

 Research & Sponsored Programs UNIVERSITY OF DENVER	Office of Research and Sponsored Programs Policy Manual Trainee Leave
	Policy Number: ORSP-21
Recommended By: Senior Vice Provost for University Budget, Planning and Administration; Associate Provost for Graduate Education; Sponsored Programs Academic Research Council Approved By: Senior Vice Provost for Research and Graduate Education	Effective Date: 01/01/2024

1. PURPOSE

Working in the research/academic field as a graduate student is a time-honored tradition that requires a high level of commitment and responsibility. This policy is intended to clarify the leave provided by the University for GRAs and GTAs. To the extent that it conflicts with other University policy, or applicable law, such other sources will control.

This policy summarizes available leave benefits for graduate student workers in non-benefited positions. Any graduate students working in benefited positions have leave benefits provided as described in the [University Policy HRIC 3.30.010 - Leave of Absence](#)

2. DEFINITIONS

- 2.1. Graduate Research Assistants or GRAs are student workers who are paid to conduct research while enrolled in graduate programs at the University.
- 2.2. Graduate Teaching Assistants or GTAs are student workers who are paid to assist in the teaching of foundational undergraduate courses while enrolled in graduate programs at the University.

3. POLICY

The University will comply with all provisions of the [National Institutes of Health Grants Policy Statement - Section 11.3.16.1 Leave](#).

Pursuant to University policy and applicable state and federal law, the University offers the following leave to GRAs and GTAs in non-benefitted positions:

- 3.1. A GRA or GTA will receive paid time off during official University holidays pursuant to the [University Policy HRIC 3.40.050 - Holiday Policy](#).
- 3.2. Pursuant to the [Healthy Families and Workplaces Act \(C.R.S. § 8-13.3-401\)](#), the University provides paid time off as required under Colorado law.

3.2.1. This sick leave may be used for any reason provided under C.R.S. § 8-13.3-404, including: (a) for the student worker's own health condition, injury or illness (including preventative care); (b) to care for a family member's health, injury, or illness or seek preventative care; (c) where the student worker or their family member has been the victim of domestic abuse, sexual assault or harassment and the use of the leave is to seek medical services, victim support services, mental health care or other counseling, seek relocation, or seek legal services; (d) due to workplace closure or closure of student worker's child's school or place of care due to a public health emergency; (e) to care for a family member whose school or place of care has closed due to inclement weather, loss of heating or water, or other unexpected occurrence; (f) due to a need to evaluate the student worker's residence due to inclement weather, loss of power, loss of heating, loss of water, or other unexpected occurrence or event; (g) to grieve, attend funeral services or a memorial, or deal with financial and legal matters that arise after the death of a family member.

3.2.2. The student worker accrues one (1) hour of paid sick leave for every thirty (30) hours worked for a maximum of 48 hours per year. Leave is accrued based on all hours worked, including overtime. Up to 48 hours of accrued but unused sick leave may carry over into a subsequent year.

3.3. Pursuant to the Colorado [Family and Medical Leave Insurance \(FAMLI\) Program \(C.R.S. § 8-13.3-508\)](#), any Colorado employee (including student worker) is eligible for FAMLI Leave after earning \$2,500 in the State of Colorado at any point over the past year (i.e., the last four calendar quarters), including from a combination of employers. FAMLI Leave provides partial wage replacement, paid for by payroll deductions from the employee and payments by the employer.

3.3.1. Covered employees are entitled to up to 12 weeks of paid family and medical leave per year. Employees with serious health conditions caused by pregnancy complications or childbirth complications may be entitled to up to four (4) more weeks of paid leave for a total of 16 weeks. FAMLI may be taken continuously, intermittently, or in the form of a reduced work schedule.

3.3.2. Covered employees are eligible to take FAMLI Leave for the following reasons: (a) Because of birth, adoption or placement through foster care, caring for a new child during the first year after the birth, adoption or placement of that child; (b) Caring for a family member with a serious health condition; (c) Because of their own serious health condition; (d) Because of any qualifying exigency leave (i.e., leave based on a need arising out of a covered individual's family member's active duty service or notice of an impending call or order to active duty in the armed forces); and (e) Because of the need for safe leave (i.e., employee or family member has been the victim of domestic abuse, sexual assault, or criminal harassment and needs to be absent from work for purposes related to medical attention, mental health care or other counseling, victim services—including legal services, or relocation). See [University Policy HRIC 3.30.010 - Leave of Absence](#).

3.3.3. GRAs or GTAs taking FAMLI Leave are not required to use accrued paid sick leave while taking FAMLI Leave. However, with the mutual agreement of the University and the GTA or GRA, they may elect to use such leave to supplement their pay under FAMLI.

3.3.4. The University has adopted a private insurance plan to comply with Colorado FAMLI requirements.

3.4. FMLA leave is unpaid leave that provides job-protected time off from work for qualifying family and medical reasons.

3.4.1. A GRA or GTA is eligible for qualifies for unpaid family and medical leave pursuant to the [Family and Medical Leave Act of 1993 \(9 U.S.C. §§ 2601–2654\)](#) if they: (a) have worked for the University for at least 12 months prior to the date upon which the FMLA Leave is to commence; (b) have worked at least 1,250 hours in the 12 months immediately preceding the FMLA Leave; and (c) work at a location where the University employs 50 or more employees within 75 miles.

3.4.2. Eligible student workers can take up to 12 work weeks of FMLA leave in a 12-month period for: (a) the birth, adoption or foster placement of a child; (b) a serious mental or physical health condition that makes them unable to work; (c) to care for their spouse, child or parent with a serious mental or physical health condition; and (d) certain qualifying reasons related to the foreign deployment of their spouse, child or parent who is a military servicemember.

3.4.3. The GRA or GTA must satisfy all the requirements for family and medical leave found in Section IV.G of the [University Policy HRIC 3.30.010 - Leave of Absence](#).

3.4.4. If FMLA Leave is taken for a reason that also qualifies for FAMLI Leave, such leaves will run concurrently.

3.5. The University will fully comply with applicable federal, state, or local laws to administer leaves of absence, including but not limited leave as an accommodation under the Americans with Disabilities Act (ADA) and Uniformed Services Employment and Reemployment Rights Act (USERRA).

4. PROCESS

4.1. A GRA or GTA needing to use sick leave will timely communicate their need for such leave to their supervisor. The University may require documentation for sick leave absences of four or more consecutive days.

4.2. A Leave of Absence Communication Form should be submitted to HR Benefits (benefits@du.edu) to initiate the process of requesting FMLA Leave, FAMLI Leave, or most statutory leave. Requests for statutory leave as an ADA accommodation should be directed to the ADA coordinator (ADA.coordinator@du.edu).

4.3. All use of GRA's or GTA's leave must be accurately recorded in the University timekeeping system (Kronos).

4.4. Upon termination of University employment, the GRA or GTA is not compensated for unused leave.

5. RESOURCES

5.1. [Leave of Absence Policy – HRIC 3.30.010](#)

5.2. [Holiday Policy – HRIC 3.40.050](#)

5.3. [Family and Medical Leave Act of 1993 - 9 U.S.C. §§ 2601–2654](#)

5.4. [Healthy Families and Workplaces Act - C.R.S. § 8-13.3-401](#)

5.5. [Colorado Paid Family and Medical Leave Insurance Act – C.R.S. § 8-13.3-508](#)