

## **1030 Administrative & Professional Leave Policy**

**Policy Number: 1030**

**Policy Name: Administrative & Professional Leave Policy (Including 9-, 10-, and 12-Month AP Faculty)**

**Responsible for Maintenance: Director of Human Resources**

**Effective Date: February 26, 2018**

**Last Updated: March 5, 2026**

### **I. Reason for Policy**

The purpose of this policy is to describe leave benefits for Administrative & Professional (AP) employees (“Administrators”). This policy recognizes 9-month, 10-month, and 12-month AP faculty appointments, with varying leave eligibility.

### **II. Applicability of the Policy**

This policy applies to all full-time Administrative & Professional (AP) faculty employed on 9-month, 10-month, or 12-month appointments. These positions may or may not accrue vacation leave, as determined and approved by Human Resources.

Administrators are covered either by the Virginia Sickness and Disability Plan (VSDP) or the Colleges’ Sick Leave Plan (CSLP). Leave plan eligibility is directly linked to the retirement plan chosen upon hire. If an AP employee chooses the Optional Retirement Plan (ORP), he or she will automatically be enrolled in the College Sick Leave plan. However, if the Virginia Retirement System Hybrid Plan is chosen, the AP employee will have the choice between the College Plan and VSDP.

### **III. Leave Eligibility by Appointment Length**

#### **• 12-month AP Faculty:**

- May be designated as vacation leave-accruing or vacation non-leave-accruing, subject to approval by Human Resources.
- Vacation leave-accruing AP faculty accrue vacation leave and sick/disability leave as described throughout this policy.

#### **• 9-Month and 10-Month AP Faculty**

- May be designated as vacation leave-accruing or vacation non-leave-accruing, subject to approval by Human Resources.
- For leave-accruing 9- and 10-month faculty, vacation leave accrues on a prorated basis – vacation accruals occur only during the active contract period using the formula:  
(vacation 12-month accrual/12) x contract months.

Human Resources will document the term designation (9-, 10-, or 12-month) vacation leave-accruing or vacation non-leave –accruing designation in the employee’s appointment letter.

### **Required Protections**

All AP faculty, regardless of appointment length, qualify for protections such as FMLA, military leave, workers’ compensation, disability protections, and parental leave.

## **IV. Definitions**

- A. **Family Member:** Child under 18 (biological, step, or adopted), spouse, or parent.
- B. **Leave Year:** Period of January 10 – January 9
- C. **Maximum Carry-over:** The unused accrued vacation leave balance an employee may carry from one leave year into the next. For 9-, 10-, and 12-month employees who do not accrue vacation leave, these provisions do not apply.
- D. **Maximum Payment:** The unused accrued annual leave for which the employee may receive payment upon separation. For 9-, 10-, and 12-month employees who do not accrue vacation leave, these provisions do not apply.
- E. **College Sick Leave Plan:** Administrators who (i) elect VRS, but do not elect to be covered by VSDP, or who elect ORP and (ii) who hold regular, unrestricted appointments are eligible for paid sick/short-term disability leave and family care leave.
- F. **Virginia Sickness & Disability Program (VSDP):** Provides participating employees with supplemental replacement income during periods of partial or total disability for both non-occupational and occupational disabilities. It also provides employees with sick and family and personal leave.
- G. **Workers Compensation Leave:** Leave granted to an employee for a certified job-related illness or injury.
- H. **9-Month AP Faculty:** Typically work during the academic year (e.g. August-May) and may or may not accrue leave.
  - I. **10-Month AP Faculty:** Typically work an extended academic contract (e.g. August-June) and may or may not accrue leave.
  - J. **12-Month AP Faculty:** Work year-round and may or may not accrue leave.

## **V. Leave Programs**

- A. **College Sick Leave Plan** (*Includes 9-, 10-, and 12-month employees **only if** their appointment designates them as vacation leave-accruing.*)

The plan applies in full to:

- 9-, 10-, and 12-month AP faculty only if designated as vacation leave-accruing

Non-leave accruing 9-, 10-, or 12-month employees do NOT receive College Sick Leave Plan benefits but remain eligible for legally required protections (e.g. FMLA).

AP employees who opt out of the Virginia Sickness and Disability Program or who elect the Optional Retirement Plan (ORP) will be enrolled in the College's Sick Leave Plan. This plan provides coverage for personal illness, illness of a family member, short-term disability, long-term disability, and bereavement.

**Personal Short-Term Illness:** Participants may use sick leave to cover absences related to their own illnesses, injuries, or medical appointments. Each leave year (January 10 – January 9), participants in the College Sick Leave Plan will have access to 80 hours (10 days) of sick leave for this purpose.

**Illness of Family Member:** Participants in the College Sick Leave Plan may use the balance of their 120 calendar days of disability and sick leave for qualifying family and dependent care leave. After five (5) consecutive absences related to illness of a family member, use of this leave must run concurrently with FMLA. This means the employee must be approved for FMLA in order to continue use of sick leave to cover the absence related to the illness of a family member. Otherwise, annual leave must be used or the employee can be placed on unpaid leave if annual leave is not available. Up to five (5) non-consecutive workdays of sick leave can be used each leave year for absences related to illness of a family member.

**Short-Term Disability:** Participants in the College Sick Leave Plan have up to 120 calendar days of short-term disability in the event that they have a qualifying illness or injury and cannot work. This leave is paid at 100% of the pre-disability salary and runs concurrently with the Family and Medical Leave Act (FMLA). This means the employee must be approved for FMLA in order to qualify for short-term disability. There is no waiting period before an employee may begin using this leave. If the illness or injury is such that return to work is impossible beyond the 120 days of short-term disability, the employee may apply for long-term disability. An employee in the College plan is eligible for long-term disability following one year of continuous employment.

[https://www.wm.edu/offices/hr/documents/forms/ltd\\_enrollment\\_waiver\\_form.pdf](https://www.wm.edu/offices/hr/documents/forms/ltd_enrollment_waiver_form.pdf)

- B. **Bereavement:** AP employees enrolled in the College Sick Leave Plan may use up to six (6) workdays of sick leave for use in the event of the death of a family member. After six days of sick leave have been used in single leave year for this purpose, College Sick Leave Plan participants must use vacation leave to cover the absence.
- C. **Virginia Sickness & Disability Program:** (Applicable only to VSDP-eligible vacation leave-accruing positions).
- D. **AP employees who have opted to participate in the VSDP are provided sick leave and family/personal leave each calendar year.** This leave cannot be carried over from year to year. In the event of an extended illness or serious injury, VSDP also provides for short-term and long-term disability benefits at 100%, 80%, or 60% of the employee’s salary, depending on the length of service. The following chart reflects the VSDP rates for sick leave and family/personal leave according to months of state service:

**ANNUAL SICK LEAVE AMOUNTS FOR ELIGIBLE SALARIED STATE EMPLOYEES**

*Effective January 10 Each Year*

Months of Career State Service	Hours of Leave (full-time employee)
Fewer than 60	64 hours
60-119	72 hours
120 or more	80 hours
Months of Career State Service	Hours of Leave (part-time employee)
Fewer than 120	32 hours
120 or more	40 hours

**Sick Leave:** Under VSDP, participants may use sick leave for only their own illnesses or medical appointments. Each leave year, participants will be credited on January 10th with sick leave based on the chart above. Previous unused sick leave does not roll over to the next year.

**Family Personal Leave:** Under VSDP, family personal leave is used if a family member is ill, injured or has a doctor’s appointment. It can also be used for any reason including vacation, death of a family member, or to cover insufficient balances of another leave type. Family and personal leave is allotted each January 10th and the number of hours allotted is based on the length of state service as

outlined in the chart above. Previous unused family and personal leave does not roll over to the next year.

**Short-Term Disability:** Participants in VSDP receive income protection if they have a qualifying illness or injury and cannot work. The amount of income protection is based on the length of State service and is illustrated in the table below. To be eligible, employees must have worked in a benefit-eligible position for at least 12 consecutive months. Income protection begins after the first seven days of absence due to the illness or injury. These first seven days can be covered using the employee’s available leave. The income protection lasts up to 125 workdays. If the illness or injury is such that return to work is impossible, the employee may apply for long-term disability. The following chart reflects the VSDP rates for income replacement according to months of state service:

**DAYS OF INCOME REPLACEMENT: NON-WORK-RELATED SHORT-TERM DISABILITY**

*Hired or Rehired on or After July 1, 2009*

Months of Career State Service	Workdays at 100% Income Replacement	Workdays at 80% Income Replacement	Workdays at 60% Income Replacement
0-12	0	0	0
13-59	0	0	125
60-119	25	25	75
120-179	25	50	50
180 or more	25	75	25

**Long-Term Disability:** Under VSDP, once an employee has exhausted all 125 workdays of short-term disability, the VSDP third-party administrator will automatically initiate a long-term disability claim for review. If an employee’s long-term disability claim is approved, then he or she will receive 60% of his or her pre-disability salary. If the disability is due to a catastrophic condition, the income protection will be increased to 80%. Once an employee transitions to long-term disability, he or she ceases to be an employee of the College and will receive his or her monthly disability payment from either the Virginia Retirement System or long-term disability carrier. Long-term disability will end if the employee later returns to work or retires.

**Bereavement:** VSDP participants may use family personal leave in the event of the death of a family member. If there isn’t enough family personal leave available to cover the absence, VSDP participants must use annual leave to cover the absence.

## V. **Additional Leave Types**

The following leave types apply to all AP employees, regardless of appointment length unless otherwise noted:

A. **Parental Leave:** All full-time AP employees with one year of service – including 9- and 10-month AP faculty – are eligible for parental leave. Paid coverage interacts with appointment length; paid leave cannot exceed the employee’s paid contract period unless approved by HR. Administrators with at least one year of service at RBC are eligible for paid Parental Leave benefits for childbearing and child-rearing. Parental Leave must be taken within 6 months of the birth, adoption, or placement of a child, and is taken, at a minimum, in one-week increments. (Workload and scheduling must be reviewed and approved in advance.) To the extent it qualifies, leave granted under this category runs concurrently with coverage under the federal Family and Medical Leave Act. There are three types of Parental Leave:

- **Maternity leave** is a medically approved absence due to childbearing and is covered under the college’s short-term disability benefit. It is typically six to eight weeks long, as directed by the medical provider. At the conclusion of the short-term disability “maternity leave” coverage period (when the employee is medically cleared and no longer under medical care), parental leave provides additional paid time off for eligible individuals in order to bond with their child(ren.) The short-term disability period and maternity leave period may combine for up to a total of 12 weeks of paid leave. For example, if an employee with two years of RBC service is on short-term disability for six weeks of maternity leave (to recover from childbirth), she may also be awarded up to six weeks of paid parental leave to bond with her child at the conclusion of her short-term disability period. The maximum amount of paid parental leave in the case of maternity is 12 weeks.
- **Paid time off of up to six weeks is provided for the second parent for caregiving and bonding.**
- **Paid time off of up to six weeks is provided for either or both parent(s) for adoption, surrogacy, or foster care.** Parental leave at 100% pay for up to six weeks may be granted. Leave runs concurrently with FMLA, if applicable. Any additional time (covered by FMLA) must be covered using the individual’s paid time off or leave without pay. If both parents are RBC employees, the maximum amount of paid leave

that will be granted is 12 weeks. Parents may decide to take leave immediately after the child's birth or at a later date. If, for example, it is beneficial for the parent to take leave when the child is three months old because it will allow for childcare at a time when the employee would otherwise not have it, the employee may take the leave at this time. Parental leave must be used within 12 months of the birth, adoption, or placement of a child. To use this benefit, the employee must complete the following steps.

- Notify manager, Department Head, and Human Resources about the intention to take Parental Leave. (This applies to parents of biological, surrogate, adopted, or foster children.)
- Complete the [RBC Parental Leave Request Form](#). An employee who gives birth and is medically cleared and no longer under medical care and short-term disability, should complete a Parental Leave Request Form to request Parental Leave for paid leave to cover the remainder of the possible 12-week period. She may submit this form at the same time she requests short-term disability in order to express her intent to use Parental Leave.
- Complete FMLA Medical Forms and return to Human Resources
- Manager approves leave. The employee is notified of approval and the expected return to work date.

B. **Administrative Leave:** Applies to all appointment lengths. Administrators are eligible for administrative leave to serve on a jury or appear in court as a witness under subpoena, to resolve work-related conflicts, to participate in the resolution of complaints of employment discrimination, to attend administrative hearings or for other reasons approved in advance by the supervisor. Such leave may be paid or unpaid, depending on the circumstances.

C. **Vacation Leave:**

- 12-month leave-accruing AP faculty accrue vacation leave as described in this policy.
- 9- and 10-month leave-accruing AP faculty accrue vacation leave only if designated as leave-accruing at the time of hire.

- If designated as accruing, vacation leave will be prorated based on appointment length.
- Non-leave-accruing positions do not earn vacation leave and do not receive vacation-leave payout. Full-time 12-month leave-accruing AP employees accrue up to twenty-four days of annual leave per year. Annual leave is earned at the rate based on your years of service up to a maximum of eight (8) hours per semi-monthly pay period and is available to use after the end of each pay period. The maximum amount of vacation leave that may be carried over to the next leave year is based on your years of service. On January 9 of each calendar year, Human Resources purges unused vacation leave balances that exceed the carry-over limit. Upon separation, vacation leave will be paid or transferred for AP faculty hired on or after 7/1/2026 based on the chart below:

VACATION LEAVE FOR AP FACULTY hired on or after 7/1/2026.

YEARS OF SERVICE	HOURS		
	PER PAY PERIOD	HOURS PER YEAR	MAXIMUM PAYOUT
0 - 4 YEARS	4	96	120
5 - 9 YEARS	5	120	150
10 -14 YEARS	6	144	180
15 - 19 YEARS	7	168	210
20+ YEARS	8	192	240

- AP faculty hired before 7/1/2026 who remain in 12-month, vacation leave-accruing positions continue to accrue vacation leave at a rate of 8 hours per pay period, with a maximum payout of 240 hours.

**D. Administrative Leave and Vacation Accrual**

AP faculty who are placed on administrative leave in connection with termination, involuntary separation, position reduction, or a negotiated separation, as described in Policy 1100, **do not accrue vacation leave during the administrative leave period**, regardless of appointment length or prior leave-accruing status. Vacation leave balances accrued prior to the

start of administrative leave remain subject to the applicable carry-over and payout provisions of this policy.

**E. Transfers:**

	AP to AP	AP to Classified
<b>AP Employee Transfers To Another VA Agency or College</b>	If the AP Employee is transferring into another AP position, the leave balance at separation will transfer to the new agency, if the new agency will accept the balances. Otherwise, the leave balance at separation will be paid, not to exceed a maximum payout of 240 hours.	If the AP Employee is transferring into a classified position, the leave balance at separation will be paid, not to exceed a maximum payout of 240 hours. An exception can be made if the new agency agrees in writing to accept the leave balances.
<b>AP Employee Does Not Transfer To Another VA Agency or College</b>	If an AP employee separates and does not transfer to another VA agency or College, the leave balance at separation will be paid, not to exceed a maximum payout of 240 hours.	If an AP employee separates and does not transfer to another VA agency or College, the leave balance at separation will be paid, not to exceed a maximum payout of 240 hours.

**F. Community Service Leave:** This leave provides professionals with up to sixteen (16) hours paid leave each calendar year to participate in volunteer community service organizations, to meet with public or private school officials about their children, to attend school functions in which their children are participating, and to perform school-approved volunteer work in a public school. An additional eight (8) hours per year of community service leave is available for employees serving as volunteer firefighters or rescue service members. Unused leave in this category does not carry over at calendar year-end.

**G. Compensatory Leave:** Compensatory leave is earned hour-for-hour when an employee is required to work on a scheduled holiday or when Richard Bland College is officially closed due to inclement weather. In these instances, the employee is paid for the hours worked plus he or she receives

one hour of compensatory leave for each hour worked. Compensatory leave is recorded on the employee's timesheet at the time that it is earned. It may be used in lieu of annual or sick leave and must be used within 12 months of the date it is earned or it will lapse.

H. **Holiday Leave:** The College typically observes twelve (12) paid holidays per year. The calendar dates on which these holidays fall are set annually. They include:

- New Year's Day
- Martin Luther King, Jr. Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving
- The day after Thanksgiving
- Christmas Day

The remaining four holidays are state holidays that the College does not observe on the actual date: Lee-Jackson Day; Presidents Day; Columbus Day; and Veterans Day. These four state holidays are observed during the December holiday break.

Holiday eligibility for 9- and 10-month faculty is limited to holidays that fall within the employee's active work contract period. **Note: In order to be paid for a holiday, an employee must work or be on paid leave the day before and the day after the holiday.** Any employee who is on leave without pay the day before and/or the day after the holiday will not be paid for that holiday.

Other leave types (community service, compensatory leave, military leave, organ/bone marrow donation) apply as written with compensation and availability adjusted to contract period and leave-accruing status.

- I. **Military Leave:** In accordance with 44-93 of the Virginia Code, Administrators who are called to perform military service are eligible to take up to 15 workdays in a federal fiscal year (October 1 – September 30), except that no employee shall receive more than 15 workdays of paid leave per federally funded tour of active military duty. A copy of the orders or other documentation proving the military service must be provided to Human Resources in order to receive military paid leave.
- J. **Organ or Bone Marrow Donation:** AP employees may receive up to 30 days of leave to donate an organ or bone marrow. Medical certification is required for approval. This leave is not covered by the Family Medical Leave Act (FMLA) or the Virginia Sickness and Disability Program (VSDP).

**VI. Family Medical Leave Act**

Applies to all AP employees regardless of appointment length. Paid/unpaid status will be based on whether the employee holds a leave-accruing appointment.

The Family Medical Leave Act (FMLA) offers unpaid job protection for up to 12 weeks when an employee cannot work due to illness or injury or when he or she is caring for a newborn or newly adopted child or for an ill or injured family member (child under 18, spouse, or parent). To be eligible, employees must have worked for Richard Bland College, or another Virginia state agency from which the employee directly transferred to Richard Bland College without a break in service, for at least 12 months and have worked at least 1,250 hours in the previous 12 months. During FMLA, paid sick and disability leave runs concurrently with FMLA. Medical certification is required. To determine your eligibility or for more information on FMLA, please contact Human Resources at [rbchr@rbc.edu](mailto:rbchr@rbc.edu). If it is determined that you are eligible, you must inform your supervisor of your intent to utilize FMLA whether paid or unpaid. If the employee is caring for a family member who is a current service member, then he or she is eligible for up to 26 weeks of unpaid job protection.

**VII. Related Policy & Documents**

- [Parental Leave Request Form](#)
- <http://www.varetire.org/members/disability/vsdp/>
- DHRM Policy 4.57 – <http://www.dhrm.virginia.gov/docs/default-source/hrpolicy/pol457vsdp.pdf>
- [Virginia Code 44-93](#)
- [RBC Policy 1100: Designation, Appointment, and Termination of Administrative and Professional \(AP\) Employees](#)

**VIII. Contacts**

Office	Title	Telephone Number	Email
Human Resources	Director of Human Resources	(804) 862-6100, ext. 6208	rbchr@rbc.edu