

North Dakota State University

Policy Manual

SECTION 139 LEAVE WITH PAY

SOURCE: NDUS Human Resource Policy Manual, Section 20
NDSU President

1. **Funeral Leave** - An approved absence from work, with pay, of up to twenty-four working hours, may be provided to an employee to attend or make arrangements for a funeral, as a result of a death in the employee's family, or in the family of an employee's spouse.
 - 1.1 Family means husband, wife, son, daughter, father, mother, stepparents, brother, sister, grandparents, grandchildren, stepchildren, foster parents, foster children, brother-in-law, sister-in-law, daughter-in-law, and son-in-law.
 - 1.2 Funeral leave for employees working less than 40 hours per week will be prorated.
 - 1.3 Funeral leave may only be used in place of regularly scheduled work hours and shall not cause overtime.
2. **Jury or Other Legal Duty** - An employee shall be allowed leave with pay for jury or other legal duty when subpoenaed for such service. Any compensation received for such duty may be retained by the employee.
 - 2.1 When an employee is called as a witness on behalf of the state, and the University reimburses the employee for mileage, sustenance and room (which it may do), no witness fee or mileage may be claimed by said employee and no time shall be deducted from the absence of such employee and such employee shall be deemed to be performing duties or services for the State.
 - 2.2 When an employee is called as a witness when the University is not a party to the action and the University does not reimburse such employee for mileage, sustenance and room, the employee may collect witness fees and mileage from the proper party if the employee is on authorized leave.
 - 2.3 An employee who is personally interested in or a party to a criminal or civil action or who voluntarily appears as a witness must charge his/her absence against earned annual leave or request leave without pay.
 - 2.4 Jury Duty leave may only be used in place of regularly scheduled work hours and shall not cause overtime.
3. **Conference or Convention Leave** - Two days per year may be allowed for employee organization conference/convention leave. Attendance is limited to three institutional officers, any state officers on campus, one delegate at large, and one delegate for each 50 members. If the conference/convention is held on a working day, the delegates will be paid as usual. If it is not a working day there will be no reimbursement. Leave may be denied if the employee's absence would

unduly disrupt the operations or services of the institution.

4. **Institutional Closures** - An institution or part of an institution may be closed due to severe weather or other reason justifying closure. The action shall be communicated to employees, students and other interested persons through local media or other reasonable means. Only employees designated by the department head may be required to work during the period when the institution is officially closed. All other regular employees shall be granted leave with pay for hours which they would normally work during an institutional closure. Employees not scheduled to work during the closure because of a previous arrangement, including annual or sick leave, will not be charged leave for that closure. All non-exempt employees properly authorized to work (see Section 164 - Emergency Procedures) shall receive additional pay *at straight time rates* for hours worked during the official closing, unless employee exceeds 40 hours in the given work week. (See [Section 212-Overtime](#) for explanation of overtime.)

4.1 When the institution remains open during inclement weather, employees unable to report to work shall notify their supervisor and take annual leave or leave without pay.

5. **Honor Guard Leave** - Honor guard leave is an approved absence from work, with pay, of up to twenty-four working hours per calendar year for an employee to participate in an honor guard for a funeral service of a veteran. An institution is strongly encouraged to grant a request for honor guard leave even if the absence of the employee might interfere with the normal operations of the agency. The institution may ask for verification of membership in Honor Guard. Honor guard leave may only be used in place of regularly scheduled work hours and shall not cause overtime.

HISTORY:

New	July 1990
Amended	April 1996
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Amended	March 9, 2010
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