

HEALTH SCIENCE CENTER HANDBOOK OF OPERATING PROCEDURES

Chapter 4	General Personnel Policies	Effective:	November 2000
Section 4.7	Work and Leave Administration	Revised:	January 2003
Policy 4.7.12	Leave of Absence Without Pay	Responsibility:	Vice President for Human Resources

LEAVE OF ABSENCE WITHOUT PAY

Policy

The purpose of this policy is to provide for the administration of employee requests for leave of absence without pay. A leave of absence without pay may be granted to employees of the Health Science Center, on request, subject to the terms and conditions set forth in this policy.

1. With the interests of the institution being given first consideration and for good cause, a leave of absence without pay may be granted for a period within the term of appointment of any faculty or staff member provided he or she is employed at least twenty (20) hours per week for a period of at least four and one-half (4½) months.
2. This policy does not apply to individuals employed in positions that require student status as a condition of employment, unless they have qualified for and are on "Family and Medical Leave". See [Section 4.7.13](#), "Family Medical Leave Act (FMLA)", of the *Handbook of Operating Procedures (HOP)*.
3. Except for disciplinary suspensions or use of approved workers' compensation and military leave, all accumulated paid leave entitlements and any compensatory time balance must be exhausted before granting a leave of absence without pay. Sick leave must be exhausted only in those cases where the employee is eligible to take sick leave as defined in [Section 4.7.8](#), "Sick Leave", of the HOP.
4. Leaves of absence without pay will be limited to twelve (12) continuous months or extend no later than the end of the fiscal year in which the leave begins. In the case of faculty, the date for return to duty will generally coincide with the beginning of the next semester following the period of absence.
5. Leaves of absence for a first year or portion thereof, or a second consecutive year's leave, may be granted by the President, subject to the general conditions included herein. Leaves of absence for a second consecutive year will be granted only in unusual circumstances, such as a leave for public service or other activity that reflects credit on the institution and enhances

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an individual's ability to make subsequent contributions to the institution. Except in very unusual circumstances, a third consecutive leave of absence will not be granted. Requests for a third consecutive year's leave of absence without pay must be reviewed and approved by the appropriate Executive Vice Chancellor.

6. Subject to financial constraints, the approval of a leave of absence constitutes a guarantee of return to employment and at the conclusion of the leave period. Employees who return from leave without pay will be returned to the same or a similar position typically at the same salary unless circumstances preclude such rate of pay. Such circumstances may include, but will not be limited to, a duly approved reorganization.
7. A full or partial calendar month during which an employee is on leave without pay does not constitute a break in service.
8. After a return to duty of one year, the leave of absence privilege will again be available subject to the conditions above.
9. Upon expiration of "Family and Medical Leave", see [Section 4.7.13](#), "Family Medical Leave Act (FMLA)", of the HOP, an employee may be eligible for a leave of absence, but the total combined period of leave without pay cannot exceed twelve (12) months or no later than the end of the fiscal year in which the leave commenced.
10. Except in the case of an employee returning to state employment from military leave without pay, any full calendar month in which the employee is on leave without pay will not be counted in the calculation of total state service credit for the purposes of the rate of vacation accrual or longevity pay entitlement. No employee will accrue vacation or sick leave for any full calendar month during which the employee is on leave without pay.

Definitions

PREMIUM SHARING: The amount of money provided by the state and The University of Texas System to offset the costs of premiums for certain insurance coverages.

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Procedures

1. An employee must submit a written request for leave without pay to the administrative head of the department indicating the leave time requested. The request will be reviewed by the administrative head of the department, with the interests of the institution being given first consideration. The administrative head of the department has responsibility for approving requests for leave without pay.
2. If a request for leave without pay is approved, the department processes a Leave of Absence action in the PeopleSoft system.
3. While an employee is on leave without pay, a department may hire a temporary replacement. If a temporary replacement is to be hired for a period of time exceeding four and one-half (4½) months at twenty (20) hours or more per week, recruiting requirements for the replacement must be fulfilled and the position would be recruited for as a temporary replacement for an employee who is on leave.
4. When the employee is placed in a leave without pay status for one full calendar month or more, the employee must specify the insurance coverage they wish to retain while on leave. It is the responsibility of the employee to contact and consult with the Office of Human Resources (OHR) to make arrangements for payment of insurance premiums while on leave. Payments of insurance premiums must be received in OHR by the fifteenth of the month in which they are due. Failure to pay premiums on a timely basis will result in cancellation of coverage. OHR will notify the employee at the address or phone number of record if their coverage is canceled due to non-payment. Coverage will not be reinstated until the employee returns to work in a benefits eligible position.
5. When the employee returns to work and if the employee is still in a benefits eligible position, he or she will be reinstated in the insurance plans and coverage levels held prior to the leave without pay status and will again begin receiving premium sharing on the first day back.