**MILITARY LEAVES OF ABSENCE G040**

02/01/2005

**PURPOSE**

To provide nonexempt employees with information and guidelines regarding leaves of absence.

**DEFINITIONS**

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<th>Leave of Absence</th>
<th>Definition</th>
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<tr>
<td>Leave of Absence</td>
<td>An approved period of time during which an employee may be absent from work for reasons other than vacation in excess of 14 days.</td>
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<td>Disability</td>
<td>The inability of an employee to perform the essential functions and job duties as a consequence of a medical condition.</td>
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**POLICY**

All regular nonexempt employees who have worked at the University for at least six months may apply for a leave of absence for Administrative, Mandatory, Educational, Industrial Disability, Military, or Personal reasons using the Request for Leave of Absence Form. All regular full time and part time employees who have worked at least 1,250 hours during the 12-month period preceding the start of the leave may apply for a leave of absence for Medical, Maternity (Pregnancy), or Family reasons using the Request for Leave of Absence Form.

All requests for a leave of absence in excess of 14 calendar days must be in writing and contain all required approvals as indicated on the Request for Leave of Absence Form. All leaves of absence must have beginning and ending dates specified prior to any consideration for approval. The University may deny certain types of leaves of absence and/or requests for the extension of a leave of absence. Most leaves of absence and extensions are without pay and other economic benefits, unless otherwise specified and approved. The University has no obligation to provide work prior to the expiration of leaves except where required by law. However, efforts will be made to accommodate an early return. The seniority date of the employee will remain unchanged during leaves of absence, but certain benefits may not continue to accrue during a leave of absence. Employees anticipating going on leave should contact the Benefits Administration office for information on eligibility for benefits. For approved Administrative, Mandatory, Industrial Disability, Medical, Maternity, or Family leaves, the employee must continue to pay the employee's portion of health care premiums, and the University will continue to contribute its portion of the premium.

Misrepresentation of facts to obtain a leave of absence will result in disciplinary action up to and including termination. Employees who fail to report for work at the designated return date or who fail to secure an extension of the leave prior to the expiration of the initial leave request may be subject to disciplinary action up to and including termination of employment.
MILITARY LEAVE

A leave of absence without pay for military service in any branch of the U.S. Military, including Coast Guard and National Guard, will be granted for a period of not more than five years (plus any involuntary extension for not more than one year). The employee is to complete a Request for Leave of Absence Form and submit it with supporting military document(s) to the immediate supervisor at the time of notice of military service and prior to the effective date of leave.

Leave for military service of 14 days or less that occurs during the employee’s regular work schedule need not be requested on a Request for Leave of Absence Form; however, such a leave, with supporting documentation from the military, must be presented to the supervisor before the effective date of leave. Accrued vacation, if applicable, may be used for this short-term period of absence.

Compensation received from the military belongs to the individual. Certain University benefits may be continued during the leave of absence if arranged in advance through the Benefits Administration office. Reinstatement to employment at the end of a military leave requires the employee to notify the University of intent to return to work. There are three separate reporting criteria:

1. Reservists or members of the National Guard whose period of military service is less than three months are required to report for work within three days after the date of military release.

2. Reservists or members of the National Guard whose period of military service is more than three months are required to report for work within 31 days after the date of military release.

3. Volunteers or inductees into regular active military duty for a period of not more than four years (plus any involuntary extension for not more than one year), those recalled to active duty, or Reservists/National Guard who have been called to active duty are required to report for work within 91 days after date of military release.

Reinstatement will be afforded to employees returning from Military/members of the National Guard Service in accordance with current law. The reinstated employee will be allowed to participate in applicable benefits to the same extent as prior to the interruption of military service.

For retirement purposes, the reinstated employee may return to the Retirement Plan with their original date of participation. Credited service is earned during a Military Leave for a plan year (June 1 through May 31). The Retirement Plan provisions apply in all cases of breaks in service. The department may temporarily fill the vacant position during the employee’s military leave of absence. However, upon the employee’s return from Military leave, the department must reinstate the employee in the previous position.

PROCEDURE

For a Leave of Absence under this policy, a completed Request for Leave of Absence Form must be signed by the employee, supervisor, and others as designated on the form. The form must be attached to appropriate documentation substantiating the basis for the leave. A leave of absence and an extension are to be requested and approved before they become effective except as noted in applicable leaves.

To reinstate an employee, the department must complete and forward a copy of the Return to Work Certification, if applicable, and submit an online document to the appropriate Human Resources Office.
If it is determined that an employee will not return to work at the end of a leave of absence, a Clearance Checklist must be completed and submitted to the Check Distribution Office (see Clearance Checklist Policy B023) and an online document submitted to the appropriate Human Resources Office.

Employees must be instructed by the supervisor to contact the Benefits Administration office for review of benefits before beginning leave and before returning to work.