

Policy 3.2.17 Human Resources: Leave Without Pay

**TRI-COUNTY
COMMUNITY COLLEGE**

**HUMAN RESOURCES
LEAVE WITHOUT PAY**

**POLICY
3.2.17**

Leave without pay may be granted to an employee for educational purposes which will better equip the employee for the performance of his/her duties and responsibilities, to do special work for the federal government in cases of emergency or when the College is to profit by the experience gained or the work performed, for vacation purposes, for reasons specified in College policy, or for other reasons deemed justified by the appropriate Vice President and the President or otherwise required by law.

I. Maximum Amount

Leave without pay normally shall not exceed twelve (12) months. Any exception to this should be agreed upon by the appropriate Vice President and the President. For military leave without pay, see Policy 3.2.15 – Military Leave.

II. Employee Responsibility

The employee shall apply in writing to his or her supervisor for leave without pay at least two (2) weeks prior to such leave. The employee is obligated to return to duty within or at the end of the time granted. If the employee finds s/he will not return to work, the employee must notify the College immediately. Failure to report to work at the expiration of a leave without pay, unless an extension has been requested, shall be treated as a resignation.

III. College Responsibility

The decision to grant leave without pay is an administrative one for which the Vice President and President must assume full responsibility. Factors to consider are workload, need for filling employee's job, chances of employee's returning to duty and chances of the College's ability to reinstate employee to a position of similar status and pay. If it is necessary to fill a position vacant by leave without pay or if it is necessary to terminate an employee on leave without pay, the position may be filled by a temporary or permanent appointment provided the employee on leave without pay is notified of such action immediately.

IV. Retention of Benefits

While on leave without pay, the employee shall retain all accumulated annual leave and sick leave and time earned towards salary increments; however, the employee ceases to earn any additional sick or annual leave on the date leave without pay begins except in cases where an employee is receiving worker's compensation benefits. The employee also ceases to earn time toward salary increments except while on military leave, educational leave or while receiving worker's compensation benefits.

V. Payment for Non-workdays – Short Periods of Leave without Pay

A short period of leave without pay is a period of not more than 10 workdays. An employee on leave without pay for a short period is entitled to be paid for non-workdays (weekends and holidays), if they are scheduled to work that day and only when he or she is in pay status at least half the day immediately preceding or following the non-workdays.

Adopted: 5/24/18 BOT