Section 4

COMPENSATION AND BENEFITS

4.1 Salary

4.1.A Pay Schedules
The salary of a member of the instructional staff will be paid in either nine (9) or twelve (12) installments, as the individual prefers. Arrangements for the twelve-month plan must be made prior to August 12 for any given year by signing a salary preference card in the Department of Human Resources office. Salary is paid on the last working day of the month. Services performed during the summer terms are compensated separately.

Members of the administrative staff receive their salaries in twelve (12) equal installments, distributed on the last working day of each month.

Direct deposit of wages is required for all new employees. Exact dates for the payroll schedules are available from the Payroll Office.

4.1.B Deductions
Deductions from salaries are made for federal, state, and city income taxes and contributions to the appropriate state or alternative retirement program. Additional deductions will be made upon the staff member's authorization for purchase of Series E savings bonds, payments to the Miami University Employee's Federal Credit Union, payments to Miami University, purchase of optional fringe benefits available through the University, and contributions to University-qualified charitable organizations.

Miami complies fully with all applicable federal and state laws regarding wages and deductions. If any employee believes that improper deductions have been made from his or her pay, the employee should lodge a complaint with the Manager of the Payroll Office. If the employee is not satisfied with the Payroll Manager’s response, the employee may appeal to the director of the appropriate personnel office. It is the policy of Miami University to reimburse employees for any improper wage deductions.

4.1.C Compensation
Employees shall have the right to know the criteria on which compensation is based. Criteria for salary action originating at the departmental level and/or with the immediate supervisor shall be made available to the concerned employee upon request.

An ongoing process of salary review and adjustment exists to correct past inequities, if any, determined to be a result of discrimination based on race, national origin, sex, age, or disability.

4.1.D Salary Increments - Instructional Staff
Annual salary increments for the instructional staff are determined as a result of guidelines set by the President. From these guidelines, increases for Oxford campus faculty are then recommended by Oxford campus department chairs, through the academic deans and the Provost, to the President. For instructional staff on the regional campuses, regional campus chairs or coordinators make initial recommendations to the appropriate executive director, who then forwards recommendations to the Provost and the President.
4.1.E Salary Rates for Government Grant or Contract Work - Instructional Staff
When a portion of a staff member's salary is derived from work performed under a government grant or contract administered by Miami University, the amount charged to the grant or contract will be based upon the individual's regular rate of compensation. Extra compensation for work on government grants or contracts during the individual's regular period of full-time service to the University (academic year for a faculty member) is not allowable. Since intra-university consulting is assumed to be undertaken as a University obligation requiring no compensation in addition to full-time base salary, the principle also applies to those who function as consultants or otherwise contribute to a project conducted by another Miami University staff member. However, in unusual cases where consultation is across departmental lines or involves a separate or remote operation, and the work performed by the consultant is in addition to that person's regular load, extra compensation above the base salary may be allowable, provided such consulting arrangement is specifically provided for in the grant or contract agreement or approved in writing by the sponsoring agency. Payments for work performed on a government grant or contract administered by Miami during the summer months will be at a rate not to exceed the individual's base salary rate according to the summer salary schedule adopted by the Board of Trustees.

4.2 Vacation - Unclassified Administrative Staff

4.2.A General
As a professional, each member of the instructional staff assumes a commitment to meet all scheduled classes and to discharge the other responsibilities of teaching, advising, research, service, and administration associated with membership in a university community. Administrative staff members have an obligation to ensure the progress of the educational program of the University. An individual who expects to be absent should obtain advance permission from the department chair or other supervisor, and assist in making arrangements for proper coverage of duties. Whenever it is not possible to perform regular duties, this fact shall be reported to the chair or supervisor as soon as possible.

The purpose of the vacation benefit is to provide time away from work for rest, recreation and renewal; the University, therefore, expects its unclassified administrative staff to use vacation time each year for such purposes. It is also recognized, however, that it may not always be possible for an individual to use his or her full complement of vacation days within a given contract year; for this reason, while accumulation of vacation time is discouraged, it is permitted within the limits set forth below.

4.2.B Vacation

1. Full-time administrative staff with a 12-, 11-, or 10-month appointment earn vacation. Part-time administrative staff (less than 40 hours per week) do not earn vacation.

In lieu of vacation, faculty are not required to work during the University break periods that fall within the term of their academic-year appointment (Fall Three Day, Thanksgiving, Winter and Spring Breaks). Faculty who choose to work may not use these days at any other time nor are they entitled to accrue or cash out any unused days.

In lieu of vacation, coaches, trainers, and equipment managers are entitled to 22 noncontract days per fiscal year as approved by their supervisor. Coaches, trainers, and equipment managers are not entitled to accrue or carry over unused, noncontract days beyond the term of their annual appointment nor are they entitled to cash out any unused, noncontract days.

2. The following governs the accrual and use of vacation by 12-, 11-, and 10-month full-time administrative staff:
A. Full-time administrative staff on a 12-, 11-, or 10-month contract earn vacation at the rate of 1 3/4 days per month.
   • An additional vacation day will accrue in the final month of service each year for 12-month full-time members of the administrative staff (total: 22 days).
   • An additional 3/4 of a vacation day will accrue in the final month of service each year for 11-month full-time members of the administrative staff (total: 20 days).
   • An additional 1/2 of a vacation day will accrue in the final month of service each year for 10-month full-time members of the administrative staff (total: 18 days).

Administrative staff governed by this policy who begin work (as reflected by the payroll) before the 16th day of any month will earn 1 3/4 days of vacation for that month. Administrative staff whose last day of work is before the 16th of any month will not earn vacation for that month. Vacation days do not accrue during a leave of absence without pay.

B. Vacation may be used in increments of one-half day for absences of four (4) hours or less or one full day for absences of more than four (4) hours. Requests for vacation of more than two (2) days duration should be made at least one (1) month in advance. All vacation leave must be approved in advance by the staff member’s supervisor.

C. No administrative staff member may carry forward more that forty (40) days of accrued but unused vacation. Any administrative staff member who has accrued vacation in excess of forty (40) days at the end of contract year (June) is given a grace period and is required to use the excess vacation days by the end of August.

D. Any vacation days in excess of forty (40) not used by the end of the grace period will be transferred to a "Disability/ Illness Reserve." The "Disability/Illness Reserve" may only be used by the employee when his or her accumulated sick leave has been exhausted through a period of disability or illness.

E. Use of accrued vacation days will be recorded on the "Vacation and Sick Leave Record" by the individual charged with maintaining such records in each administrative unit; such records will be filed annually with the Department of Human Resources.

F. Vacation day use will not be charged against days not scheduled to work or University-recognized holidays (see “Holidays”). The University generally closes for several days during Winter Break. Certain University departments remain open; therefore, some employees are required to work. In order for administrative staff who are not required to work to be paid for the days the University is closed, the use of accrued vacation is required.

G. Upon retirement, termination, or death, the administrative staff member or his or her estate shall be compensated at the final rate of pay for unused vacation to a maximum of forty (40) days. Compensation shall be paid within ninety (90) days of retirement, termination, or death.

4.3 Holidays - Unclassified Administrative Staff
These are the only holidays to which administrative staff are entitled. Other periods when classes are not in session (e.g., the break between semesters, spring break) are not holidays, and members of the administrative staff are expected to be at work.

State statute permits the designation of certain holidays to be observed on days other than when they are observed by the rest of the state. Miami's annual holiday schedule reflects these changes.

On certain holidays, the University is open for business. Administrative staff members who are required to work on such a day will be given a day off at a time agreed to by both staff member and supervisor.

4.4 Professional Development or Educational Leave - Unclassified Administrative Staff
Vice presidents may recommend to the President professional development or educational leaves, at full or reduced salary, for members of the unclassified administrative staff; such leaves must be for the purpose of professional development that will enhance the staff member's ability to perform Miami University administrative functions. Such activities will typically involve formal training programs sponsored by other universities or conducted under the sponsorship of professional associations or societies. Normally, a professional development or educational leave will not be granted for the purpose of pursuing a degree (see Section 4.7, Personal Leave). All professional development and educational leaves of absence are subject to the approval of the President. Applications for such leaves must be made to the appropriate vice president at least six (6) months prior to the beginning date of the requested leave. If a leave is granted, vacation and sick leave credits shall not be accrued or used during the period of the leave. Retirement contributions will be made only as allowed by STRS, PERS, PERS-LE, or the Alternative Retirement Plan (ARP).

A request for a leave should detail the activities proposed, the duration of the leave, and the significance of the proposed activities for the mission of the University. The request must also indicate how the department will cover the individual’s job responsibilities during the leave.

Individuals receiving a leave are obligated to remain at Miami University during the ensuing fiscal year following the leave and to make a full report of the results of the assignment to their supervisor, their department head, and the appropriate vice president within ninety (90) days of the completion of the leave. If an individual chooses not to return to Miami during the ensuing fiscal year, he or she must refund the compensation received from Miami during the leave.

Recipients of leaves may receive money for approved study or research or other activities expressly related to the purpose of the leave without prejudice to their receipt of income from Miami, provided that the total remuneration from all sources (including Miami) does not exceed the recipient’s annual Miami University salary.

In addition to salary, special arrangements may be made for grants to defray travel and similar incidental expenses. These arrangements must be approved in advance of the leave.

Questions regarding the program and its guidelines should be addressed to the appropriate personnel office.

4.5 Sick Leave - Unclassified Administrative and Instructional Staff

4.5.A General
Sick leave is the authorized absence of an employee from regular duties because of illness, injury, pregnancy, exposure to contagious disease, family health situations requiring attendance of the employee, health care appointments, and death in the immediate family. Immediate family
members include the employee’s mother, father, brother, sister, biological or adopted child, stepchild, spouse, domestic partner, grandparent, grandchild, mother-in-law, father-in-law, daughter-in-law, son-in-law, brother-in-law, sister-in-law, grandparent-in-law, anyone who stood in loco parentis to the employee as a child, and other persons for whom the employee is legally responsible. A completed Affidavit of Domestic Partnership must be on file with the Department of Human Resources to use sick leave for the care of a domestic partner or qualifying relative of the domestic partner. Leave for the nonmedical care of a newborn child must be requested and will be approved without pay for up to six months, during which time the University will continue to provide applicable benefits.

Each full-time unclassified administrative or instructional staff member who works nine (9) or more months per year earns fifteen (15) days of sick leave per contract year. Staff members who work less than nine (9) months earn sick leave at the rate of 1 1/4 days per month. Staff members who work less than full-time earn sick leave on a pro rata basis. Unused sick leave entitlement is cumulative without limit.

The vice presidents shall be responsible for implementing this policy and for authorizing modifications for unusual circumstances. The appropriate personnel units shall be responsible for the establishment of accrued sick leave balances for employees and for the maintenance of sick leave records.

4.5.B Reporting Absences
A staff member is expected to report an absence promptly when normal duties cannot be performed and sick leave is being used. A consecutive period of sick leave use includes all days an individual is normally expected to work, whether or not the individual has scheduled responsibilities.

When a member of the unclassified administrative or instructional staff uses sick leave, the supervisor or chair is responsible for maintaining records and reporting this information to the appropriate personnel unit by the following July 1. The executive director is responsible for keeping appropriate records and making the annual report for persons working at the Luxembourg, Hamilton, or Middletown campuses.

If a member of the instructional staff makes arrangements acceptable to the department chair or other supervisor for a colleague to perform the staff member’s duties during an absence (without additional expense to Miami University), this absence will not be charged against the individual’s accumulated sick leave; in no case, however, will such an arrangement exceed one month or the remainder of the then-current semester, whichever is greater.

The University may require appropriate evidence for the use of sick leave.

4.5.C Extension of Sick Leave
In the event a staff member exhausts his or her accumulated sick leave because of an extended illness, the staff member may be retained on the payroll for an additional period of time if recommended by the supervisor or chair and approved by the appropriate vice president and President. Consideration of such requests shall include years of service, extent of illness, and/or other extenuating circumstances.

4.5.D Transfer/Cash Out of Sick Leave
An administrative or instructional staff member with ten (10) or more years of Ohio public service shall upon retirement from active service be paid in cash for one-fourth of the value of earned but unused sick-leave credit to a maximum of thirty (30) days. Such payment shall be based upon the employee’s rate of pay at the time of retirement. Payment for sick leave on this basis shall be considered to eliminate all sick-leave credit accrued by the employee at that time.
Such payment shall be made only once to any employee and will be paid within ninety (90) days of retirement. In order to be eligible for the sick-leave payoff, the employee must, at the time of separation, be eligible for retirement benefits as determined by the applicable retirement system.

If an employee transfers to or from another agency of the State of Ohio, unused accumulated sick leave entitlement shall transfer to the new unit. The unit of origin must furnish the receiving unit with written evidence of the employee's entitlement to sick leave. The previously accumulated sick leave of an employee who has been separated from Ohio public service shall be credited to that employee upon reemployment in the Ohio public service, provided that such reemployment takes place within ten (10) years of the date on which the employee was last terminated from public service.

4.6 Family and Medical Leave

4.6.A Eligibility
1. In accordance with federal law, employees are eligible for family and medical leave after twelve (12) months of employment and provided the employee has performed at least 1250 hours of work during the previous 12-month period. (Full-time faculty are deemed to meet the 1250-hour requirement.) All eligible employees are entitled to a total of twelve (12) workweeks of leave during the 12-month period of July 1 through June 30 for one or more of the following reasons:
   • the birth of a child and to care for the newborn (Reason 1);
   • the placement of a child with the employee for adoption or foster care (Reason 2);
   • to care for the employee’s spouse or domestic partner, or child or parent of the spouse or domestic partner, with a serious health condition (Reason 3); and
   • a serious health condition that makes the employee unable to perform the essential functions of his or her position (Reason 4).

2. Miami requires employees to substitute accrued paid sick leave (e.g., vacation, sick leave, personal leave) for family and medical leaves whenever permitted by law (i.e., 29 C.F.R. 825.207-208). If the employee does not have available sufficient paid leave for the entire twelve (12) weeks, the employee may take the balance of the leave as unpaid leave. If the employee has available more than twelve (12) weeks of paid leave, the employee may use all the paid leave that applies to the employee’s situation.

A family and medical leave may run concurrently with a worker’s compensation absence when the injury is one that meets the criteria for a serious health condition. As the worker’s compensation absence is not unpaid leave, the provision for substitution of accrued paid leave is not applicable.

4.6.B Parental Leave Policy
Unclassified and instructional staff use accumulated sick leave to take time off for the birth or adoption of a child. Unclassified and instructional staff can arrange for an absence of up to twelve (12) workweeks using accumulated sick leave (see Sick Leave and Family/Medical Leave-Eligibility). For details about this policy and for guidance through the process, contact the appropriate personnel office.

Tenure-track instructional staff members who have care-taking responsibilities associated with the birth or adoption of a child may request an extension of their probationary period (i.e., the tenure clock). The maximum number of years of extension to the tenure clock is two (2), whether the extension is claimed under Section 4.6.B or Section 7.4.D.3.a of this policy.
4.6.C Notice and Approval
The employee must provide the appropriate personnel office with a minimum of thirty (30) calendar days advance notice before the date the leave is to begin. Employees should contact the appropriate personnel office for more detailed information and to arrange family and medical leave, including parental leave. The Department of Human Resources can assist employees and their supervisors in arranging suitable coverage of the employees’ responsibilities while on leave. Employees are required to complete the forms and return them to the appropriate personnel office for approval of leave within a minimum of thirty (30) calendar days advance notice before the date the leave is to begin. However, if the date of the birth, placement of the child, or serious health condition of the employee or family member requires leave to begin in less than thirty (30) days, the employee must provide as much notice as is practicable. Failure to give notice may result in a delay of leave.

Employees must request the family and medical leave in writing and submit the request to the appropriate personnel office. A medical certification form will be provided. Medical certification must be received in the appropriate personnel office prior to approval of the leave.

To use leave for the care of a domestic partner or the child or parent of the domestic partner, a completed Affidavit of Domestic Partnership must be on file with the Department of Human Resources.

4.6.D Substitution of Paid Leave
Miami requires employees to substitute accrued paid leave (e.g., vacation, sick leave, personal leave) for family and medical leaves whenever permitted by law (i.e., 29 C.F.R. 825.207-208). If the employee does not have available sufficient paid leave for the entire twelve (12) weeks, the employee may take the balance of the leave as unpaid leave. If the employee has available more than twelve (12) weeks of paid leave, the employee may use all of the paid leave that applies to the employee’s situation.

A family and medical leave may run concurrently with a worker’s compensation absence when the injury is one that meets the criteria for a serious health condition. As the worker’s compensation absence is not unpaid leave, the provision for substitution of accrued paid leave is not applicable.

4.6.E Intermittent Leaves and Reduced Leave Schedules
An intermittent leave is a leave taken in separate blocks of time due to a single illness, injury, or health condition. An example is a leave taken several days at a time spread over several months for chemotherapy.

A reduced leave schedule is a change in the employee’s normal schedule for a period of time, usually from full-time to part-time. An example is a reduction in the workday from eight (8) hours to six (6) hours because of a serious health condition.

Leaves taken for the following reasons shall not be taken intermittently or on a reduced-leave schedule: leaves taken for the birth of a child or to care for the newborn (Reason 1) and leaves taken for the placement of a child with the employee for adoption or foster care (Reason 2).

Leaves taken for the following reasons may be taken intermittently or on a reduced-leave schedule: leaves taken to care for the employee’s spouse or domestic partner, child or parent of the spouse or domestic partner (Reason 3) and leaves taken because of a serious health condition that makes the employee unable to perform the essential functions of his or her position (Reason 4).
An employee who takes intermittent leave or a reduced-leave schedule may be temporarily transferred to an alternative position, for which he or she is qualified, that has equivalent pay and benefits and that better accommodates recurring periods of leave than does the employee’s regular position.

Employees shall make a reasonable effort to schedule leaves so as to avoid unduly disrupting the operations of Miami University, subject to the approval of the health care provider of the employee (Reason 4) or of the employee’s spouse or domestic partner, child or parent of the spouse or domestic partner (Reason 3).

4.6.F Certification
Miami University requires a medical certification from the health care provider for leave taken for Reasons 3 or 4.

Serious health condition means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice or medical care facility, or continuing treatment by a healthcare provider.

The certification form may be obtained from either the Department of Human Resources or the Office of Academic Personnel Services. Miami University may, from time to time (generally not more often than every 30 days), require recertification during the period of leave. Failure to provide certification or recertification may result in a delay of leave, denial of leave and/or loss of pay for the leave period. Falsification of certification is grounds for disciplinary action up to and including dismissal.

Miami University may require, at its expense, that the employee obtain the opinion of a second healthcare provider selected by Miami University concerning any information certified. In case of conflict between the second opinion and the employee’s certifying healthcare provider, Miami University may, at its expense, require the opinion of a third healthcare provider (jointly selected by the employee and Miami University). The opinion of the third healthcare provider shall be final and binding on Miami University and the employee.

Miami University may require a certification from the employee’s healthcare provider that the employee is able (or unable) to return to work, when the family and medical leave was because the employee’s serious health conditions made the employee unable to perform the essential functions of the employee’s job.

4.6.G Restoration to Position and Continuation of Benefits
Eligible employees who return from a family and medical leave may be restored to the position held by the employee when leave began or be restored to an equivalent position with equivalent pay and University-provided benefits and other terms and conditions of employment.

Miami University will maintain University-provided benefits for eligible employees on family or medical leave under the same terms and conditions coverage would be provided had the employee continued in employment for the duration of the leave. Retirement contributions will only be made for that portion of the family and medical leave that is paid leave.

4.6.H Failure to Return from Leave
Miami University may recover from the employee the cost Miami University paid for maintaining University provided benefits during the unpaid period of leave if the employee fails to return from leave unless the failure to return is due to 1) the continuation, recurrence, or onset of a serious health condition that would otherwise entitle the employee to leave under the family and medical leave policy; or 2) other circumstances beyond the control of the employee.
4.6.1 Other Employment
Employees on family or medical leave are not permitted to perform services for remuneration for other employers (including self-employment), as an independent contractor, partner, sole proprietor, principal in a corporation, or for any other individual or entity, unless approved, in writing, in advance by the appropriate vice president or the vice president’s designee. For units reporting to the President, the appropriate vice president is the Vice President for Finance and Business Services and Treasurer.

Instructional staff and administrative staff who have approved outside consulting/employment (see Section 3.11 of this manual) must obtain the approval of the appropriate vice president to continue such services during a period of leave.

4.7 Personal Leave - Unclassified Administrative and Instructional Staff
Personal leave may be granted to free a member of the staff to make a public service contribution; to accept a fellowship, research, or visiting appointment at another institution; to pursue a program of formal study; or for personal or health reasons.

1. The duration of such a leave may be for any period up to a year, with renewal possible for a second year. Application should be made as far in advance as possible.

2. For instructional staff, the personal leave period will count as Miami University service for promotion and tenure purposes, unless an alternative arrangement is approved, in writing, at the time the leave is granted.

3. Personal leave is leave without salary. Except under special circumstances, it is leave without any University-provided benefits except the fee waiver benefit, which continues during the leave.

4. Contributions to the state retirement systems (STRS, PERS, PERS-LE) are made only as allowed by law. Participants in the Alternative Retirement Plan (ARP) may make voluntary contributions directly to it. The University will not make contributions to the Alternative Retirement Plan during a personal leave.

5. Individuals granted personal leave may continue uninterrupted health care insurance by arranging to make premium payments through the University's Department of Human Resources. Only the President or President’s designee may authorize the continuance of health care insurance at University expense.

6. For most favorable consideration, the leave of application for instructional staff should be received in the Academic Personnel Services Office by December 1 of the academic year preceding the leave period.

4.8 Other Leaves of Absence

4.8.A Military Leave
A military leave is granted without pay upon entering the service. During a tour of duty, an employee will continue to accumulate seniority. Upon discharge from the military, the employee must make application for re-employment within ninety (90) days after discharge.

4.8.B Reserve Duty
Employees will be granted leaves of absence with pay for up to twenty-two (22) days upon request when they are required to participate in training duty as members of an Armed Forces Reserve Organization, the National Guard, or are called out on an emergency basis for such service.
4.8.C Court Attendance

4.8.C.1 Jury Duty
Miami University encourages its employees to fulfill their civic duty by responding to a call to jury duty. Employees serving jury duty are entitled to leave with pay. The employee must submit a request for leave to his or her supervisor and the appropriate personnel office for approval. A copy of the summons for jury duty must be attached to the request.

The employee will not be asked to pay to the University any amount of compensation received by the employee from the court. The employee is required, however, to return to work any day he or she is excused by the court for a period greater than four (4) hours.

Faculty are expected to make suitable arrangements for coverage of classes with their department chair. Employees whose work shifts do not coincide with jury service hours may also be relieved of employment duties during jury service. Arrangements for coverage should be made through the appropriate personnel office in consultation with the employee’s department.

4.8.C.2 Witness Testimony
Employees subpoenaed to testify as a nonexpert witness in a court action to which they are not a party will be granted paid leave to testify.

4.9 Fee Waivers

4.9.A Benefit for Employees, their Spouses or Domestic Partners, and Dependent Children

4.9.A.1 Benefit
For eligible full-time employees, their spouses or domestic partners, and dependent children of the employee, the benefit is equal to 100% of the undergraduate or graduate instructional fee. The benefit for eligible part-time employees, their spouses or domestic partners, and any dependent children of the employee, is equal to 50% of the undergraduate or graduate instructional fee. Additionally, 100% of the out-of-state tuition surcharge is waived for eligible participants.

This waiver is not applicable to certain workshops, audited courses, summer study abroad programs, and special course fees. Participants are responsible for payment of application fees, registration fees, late fees, lab fees, the general fee, and miscellaneous student fees. The difference between the waiver and total fees charged is the responsibility of the participant.

Courses should be taken outside of the employee's normal working hours, but supervisors/managers are encouraged to use flexibility whenever appropriate. Course work must not interfere with completion of employment duties.

4.9.A.2 Eligibility
a) Full-time employees with an appointment of .80 FTE or greater, of at least nine (9) months duration, are immediately eligible for the benefit. The spouse or domestic partner, and any dependent children of a full-time employee are eligible after the employee has completed three (3) continuous years of full-time employment.

b) Part-time employees who have an appointment of at least .50 FTE, of at least nine (9) months duration, are eligible for one-half of the benefit after five (5) continuous years of part-time employment. The spouse or domestic partner, and any dependent children of a part-time employee are eligible after the employee has completed ten (10) years of continuous part-time employment.
4.9.B Benefit for Retired* Full-time Employees, Spouses or Domestic Partners, and Dependent Children of Retired Full-time Employees

4.9.B.1 Benefit
For full-time employees who retire from Miami University with at least ten (10) years of continuous full-time employment, their dependent children and spouses or domestic partners, the benefit is equal to 100% of the undergraduate instructional fee. Additionally, 100% of the out-of-state tuition surcharge is waived for eligible participants.

This waiver is not applicable to certain workshops, audited courses, summer study abroad programs, and special course fees. Participants are responsible for payment of application fees, registration fees, late fees, lab fees, the general fee, and miscellaneous student fees. The difference between the waiver and total fees charged is the responsibility of the participant.

4.9.B.2 Eligibility
The spouse or domestic partner or dependent child of a full-time employee who is retired from Miami is eligible for the benefit based on the employee's length of continuous full-time employment as follows:

a. With at least ten (10) but fewer than 15 years of employment – eligible during the first five (5) years from the date of retirement.

b. With at least 15 but fewer than 20 years of employment – eligible during the first seven (7) years from the date of retirement.

c. With at least 20 but fewer than 25 years of employment – eligible during the first ten (10) years from the date of retirement.

d. With 25 years of employment – eligible for the benefit.

For all dependent children of the full-time employee who is retired, eligibility terminates upon completion of a baccalaureate degree program or age 25, whichever occurs first.

4.9.C Benefit for Spouses or Domestic Partners, and Dependent Children of Deceased Employees

4.9.C.1 Benefit
For the surviving spouse or domestic partner or dependent children of a deceased full-time employee, the benefit is equal to 100% of the undergraduate instructional fee. Additionally, 100% of the out-of-state tuition surcharge is waived for all eligible participants.

This waiver is not applicable to certain workshops, audited courses, summer study abroad programs, and special course fees. Participants are responsible for payment of application fees, registration fees, late fees, lab fees, the general fee, and miscellaneous student fees. The difference between the waiver and total fees charged is the responsibility of the participant.

4.9.C.2 Eligibility
The surviving spouse or domestic partner or dependent children of the deceased full-time employee are eligible for the benefit based on the employee's length of continuous full-time employment as follows:

a. With fewer than ten (10) years of employment – if the surviving spouse or domestic partner or dependent children of the deceased full-time employee are enrolled in the University as of the date of death, eligibility for the benefit continues through the end of the second semester of the academic year in which the death occurs.

b. With at least ten (10) but fewer than 15 years of employment – if the surviving spouse or domestic partner or dependent children of the deceased full-time employee are enrolled in the University as of the date of death, eligibility for the benefit continues through completion of a baccalaureate degree or age 25, whichever occurs first.
c. With at least 15 years of employment – the surviving spouse or domestic partner or dependent children of the deceased full-time employee are eligible for the benefit.

Remarriage terminates the eligibility of a surviving spouse. Entering in a marriage, another domestic partnership or civil union, or the equivalent thereof, terminates the eligibility of the surviving domestic partner. For all dependent children of the deceased full-time employee, eligibility terminates upon completion of a baccalaureate degree program or age 25, whichever occurs first.

*Retirement includes both service and disability retirements.

4.10 Disability Benefits

The University provides several types of leaves of absence to employees who are unable to work due to disability, illness, or medical condition. These include Sick Leave (Section 4.5), Family and Medical Leave (Section 4.6), and Personal Leave (Section 4.7).

Members of the instructional and unclassified administrative staff may also be entitled to disability benefits if they are unable to work due to disability. These benefits include:

- University-provided long-term disability insurance; and
- State Teachers Retirement System (STRS) or the Ohio Public Employees Retirement System (OPERS) disability retirement benefits (note that the Alternative Retirement Plan (ARP) does not provide disability benefits); and
- Workers’ Compensation for a covered injury or occupational disease.

All disability benefits are subject to the qualifications and terms of the relevant plan.

4.11 Reinstatement from Disability Retirement

An employee is deemed to have retired from employment upon receipt of disability benefits and has the following rights to reinstatement:

A. An employee who receives disability retirement benefits from STRS or OPERS is eligible for reinstatement as provided by law.

B. An employee who receives temporary total disability (TTD) benefits from Workers’ Compensation is eligible for reinstatement as provided by law.

C. A tenured member of the instructional staff or full-time member of the unclassified administrative staff with at least five years of service at Miami University who receives long-term disability benefits (but not STRS, OPERS, or TTD) is eligible for reinstatement at any time within 365 days of the last date of service or last date of approved University-provided leave of absence, whichever is later. Upon receipt of a written request for reinstatement, the employee will be reinstated at the previous salary to the previous position or another appropriate position.

Employees reinstated in this manner must be reemployed and work at least one full-time contract period before again becoming entitled to reinstatement rights under this policy. For faculty members, this means two consecutive semesters of full-time service, not including summer. For administrative staff, this means one full contract (12-, 11-, 10-, 9-months, as appropriate) of full-time employment.

D. The University may require evidence of fitness for duty to ensure that the employee can safely return to work.