

WORK RELEASE

PURPOSE:

To overview procedures for work release time for University employees. Please see specific procedures under each program for entire procedure.

AUTHORITY:

WV State code 15-5-15a, 18-29; Board of Trustees Classified Employee Handbook; WVU Classified Employee Handbook; Board of Trustees Series 35 and 36; Fair Labor Standards Act; Presidential approval for blood product donation, March 25, 1996; WVU Division of Human Resources Promotion and Transfer procedures; Board of Trustees' resolution, adopted February 12, 1985; Public Law 103-353, and WV Code 15-1F-1; WV Code 23 and 23A.

ELIGIBILITY:

Varies with specific program covered. Except where noted, all full-time regular employees are eligible to apply for work release time.

PROGRAMS COVERED:

Work release may be granted for Employee Education, Grievance, Red Cross Disaster Services, Blood Product Donation, Jury/Witness leave, Promotion/Transfer testing and interviewing, Emergency leave, Requested Attendance at the WV State Legislature, Military leave, Training and Development Workshops, New Employee Benefits sessions, New Employee Orientation, Declared emergency, On-the-job injuries of a duration of less than 3 days, WVU committee meetings, and appointments with the Faculty Staff Assistance Program.

EMPLOYEE EDUCATION:

Any full-time regular employee who has successfully completed the six month probationary period for his/her current position may request up to three (3) credit hours of work release time per academic semester. Employees who are pursuing a General Equivalency Degree (GED) or additional job-related training (Vo-tech, etc.) may have work release time approved as appropriate.

Work release time granted will not exceed three (3) clock hours per week and ninety (90) clock hours in a calendar year. Time away from the work site in excess of these entitlements should be accounted for through the employees accumulated leave banks, other than sick leave, or through flexible work hours (cross reference Flextime Guidelines policy).

In order for the employee to receive work release time, he/she must provide appropriate evidence of the satisfactory completion of the course/program. Failure to provide this information will result in the time missed being charged to the employee's accrued leave.

BLOOD PRODUCT DONATION:

Employees are eligible for work release time; absence without charge to accrued annual or sick leave; for time involved in the process of whole blood or plasma donation. Reasonable travel time to and from the donation location and the worksite is included.

Employees wishing to donate blood products during their normal work hours must prearrange time away from the worksite with the approval of their immediate supervisor consistent with departmental guidelines. Approval of work release time will be based on operational impact.

DISASTER SERVICES:

Any University employee who is a certified disaster service volunteer of the American Red Cross may request work release time for not more than fifteen work days in a calendar year, to participate in specialized disaster relief services for the American Red Cross. The request must be in writing with a copy of the request of the American Red Cross for the services of that employee and the American Red Cross Disaster Service volunteer certification attached. Employees wishing to participate in Disaster Services during their normal work hours must prearrange time away from the worksite with the approval of their immediate supervisor consistent with departmental guidelines. See full procedure for complete details.

GRIEVANCE: (see Grievance Leave Procedure for full procedure.)

Grievance participants (cross reference Grievance Procedures under 18-29 and Grievance Procedures under Board of Trustees Series 36) will receive work release, for time spent in process required meetings which overlap with an employees regularly scheduled work hours.

Time spent by employees to meet with individuals, other than their supervisors, to discuss their work-related concerns or complaints, or to prepare for grievance meetings on such is not considered work time.

Employees involved in the grievance process should be granted work release time for attendance at grievance hearings. Additionally, employees should be granted reasonable travel time to and from grievance hearings. Such time which overlaps an employee's regularly scheduled work hours should be considered time worked. Employees involved in grievance during their normal work hours must prearrange time away from the worksite with the approval of their immediate supervisor consistent with departmental guidelines.

ATTENDANCE AT THE WV STATE LEGISLATURE:

Employees of WVU who attend sessions of the West Virginia Legislature may request work release if it is for purposes of informing the Legislature about issues in higher education at the invitation of a member of the Legislature, the Board of Trustees, the Board of Directors or the President of WVU. Written verification of the invitation and purpose may be requested by the supervisor. Employees wishing to attend the WV State Legislature during their normal work hours must prearrange time away from the worksite with the approval of their immediate supervisor consistent with departmental guidelines.

JURY DUTY/WITNESS LEAVE:

All Board of Trustees employees are eligible for jury duty or witness leave with pay for such duty and for such periods of absence when the employee is subpoenaed or otherwise directed by a proper legal authority to appear as a witness or serve as a juror in any Federal, State, or local court. Reasonable travel time to and from court and the work site is included. Employees requesting jury duty/witness leave during their normal work hours must prearrange time away from the worksite with the approval of their immediate supervisor consistent with departmental guidelines.

When attendance in court is in connection with usual official University duties, time rendered shall not be considered as absence from duty. Likewise, time spent by WVU employees as hearing officers, hearing committee members, and witnesses in a grievance hearing is considered legitimate work time and part of a service to West Virginia University. This is discussed in depth in the various University grievance procedures. Annual leave will not be charged under the provisions of this section.

University employees who are called to testify as expert or consulting witnesses and who are paid for their witness services are ineligible for work release. Further, this policy does not apply to employees involved as parties to a personal lawsuit. Annual leave is to be charged for absence from work for such circumstances.

MILITARY LEAVE:

University employees who are members of the uniformed services (Armed Forces, National Guard, Reserves, Public Health Service, or other categories of persons designated by the President in time of war or emergency) when engaged in voluntary or involuntary, active or inactive duty by order of a competent authority will receive work release for training purposes up to 30 days and active duty up to 24 working days. See full procedure for complete details.

EMERGENCY LEAVE:

Full time regular classified and non-classified employees and faculty or FE/AP with twelve month contracts/appointments are eligible for work release time for emergency leave. Provided that all accrued annual leave has been exhausted, emergency leave of up to five days within a fiscal year, with pay, may be granted by the President of West Virginia University or designee in the event of extreme misfortune to the employee or his/her immediate family. Employees requesting emergency leave must prearrange time away from the worksite with the approval of their immediate supervisor consistent with departmental guidelines.

Typical events which may qualify an employee for such leave include fire, flood, or other occurrences (other than personal illness or injury, or serious illness or death in the immediate family) of a nature requiring emergency attention by the employee.

WORK RELEASE FOR TESTING AND INTERVIEWING:

The Division of Human Resources recommends that work release time be granted to take the necessary tests and to interviews for promotions and transfers within the university. Work release time may be granted at the supervisor's discretion. It is the responsibility of the employee to notify his/her supervisor in advance of appointments so adjustments in work schedules may be made, as necessary, to meet operational needs.

DECLARED EMERGENCY:

Employees not required to work and who did not work during a declared emergency (see Inclement Weather and Emergency Closure procedures) are granted work release for the duration of the emergency closure.

TRAINING AND DEVELOPMENT WORKSHOPS:

Employees may receive work release time for participation in West Virginia University Training and Development Workshop session which meet during their regularly scheduled work hours. Employees wishing to participate in Training and Development Workshops during their normal work hours must prearrange time away from the worksite with the approval of their immediate supervisor consistent with departmental guidelines.

NEW EMPLOYEE BENEFITS SESSION:

Employees may receive work release time for participation in West Virginia University new employee benefits session which meet during their regularly scheduled work hours. Employees must prearrange time away from the worksite with the approval of their immediate supervisor consistent with departmental guidelines.

NEW EMPLOYEE ORIENTATION:

Employees may receive work release time for participation in West Virginia University new employee orientation session which meet during their regularly scheduled work hours. Employees must prearrange time away from the worksite with the approval of their immediate supervisor consistent with departmental guidelines.

PARTICIPATION ON UNIVERSITY COMMITTEES:

Employees may receive work release time for participation in official West Virginia University committees which meet during their regularly scheduled work hours. Employees wishing to participate in WVU committees during their normal work hours must prearrange time away from the worksite with the approval of their immediate supervisor consistent with departmental guidelines.

FACULTY STAFF ASSISTANCE PROGRAM:

Employees who have scheduled appointments with the Faculty Staff Assistance Program (FSAP) during their regularly scheduled work hour may receive work release time for such appointments. Employees wishing to utilize the FSAP during their normal work hours must prearrange time away from the worksite with the approval of their immediate supervisor consistent with departmental guidelines.

ON THE JOB INJURIES:

Approved on-the-job injuries or occupational illnesses which involve no more than three (3) days absence from work will not be charged against an employee's accumulated leave, if their workers' compensation claim is ruled compensable. See Processing Workers' Compensation Claims Policy/Procedures for full details.

WORK RELEASE REQUEST PROCEDURE:

A written request must be made in advance of all work release time being sought. Proper documentation will be required for the specific programs covered.

RECORDKEEPING:

Accurate records are to be kept regarding the date(s) and the exact amount of time worked on days in which the employee requested work release time, the amount of work release time used and the amount of time made up, as applicable. These records should be reflected on the official University timesheet submitted by the employee. A notation should be made on the time sheet indicating when work release time has occurred.

ADDITIONAL INFORMATION:

Additional information or questions regarding work release can be obtained by contacting the Employee Relations Unit in the Division of Human Resources at 293-5700x5.

EFFECTIVE DATE: August 1, 1999