



EMPLOYEE LEAVE POLICY

PERSONNEL | 300.346

Last Evaluation

03/13/2026

Executive Staff Approval

07/20/2026

Board Approval

08/19/2026

1. Policy Purpose

The purpose of this policy is to establish consistent, legally compliant standards governing employee leave in accordance with federal law, Utah law, and applicable Utah System of Higher Education (USHE) policies.

2. Definitions

Benefits-Eligible Employee - An employee who meets the criteria outlined in the Employee Categories and Definitions Policy, and is designated as benefits eligible based on position classification.

Immediate Family - An employee's spouse or domestic partner, child, parent, sibling, grandparent, and grandchild. This also includes step and in-law relations within these categories.

In Loco Parentis - The legal responsibility of a person or organization to take on some of the functions and responsibilities of a parent.

Serious Health Condition - A condition requiring an overnight stay in a hospital, hospice, residential medical facility, or an absence from work, school, or other regular daily activities for more than three calendar days, and which requires continuing treatment for a chronic or long-term health condition by or under the supervision of a healthcare provider.

Family and Medical Leave (FMLA) - Job-protected leave granted under the Family and Medical Leave Act of 1993, including leave for birth/adoption, employee serious health condition, or caring for a covered family member.

3. References

Family and Medical Leave Act of 1993 (FMLA), 29 U.S.C. § 2601 et seq.

Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 U.S.C. § 4301 et seq.

Americans with Disabilities Act of 1990 (ADA), 42 U.S.C. § 12101 et seq.

Utah Code Title 34A, Chapter 2, Workers' Compensation Act.

Utah Code § 49-21-403, Termination of Disability Benefits—Calculation of Retirement Benefit.

Utah Retirement Systems (URS), applicable guidance regarding leave, retirement benefits, service credit, and retirement accounts. - see urs.org

MTECH Policy 300.301 Employee Categories and Definitions Policy

MTECH Procedure 300.346A Employee Leave Procedure

4. Policy

- 4.1. Mountainland Technical College (MTECH) provides leave benefits to eligible employees in accordance with applicable federal law, Utah law, and institutional policy.
- 4.2. This policy establishes the categories of leave available to employees and the governing principles for administration of leave benefits.
- 4.3. Operational processes, accrual calculations, documentation requirements, and approval procedures are outlined in the corresponding Leave Procedure.
- 4.4. Leave benefits apply to benefits-eligible employees as defined in the Employee Categories and Definitions Policy. Employees in positions designated at 80% of full-time (32 hours per week) or greater qualify for paid leave, prorated according to their assigned work schedule.

- 4.5. Eligibility for leave benefits under this policy is separate from eligibility for health insurance coverage under the Affordable Care Act (ACA), which is governed solely by the MTECH Affordable Care Act Policy.

5. General Administration of Leave Accruals

- 5.1. The leave year begins January 1 and ends December 31 of each year.
- 5.2. Leave benefits are provided in compliance with applicable law and institutional policy.
- 5.3. Leave must be requested and approved in accordance with MTECH procedures.
- 5.4. Leave is accrued and posted on the last day of each pay period. Employees who terminate employment must work through the end of the pay period in order to receive accrued leave hours for that pay period.
- 5.5. Paid leave may not be used before it has been accrued. Leave accrued during a pay period may not be used until the following pay period.
- 5.6. Exceptions to this policy must be approved in advance, where possible, by the divisional Vice President and College President.
- 5.7. Abuse or misuse of leave may result in corrective action.

6. Types of Leave

- 6.1. Paid Holidays
 - 6.1.1. MTECH provides paid holidays to benefits- eligible employees as determined annually by the College President.
 - 6.1.2. Holidays falling on Saturday are generally observed on the preceding Friday and holidays falling on Sunday are generally observed on the following Monday.
 - 6.1.3. Holidays may be substituted by a decision of the College President.
 - 6.1.4. If a holiday occurs during paid leave, it will be recorded as a paid holiday rather than vacation leave.
 - 6.1.5. Holidays are not paid during periods of unpaid leave unless required by law.

- 6.1.6. If an employee is required to work on a scheduled holiday, the employee shall be compensated at time and a half their normal rate.

6.2. Vacation Leave

- 6.2.1. Vacation leave is intended to provide employees with rest and personal time away from work.
- 6.2.2. Benefits-eligible employees accrue vacation leave based on years of service and employment status. The Vice President of Administrative Services, at the instruction of the College President, may advance a full-time employee further along the years of service scale if it is deemed in the best interest of the College.
- 6.2.3. Unused vacation hours are paid out upon termination of employment.
- 6.2.4. Vacation accrual rates, carryover limits, and payout provisions are defined in the Leave Procedure.

6.3. Sick Leave

- 6.3.1. Benefits eligible employees accrue sick leave. Sick leave is intended to provide time off when an employee is unable to perform their job duties due to personal illness, injury, medical appointments, or when caring for an immediate family member who is ill or requires medical care. Sick leave may also be used for other qualifying purposes under applicable law (e.g., FMLA or state sick leave statutes.)

Sick leave may not be used when requesting time off for a vacation.

- 6.3.2. Management may require an employee to produce administratively acceptable evidence to support any request for leave in the following circumstances:
- 6.3.3. To cover an absence that exceeds three consecutive working days, or
- 6.3.4. If there is a reason to question the legitimacy of the employee's absence, regardless of the number of leave hours requested.
- 6.3.5. Unused sick leave is forfeited upon termination.

6.4. Personal Leave

- 6.4.1. Benefits-eligible employees receive a limited number of personal leave hours each year for personal matters requiring time away from work. Personal leave must be used within the calendar year in which it is granted.
- 6.4.2. Personal leave may be prorated for new hires based on start date.

6.5. Bereavement Leave

- 6.5.1. Three days of paid leave are authorized for all benefits-eligible employees in the event of a death in the immediate family, as defined above. Leave is provided for each occurrence.

6.6. Family and Medical Leave

- 6.6.1. MTECH provides job-protected leave in accordance with the Family and Medical Leave Act of 1993 (FMLA).
- 6.6.2. An employee who meets eligibility requirements may receive (see section 4.10.5 below) is allowed up to:
- 6.6.3. 12 workweeks of family and medical leave in each 12 month period for qualifying events.
- 6.6.4. An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered servicemember with a serious injury or illness may take up to 26 workweeks of leave during a single 12-month period to care for the servicemember.
- 6.6.5. MTECH may require the employee to provide medical documentation of the serious health condition of either the employee or the family member consistent with federal regulations.
- 6.6.6. An employee on FMLA leave shall continue to receive the same health insurance benefits the employee was receiving prior to the commencement of FMLA leave provided the employee pays the employee share of the health insurance premium.

6.7. Parental and Medical Maternity Leave

- 6.7.1. MTECH provides paid parental and medical maternity leave to eligible employees.

- 6.7.2. Medical maternity leave is provided for recovery from childbirth and must be used in a single block of six consecutive weeks following the birth. While on medical maternity leave, the employee shall not be required to perform work for MTECH.
- 6.7.3. Parental leave is available for bonding following the birth or adoption of the employee's child. Hours may be used consecutively or intermittently during the first six months following the birth.
- 6.7.4. Medical maternity and parental leave run concurrently with FMLA when applicable.
- 6.7.5. Unused hours are not paid out on termination of employment.
- 6.8. Military Leave
 - 6.8.1. Employees who are members of the United States Armed Forces, National Guard, or reserve components are entitled to military leave and reemployment protections consistent with the Uniformed Services Employment and Reemployment Rights Act.
 - 6.8.2. The College provides a limited amount of paid military training leave each year. Additional military service leave may be taken in accordance with applicable law.
 - 6.8.3. Employees requesting military leave must provide documentation of military orders or other official notice of required service when such documentation is available. Compensation for military leave applies only to workdays the employee would otherwise be scheduled to work.
- 6.9. Jury and Witness Service
 - 6.9.1. Employees required to serve on jury duty or subpoenaed as a witness in an official proceeding shall receive the equivalent of full pay. This allowance covers only time engaged in jury service or attendance as a witness and in reasonable travel to and from the place of such service. This policy does not apply when an individual appears in court on his or her own behalf.
 - 6.9.2. Refer to MTECH Leave Procedure for additional details.
- 6.10. Administrative Leave

6.10.1. Administrative leave may be granted by the College President or his designee consistent with MTECH's policy for the following reasons:

- During management decisions that benefit the organization;
- When no work is available due to unavoidable conditions or influences;
- Personnel decision-making prior to discipline;
- Removal from adverse or hostile work environment situations;
- Fitness for duty or employee assistance
- Reward in lieu of cash. One day per occurrence may be granted by the College President or designee. More than one day may be granted with written approval from the College President, not to exceed 40 hours in a fiscal year.
- Other reasons consistent with MTECH policy.

6.10.2. Administrative leave taken will be documented in the employee's personnel file and payroll records.

6.11. Leave of Absence Without Pay

6.11.1. An employee may request a leave of absence without pay when paid leave balances are exhausted or when an unpaid leave is otherwise appropriate. Leave without pay is generally limited to six months, and must be approved in advance by the employee's supervisor and Human Resources.

6.11.2. Leave without pay is intended for situations in which there is a reasonable expectation that the employee will return to work at the conclusion of the leave period. Leave without pay generally will not be granted when available documentation establishes that the employee is unable to return to their previously held position due to a permanent medical condition, unless otherwise required by law.

6.11.3. Employees who are in an unpaid status for an entire pay period are responsible for the full cost of any elected benefits, including state-provided benefit plans, unless otherwise provided by law or institutional policy.

6.11.4. Employees returning from an approved leave without pay will normally be restored to their previously held position or to a

position with comparable duties, pay, and seniority, consistent with institutional needs and applicable law.

6.11.5. Employees on extended leave without pay may be required to provide periodic updates regarding their anticipated return-to-work status.

6.11.6. Leave without pay will be administered in accordance with applicable federal and state laws.

6.12. Worker's Compensation Leave

6.12.1. Employees who experience a work-related injury or illness may receive benefits and leave protections under Utah law.

6.12.2. Employees may elect to use accrued leave to supplement workers' compensation wage-replacement benefits, provided the combined compensation does not exceed the employee's regular salary. Workers' compensation hours shall count toward annual, sick, and holiday leave accrual for up to six months following the last day worked.

6.12.3. Health insurance benefits may continue for employees receiving workers' compensation benefits. The employee continues to pay the employee share of premiums.

6.12.4. Employees who are medically released to return to work may be restored to their previously held position or to a comparable position when permitted by law and consistent with medical restrictions.

6.12.5. If an employee is unable to return to the regular position due to permanent medical limitations, employment status will be determined in accordance with applicable law and institutional policy.

6.12.6. Fraudulent workers' compensation claims may result in disciplinary action, up to and including termination.

6.13. Long Term Disability Leave

6.13.1. Eligible employees may participate in long-term disability insurance coverage as provided through the College's benefit program.

- 6.13.2. Long-term disability benefits are administered according to the terms and conditions of the applicable insurance plan and relevant state and federal law. Eligibility for benefits is determined by the insurance carrier based on approval of the employee's disability claim.
- 6.13.3. Employees approved for long-term disability benefits may be placed on leave status or separated from employment as instructed by the carrier's determination and in accordance with applicable law and institutional policy.
- 6.14. Organ Donor Leave
- 6.14.1. A benefits eligible employee who donates bone marrow shall be granted up to seven days of paid leave. An employee who donates a human organ shall be granted up to 30 days of paid leave.
- 6.15. Voting Leave
- 6.15.1. MTECH supports employees in exercising their right to vote. An employee who does not have at least three consecutive hours off the job between the time the polls open and close on an election day is entitled to up to two hours of paid leave to vote.
- 6.15.2. Employees must request voting leave from their supervisor at least 24 hours before election day. Supervisors may designate the specific hours during which the employee is absent to minimize disruption to college operations. Voting leave is recorded as administrative leave in the timekeeping system.
- 6.16. Reference: Utah Code §20A-3a-105

7. Evaluation History

Last Evaluation	Executive Staff Approval	Board Approval
3/15/2010		3/17/2010
8/12/2019	9/12/2019	8/21/2019
6/18/2020	7/6/2020	8/19/2020
9/28/2022	10/10/2022	10/19/2022
1/31/2023		
3/10/2023	3/13/2023	3/15/2023
03/13/2026	07/20/2026	08/19/2026