

Procedure No. 20.002

LEAVE WITHOUT PAY

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Issued By: Human Resources

Purpose: To define the types of leaves without pay and to provide procedures for obtaining such leave.

Introduction:

The university understands that there may be instances where an employee may need to have time off in order to deal with personal situations. These situations may arise due to illness, military obligation, parental responsibilities, union business, or other personal reasons. It is the responsibility of the employee to request such leave at least two weeks prior to the commencement of the leave. Leave may be granted at the discretion of the university for certain time limits that are outlined in the following sections.

Provisions - Parental Leave

Policy:

All permanent Employees with the University who become parents through childbirth or adoption shall be granted parental leave upon request.

Definitions:

For the purposes of this policy, the definition of child shall include any natural-born child, legally adopted child, stepchild or a child continually cared for in the home of the regular faculty or staff member in the absence of the child's parents in the home, through the normal age of high school graduation. The definition also includes physically handicapped or mentally retarded children who are incapable of self-sustaining employment regardless of age.

Guidelines:

The request for leave should be submitted, in writing to the Personnel Director with a copy to one's immediate supervisor. Except in cases of emergency the request should be received at least two weeks in advance. This notice should indicate the duration of the leave. The faculty or staff member requesting parental leave shall be responsible for providing a satisfactory explanation to support the request for leave. Such leave shall be granted for a period of time not to exceed six months. The employee may request an extension of parental leave for an additional six months as long as the total leave does not exceed 12 months.

In case of childbirth the employee will not be required to leave prior to parental leave unless that employee is unable to perform the assigned job responsibilities.

While the employee is on leave, the responsibilities of the position will be performed by other members of the department or by a substitute employee.

Upon return for the parental leave, the employee has the right to return to the same position in the same classification held before going on parental leave, or to an equivalent position. The employee shall also retain all seniority and pension rights that had accrued up to the time of the leave but these rights shall not accrue during the leave period.

Employees may use accrued sick leave for periods of time that they are unable to work. Employees may use this accrued time before or after the designated parental leave period. While on parental leave, employees shall not earn annual and sick leave while on parental leave.

Provisions - Sick Leave

Policy: Sick leave without pay may be granted to a permanent employee who is too ill to work or must be absent for valid sick-related reasons. This type of leave may be granted because of employee illness or because of the degree of danger the employee presents to him/her self or to other employees. This policy does not apply to work-related injury.

Guidelines:

The employee must have a certificate or some other form of identification from a physician as proof of illness. The supervisor will review the documentation and if appropriate will approve the request.

The supervisor will present the request to the Department Head who has the authority to approve the request. The Department Head has the right to approve or disapprove this type of leave for requests of two weeks or less. For requests of at least two consecutive weeks, not to exceed six consecutive months, for illness or disability, the Department Head is required to grant approval.

A department head is not required to approve another sick leave without pay unless 12 months in an active pay status have elapsed since the termination of the last leave.

Upon return for the sick leave without pay, the employee has the right to return to the same position in the same classification held before going on leave, or to an equivalent position. The employee shall also retain all seniority and pension rights that had accrued up to the time of the leave but these rights shall not accrue during the leave period.

Employees shall not be required to use accumulated sick or annual leave prior to commencement of leave without pay.

Provisions - Military Leave

Policy:

Permanent employees who leave their jobs for the purpose of entering, voluntarily or involuntarily, any branch of the Armed Forces, the Reserves, or the National Guard for the purpose of training or service shall be granted leave without pay.

Remaining employees or temporary substitute employees will perform the work of the employee during the time of absence.

Guidelines:

A leave of absence shall be granted for all active military service. This leave shall cover duty served up to a maximum of forty-eight (48) consecutive calendar months, except that an extension of 12 months may be granted if the extension is at the request and the convenience of the government. For Reservists and members of the National Guard, leave without pay shall be granted for initial active duty for training and for other military training duty.

The leave without pay shall expire for all active duty employees, 90 days after the release from active duty, unless there was an injury sustained. In the case of injury, the leave will expire 90 days after the release date from the hospital providing that the hospital stay is not more than a year after the release from active duty.

Leave without pay expires for Reservists and members of the National Guard 31 days after initial active duty for training and the next regularly scheduled work day after release from other military training duty.

Upon return to the university, the employee will be given credit for the duration of the leave in determining the amount of continuous service for purposes of vacation, sick pay, and tuition assistance eligibility. The employee also has the right to return to the same position in the same classification held before going on leave, or to an equivalent position. The employee shall retain all seniority and pension rights that had accrued up to the time of the leave but these rights shall not accrue during the leave period.

Provisions - Union Leave

Policy:

In order to attend to union business, the employee may be granted a leave of absence without pay, at the discretion of the university, for a period not to exceed two years. The business is defined as serving as a union officer, or attending union meetings, conventions or functions.

Union officials shall be granted up to six weeks leave to attend conventions or meetings. This leave is granted based on the university's ability to maintain efficient operations.

Guidelines:

An employee who is elected or appointed as a union official, may request a leave of absence without pay. The request will be made in writing and should not exceed the length of the term in office up to three years maximum. This request should be submitted to the employee's immediate supervisor three days after being elected or appointed as a union official. The supervisor will then notify the Department Head who will review the request and pass on approved requests to the Human Resources Department Head who will review

the request and pass on approved requests to the Human Resources Office for processing. This request may be renewed upon mutual consent of the union and the employer.

Provisions - Educational Leave

Policy:

Once an employee has completed one year of service he/she may be granted leave without pay for educational purposes. The duration of the leave shall not exceed one year and shall not be granted more than once every four years.