

Policy 5-116: Reinstatement of Benefits Eligible Staff Members

Revision 2. Effective date: May 11, 1998

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I. Purpose and Scope

A. Purpose.

To outline the University's policy regarding the reinstatement of Staff Members holding Benefits Eligible positions after a break in service.

B. Scope.

[reserved]

II. Definitions

[reserved]

III. Policy

- A. Reinstatement is the re-employment into a Benefits Eligible position of a former Staff Member who held a Benefits Eligible position with a break in service with the University.
- B. A break in service with the University occurs when a Staff Member holding a Benefits Eligible position is in a non-pay status for more than thirty-one calendar days. (An Staff Member is in pay status when working, when on paid leave, or when on Workers' Compensation Leave. A Staff Member is not in pay status after the last day of work because of resignation, dismissal, death, retirement, or reduction-in-force.) Periods of leave without pay do not constitute a break in service.
- C. Reinstated Staff Members holding Benefits Eligible positions are required to meet all of the probationary requirements of a Benefits Eligible Staff position.
- D. Staff Members who held Benefits Eligible positions who resigned or were granted leave without pay to serve in the Armed Forces of the United States are eligible for reinstatement to the same position or one of like status and pay regardless of the length of previous service. If, during military service, an employee is disabled to the extent that the duties of the original position cannot be performed, the employee shall be reinstated to a position with duties commensurate with the disability, provided such a position is available.
- E. Salary Rate Upon Reinstatement
 - 1. When a Staff Member who held a Benefits Eligible position is reinstated within one year from the separation date to a position at the same grade level, the salary is determined by adjusting the previous salary of that individual by any "legislative increase" or other general adjustment in level which has occurred since the reinstated employee was separated. If reinstatement is to a higher or lower grade, the adjusted previous salary becomes the basis for determining the new starting salary in accordance with policies on promotion or demotion as appropriate. A higher salary may not be paid unless it is justified by intervening employment.

2. When a Staff Members who held a Benefits Eligible position is reinstated after one year or more from the separation date, the new salary may be determined as above or as a new appointment.
3. Upon reinstatement from military leave, an employee's salary shall be based on the last salary plus the general salary increase due while on leave.

F. Benefits Upon Reinstatement

1. Upon completion of the required probationary employment period reinstated Staff Members will have their benefits reinstated and receive credit for all previous service in a Full-Time Benefits Eligible Staff position with the University.
2. Sick leave hours, unused from previous University service will be reinstated and credited to the employee's sick leave balance.
3. Service Anniversary dates will be adjusted and previous service will be counted toward tuition reduction eligibility, vacation accrual rate, and service awards.

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. [*reserved*]
- B. Procedures, Guidelines, and Forms. [*reserved*]
- C. Other Related Resources. [*reserved*]

V. References

- A. Policy 5-001: Employee Definitions
- B. Policy 5-102: Staff Employment Policy

- C. Policy 5-200: Leaves of Absence (Health Related)
- D. Policy 5-301: Vacation Leave Policy
- E. Policy 5-305: Reduced Tuition Programs

VI. Contacts

The designated contact officials for this Regulation are

- A. Policy Owner(s) (primary contact person for questions and advice): Director of Benefits for Human Resources
- B. Policy Officer(s): Vice President for Human Resources

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 2.
 - 1. Approved by -- Academic Senate April 6, 1998, and Board of Trustees, May 11, 1998 with effective date of May 11, 1998.
 - 2. Editorial Revisions
 - a. Editorially revised March 3, 2023 to move to current regulations template.
 - b. Editorially revised October 11, 2011 to reflect the changes in Employee definitions as set forth in Policy 5-100.