Leaves of Absence Resource Guide

Generally, full-time or part-time permanent or probationary employees are eligible to request full or partial leaves of absence for up to one year. Eligibility guidelines are subject to appropriate Collective Bargaining Agreements (CBAs), specific policies, applicable legal agreements, and current state and federal legislation. For represented employees, their respective collective bargaining agreement may supersede some provisions of these guidelines. The granting or denial of leaves of absence without pay is not subject to collective bargaining grievance procedures.

A leave of absence may be granted for medical and family care, disability, pregnancy, and military service, personal and other reasons. Staff shall apply for such leaves in accordance with the guidelines established by Human Resources.

An approved leave of absence assures the employee a right to his/her former position, or a position within his/her classification, upon expiration of the leave. Verification that the conditions of the leave were met may be required. Refer to the appropriate collective bargaining agreement regarding the affect an approved leave of absence may have on:

- Probationary status
- Salary adjustments
- State service credit
- Seniority points
- CalPERS Service Credit

If an employee fails to return to active employment at the end of the authorized period of leave, the employee may be separated as an unapproved leave of absence (AWOL).

Important Information

- **INFORMAL LEAVE:** An informal leave of absence, that is not applicable under FMLA guidelines may be granted at the departmental level, if the unpaid leave is for 15 calendar days or less. Payroll must be notified of the informal leave without pay as soon as possible in order to make the appropriate adjustments to the employee's pay warrant.

- **FORMAL LEAVE:** Any leave exceeding 15 calendar days ***must be authorized*** by the appropriate administrator and Human Resources by completing the Leaves of Absence Request form. The form is available on the Human Resources website at under "HR Forms."

- **FAMILY MEDICAL LEAVE:**
  - All Family Medical Leave (FML) requests must be processed on a **Leaves of Absence Request** form, regardless of the length of the leave. Sick leave usage in excess of three-five days* must be tracked under the Family Medical Leave Act, exception APC Unit 4. **Please refer to the appropriate Memorandum of Understanding (MOU).*

  - Request for a leave of absence due to a serious health condition (the employee's own or that of his/her spouse, parent, child or domestic partner) requires additional paperwork: **FMLA Notice and Request Form** and Health Provider Certification form. These forms can be downloaded from the Human Resources website.

  - A signed **FMLA Notice and Request Form** and Health Provider Certification form must be received by Human Resources with your completed Leaves of Absence Request form.

- Other disability plans such as Non-industrial Disability and Catastrophic Leave may be coordinated with benefits under the Family Medical Leave Act.

- Employees are encouraged to work closely with Human Resources to assure that appropriate paperwork is completed in a timely manner.

Process and Procedures for Requesting a Leave of Absence

➢ Employee Responsibilities

The employee will:

1. Discuss with his/her appropriate supervisor/manager the request for the leave.

2. Complete and submit the **Leaves of Absence Request** form and all required documentation, to the appropriate supervisor/manager at least 30 days in advance of the leave, or as soon as possible. The **Leaves of Absence Request** form will then be forwarded by the employee or appropriate administrator to Human Resources for eligibility and recommendation.

3. Make an appointment with the Benefits Coordinator, (707) 654-1137 in Human Resources to review leave coordination and benefits coverage.

    a. An employee on an approved Family Medical Leave, if eligible, will automatically receive University contributions for medical, dental, and vision coverage during an unpaid leave. The employee's portion of the medical will be retroactively deducted from the employee's check upon return from an unpaid FML.

    b. An employee on an approved Leave of Absence Without Pay for more than one full pay period may elect to continue health benefits at their own expense by completing the **Direct Pay Authorization** forms and submitting payment directly to the plan carriers.

    c. CSU voluntary plans such as life, disability, auto and homeowners insurance may terminate while on leave. Employees may contact individual carriers to pay the premiums directly.

    d. A tax-shelter annuity (TSA) and other deferred compensation plans (i.e. 457 and 401) will be suspended during a Leave of Absence and will be automatically reinstated upon return to pay status. Deferred compensation plans continue while on partial leave unless the employee cancels the deduction. Contact Human Resources for instructions regarding canceling or changing the amount of the deduction.

    e. Depending on the length and type of leave of absence, the State Controller's Office may cancel an employee's direct deposit. If direct deposit is cancelled, the employee may reapply upon return from the leave. Employees should allow a minimum of 30 – 45 days to reestablish direct deposit. Contact the Payroll Coordinator (707) 655-1138, for additional information.

4. Report use of paid leave credits (vacation, sick leave, personal holiday, CTO, etc.) on monthly **Absence and Additional Time Report** to the department.

5. To request an extension on a leave of absence or request to return to work early, a new **Leaves of Absence Request** form must be completed and submitted to the appropriate administrator. Operational needs within the department must be considered and may prevent the appropriate administrator from granting the request.

➢ Department Responsibilities

1. The Manager must ensure the appropriate procedures for requesting a leave of absence are followed.

2. Consult with the Leave Coordinator in Human Resources immediately upon learning of a leave or potential leave of absence, to determine if the employee is eligible for Family Medical Leave, and to review the leave conditions.

3. Review the Leaves of Absence Request **form**.

4. If the leave is for 15 calendar days or less, at your discretion, you may grant an informal Leave of Absence (not applicable under the Family Medical Leave Act which results in a pay dock for the employee). Make appropriate notification on the monthly attendance report, and, if necessary, notify the Payroll Office of

the dock (leave without pay= "L" time on the attendance report) prior to the cutoff date for the affected pay period.

5. Notify the employee of your approval or denial. Forward **Leaves of Absence Request** to Human Resources.

6. If approved by Human Resources, department will be instructed to generate an _____placing the employee on the appropriate leave plan (i.e., leave without pay, FML unpaid, Military leave, etc.). Human Resources will provide the effective date.

7. Monitor the employee's return to work date. Submit an_____ in order to reinstate employee from the Leave of Absence. Contact Human Resources for effective dates.

➢ **Human Resources Responsibilities**

1. Benefits Coordinator
    a. Discuss leave programs and impact, if any, on benefits with employee.
    b. Review the employee's request for eligibility/entitlement.
    c. Determine eligibility for Leave of Absence.
    d. Consult with the appropriate administrator regarding the employee and leave status.
    e. Forward Leave of Absence Request to the Benefits Coordinator in Human Resources.
    f. Forward copies of the approved or denied Leaves of Absence Request to employee and department.
    g. Proceed with appropriate paperwork, if leave is approved.
    h. Request that department generate with effective dates provided by Human Resources.
    i. Monitor return to work dates and medical certifications.