be covered while away. Must complete the appropriate EHS Office vacation request form and have all leave approved by their program Deputy Director or Supervisor. Then pass in completed and signed form to the EHS Personnel Administrator.

EHS Deputy Directors:

Must review employees request for leave, sign form if applicable and make sure all responsibilities will be covered while employee is gone.

EHS Director:

Has final approval on any EHS Office employees leave request. Approves EHS Deputy Directors' request for leave.

Leave Approval Process: Summary Sheets

Subject: **Vacation**

- This document describes the EHS procedure for Vacation leave.
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- Initiated by: Any EHS staff member
 - Approval: Director, EHS Office/Personnel Administrator/EHS Program Deputy Director

Vacation Policy: <http://hrweb.mit.edu/policy/4/4-2.html>

Must request vacation in advance. Office must have adequate coverage. Where a coverage conflict exists, Vacation will be granted to the one who requests it first.

Eligibility

Full-time and part-time employees, including Administrative Staff, Support Staff, and Sponsored Research Staff, who work at least 50% of a regular work schedule are eligible for paid vacation leave. Vacation benefits for unionized employees are determined by their collective bargaining agreements. Temporary employees on regular Institute payrolls earn no vacation credit. If their appointment is changed to a regular appointment, vacation begins to accrue as of the time they become a regular employee and is not retroactive. Term employees are eligible for vacation, but MITemps employees and student employees are not. (See [Section 2.1.2](#) for definition of temporary, term and MITemps employees.)

Earning Vacation

A. Number of Vacation Days Employees accrue 15 days of vacation for the first year of employment and 20 days of vacation each year after the first year. This works out to a monthly accrual of 1.25 vacation days during the first year and 1.6667 vacation days per month after the first year. Part time employees accrue vacation on a pro-rated basis. Vacation is accrued while employees are on paid leave status, including sick leave, extended sick leave, vacation, and workers' compensation leave. Vacation generally does not accrue when employees are on unpaid leave.

B. Fifth Week Vacation Credit In recognition of long-term service to the Institute, employees with 10 or more years of full-time service will be credited an extra five days of vacation, beginning on each anniversary of 10, 15, 20, 25, 30 etc. years of service. The extra fifth week must be taken within the 5-year period and does not carry over from one 5-year period to another. **Employees must designate when they are using the fifth week vacation.**

C. Limit on Accruals Employees cease to accrue their regular vacation once they have a balance of 40 days. However, the 5th week vacation credit will still be credited even if the employee is at the 40-day cap.

Taking Vacation

A. Scheduling of Vacations Prior to requesting vacation leave, an employee should check to determine his or her current balance. Supervisors have responsibility for coordinating and approving vacation schedules of their employees, following employees' preferences whenever work requirements in the department permit. The amount of vacation to be taken in any one period of time should be discussed well in advance with the supervisor, to allow adequate time to plan for work coverage.

In the rare case where, due to operational necessity within a unit, an employee is not able to take enough vacation to stay within the 40 day accrual limit, requests for alternative ways to provide the vacation benefit may be presented to the Vice President for Human Resources.

B. Using Vacation Not Yet Accrued At the discretion of the EHS Director or Supervisor, an employee may take up to 5 days of vacation that has not yet been accrued. In exceptional circumstances and with the approval of the senior administrator for the area, more than 5 days of vacation may be taken before it is accrued.

C. Vacation Pay at Termination A terminating employee is paid in full for earned and unused vacation hours, including any applicable shift differential. Any unaccrued vacation that was paid in advance will be deducted from the final check. The maximum amount of unused vacation that is paid at termination is 40 days, plus any days remaining from the extra fifth week of vacation. There are no exceptions to this policy unless approved by the Vice President for Human Resources.

Additional Information on Calculation of Vacation

A. Determining Length of Service for Vacation Accruals All continuous employment for full-time and part-time employees on vacation eligible payrolls will be counted in determining length of service at the Institute for vacation purposes.

B. Amount of Pay Vacation pay is based on an employee's standard workweek at his or her rate of pay (including any shift differentials) at the time the vacation begins. For example, a part-time person working 4 hours per day is paid 4 hours when he or she takes a day of vacation.

C. Holiday or Illness During Vacation If a recognized Institute holiday falls on an employee's regularly scheduled workday during his or her vacation, the day is paid as a holiday and is not counted against vacation balances. Ordinarily, illness during vacation is not counted as sick leave. However, if an employee has a serious accident or illness which impairs the intended benefits of the vacation, the supervisor should discuss the matter with the Human Resource Officer for the department to consider whether sick leave should be granted, and part or all of the vacation rescheduled.

D. Change in Work Schedule -- Adjustment of Vacation Balance When the regular work schedule of an Administrative or Sponsored Research Staff employee changes, causing either an increase or decrease in the amount of time normally worked in a week, the accumulated vacation balance is converted to the new schedule without loss or gain. For example, if an employee working half-time with 20 days of vacation earned for the prior year changes to a full-time work week, that 20 days of vacation at half-time is converted to 10 days of vacation at full-time. New vacation is then earned according to the new schedule.

Additional Information on Implementation

As mentioned, the employee is responsible for checking the number of vacation days accrued and then seeking permission from the supervisor for vacation. The employee is also responsible for informing the supervisor when he or she is taking days from the 5th week of vacation credit. Generally, the supervisor is responsible for recording the number of approved vacation days taken. For Support, Service and Sponsored Research Staff, the supervisor is also responsible for informing Payroll of the number of days taken, and when an employee has designated any vacation days from the 5th week of vacation credit. Payroll is responsible for ensuring that terminating employees are not paid more than 40 days of unused vacation (plus any days remaining from the extra fifth week of vacation).

Leave Approval Process: Summary Sheets

Subject: **Sick Leave**

- This document describes the EHS procedure for Sick Leave
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- Initiated by: Any EHS staff member

Sick Leave Policy: <http://hrweb.mit.edu/policy/4/4-3.html>

The Institute grants paid sick leave to employees to guard against loss of earnings due to illness. Sick leave is not part of salary or wages to which an employee is entitled regardless of need; it is not payable upon termination, except in some cases upon retirement (see [4.3.15](#), of the MIT Policy).

Supervisors have the principal responsibility for the proper and consistent application of the sick leave policy. Abuse of sick leave in any form can have serious impact on the morale and effectiveness of all members of a group or office.

Notification of Absence

An employee must notify his or her supervisor on or before the first day of absence due to illness in order to be paid for sick leave. In cases of prolonged illness, employees are expected to keep their supervisors informed at regular intervals of their condition and their anticipated date of return to work, so that work may be properly scheduled or reassigned.

Sick Leave For Support Staff


Sick leave balances for eligible employees are credited on the employee's anniversary date (date of hire) of each year and are to be used only in cases of accident or illness as described in Section 4.3.7, Use of Sick Leave, and for medical or dental examination and care as described in [Section 4.7](#), Paid Leave for Medical Examination and Care. Other needs for paid leave must be met through the use of personal leave ([Sections 4.3.17-4.3.20](#)), or vacation leave ([Section 4.2](#)). For use of sick leave in cases of work-related accidents, see [Section 4.8](#), Industrial Accident and Worker's Compensation. Sick leave balances may be verified in the department.

Amount of Sick Leave

Full-time and part-time employees will be credited with 12 days of sick leave on the employee's anniversary date of each year, provided that they:

- a. work at least 50% of a regular work schedule, and
- b. have completed at least six months of service at the Institute.

New employees are credited with one day of sick leave after completing each of the first six months of employment. At the end of the first six months of service, employees are credited with one additional day of sick leave for each month remaining until the employee's next anniversary date.

 Environment, Health & Safety Office	SOP #:	EHS-04-012
	Revision #	X.X
	Implementation Date	08/18/04
Page #:		6 of 9
SOP Author: Nadia Morrison	Approval: <i>Louis DiBernardinis</i> _____ Director, EHS	

Unused sick leave may be carried over and accumulated to a maximum of 192 days. Sick leave is paid at normal straight-time rates, plus any applicable shift differential, and must be reported on attendance records as required by the Institute's payroll policies for non-exempt personnel.

Payment of Sick Leave to Part-time Employees

Part-time employees who work at least 50% of a normal work week on a fixed schedule (an established number of hours per week on a predetermined schedule), and who have sick leave hours accumulated, will be paid for absence due to illness during the normally scheduled work hours. Hours worked outside the regularly scheduled hours will be paid without regard to such sick leave payments.

Part-time employees who work at least 50% of a normal work week on a variable schedule (an established number of hours per week with no predetermined schedule), and who have sick leave hours accumulated, will be paid for absence due to illness in an amount not to exceed the difference between the number of hours scheduled and the number of hours actually worked during the week. No sick leave payments will be made during any week in which the actual number of hours worked equals or exceeds the number of hours scheduled.

Holiday Within Sick Leave



If a recognized Institute holiday falls on a regularly scheduled work day during a paid sick leave period, the day is paid as a holiday, and is not counted against sick leave allowances.

Vacation Accrual During Paid Sick Leave

Employees absent from work on paid sick leave continue to earn vacation at their normal rate.

Sick Leave Policy For Administrative And Sponsored Research Staffs

There is no formal method of sick leave accrual or accounting for members of the Administrative and Sponsored Research staffs. A reasonable number of justifiable absences are paid in full. Extreme cases of extended illness or accident will be treated on an individual basis, with due regard to length of service at the Institute and other relevant factors, and may be paid for the duration of the absence up to but not normally exceeding a period of six months. Cases extending beyond six months will be reviewed for purposes of determining eligibility for Long-Term Disability Plan benefits. Medical evidence may be required when, in the opinion of the supervisor,

	Environment, Health & Safety Office	SOP #: EHS-04-012
		Revision # X.X
		Implementation Date 08/18/04
		Page #: 7 of 9
SOP Author: Nadia Morrison		Approval:  <hr/> Director, EHS

the need is indicated by the pattern of sick leave usage or the period of absence. Department Heads are responsible for reporting a continuous absence greater than one month to the Personnel Officer for their department for review.

Vacation time can be used for sick leave if sick balance is zero.

Leave Approval Process: Summary Sheets

Subject: **Personal Leave**

- This document describes the EHS procedure for Personal Leave
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- Initiated by: Any EHS staff member
 - Approval: Director, EHS Office/Personnel Administrator/EHS Program Deputy Director

Personal Leave Section 4.3.17: <http://hrweb.mit.edu/policy/4/4-3.html#4.3.17>

Personal Leave for Support Staff

M.I.T.'s policy on personal leave is intended to provide Support Staff with flexibility in their work situations by allowing paid time away from work to accommodate personal needs which otherwise would have to be charged to vacation balances.

Amount of Personal Leave

Under this policy, regular Support Staff who are scheduled to work at least 50 percent time and who have completed six months of service at the Institute, **may use up to three days of their sick leave accrual each year for absences associated with personal situations such as illness of a family member, or legal or financial business, which necessitate short-term absences.** Employees in their first year of service will be permitted to take personal leave following the completion of six months of employment up to a maximum of 25 percent of the total number of hours of sick leave credited to the employee for that year of service.

Notice of Absence

In keeping with other leave policies, Support Staff will be required to obtain the approval of their supervisors to be absent on personal leave on a given day or part of a day. It will normally be expected that employees will obtain this approval at least three working days in advance of the planned absence. No explanation of the reasons for the absence will be required except when emergency situations cause employees to seek approval for absences on shorter notice.

Personal Leave for Administrative and Sponsored Research Staffs

Members of the Administrative and Sponsored Research Staff are not compensated for time worked in excess of their regular schedules because their duties are judged to satisfy the criteria established under the Federal Wage-Hour Law for exemption from the overtime pay requirements of the Law. They are expected to take professional interest in the work under their supervision or in the projects in which they are engaged and, when necessary, to fulfill the requirements of their positions without regard to the number of hours worked. Accordingly, these employees should be extended privileges with respect to occasional absences from work, and allowed to take time off without loss of pay or vacation credit for personal reasons or for needed rest and relaxation after working long hours of overtime.

Leave Approval Process: Summary Sheets

Subject: **Maternity Leave, Bereavement Leave, Jury Duty, Service in The U.S. Armed Forces, Leave For Religious Observance, National Guard Leave, Time Off For Voting, Leave Without Pay**

- This document provides links to the above Leave subjects
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- Initiated by: Any EHS staff member

Maternity Leave: <http://hrweb.mit.edu/policy/4/4-6.html>

Bereavement Leave: <http://hrweb.mit.edu/policy/4/4-9.html>

Jury Duty: <http://hrweb.mit.edu/policy/4/4-10.html>

Military Training Duty Leave: <http://hrweb.mit.edu/policy/4/4-11.html>

Leave For Religious Observance: <http://hrweb.mit.edu/policy/4/4-13.html>

National Guard Leave: <http://hrweb.mit.edu/policy/4/4-14.html>

Time Off For Voting: <http://hrweb.mit.edu/policy/4/4-15.html>

Approval of Leave Without Pay: <http://hrweb.mit.edu/policy/4/4-16.html>

- Must be approved by Director and only if all Vacation time has been used.