



## General Guidance for Navigating Annual/Personal Leave Decisions

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1. Anyone in a leave-earning status (SHRA or EHRA) who is employed at the institution prior to January 1, 2025 is grandfathered to retain participation in the EHRA Annual Leave Program should they enter into a leave-earning EHRA position at that institution. This is because the SHRA vacation and EHRA annual leave programs can be transferrable, have the same payout benefit attached to them, and roll over excess leave annually to sick leave. Employees who would not be grandfathered (and so would have to adopt the EHRA Personal Leave Program) if moving into a leave-earning EHRA position on or after January 1, 2025 include:
  - a. temporary employees,
  - b. post-docs without a permanent appointment,
  - c. faculty who do not earn leave,
  - d. leave-earning EHRA employees first hired by the institution on or after January 1, 2025, and
  - e. leave-earning SHRA employees first hired by the institution on or after January 1, 2025 who later take a leave-earning EHRA position at the same institution.
2. EHRA employees of the institution who are grandfathered into the EHRA Annual Leave Program may opt into the EHRA Personal Leave Program on or after January 1, 2025. SHRA employees of the institution when moving into a leave-earning EHRA position on or after January 1, 2025 are grandfathered into the EHRA Annual Leave Program but also may opt into the EHRA Personal Leave Program.
  - a. Opting in is an irrevocable choice.
  - b. These employees may retain up to 30 calendar days of vacation/annual leave in as “Legacy Annual Leave” tracked separately from personal leave; any excess is forfeited.
  - c. The Legacy Annual Leave can be used like annual/personal leave and is paid out upon separation.
3. If a leave-earning employee (SHRA or EHRA) originally hired at an institution prior to January 1, 2025 has a break in service (31 calendar days or more), then returns to EHRA employment on or after January 1, 2025 at that institution, then that employee will be subject to the EHRA Personal Leave Program.
4. Temporary reductions in leave-earning status due to an FTE below 0.5 or an extended leave without pay will continue to be grandfathered if otherwise eligible when returning to leave-earning status.
5. 11- and 12-month faculty are eligible for EHRA Annual Leave currently; however, this annual leave is not paid out upon separation or transfer.
6. EHRA Personal Leave is always transferred between UNC institutions, up to 20 days (the excess is forfeited). If an EHRA employee with personal leave transfers to another state entity (non-university), the hiring entity can agree for the personal leave to transfer to vacation leave; otherwise, the personal leave is forfeited.
7. Legacy Annual Leave transfers to other positions within an institution but is paid out when the employee separates from the institution for any reason.
8. Vacation leave always transfers between SHRA positions within or between any state institutions.
9. Sick leave always transfers for all employees at all state institutions.
10. Functionally, SHRA vacation leave, EHRA annual leave, and EHRA personal leave are the same and used for the same purposes.
11. SHRA employees are not eligible to accrue annual or personal leave while they remain SHRA.
12. Vacation leave, annual leave, and personal leave may all be donated as voluntary shared leave. These leave donations convert to sick leave and are added to the receiving employee’s sick leave balance.



## EHRA Personal Leave Program – FAQs

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- 1. If a current employee decides to opt into the personal leave program, are they able to use the annual leave that they were allowed to retain or is it frozen?**

Employees can retain up to 30 days of “Legacy” Annual Leave. The Legacy Annual Leave is not frozen. An employee can use it at any time, similar to how bonus leave is used.

- 2. Does the Legacy Annual Leave have to be exhausted prior to an employee receiving Voluntary Shared Leave (VSL)?**

Yes, an employee must exhaust all available sick and vacation/bonus leave to be eligible to use VSL, so that would include the legacy annual leave that they carried forward. For EHRA employees, “vacation” in this context is the same as both annual and personal leave; that is, for an EHRA employee to use VSL, they would have to exhaust all sick leave, bonus leave, and annual/personal leave.

- 3. Can I donate Personal Leave to VSL if the recipient is under the annual leave program and vice versa?**

Yes, for the purposes of the voluntary shared leave program, personal leave and annual leave function under the same requirements and rules defined for vacation leave in the VSL policy. Once vacation, annual, or personal leave are donated under VSL, they convert to sick leave and are put in the receiving employee’s sick leave balance.

- 4. State policy says “[o]vertime compensatory time shall be taken before any vacation or bonus leave.” Would the same rule apply for EPS non-exempt positions that elect for personal leave?**

Yes, overtime compensatory time off (“comp time”) must be used prior to vacation or bonus leave. For EHRA employees, “vacation” in this context is the same as both annual and personal leave; that is, an EHRA employee must use comp time prior to using bonus leave and prior to using annual or personal leave.

- 5. What is the definition of “First Hired” at an institution for the purposes of being under the personal leave policy?**

For the purposes of this policy, “first hired” means when the employee began in a permanent, leave-earning role at that institution, either as SHRA or EHRA. This does not include temporary employment, 9-month faculty employment, post-docs who are not also permanent employees, or employees who are less than half-time.

- 6. If an employee was first hired by an institution prior to January 1, 2025, but leaves permanent employment and then returns to an EHRA role after January 1, 2025, will they be grandfathered under the annual leave program?**

No, the employee would be considered a new hire after a separation and subject to personal leave program.

- 7. For SHRA Employees first hired at the institution on or after 1/1/25, who later transition to an EPS position at that institution, are they mandated to move into the Personal Leave program at the time of conversion?**

Yes, these SHRA employees would fall under the personal leave program when moving into an EHRA position.

- 8. Is it at the institution's discretion whether or not to pay out accrued vacation/annual leave or to convert it to a legacy annual leave balance?**

Yes, the institution may decide whether or not to offer a payout of vacation/annual leave for employees opting into the personal leave program. The offer can be made at the time the person becomes eligible for personal leave and can also be provided periodically at management’s discretion. Institutions should set procedures for consistency of practice. The employee may choose to retain the leave balance. The legacy annual leave must be paid out when the employee separates from employment at the institution.



## EHRA Personal Leave Program – FAQs

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- 9. For an existing EHRA (SAAO, 12 Month Faculty, etc.) employee who is leave earning now and then sometime after 1/1/25 they drop below 0.5 FTE, currently, we pay them out their annual leave and retain sick leave. If they become leave earning again after 1/1/25 (for example, an increase in FTE), will they still be able to participate in the Annual Leave program or do they then convert to Personal Leave?**

If an employee is on a short-term reduction in FTE or an approved leave without pay, they would remain grandfathered so long as they do not separate from employment with the institution.

- 10. What should happen when a personal leave participant drops below eligibility? Ex: Personal Leave participant reduces FTE to .40 FTE. Do they retain their balance of Personal Leave or is it forfeited upon moving into the ineligible role?**

If the employee drops below 0.5 FTE and is therefore in a non-leave-earning situation, then their current personal leave balance may be forfeited or retained at the institution's discretion. Upon returning to a leave-earning FTE (half-time or greater), they would continue to accrue personal leave.

- 11. What happens to Personal Leave if a participant converts to SHRA: Is it forfeited at the time of transition to SHRA?**

Personal Leave is forfeited and sick leave would roll over.

- 12. What happens to the 2018 Special Bonus Leave used for participants in Personal Leave? Does any excess Personal Leave refresh the 2018 Special Bonus Leave balance on January 1 of each year?**

No. Because excess personal leave does not roll over to sick leave at the end of the calendar year, it does not replace any 2018 special bonus leave used during the calendar year.

- 13. What are the expectations regarding notifying eligible EHRA employees of their option to transition from earning annual leave to personal leave? Does an email to eligible employees suffice with directions to contact HR to initiate the change if they are interested? Or, do all employees need to indicate a Yes/No?**

Employees have to opt in, so institutions should provide them the opportunity. Institutions may want to use a request form for consistency in messaging and collecting the request. Institutions do not need to collect "no" responses, only responses from those who opt in.

- 14. Will the System Office be providing a template for opting in?**

Yes, the System Office will provide a template.

- 15. What are the timeline requirements for notifying eligible employees of the opt-in opportunity?**

Institutions should notify employees as soon as they become eligible or shortly thereafter. Institutions may establish a process for addressing upon eligibility or provide periodic opportunities to employees to convert.

- 16. Is this a one-time opportunity to switch to Personal Leave or can eligible employees make the switch at any time?**

Although, the policy doesn't expressly address this, institutions can leave it as a standing option (and may or may not provide periodic reminders). Once an employee does make the switch, however, it is irrevocable.

- 17. How does this impact current faculty in non-leave earning positions who accept an EPS leave-earning position (with faculty retreat rights) after January 1st? Are they only eligible for Personal Leave or are they grandfathered for Annual Leave? If they are only eligible for Personal Leave, does it matter if they previously earned Annual Leave through a prior administrative appointment?**

Non-leave-earning employees are not grandfathered into annual leave after December 31. Normally, a faculty member would not retain annual leave from a prior administrative appointment. It should be paid out.



## EHRA Personal Leave Program – FAQs

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- 18. Are we correct that current (hired prior to January 1, 2025) 12-month faculty will have the option to opt-out of the new personal leave policy and, as a result, we would need to maintain our current 12-month faculty leave policy?**

Yes, 12-month faculty who earn leave currently may continue under their existing annual leave program or opt into the personal leave program.

- 19. For the 30 days of legacy annual leave that employees can retain when opting into the personal leave program, is there a requirement that the employee must use the legacy annual leave prior to using their personal leave?**

No, in this case, the legacy annual leave functions much like most bonus leave; you are not required to use it before using personal [vacation] leave.

- 20. When should payout occur vs. transfer under SHRA to EPS conversion or accepting a promotion.**

Refer to the position transfer chart for information on position changes and leave transfers.

- 21. For SHRA employees does vacation leave transfer to a new institution?**

Yes, state policy requires that all vacation leave transfers when employees move from SHRA to SHRA position either within the same institution or across institutions.

- 22. For SHRA employees hired on/after 1/1/2025, who later move to an EPS position either through conversion or promotion at the same institution - can we pay them the Annual leave instead of "transferring" the balance to Personal leave?**

SHRA employees hired on or after January 1, 2025 who later move to an EHRA leave-earning position will be under the personal leave program. Their vacation leave balance (up to 240 hours) is paid out (the excess vacation leave is forfeited).

- 23. Confirm that Sick leave must be accepted upon transfer between universities regardless of EHRA/SHRA.**

Yes, sick leave balances always transfers in full for both SHRA and EHRA leave-earning positions. If the employee transfers to a non-leave-earning position, then the sick leave balance may be retained for up to five years and reapplied should the employee return to state service.

- 24. Will new EHRA law enforcement officers after January 1, 2025 be subject to the personal leave program?**

Yes, any new hire EHRA leave-earning employee on or after January 1, 2025 will be under the personal leave program.

- 25. Regarding LEOs and the importance of sick leave to their TSERS benefit; I have concerns about the impact this new leave program will have on recruiting LEOs.**

There are other compensation benefits available to university law enforcement that may not be available at other state agencies.