



HRM 60.201: LEAVE/LEAVE WITHOUT PAY

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HRM 60.201: LEAVE/LEAVE WITHOUT PAY

PURPOSE

This policy is to document an employee's rights under federal and state law and the policies of the Board of Trustees of the Institutions of Higher Learning regarding leave. For additional information and guidance on procedures for taking leave, see [HRM website](#).

PERSONAL LEAVE WITH PAY POLICY

Personal leave with pay is earned by all regular employees who work 50% time (i.e., 20 or more hours per week) or greater except nine-month faculty, student workers, graduate assistants, intermittent employees and rehired retirees according to employment status and length of annual employment periods. Personal leave may be used for vacations and personal business, and shall be used for illnesses and injuries requiring absences of one day or less. Personal leave may also be utilized during Family and Medical Leave (see Family and Medical Leave).

Personal leave may be taken only at times mutually agreed upon by the employee and their supervisor. Personal leave—except when medically required—may be denied if the employee's absence would significantly disrupt the operations of the department or unit. However, approval of personal leave must not be arbitrarily withheld and must be based on justifiable cause.

Supervisors may designate that personal leave may only be taken during specific times, based on operational needs and departmental schedules. If such scheduling requirements apply:

- **Non-contract employees** must be notified in writing in their offer letter and again at the beginning of each fiscal year.
- **Contract employees** must be notified in writing in their offer letter and upon issuance of annual contracts.

Before personal leave can be used, any available compensatory time balances must be exhausted (see HRM 60-311).

- A. Personal leave credit is earned proportionally according to employment status and computed on the basis of continuous service. Leave accruals are added to an employee's balance on the last working day of the month and will be available for use beginning the first day of the next month. The following monthly and annual accrual rates are based on employment for 40 hours per week for twelve months annually.

Table 1. Personal Leave Accrual Rates

Personal Leave Accrual Rates		
Continuous Service	Monthly Accrual Rate	Annual Accrual Rate
1 month to 3 years	12 hours	18 days
37 months to 8 years	14 hours	21 days
97 months to 15 years	16 hours	24 days
Over 15 years	18 hours	27 days

Employees working more than 20 hours per week and/or less than twelve months annually earn personal leave credit on a pro-rata basis depending on the number of hours worked.

There is no limit to the accumulation of earned personal leave.

Employees may not use more personal leave than they have accumulated.

An employee who has separated from employment with the University for more than eight hours and later is re-employed will begin a new period of employment and will accrue personal leave according to accrual rates for one month to three years of service. An employee who has separated from employment with the University for eight hours or less and is reemployed will accrue personal leave based on previous continuous service.

A maximum of 240 hours of personal leave may be granted within the six-month period immediately preceding separation from University employment. This would not include personal leave being used for medical reasons as documented on a medical certification form. Leave must be approved by the employee's supervisor and may be denied if it adversely affects department/unit operations. Exceptions require approval through the appropriate administrative channels and the Chief Human Resources Officer.

Personal leave will not be approved for the purpose of outside employment once an employee has submitted a written notice of resignation.

The department/unit is responsible for monitoring, processing, and tracking personal leave for employees.

Personal Leave: Nine-Month Faculty

Personal leave policy provisions are not applicable for nine-month faculty members. Duty and non-duty requirements for these faculty members are determined by individual assignments, annual academic calendar, related activities, and special conditions as may be determined by departmental and University programs. However, a nine-month faculty member who earned personal leave while in a twelve-month position, may use the accrued personal leave during their nine-month contract period (August 16 – May 15) until the personal leave is exhausted.

MAJOR MEDICAL LEAVE WITH PAY POLICY

Major medical leave is earned by all regular employees who work 50 percent time or greater (i.e., 20 or more hours per week); except student workers, graduate assistants, intermittent employees, and rehired retirees according to employment status and length of annual

employment periods.

Before major medical leave may be used:

- Employees must first use accrued **compensatory time or personal leave** for the initial **eight hours** (or the equivalent of one regularly scheduled workday for part-time employees) of any illness or injury affecting themselves or an immediate family member.
- If no personal leave or compensatory time is available, the first eight hours should be taken as **leave without pay**.
- **Faculty** who accrue only major medical leave may use it for the first eight hours of illness. However, accrued medical leave is only available for use during the **9-month contract period** (August 16 – May 15).

If an employee is required to seek ongoing or continuing treatment of a chronic disease or serious medical or mental health condition, the employee is only required to use personal leave for the first 8 hours even though the absences are not continuous so long as the employee has medical certification approved and on file with the department. Employees with ongoing or continuing treatment may qualify for Family Medical Leave (see Family and Medical Leave.)

Major medical leave may be used for the illness or injury of an employee or member of the employee's immediate family, including spouse, parent, stepparent, brother or sister, child, stepchild, grandchild, grandparent, son- or daughter-in-law, mother- or father-in-law, or brother- or sister-in-law. Child means a biological, adopted or foster child, or a child for whom the employee stands or stood in loco parentis.

- A. An employee earns major medical leave credit proportionally according to employment status and computed on the basis of continuous service. Major medical leave is credited monthly after the completion of each calendar month of service. The following monthly and annual accrual rates are based on employment for 40 hours per week for twelve months:

Table 2. Major Medical Leave Accrual Rates (12-month employees)

Major Medical Leave Accrual Rates (12-month employees)		
Continuous Service	Monthly Accrual Rate	Annual Accrual Rate
1 month to 3 years	8 hours	12 days
37 months to 8 years	7 hours	10.5 days
97 months to 15 years	6 hours	9 days
Over 15 years	5 hours	7.5 days

- B. Nine-month faculty accrue credit for major medical leave as follows:

Table 3. Major Medical Leave Accrual Rates (9-month employees)

Major Medical Leave Accrual Rates (9-month employees)		
Continuous Service	Monthly Accrual Rate	Annual Accrual Rate
1 month to 3 years	13 1/3 hours	15 days
37 months to 8 years	14 1/5 hours	16 days
97 months to 15 years	15 2/5 hours	17 days
Over 15 years	16 hours	18 days

An employee who works more than 20 hours per week and/or less than twelve months annually earns major medical leave credit on a pro-rata basis depending on the number of hours worked.

There is no limit to the accumulation of earned major medical leave.

Employees may not use more major medical leave than they have accumulated.

Major medical leave that causes absences beyond 32 consecutive working hours (combined personal/compensatory and major medical leave) must be certified in the form of a medical certification or statement by a physician. However, after consultation and approval from HRM, a department/unit head may require a medical certification for sick leave of any duration.

For major medical leave that does not qualify as a serious health condition under FMLA (See Family and Medical Leave), the employee may provide a written certification or statement from the physician. The medical certification must confirm the nature of the illness or injury, the duration of the absence, and be signed by a physician. All other major medical leave that would qualify as a serious health condition under FMLA (see Family and Medical Leave) must be submitted on the University's medical certification or comparable form.

When an employee's absence is due to a work related injury and payment is being received under the Workers' Compensation Law, the employee may use only enough leave as necessary (which may be less than eight (8) hours of accrued personal and/or major medical leave in a day) to make up the difference in workers' compensation's temporary disability benefits payment and 100 percent of their wages earned in state service at the time of the injury.

An employee who has separated from University employment for more than eight hours and later is reemployed will begin a new period of employment and will accrue major medical leave according to accrual rates for one month to three years of service. An employee who has separated from University employment for eight hours or less and who is reemployed will accrue major medical leave based on previous continuous service.

An employee on an approved leave of absence for one year or less who later returns to duty is eligible for accumulated major medical leave which was earned prior to taking leave.

The department/unit is responsible for monitoring, processing, and tracking major medical leave for employees.

MAJOR MEDICAL LEAVE FOR ADOPTION OR FOSTER CARE

An employee may use up to six (6) weeks of earned major medical leave for the placement with

the employee of a child for adoption or foster care, and to care for the newly placed child. Major medical leave used for adoption or foster care must be used within one year of placement.

PARENTAL LEAVE

Mississippi law provides eligible state employees with paid time off to care for a newborn or newly adopted child, supporting family bonding and well-being.

To be eligible to take parental leave, an employee must:

- Have been employed in a regular, full-time position by the State of Mississippi or any agency, department or institution of the state for at least 12 consecutive months.
- Be designated as the primary caregiver of a child following birth or legal adoption (under age 18). The primary caregiver means the parent who has the primary responsibility for the care of a child following the birth or adoption of a child. If both parents are Mississippi State University employees, only one employee may be designated as the primary caregiver for a given period of time.

The primary caregiver will be entitled up to 6 weeks (240 hours) of paid parental leave at 100% of the employee's regular salary.

- Leave must be used within 12 weeks of the child's birth or adoption.
- Paid parental leave may only be used once in a 12-month period.
- Leave is in addition to other state or federal leave entitlements and does not reduce accrued personal or major medical leave.
- Leave runs concurrently with FMLA where applicable.
- Holidays will not be counted against paid parental leave.
- This leave does not accrue, carry over, count toward retirement, or pay out upon separation.

SEPARATION LEAVE PAYOUT/TRANSFERRING LEAVE POLICY

An eligible employee separating from employment is paid in a lump sum for the unused portion of earned personal leave time, not to exceed 240 hours, unless transferring to another state agency in Mississippi. Unused personal leave in excess of 240 hours may be counted as creditable service for an employee participating in the Public Employees' Retirement System in accordance with the system's guidelines. Unused personal leave in excess of 240 hours will be forfeited by an employee participating in the Optional Retirement Plan.

Upon retirement from regular employment, a faculty member who is employed on a nine-month basis shall be paid for accrued major medical leave not to exceed 240 hours.

Unused major medical leave in excess of 240 hours may be counted as creditable service for an employee participating in the Public Employees' Retirement System in accordance with the system's guidelines. Unused major medical leave in excess of 240 hours is forfeited by an employee participating in the Optional Retirement Plan.

If an employee presents medical evidence that his/her health condition is such that employment with the University must be terminated, the employee may present a written resignation letter and be paid for earned major medical leave not to exceed 960 hours. The employee may apply for disability benefits with the Public Employees' Retirement System, if applicable, and elect to remain in a paid leave status until approved for disability retirement or accrued leave is exhausted.

Should an employee die prior to separation from the University, payment for the total amount of accumulated personal leave at the time of death is made to the person designated by the employee for this purpose or, in the absence of such designation, to the beneficiary of the employee as recorded with the Public Employees' Retirement System or the Optional Retirement Plan, as appropriate. Unused major medical leave may be counted as creditable service for an employee participating in the Public Employees' Retirement System in accordance with the system's guidelines. Unused major medical leave is forfeited by an employee participating in the Optional Retirement Plan.

Transferring Credit for Leave Days

When an employee transfers from one unit to another within the University, cumulative earned personal and major medical leave credits are retained at the time of the transfer provided employment is continuous. The department accepting the transferred employee assumes liability for personal and major medical leave earned by the employee. Accrued personal and major medical leave is transferable with employees between or among any and all State of Mississippi agencies, junior colleges, and Institutions of Higher Learning. New employees to the University from another state agency or institution in Mississippi may transfer leave credits to the University upon proper certification from the former employing State unit provided their employment is continuous. Employment is considered continuous in both situations provided not more than eight hours of unemployment is involved between the transfer from one unit to the other.

When an employee transfers to another agency or institution within the State, the University will, at the request of the employee, certify the unused personal and major medical leave as of the date of the transfer.

DONATED LEAVE POLICY

An employee may donate accrued personal or major medical leave to other Mississippi State University employees who are suffering from a catastrophic injury or illness, or to another employee who has a member of his/her immediate family suffering from a catastrophic injury or illness. Donated leave and Family and Medical Leave (FMLA) must be used concurrently.

Catastrophic injury or illness is defined as a life-threatening injury or illness of an employee or a member of an employee's immediate family which totally incapacitates the employee from work,

as verified by a licensed physician, and forces the employee to exhaust all leave time earned by that employee, resulting in the loss of compensation from the state for the employee. Conditions that are short-term in nature, including, but not limited to, common illnesses such as influenza and the measles, and common injuries, are not catastrophic. Chronic illnesses or injuries, such as cancer or major surgery, which result in intermittent absences from work and which are long-term in nature and require long recuperation periods may be considered catastrophic.

Immediate family is defined as spouse, parent, stepparent, sibling, child or stepchild.

- A. An employee donating leave must maintain 56 hours of personal leave and 50 percent of major medical leave. All donated leave shall be increments of not less than twenty-four hours.

An employee may not donate leave after giving notice of separation for any reason or after termination.

Agencies having more than 500 employees may receive donated leave only from employees within the same agency. Therefore, while Mississippi State University (MSU) employees may donate leave to employees in other agencies, if the agency has less than 500 employees, MSU employees can only receive donated leave from other MSU employees.

In order to receive donated leave, an employee must have been employed for at least one year and worked at least 1250 hours during that year and have a certified catastrophic injury or illness.

An employee must have exhausted all earned personal and major medical leave before being eligible to receive any leave donated by another employee.

The maximum period of time that an employee may use donated leave without returning to work is 90 days, which begins on the first day that the recipient employee uses donated leave.

LEAVE FOR DEATH IN THE IMMEDIATE FAMILY POLICY

When absent from duty due to a death in the immediate family (spouse, parent, step- parent, sibling, child, step-child, grandchild, grandparent, son-or daughter-in-law, mother- or father-in-law, or brother- or sister-in-law), an employee may use up to three days of earned major medical leave per occurrence. The dates do not have to be consecutive. If additional time is needed for that absence, major medical leave and/or personal leave policies and procedures apply (see Personal Leave with Pay, and Major Medical Leave with Pay), as appropriate.

ADMINISTRATIVE LEAVE POLICY

Jury Duty: An employee summoned to jury duty, as verified by the Clerk of the Court, will be granted administrative leave for all hours required for such duty, not to exceed the number of hours in the normal work day. If the jury duty does not require an absence for the entire work day, the employee is expected to return to work immediately upon release by the court.

Witness: An employee subpoenaed as a witness in a court or administrative hearing, as verified

by the Clerk of the Court, not involving personal litigation or service as a paid expert witness, will be granted administrative leave.

If an employee is subpoenaed in the line of duty to represent the University as a witness or defendant, this appearance will be considered as a part of the job assignment (time worked) rather than being covered by administrative leave.

Administrative leave will not be granted for court attendance if the employee is engaged in personal litigation or serving as a paid expert witness. In these instances, however, the employee may be approved to use accrued personal leave. If the employee makes an appearance as an expert witness for which professional compensation will be received, the University's policies on Outside Employment (see HRM 60-415 and OP 56.02) and Anti-Kickback & Procurement Ethics in Public Contracting (see OP 65.03) may apply.

Disaster, Emergency or Extreme Weather Conditions-When University is Closed: The president may close the University and grant administrative leave with pay in the event of local or state-wide disaster, emergency or extreme weather conditions. Selective functions will be identified as essential during closings. Employees in these areas will be made aware of this designation and may be required to report to work at the request of the department/unit head.

If disaster, emergency, or extreme weather conditions vary throughout the state, it is the responsibility of the appropriate vice president to make a recommendation to the president regarding the need to grant administrative leave in each location. ([See OP 60.322](#))

Disaster, Emergency or Extreme Weather Conditions-When University is Open: In the event the president does not close the University, an employee must use personal or compensatory leave to cover the absence. If personal or compensatory leave is not available, the leave will be without pay.

Disaster, Volunteer Service: An employee may be granted administrative leave with pay for not more than 20 working days in a twelve month period to participate in disaster relief services with the State of Mississippi or in contiguous states. Leave may be granted when the following conditions are met:

- the employee must be a certified disaster service volunteer of the American Red Cross;
- the service of the employee is specifically requested by the American Red Cross;
- during the period of absence, the employee will participate in specialized disaster relief services within the State of Mississippi or contiguous states; and,
- the disaster is designated at Level II and above as defined by the American Red Cross National Regulations and Procedures.

Upon receipt of written confirmation by the American Red Cross that the above conditions have been met, administrative leave may be granted unless it unduly affects the department/unit. An employee on such leave shall not be deemed to be an employee of the state for purposes of workers' compensation or for purposes of claims against the state allowed under Chapter 46,

Title 11, Mississippi Code 1972.

Investigative Leave: The president or the responsible vice president may place an employee on investigative leave when the presence in the work place may result in damage to property, violence, or compromise an investigation.

MILITARY LEAVE/VETERAN'S RE-EMPLOYMENT RIGHTS POLICY

In accordance with the Uniformed Services Employment and Re-employment Rights Act of 1994, an employee who is in "uniformed service" (full-time and reserve components of the Army, Navy, Marine Corps, Air Force, Coast Guard, National Guard, and the commissioned corps of the Public Health Service) and ordered to duty to participate in training at encampments, field exercises, maneuvers, out-door target practice, fitness-for-duty examinations or for other exercises is entitled to leave of absence from respective duties, without loss of pay, time, annual leave, or efficiency rating.

An employee is eligible to take military leave if;

1. the employee or an appropriate officer of the branch of the uniformed service in which the employee will be serving gives advance written or oral notice of the employee's military service to the department. The department can request supporting documents from the employee upon the employee's return from military leave; and,
2. the combined length of the employee's previous military absences from the University does not exceed five years.

Under federal law, an employee is entitled to re-employment upon discharge from the service including, but not limited to, reinstatement to the former position or similar position, reinstatement of benefits, and protection from arbitrary discharge. For detailed information regarding veterans' re-employment rights, contact the Department of Human Resources Management.

Paid Leave - The first 15 days of military leave in any calendar year may be with pay if the employee provides a copy of orders to duty/verification of military service. An employee may be granted personal leave for the period in excess of 15 days by the department/unit head when requested.

Unpaid Leave - If an employee does not wish to utilize accrued personal leave or provide a copy of orders to duty/verification of military service, the employee must be granted leave without pay until relieved from military duty.

FAMILY AND MEDICAL LEAVE POLICY (Effective January 1, 2026)

Background

The Family and Medical Leave Act (FMLA) provides certain employees who are absent from work for an extended period of time for specified medical, family, and military reasons with job protected leave with continuation of group insurance coverage. The University provides leave

benefits as mandated by the Family and Medical Leave Act of 1993, as amended (FMLA).

Definitions

Parent - A biological, adoptive, step, or foster father or mother or an individual who stood in loco parentis (a person who is in the position or place of a parent) to an employee when the employee was a child. This term does not include parents “in-law.”

Child - A son or daughter who is:

- under 18 years of age, or
- is 18 years of age or older and incapable of self-care because of a physical or mental disability

and who is:

- a biological child,
- an adopted child,
- a foster child (a child for whom the employee performs the duties of a parent as if it were the employee’s child),
- a step-child (a child of the employee’s spouse from a former marriage),
- a legal ward (a minor child placed by the court under the care of a guardian), or
- a child of an employee standing in loco parentis.

Spouse - A husband or wife recognized under state law for purposes of marriage in the State in which the marriage was entered into. This definition includes an individual in a same-sex or common law marriage that was entered into in a State that recognizes such marriages. In the case of a marriage entered into outside of any State, the marriage is recognized if the marriage is valid in the place where entered into and could have been entered into in at least one State.

Serious Health Condition - An illness, injury, impairment, or physical or mental condition that involves either inpatient care in a hospital, hospice, or residential medical care facility, or that involves continuing treatment by a health care provider. If inpatient care is not required, absence from work (or school, in the case of a child), or incapacity from normal activities is part of the definition of “serious health condition.”

The period of actual physical disability associated with childbirth is considered a serious health condition for purposes of FMLA.

Also included in the definition of “serious health condition” are chronic conditions which require periodic treatments, or conditions that may cause episodes of symptoms preventing the employee from reporting for work. Examples of such conditions may include, but are not limited to, most

cancers, back conditions requiring extensive therapy or surgery, severe arthritis, severe nervous disorders, Alzheimer's disease, and kidney disease.

Non-Serious Medical Conditions - Ordinarily, unless complications arise, the following are examples of conditions that do not meet the definition: common cold, flu, ear aches, upset stomach, minor ulcers, headaches other than migraine, routine dental or orthodontia problems, periodontal disease, cosmetic treatments, etc.

Incapacity - Inability to work, attend school, or perform other regular daily activities due to the serious health condition, treatment therefore, or recovery therefrom.

Treatment - Examinations to determine if a serious health condition exists and evaluations of the condition. Treatment does not include routine physical exams, eye exams, or dental examinations. A regimen of continuing treatment includes, for example, a course of prescription medication (e.g. an antibiotic) or therapy requiring special equipment to resolve or alleviate the health condition (e.g. oxygen). A regimen of continuing treatment that includes the taking of over-the-counter medications such as aspirin, antihistamines, or salves; bed-rest; drinking fluids; exercise; and other similar activities that can be initiated without a visit to the health care provider, is not, by itself, sufficient to constitute a regimen of continuing treatment for purposes of Family & Medical Leave.

Eligibility

To be eligible to take FMLA, an employee must meet all of the criteria:

- Employed for at least (12) non-consecutive months. Any portion of a week that the employee is on payroll counts as a full week for FMLA eligibility.
- For the 12 months preceding the first day of FMLA leave, the employee must have worked at least 1,250 hours. These hours must be actual work hours, not compensated hours. Hours using any type of paid time off benefits or holiday time do not count.

Time in military service covered under the Uniformed Services Employment and Reemployment Rights Act (USERRA) will count towards fulfilling the length of employment and hours of work requirements to be eligible for FMLA leave.

FMLA Qualifying Conditions:

The following reasons qualify an employee for FMLA:

- The birth of a child and to care for the child following birth, so long as the leave is taken within 12 months of the birth of the child.
- To care for a child placed with an employee for adoption or foster care, so long as the leave is taken within 12 months of the placement.
- To care for an employee's child, spouse or parent, where that child, spouse or parent has a serious health condition.

- Due to an employee's own serious health condition that makes the employee unable to perform one or more of the essential functions of his/her job, including incapacity due to pregnancy and for prenatal medical care.
- Any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member or covered active status:

An eligible employee may also take up to 26 workweeks of leave during a single 12-month period to care for a covered servicemember with a serious injury or illness when the employee is the spouse, son, daughter, parent, or next of kin of the servicemember. An eligible employee is limited to a combined total of 26 workweeks of leave for any FMLA-qualifying reasons during the single 12-month period.

A covered service member is a current member of the armed forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

Policy

1. An employee may take up to 12 workweeks of FMLA during a calendar year. Unused portions of the 12-week leave may not be carried over. FMLA may be taken all at once, or intermittently or on a reduced leave schedule, if there is medical necessity.
2. If any nine-month faculty member has a covered event to occur that would call for the use of this policy during the summer months (between May 16 and August 15), the employee is not eligible for paid-leave status.
3. Employees will be required to use accrued (personal and/or major medical) leave concurrent with FMLA. Upon exhausting accrued leave, the employee will be changed to an unpaid status (leave without pay) due to a family and medical leave qualifying event as certified on the University's medical certification or comparable form.
4. When an employee is receiving payment from workers' compensation insurance, the employee may use only enough leave as necessary (which may be less than eight (8) hours of accrued personal and/or major medical leave in a day) to make up the difference in the workers' compensation's temporary disability benefits payment and 100 percent of their wages earned in state service at the time of the injury. However, the entire period of absence is considered family and medical leave as certified on the medical certification form.
5. An employee may request and be granted intermittent leave or a reduced work schedule for the birth or placement of a child if it is workable for their department. If, however, a child has a serious health condition, a parent is entitled to use FMLA leave intermittently or to work a reduced schedule to care for the child.
6. Leave requests due to childbirth or placement of a child through adoption or foster care

will only be honored within twelve months of the birth or placement. In cases where the spouses both work for Mississippi State University and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent with a serious health condition, the spouses may only take a combined total of 12 weeks of leave.

7. Upon return from leave, the employee will be restored to his/her original position or an equivalent position with equivalent pay, benefits, and other terms of employment.

Requesting FMLA

Family and Medical Leave will be granted once the University learns an employee has a qualifying event. Employees will be required to use accrued leave concurrent with FMLA. Upon exhausting accrued leave, the employee will be changed to unpaid status.

The employee should request Family and Medical Leave, per the University's FMLA procedures, indicating the purpose of the leave and the period of leave requested. If the leave is requested to be taken as an intermittent or on a reduced-time basis, a description of the schedule is to be provided. A certificate from a physician or practitioner may be required for any leave but is required beyond 32 hours.

The employee must provide the University at least 30 days advanced notice before the use of Family and Medical Leave if the need for the leave is foreseeable based upon expected birth, adoption, or foster care placement or planned medical treatment of the employee or family member. If 30 days is not practicable, notice must be given as soon as practicable.

Within five business days of the leave request (or knowledge that leave may be FMLA-qualifying), the University is required to provide the employee with an FMLA Eligibility Rights and Responsibilities Notice. An employee must be allowed fifteen (15) calendar days to return the signed Eligibility Form and the University's medical certification or comparable form to the department. A new notice for subsequent qualifying reason is required if eligibility status changes.

Once the University has acquired knowledge that the leave is being taken for a reason covered by Family and Medical Leave, the University must promptly (within five business days, absent extenuating circumstances) notify the employee that leave is designated as Family and Medical Leave.

Medical Certification

The employee is responsible for providing the University with sufficient information on the University's medical certification or comparable form from a health care provider, if applicable, for determining if the requested leave is covered by Family and Medical Leave.

In the case of childbirth or placement of a child through adoption or foster care, certification must include: 1) documentation by the health care provider in the case of childbirth, or verification by a judge of the placement of a child in the case of adoption or foster care; and, 2) the probable duration of the leave requested.

The employee's department must not contact the health care provider to authenticate or clarify the medical certification. If a department/unit head has questions about the validity of the certification provided, the Department of Human Resources Management should be requested to review to determine if additional information or clarification is needed.

The University reserves the right to request information updating the employee's condition and at least a tentative "return to work" date. Employees may be required to provide a fitness for duty certification statement from an attending physician showing that the employee is able to resume work.

Continuation of Benefits

The University will continue to pay the employee's portion (employee only; not dependents) of the University's health insurance premium during the leave. If the employee does not return to work after the Leave for reasons other than health or some other reason beyond the employee's control, the University reserves the right to charge the employee for the full premium cost of the health coverage provided. At the time accrued paid leave is exhausted and an unpaid leave of absence begins, an employee must make arrangements with the Department of Human Resources Management for continuation of benefits coverage, including health, life, dental, and other applicable insurances.

ORGAN DONOR LEAVE

An employee may use up to thirty days of organ donation leave in any twelve-month period to serve as a bone marrow donor, up to thirty (30) days of organ donation leave in any twelve-month period to serve as an organ donor, or up to one (1) hour to donate blood every fifty-six (56) days, and up to two (2) hours to donate blood platelets in accordance with appropriate medical standards established by the American Red Cross or other nationally recognized standards. Leave for donation of blood platelets may not be granted more than twenty-four (24) times in a twelve-month period. In accordance with Mississippi Statute 25-3-103 (2014), an employee shall not be required to use accumulated sick or vacation leave time before being eligible for organ donor leave.

An employee must request approval in advance for leave to donate bone marrow or organ(s), and provide appropriate medical certification signed by a licensed physician on the university's medical certification or comparable form. Leave requests for donation of blood in non-emergency situations must be submitted and approved in advance, and supported by an American Red Cross blood donation card, or the university's medical certification form signed by a licensed health care provider.

Should an employee request leave for emergency illness or injury requiring blood or organ donation to another individual, a completed medical certification form signed by a licensed physician must be submitted within fifteen (15) days after the employer's request for medical certification.

GENERAL LEAVE OF ABSENCE POLICY (LEAVE WITHOUT PAY)

A leave of absence without pay may be granted to regular employees, after applicable accrued

personal, major medical, and compensatory leave are exhausted, for a period of one month up to one (1) calendar year at the discretion of the employees' responsible Administrator. Leave may be granted for, but not limited to, medical disability of an employee or family members (see Family and Medical Leave), enrollment in educational course work relating to the employee's position, temporary relocation of the employee's spouse, or family emergency. In the case of professional development beneficial to the employee and the University, the employee would not have to first exhaust accumulated leave. An employee will remain benefits eligible if either working or utilizing paid leave for one half of the pay period. A leave of absence will not be approved for outside employment purposes, except when the outside employment is of benefit to the employee and the University. The responsible administrator must consider the individual circumstances, including the impact the leave of absence will have on the department, the specialization and/or critical nature of the position, and the practicality of replacing the employee for the period of the leave of absence. The leave will not be granted unless the employee intends to return to work at the University at the expiration of the leave of absence.

Service time in the Public Employees' Retirement System of Mississippi is not earned for any period of leave of absence without pay nor are contributions made to the Optional Retirement Plan. Also, personal and major medical leave days are not earned during the leave of absence. Insurance coverage may be retained during the leave provided that prior arrangements are made through the Department of Human Resources Management and total premiums for coverage are paid by the employee.

PROFESSIONAL LEAVE OF ABSENCE POLICY

A professional leave of absence without pay may be granted for a period of up to two (2) years during any ten (10) year period of state service at the discretion of a regular employee's responsible administrator. During a professional leave, service must be performed with a public institution or public agency of the state, or another state or federal agency. Additionally, the professional leave must benefit both the employee and the University. The responsible administrator must consider the individual circumstances, including the impact the leave of absence will have on the department, the specialization and/or critical nature of the position, and the practicality of replacing the employee for the period of the leave of absence. As a condition of granting such a leave, the employee shall agree to return to University employment on a full-time basis immediately following the termination of the approved leave for a period of time equivalent to the period of the professional leave.

Benefits

An employee who participates in the Public Employees' Retirement System may receive creditable service for the period of the professional leave of absence according to the system's guidelines. Payment may be purchased in not less than quarter year increments prior to retirement. An employee participating in the Optional Retirement Plan will not make contributions into the Plan for the period of the professional leave of absence. Personal and major medical leave are not earned during the professional leave of absence; however, earned leave credits on record at the beginning of the leave of absence are not forfeited provided the employee returns to duty as outlined above. Insurance coverage may be retained during the leave of absence provided that prior arrangements are made through the Department of Human

Resources Management and total premiums for coverage are paid by the employee.

REVIEW

The Chief Human Resources Officer is responsible for review of this policy as needed but no less frequently than four years.

REVIEWED BY:

/s/ Leslie Corey
Chief Human Resources Officer

10/13/2025
Date

/s/ David Shaw
Provost and Executive Vice President

10/14/2025
Date

/s/ Tracey N. Baham
Associate Vice President, Institutional Strategy & Effectiveness

10/15/2025
Date

/s/ Joan Lucas
General Counsel

10/15/2025
Date

APPROVED BY:

/s/ Mark E. Keenum
President

10/30/2025
Date