

Section: Employee/Labor Relations

Section Number: 4.1.2

Subject: Absences: Leaves of Absence
Without Pay

Date of Present Issue: 03/01/87

Date of Previous Issues:
8/83, 11/81, 7/73

POLICY:

The following conditions apply to Leaves of Absence Without Pay:

A. Short Term Absence Without Pay for Personal Reasons:

A regular employee may be granted an absence for personal business without pay with the recommendation of the supervisor and approval of the Department Head. Such absences may not exceed two (2) weeks at any one time except during close-down of any or all of the Employer's operations. General conditions for Leaves of Absence Without Pay do not apply to short term absences on personal business, and benefits are not affected.

B. Extended Leaves of Absence Without Pay for Personal Reasons:

A regular employee may be granted, at the sole discretion of the Employer, and with approval of the appropriate vice-president, a formal leave of absence for personal reasons for a period not to exceed six (6) months. Such a leave may be extended for additional periods, but leave and extensions shall not exceed one (1) year. In no event shall such a leave be granted to enable an employee to work for another employer or in self-employment.

C. Medical Leave of Absence:

A regular employee who is unable to work because of personal sickness or injury and has exhausted sick leave and vacation credits, may be granted a leave of absence without pay upon furnishing evidence of disability satisfactory to the University.

D. Extended Leave for Military Service:

Upon application, a military leave of absence (without pay), for a normal tour of duty, will be granted to regular employees for the period of time required to fulfill their military obligation. This applies to employees who are inducted through elective Service, voluntarily enlist, or are called through membership in the National Guard or a reserve component, into the Armed Forces of the United States. The leave and right to restoration to their former position shall automatically terminate if employees voluntarily remain in military service beyond the period of time required by Selective Service law.

E. Leave for Peace Corps Service:

Upon application, a leave of absence (without pay), will be granted to regular employees for a normal tour of duty in the Peace Corps. The leave and right to restoration to their former position shall automatically terminate if the employee voluntarily extends the Peace Corps service tour.

F. Pregnancy, Childbirth, and Childcare Leave:

The sick leave and medical leave policies of the University apply to absences due to pregnancy and childbirth the same as for any other temporary disability. The duration of the temporary disability is determined by the attending physician. The period prior to or following the conclusion of the temporary disability is covered by the personal leave policy of the University. Personal leave may be granted for childcare purposes.

G. Educational Leave for Veterans:

Provisions of the current agreement with the Support Staff Bargaining Unit apply.

H. Full-time Assignment with the Union:

Provisions of the current agreement with the Support Staff Bargaining Unit apply.

I. Application for Leaves of Absence:

Application for short-term leaves of absence without pay (up to 2 weeks) must be applied for three (3) days in advance and receive approval from the department head.

Application for extended leaves of absence without pay (more than two weeks), must be applied for two (2) weeks in advance, and be approved by the employee's department head before being sent to the Employee Relations Office for consideration. The Director of Employee Relations will consult with the department head concerning available temporary or permanent replacements, expected employment situation at the expiration date of the leave of absence and the procedures to be followed; after approving leave, forwards to the appropriate vice-president for approval.

J. General Conditions:

1. During an extended leave of absence without pay, an employee will not accrue vacation or sick leave, will not be eligible for holiday pay, or any other payments for time off work.
2. Subject to, and consistent with the group life, health, and dental insurance plans in which the employee may be enrolled, coverage may be continued during a leave of absence for up to eighteen (18) months, provided direct payment of the total premium is made by the employee through the Office of Employee Relations, as prescribed by the University and the law (COBRA). (See Sections 4.3.2, 4.3.3, and 4.3.4 for continuation of coverage provisions).
3. During a leave of absence without pay, both the University's and the employee's contribution to the Teacher's Insurance and Annuity Association-University Retirement Equities Fund, or the Michigan Public School Employees Retirement System are discontinued and benefits do not accrue, are not forfeited, nor can they be withdrawn.
4. Seniority during leaves of absence: Provisions of the current agreements with the Support Staff and the Faculty Association Bargaining Units apply.
5. Any employee who obtains leave of absence under false pretense or uses the leave for purposes other than for which it was obtained shall be subject to immediate discharge.

K. Return from a Leave of Absence:

1. Applications for reinstatement from an extended leave of absence (Form LSSC 348, Attachment #1) must be made through the department head to the Employee Relations Office and receive approval from the appropriate vice-president before the leave expires. The University, at its option and without cost to the employee, may require that a physician or physicians of its choosing examine the employee to determine the employee's fitness to return to work from a leave of absence for medical reasons, and provide written release to return to work.
2. An employee who has requested and received an approved leave of absence of thirty (30) calendar days or less shall, upon return from such a leave, be given his or her former job or a job of like status and pay. An employee returning to work from an approved leave of more than thirty (30) days shall be given his or her former job or a job of like status and pay, unless the University's circumstances have so changed as to make it unreasonable to do so. (In such event, Support Staff Bargaining Unit members shall be subject to the lay-off procedures of their current agreement with the University).
3. Application for reinstatement from extended military and Peace Corps leave must be made within thirty (30) calendar days after the employee's release; otherwise the employee shall not be eligible to return to work. Except as otherwise herein provided, the re-employment rights of such employees returning from extended military leave shall be limited by applicable laws and regulations.

L. Medical Dispute:

In the event of a dispute involving any employee's physical ability to perform his or her job or the employee's fitness to return to work at the University, and the employee is not satisfied with the determination of the physician or physicians designated by the University, the employee may submit a report from a physician of his or her own choosing, and at the employee's expense. If the dispute still exists, the University, through its designated physician, shall agree upon a third physician to submit a report to the University and the employee, and the decision of such third party will be binding on both parties. The expense of the third party shall be shared equally by the University and the employee.

