

## UNPAID LEAVE OF ABSENCE

### PURPOSE

The purpose of the Edison State Community College leave of absence policy is to provide a uniform process for College employees to request unpaid leave in certain circumstances and to provide parameters for College administrators for granting employee requests.

### POLICY STATEMENT

Edison State Community College recognizes that employees, in certain and justifiable circumstances, may need to take an unpaid leave of absence from their College employment. As such, the College may grant leave without pay to an employee for the following reasons: (a) a serious medical condition that requires additional leave beyond the time provided under the College's Family and Medical Leave (FML) Policy; (b) complete an advanced degree or engage in other professional development; or (c) major personal matter. The granting of a leave of absence without pay is within the discretion of the College and is not automatic.

The College may grant an unpaid leave of absence for up to six months, subject to written approvals from the appropriate vice-president, the Chief Human Resources Officer with final written approval of the College President. Approval will be determined, in part, upon the leave's impact upon the College and will normally not be granted to probation employees. In no case will leave be granted for the purpose of seeking or accepting other employment, including self-employment. A leave of absence may not be extended beyond six months.

#### Medical Hardship

Employees may request unpaid leave for a serious medical hardship or disability. Unpaid leave taken under the FML policy will be counted in determining the maximum amount of leave granted. Employees who have been employed at the College for less than twelve months or are otherwise not eligible for FML may be eligible for unpaid leave under this policy. All accrued compensatory time, sick leave and vacation leave balances must be used in this order and exhausted prior to approval of unpaid leave for medical hardship. Employees are encouraged to seek sick leave hours prior to requesting unpaid leave for a medical hardship. (*See Leave Donation Policy*)

Employees must provide Human Resources a medical certification from the employee's or family member's medical provider prior to final approval. Employees who seek an extended leave from FML must provide a medical re-certification.

Prior to return to work, the employee must submit to Human Resources a written release completed by the employee's health care provider. This release must clearly state when the employee is able to return to work and whether the employee has any restrictions in performing his/her regular job duties. The release should be submitted in advance of the employee's return to work if possible, but no later than the employee's first day back to work.

#### Professional Development

Employees may request unpaid leave to complete an advanced degree or to engage in a professional activity to improve their professional competence. Employees must submit a written request that details the professional objectives of the leave and, upon return to work, the employees must submit a written report that details the professional accomplishments. All accrued compensatory time and vacation leave must be exhausted as a condition for approval of unpaid leave.

#### Major Personal Matter

Employees may request unpaid leave to address or take care of a major non-medical personal or family matter or issue. Examples include administering a family member's estate and taking care of multiple matters after a house fire. Employees are required to provide documentation of the matter or event. All accrued compensatory credits and vacation leave must be exhausted as a condition for approval of unpaid leave.

### **Benefits**

Vacation and sick leave credits do not accrue during an unpaid leave. Nor do employees receive holiday pay during an unpaid leave period.

### **Health Insurance Coverage**

The College will maintain coverage under the group health plan for the duration of approved unpaid leave, conditioned upon the employee paying the employee's share of the premium. While on leave, the employee must continue to make this payment to the College by the first day of each month. If the payment is more than 30 days late, the employee's health care coverage may be dropped for the duration of the leave. If the employee fails to return at the end of the scheduled unpaid leave, the College may recover the premium that the College paid for maintaining coverage for the employee during the unpaid leave.

### **Return and Reinstatement**

Upon the conclusion date of the scheduled unpaid leave and if the employee has complied with this policy, the employee will be reinstated to the same or similar position of employment. Failure to return to service upon the leave conclusion date is cause for disciplinary action up to and including termination of employment.

If it is discovered that leave is not being used for the specific reason(s) granted, the Chief Human Resources Officer may cancel the leave and direct the employee to return to work, subject to possible disciplinary action.

If the unpaid leave was for a medical reason(s), a medical certification is required. (See the medical hardship section in this policy.)

The employee may return to active pay status prior to the scheduled expiration of the unpaid leave, if early return is agreed to by both the employee and the College.

### **PERSONS AFFECTED**

All full-time benefits eligible Edison State Community College employees. Full-time faculty members are subject to the leave provisions in the ESEA Agreement.