

Rule R6-314C: Leaves of Absence without Pay and Leaves of Absence with Partial Pay.

Revision 0. Effective date: April 9, 2024

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I. Purpose and Scope

A. Purpose. The purpose of this rule is to define the available unpaid leaves of absence, eligibility, and procedures.

B. Scope. This rule applies to all university faculty.

II. Definitions

The definitions provide in Policy 6-314 apply for this rule.

III. Rule

A. Leaves of Absence without Pay

1. A faculty member who is on leave under the Family Medical Leave Act (FMLA) pursuant to Policy 5-200 may also be eligible for a leave of absence without pay for the remainder of a semester not covered by FMLA leave. In these circumstances, accrued sick leave may be used if available.
2. Other circumstances for a leave of absence without pay may include exploration of other academic employment, temporary outside employment, or a fellowship or similar position.
3. A faculty member may request a leave of absence without pay for periods up to one academic calendar year.
4. A request for leave of absence without pay shall be submitted in writing, including plans for the leave, to the individual's immediate supervisor who shall forward it, with a recommendation for its disposition, through regular administrative channels to the Board of Trustees for final approval. A request form is available below.
5. A request for renewal of a leave of absence without pay shall be initiated, reviewed, and submitted for final approval in the same manner.
6. Duration
 - a. Only in exceptional circumstances will a continuous leave of absence without pay for more than two calendar years be approved.
 - b. Unpaid Leave of Absence time does not count towards the academic service requirement for sabbatical leave.

B. Leaves of Absence with Partial Pay

1. Circumstances for a leave of absence with partial pay may include supplementation of an outside fellowship or similar position where pay is less than current base salary.

2. A faculty member may request a leave of absence with partial pay for periods up to one academic calendar year.
3. A request for leave of absence with partial pay shall be submitted in writing to the individual's immediate supervisor(s) who shall forward it, with a recommendation for its disposition, through regular administrative channels to the Board of Trustees for final approval. A request form is available below.
4. A request for renewal of a leave of absence with partial pay shall be initiated, reviewed and submitted for final approval in the same manner.
5. Duration
 - a. Only in exceptional circumstances will a continuous leave of absence with partial pay for a period in excess of one calendar year be approved.
 - b. The period of time on leave of absence with partial pay does not count towards the academic service requirement for sabbatical leave.
6. Obligation to return
 - a. The recipient of a leave of absence with partial pay must agree to return to the service of the university at the end of the leave for a period of time at least equal to the amount of the leave that was paid. If the recipient does not return or returns for a shorter period of service than required under this regulation, the university is entitled to a proportionate refund of the compensation paid by the university during the leave of absence with partial pay. Upon a determination that the enforcement of this obligation will create an extreme hardship or would be seriously inequitable, the president may waive the requirement for a refund in whole or part. For the purpose of this paragraph, "compensation" includes salary plus all payments from university funds for benefits.

C. Benefits During Leave of Absence Without Pay or with Partial Pay

To the extent permitted by law, personnel on a leave of absence without pay or with partial pay are regarded as in an active university employment status for

purposes of university benefits and continue to receive and accrue such benefits under applicable university policies as if they were in active university service, except that payments for insurance premiums and retirement contributions that are related to the employee's compensation are based upon actual payments made by the university during the period of the leave and not on budgeted salary for the position. Subject to legal restrictions, the individual may arrange with Human Resources for personal payment of additional amounts, if necessary, to maintain full insurance and retirement benefits during the leave period.

Sections IV- VII are for user information and are not subject to the approval of the Academic Senate or the Board of Trustees. The Institutional Policy Committee, the Policy Owner, or the Policy Officer may update these sections at any time.

IV. Policies/ Rules, Procedures, Guidelines, Forms and other Related Resources

A. Policies/ Rules.

1. Policy 6-314: Leaves of Absence for Faculty

B. Procedures, Guidelines, and Forms.

1. Faculty Leave Request Form

C. Other Related Resources. [*reserved*]

V. References

- A. Policy 5-200: Leaves of Absence (Health- Related)

VI. Contacts

The designated contact officials for this Regulation are

- A. Policy Owner(s) (primary contact person for questions and advice): Associate Vice President for Faculty and the Associate Vice President for Health Sciences
- B. Policy Officer(s): Senior Vice President for Academic Affairs and Senior Vice President for Health Sciences.

See Rule 1-001 for information about the roles and authority of policy owners and policy officers.

VII. History

Revision History.

A. Current version. Revision 0.

1. Approved by -- Academic Senate April 1, 2024, and Board of Trustees April 9, 2024, with effective date of April 9, 2024.
2. Legislative History
3. Editorial Revisions