



POLICY MANUAL

BENEFITS

Number 3102

Subject: Leave Without Pay

Covered Employees: Budgeted Employees

Date of Origin: January 24, 1997

Previous USU Policy #: 355: Leave Without Pay

3102.1 POLICY

Under special circumstances, employees may find it necessary to request leave without pay. These circumstances may include, but are not limited to, family and medical leave, short-term educational programs, and political activities.

Normally, leave without pay will be granted for up to 12 weeks for family and medical leave (see policy 3101) and up to one year for other situations.

3102.2 PROCEDURES

2.1 Requesting Leave

Employees should always request leave without pay before taking it, with the exception of unexpected illness or emergencies. The request should be in writing and detail the reasons the leave is needed. An application for leave without pay must specify the intentions of the employee to return to University employment.

In recommending action on requests for leave without pay, supervisors should consider the need and urgency, the employee's length of service, the overall effect the absence will have on the department's operations, and the employee's rights under the Family and Medical Leave Policy (if applicable). All such requests will be approved or disapproved and additional information may be requested before a decision is made.

If the department judges the request to be justified, the approval process is initiated by an employment action form with accompanying letter of justification.

Leaves without pay will not be granted for a period greater than one year. Extensions may be granted on a case-by-case basis and must be approved by the President's Office. While it is recognized that the duration may not be precisely known in advance, the expected date of return should be included in the request.

2.2 Benefits During Leave Without Pay

(1) Seniority credit.

Employees on an unpaid leave of absence that extends longer than three months may not apply the time on leave towards seniority credit. Upon returning from leave without pay, an adjusted anniversary date will be assigned for use in calculating seniority. Accrued seniority at the time leave without pay commenced shall remain unchanged.

(2) Insurance benefits.

Participation in the University's benefits programs is not automatically continued during a leave of absence without pay, except as provided by the Family and Medical Leave Policy.

In some cases, insurance benefits can be continued with the employee paying the appropriate monthly premiums.

Employees should contact the Office of Human Resources for details and should complete the necessary forms at least one month before the leave begins.

(3) Annual and sick leave.

Employees who work more than half of the workdays during a month will earn annual and sick leave for that month. Employees do not earn annual or sick leave during leaves of absence without pay that last longer than half a month.

(4) Tuition reduction.

The tuition reduction benefit will not continue after six continuous months of leave without pay.

(5) Other benefits.

Other benefits and privileges associated with University employment by virtue of the ID card, such as the use of physical facilities, the library, and bookstore discounts, will continue during leaves without pay.

2.3 Returning to Work

Upon returning to work, the employee will be reinstated to his/her previous position or a similar position of equal value, unless otherwise agreed to in writing prior to the employee going on the leave without pay. Reinstatement rights may be protected in some cases by federal and state laws. The primary responsibility for reinstatement rests upon the college, department, or other administrative unit in which the employee worked when the leave commenced.

It is generally expected that the employee will return to work on the date specified on the Employment Action Form. If the employee is unable to return on the specified date, he/she should contact his/her supervisor to make other arrangements. If no notification or other arrangements are made, the University may treat failure to return to work within five working days of the date specified as a voluntary termination and a waiver of all reinstatement rights. The effective date of termination shall be the last day worked before the leave of absence without pay commenced.

3102.3 RESPONSIBILITY

3.1 Department Heads and Supervisors

Responsible for considering and approving or denying leave requests and for managing the temporary vacancies created by employees on leave. They are also responsible for counseling employees about leave requests and the consequences and for processing the necessary forms.

3.2 Office of Human Resources

Responsible for assisting department heads and supervisors with the implementation of this policy and for coordinating the necessary paperwork and benefit issues that occur due to an employee's request for leave.

3.3 Employees

Responsible for providing as much notice as possible when requesting leave, completing the necessary paperwork, complying with requests for documentation, maintaining contact with the University, and returning to work as scheduled.