

Unpaid Leave Of Absence (Non-FMLA)

PURPOSE: To provide the guidelines and requirements for requesting and considering unpaid paid leaves of absence which do not qualify for leave under the College's FMLA policy and/or when the employee has exhausted or is ineligible to use paid time off (e.g. sick, vacation and personal days).

POLICY: The College recognizes the need to consider on a case by case basis employee requests for unpaid time off when the employee does not qualify for leave under the College's FMLA policy and/or when the employee has exhausted or is ineligible to use paid time off (e.g. sick, vacation and personal days).

DATE APPROVED: AUGUST 1, 2005

PRACTICES AND PROCEDURES:

ELIGIBILITY

- Full-time employees who have completed 12 months of employment are eligible to request unpaid leave (non-FMLA). In addition, the employee must have exhausted all applicable paid time off or otherwise be ineligible to draw upon available paid time off. The leave must also not qualify for FMLA.
- Unpaid leave requests will be considered on a case by case basis at the discretion of the College, taking into consideration the business needs of the College and other factors. Approval for unpaid leave must be requested from and authorized in advance by Human Resources.

REQUESTING UNPAID LEAVE (NON-FMLA)

- Employees are expected to provide a minimum of 30 days notice of their request for unpaid leave. If this is not possible, employees should make their unpaid leave request as soon as they are able, and where the reason for lack of 30 day notice is not obvious, provide an explanation for the lack of the requisite notice along with their leave request.
- Unpaid leave requests should be made by completing a "Leave of Absence Request Form" and submitting the completed form along with any supporting medical or other documentation to Human Resources.

MATERNITY LEAVE

Employees are entitled to a leave of absence for the period of temporary physical disability resulting from pregnancy, childbirth, or related medical conditions. When physically able to return to work, the employee is entitled to be returned to her original job or a comparable position will be made available unless business necessity makes this impossible or unreasonable. If an employee is eligible for FMLA, time on a maternity leave of absence will be counted against an employee's 12 week Family and Medical Leave Act leave entitlement.

EXTENSIONS AND MAXIMUM LEAVE AVAILABLE

- Employees who are unable to return to work at the expiration of a granted leave of absence (which may be FMLA or unpaid), may request additional leave. Additional leave requests must be made at least 5 business days before the expiration of the employee's current leave of absence by completing another "Leave of Absence Request Form" and submitting the completed form along with any supporting medical or other documentation to Human Resources, unless other arrangements are made with Human Resources.
- Unpaid leave can be requested in increments of ½ day or more up to a maximum of 6 months.

SALARY CONTINUATION/USE OF EARNED TIME DURING LEAVE

- Leaves of absence under this policy are unpaid. Employees who otherwise meet the eligibility criteria for workers' compensation or short-term disability benefits may receive compensation under one or more of these benefit plans. Employees should contact Human Resources for information and claims forms, if applicable.

CONTINUATION OF BENEFITS

If an unpaid leave results in an employee's regular work hours dropping below 40 hours per week, the employee will no longer be eligible to participate in the College's group health plan. The employee will however be entitled to continue health benefits at his/her own cost under COBRA.

Voluntary benefits may be continued so long as the employee makes timely premium payments in accordance with the instructions provided by Human Resources.

If benefits are discontinued, benefits will be reinstated on the date the employee returns to full time work in a benefits-eligible position.

REINSTATEMENT

- Employees granted an unpaid leave of absence are not guaranteed reinstatement. For employees who have exhausted their 12 week FMLA leave entitlement, there is no guarantee of reinstatement following the expiration of any additional leave granted.
- See maternity leave paragraph above for reinstatement following maternity leave.
- Employees on unpaid leave because of their own injury or illness will not be permitted to return to work without a work release from his/her physician.
- The employee should contact Human Resources prior to the expiration of his/her leave to determine what position vacancies they may qualify for and apply for positions of interest to them. If the employee is not offered alternative employment prior to the expiration of his/her leave, the employee will be separated from employment.