

POLICY

Leaves of Absence

LAST REVISED ON 11/2021

This policy applies to: Regular full-time and regular part-time staff and faculty.

Individuals represented by collective bargaining agreements receive benefits in accordance with those agreements.

I. Policy

The University of Rochester provides two types of Leaves of Absence for employees.

A. Short-Term Leave of Absence

May be granted by departments for **up to 30 work days' unpaid leave** (not to exceed six weeks) in a calendar year for reasons such as family illness or urgent personal business.

NOTE: For protocols related to COVID-19 vaccine, please see the [COVID-19 Vaccine Addendum](#).

B. University Leave of Absence

May provide employees with **up to 12 months' unpaid leave** for reasons such as education, dependent or elder care, or community service.

II. Guidelines

A. Short-Term Leave of Absence

1. Regular full-time and part-time employee **may** be granted **one** Short-Term Leave **for up to 30 work days** (not to exceed six weeks) **in a calendar year** at the discretion of the department head for such reasons as non-FMLA family illness or urgent personal business when the staff member has insufficient PTO or sick time, if applicable, and vacation accruals and without the leave, the individual may have to resign.
2. During this leave the employee is required to use PTO or sick time, if applicable, and vacation accruals which will be paid during regular pay period cycles until exhausted.
3. Short-Term Leaves of Absence should be approved by the employee's department head.
4. Benefits will continue subject to any payroll deductions. When PTO or sick time, if applicable, and vacation accruals have been exhausted, benefit premiums will go into arrears. Upon your return to work, the benefit premiums will be deducted from your paycheck.

B. University Leave of Absence

1. Regular full-time and part-time employees who have completed at least two years of University service **may** be granted a University Leave for up to 12 months (1) for personal reasons such as education, dependent or elder care or community service, (2) as a reasonable accommodation for a qualified individual with a disability who is unable to return to work at expiration of short-term disability and who is ineligible for long-term disability, and (3) other exceptional circumstances as mutually agreed between the University and the employee.
2. University Leave of Absence **for up to 12 months** is granted when it is mutually beneficial to the employee and the department and, therefore, is not granted automatically. In approving such a Leave, the department commits to retain a vacancy **in that position or a comparable position** for which the employee is qualified unless otherwise mutually agreed between the University and the employee. The employee must be informed of that commitment, and must give assurances of returning to active work **in that position or a comparable position** upon expiration of the Leave.

3. During this leave payout of vacation accruals will occur within the on cycle pay period following the date the request was processed by Leave Administration. Any supplemental banks will be purged.
4. The University Leave of Absence must be requested by the employee, approved by the employee's department head, dean, director or vice president (this includes verifying that the employee meets the eligibility requirements for a leave), and submitted to Leave Administration for processing.
5. An employee taking a University Leave of Absence must complete two years of continuous active University Service before becoming eligible to be granted another University Leave of Absence.
6. Benefits during University Leave of Absence:
 - a. Medical and/or Dental Plan coverage will be continued unless the employee signs a form canceling this coverage. Employees who do not cancel this insurance will be billed quarterly for their normal share of the premium.
 - b. Spending Account (FSA, HSA, Dependent Care (DCFSA)) participation stops as of the effective date of the unpaid leave. Upon return from a Leave, employees may enroll within 30 days.
 - c. University-paid Basic Term Life and University-paid Basic Accidental Death Dismemberment (AD&D) insurance will be continued. Any Group Universal Life (GUL), Optional Accidental Death & Dismemberment (AD&D), and/or Dependent Group Term Life coverage that a faculty or staff member has elected may also be continued unless the faculty or staff member signs a form canceling this coverage. Faculty and staff members who do not cancel their GUL, Optional AD&D and/or Dependent Term Life insurance during a Leave will be billed by Securian Financial and will need to pay their normal premiums.
 - d. Vacation, holidays and sick leave/PTO do not accrue. Vacation balances would be paid out and sick leave/PTO balances would be maintained. Upon return from a Leave, vacation would begin to accrue and sick leave/PTO balances (if applicable) will be available for use and accruals will begin again based on the employee's service date for sick leave and in January for PTO. Service time continues to accrue during each type of

Leave.

- e. An individual who becomes disabled within four weeks of the effective date of the Leave may qualify for NY State statutory pay benefits during the period of the disability.
- f. Full and Limited Long-Term Disability (LTD) Insurance is suspended during a Leave unless an individual is on Leave for full-time study for an advanced degree or active work in education or research. Employees on Leaves for these purposes who choose to continue LTD Insurance will be billed for their normal share of the premium.
- g. University contributions to the Retirement Program are suspended. In addition, any voluntary contributions would be suspended during a Leave since contributions to these portions of the University Retirement Program can only be made through salary reduction.
- h. Tuition benefits for employees are suspended. Tuition benefits for dependent children are not interrupted.
- i. YOUR Benefits Extras (VSP Vision Care, MetLife Legal Plans, and Group Auto & Home Insurance): Coverage for VSP Vision Care and Hyatt Legal Plans will be suspended during a Leave. Any Auto & Home insurance will be continued. Faculty or staff members who do not cancel their Auto & Home insurance coverage will be billed directly by Liberty Mutual, MetLife or Travelers.
- j. University Home Ownership Incentive Program: Employees remain eligible for the University Home Ownership Incentive Program.

C. General Conditions

1. In no case shall time off from work due to a Leave of Absence exceed 12 months.
2. A Leave may **not** be granted for the primary purpose of enabling a staff member to maintain employment outside of the University.
3. Extension of Leave: Leaves granted for less than 12 months may be extended, if requested prior to expiration, for a total absence of up to 12 months.

4. If during a University Leave, a department cannot hold a position for the employee; the department must discuss this with the Office of Human Resources before notifying the employee.
5. Work at the University while on Leave: An employee on Leave may work on a Time-As-Reported (TAR) basis in an additional job record or Strong Staffing at the University without interruption of benefits as outlined above.
6. Employees on Leave are subject to employment action which would normally have taken place during the course of the Leave (e.g., layoff, termination for misconduct or cause, termination of grant funding, etc.).
7. An employee's failure to return from a Leave will result in termination of employment except where additional leave has been granted as a reasonable accommodation for a qualified individual with a disability and it is not an undue hardship to continue to hold the individual's position.

III. Procedures

A. Short-Term Leave of Absence

1. The employee must submit a written request to the department head for a short-term excused absence without pay including specific dates of the expected absence. The department head will confirm in writing to the employee the exact dates the employee is excused, defining how much of the leave time will be covered by PTO or sick time, if applicable, or vacation accruals and how much is excused time without pay.
2. For hourly paid employees no paperwork is needed. The department would simply not report hours during the approved departmental leave.

For salaried paid employees, a Personnel Action Form (PAF) is necessary to ensure pay is turned off during the approved departmental leave. On the PAF note the effective date of the leave as the first day out. Note the end date of the leave under "Planned exit/end date". The end date is the last day of the leave. The form must be submitted prior to the Time & Labor

approval date to ensure that the pay has been turned off.

3. During this leave the staff member is required to use PTO or sick time, if applicable, and vacation accruals which will be paid during regular pay period cycles until exhausted.

B. University Leave of Absence

1. An employee must submit a Request for Leave of Absence form (https://www.rochester.edu/human-resources/wp-content/uploads/2020/02/LOA_Form.pdf) to the immediate supervisor no less than thirty (30) days prior to the beginning date of the Leave. However, in the case of an emergency, this time period may be waived.
2. The supervisor and department head or appropriate dean, director or vice president concerned will evaluate the request. If approved, the department will send the “Request for Leave of Absence” form to Leave Administration for review and processing.
3. If approved, Leave Administration will notify the employee and department in writing and place the employee on Leave in HRMS. A Personal Action Form (PAF) is not required.
4. When a Leave of Absence is granted, the employee should contact the Office of Total Rewards to discuss benefits coverage. Any coverage for which the employee retains eligibility and is enrolled in will be continued unless the individual signs a form canceling their coverage. The employee will be required to pay his/her normal share of the premiums.
5. During this leave, payout of **vacation** accruals (up to the maximum allowance) will occur within the on cycle pay period following the date the request was processed by Leave Administration.
6. The employee should contact the supervisor or department head two weeks prior to the specified date of return to confirm arrangements for return to active status.
7. Upon return from leave, the staff member’s department must submit a Return from Leave of Absence (<https://www.rochester.edu/human-resources/benefits/leave-disability/leaves-of-absence/return-to-work-from-leave-of-absence/>) form to Leave Administration in order to return the employee to active status.

C. In order to extend a Leave beyond its original term, but not to exceed a total absence of 12 months, an employee must discuss this extension with their supervisor. The employee's department is responsible for advising the employee, in writing, of any changes in the terms of the Leave of Absence including the approval of extensions. The supervisor should complete an approval of extension on the leave of absence form and submit it to Leave Administration.

D. Unapproved Leaves: An employee who requests a Leave of Absence and whose request is denied may elect to resign; however, if the employee is rehired, he/she may have service time reinstated if criteria as set forth in [Policy #134 \(https://www.rochester.edu/policies/policies/rehire-service-time/\)](https://www.rochester.edu/policies/policies/rehire-service-time/) (Reinstatement of Previous Service Time When Rehired) are met.

COVID-19 Vaccine Addendum

Subject: Rehiring staff members who separated from the University on or after September 28, 2021 due to noncompliance with the University vaccination mandate and who become vaccinated at a later date.

Applies to: All staff

Represented staff should reference their collective bargaining agreement.

I. Guidelines

A. Staff members who separated from the University on September 28, 2021 for non-compliance with the University vaccine mandate and become vaccinated within three months (90 calendar days) from that date may be eligible for consideration for rehire, as long as they have left the University in good standing, show proof of vaccination, their position has not been filled, and they return to work before the expiration of that 90-day period. Any staff member rehired under this addendum within the aforementioned three-month period, shall receive any missed vacation accruals reinstated for the timeframe they were separated from work. Staff members considering returning to the University should contact Total Rewards for more information about their specific benefits. Staff rehired who are not fully vaccinated must complete the vaccination process by November 15, 2021 or within thirty (30) days of return, whichever is later, and will be subject to weekly COVID-19 testing, masking, and completing Dr. Chat Bot per University policy until fully vaccinated.

B. Staff members who separate on November 22, 2021 for non-compliance with the NY State vaccine mandate may be eligible for consideration for rehire within 30 days of their termination date as long as they have left the University in good standing, show proof that they are fully vaccinated, and their position has not been filled.

C. Staff members who separate from the University on or after November 23, 2021 due to non-compliance with either the University or State vaccine mandate and subsequently becomes fully vaccinated, may apply for available positions. The University will consider their application for reemployment along with other qualified applicants.

The University reserves the right to interpret, modify, amend, or terminate any or all of the benefit plans at any time, including actions that may affect coverage, cost-sharing, or covered benefits. A paper copy of this information is available for free from Leave Administration.

ABOUT THIS POLICY

Policy Number

357

Policy Group

Human Resources

Issuing Authority

Human Resources

Responsible Officer

Kathy Miner

Contact Information

kathy.miner@rochester.edu (mailto: kathy.miner@rochester.edu)

ADDITIONAL RESOURCES

[Human Resources: Leave and Disability \(https://www.rochester.edu/human-resources/benefits/leave-disability/\)](https://www.rochester.edu/human-resources/benefits/leave-disability/)

[Request for University Leave of Absence and Extension of Leave Form \(https://www.rochester.edu/human-resources/wp-content/uploads/2020/02/LOA_Form.pdf\)](https://www.rochester.edu/human-resources/wp-content/uploads/2020/02/LOA_Form.pdf)

RELATED POLICIES

[Long-Term Disability Plan \(https://www.rochester.edu/policies/policy/long-term-disability-plan/\)](https://www.rochester.edu/policies/policy/long-term-disability-plan/)

[Flexible Scheduling \(https://www.rochester.edu/policies/policy/flexible-scheduling/\)](https://www.rochester.edu/policies/policy/flexible-scheduling/)

[Reinstatement of Previous Service Time When Rehired \(https://www.rochester.edu/policies/policy/rehire-service-time/\)](https://www.rochester.edu/policies/policy/rehire-service-time/)

POLICY KEYWORDS

[Benefits \(https://www.rochester.edu/policies/all/?filter%5Btopics%5D=306\)](https://www.rochester.edu/policies/all/?filter%5Btopics%5D=306)

[Compensation \(https://www.rochester.edu/policies/all/?filter%5Btopics%5D=326\)](https://www.rochester.edu/policies/all/?filter%5Btopics%5D=326)

[Payroll \(https://www.rochester.edu/policies/all/?filter%5Btopics%5D=506\)](https://www.rochester.edu/policies/all/?filter%5Btopics%5D=506)