2.1.8 MISCELLANEOUS AUTHORIZED ABSENCES

Last updated on: 12/09/2016

Formerly Known As Policy Number:
22.7
This policy summarizes the leaves of absence, paid and unpaid, approved by the university.

Authority:
Approved by the Vice President for Human Resources.

Applicability:
Applies to all regular employees as defined in Guide Memo 2.1.7: [1] Sick Time: Regular Staff Employees, Regular Academic Staff-Research and Regular Academic Staff-Professional Librarians. For policies that apply to employees covered by a collective bargaining agreement, refer to the agreements at Labor Relations & Collective Bargaining [2].

1. Paid Absences

Paid absences approved in advance count as hours worked for purposes of calculating overtime payment [refer to Guide Memo 2.1.5 [3]: Compensation of Staff Employees, section 5.b(3)]. The university authorizes these absences: Vacations in Guide Memo 2.1.6 [4], Sick Time in Guide Memo 2.1.7 [1], and Paid Holidays in Guide Memo 2.1.13 [5]. In addition, the following absences with continuation of pay are authorized by the university:

a. Voting
When a regular full-time employee, because of the work schedule, is not able to vote outside of regularly scheduled work hours, supervisors shall authorize necessary time off, but not to exceed two hours with pay. Such time off should be scheduled when least disruptive to the department's work.

b. Jury Duty
A regular employee summoned to jury duty receives time off with pay for the periods of absence from scheduled work as required by the court. The employee retains any payments received from the court. The employee must provide verification from the court or jury commissioner of time spent on required jury duty.

c. Court Appearances
A regular employee subpoenaed as a witness in a non work-related matter receives time off with pay for the periods of absence from scheduled work as required by the court.

Absences to appear as a plaintiff or defendant in a non work-related matter should be charged to personal time off, vacation leave, or personal leave without pay.

d. Personal Time Off
A regular employee may take time off from scheduled work for personal reasons with the supervisor's prior approval. An appropriate use of available PTO is to continue pay during winter closure. A full-time employee may use a maximum of 24 hours of paid time off for his/her personal reasons each year. The maximum allowance per year should be pro-rated for newly hired or rehired employees, and for part-time employees.

Personal Time Off (PTO) is available at the beginning of the calendar year. Employees may "borrow" up to their full amount of PTO before it is credited to cover time that would otherwise be unpaid during winter closure. PTO may not be carried forward from year to year. If the employee is to be terminated and has unused PTO, arrange for the employee to take PTO before termination. Any remaining unused PTO is paid in the employee's final paycheck.

When an employee leaves one position and accepts another position within the university, the employee retains his/her unused PTO. The employee is subject to any policies applicable to the new position regarding PTO, including policies regarding PTO use and limits on PTO allowance.

**Guide to Supervisors:**

- An employee is not obligated to explain how he/she intends to use personal time off. The supervisor's approval or denial of a request for PTO relates only to whether or not the department/work unit can accommodate the employee's absence.

**e. Reporting Personal Time Off**

- **Non-Exempt Employees:** Record all PTO taken during a pay period in the human resources management system (Axess/PeopleSoft HRMS).
- **Exempt Employees:** It is not necessary to report any PTO less than four hours. For reporting purposes of four or more hours, record a minimum of four hours or the actual time taken if over four hours.

**f. PTO Augmenting Disability Payments**

Unless the employee applies to his/her department for an exception, which is approved, the university uses an employee's accrued time off (sick, PTO for the calendar year, floating holiday and vacation, in that order) to maintain the employee's base pay during times when the employee is receiving disability benefit payments. See **Guide Memo 2.3.5 [6]: Disability and Family Leaves, section 6.**

**g. Death in the Family Leave**

When there is a death of a close family member of a regular employee, regular pay continues for the necessary period of absence from work, not to exceed five working days. When additional time off is needed, a department may approve use of vacation or personal leave without pay. Definitions of terms used:

- **Close family member:** limited to the employee's spouse; same-sex domestic partner; children of the employee; spouse or same-sex domestic partner; parents and parents-in-law; parent surrogate; brothers and sisters of the employee; grandparents and grandchildren of the employee; and, any other dependent family member who lived in the employee's residence.
- **Necessary period of absence:** the time required to attend the funeral or memorial service and discharge related responsibilities. This period is subject to approval by the employee's department.

**h. Military Training Leave**

When required to perform annual military training duty a regular employee receives time off for the period of actual training, up to 17 calendar days a year. The university supplements the employee's military base pay for the scheduled working days of absence, up to the employee's full salary or wage. Employees must complete one year of employment in order to receive supplemental military training pay from the university. (Refer to section 4.f. for procedures.) See your Human Resources Manager for more information.

**i. Paid Organ Donor Leave**

Under California law, eligible employees are entitled to a paid leave of absence up to 30 days for the purpose of organ donation and up to 5 days for bone marrow donation in any one-year period. Use of accrued time for a portion of the leave will be required to the extent permitted by law. For details, see **Guide Memo 2.3.5 [6]: Disability & Family Leave, section 4.**
2. Other Absences

**NOTE:** These leaves of themselves are unpaid and do not result in the employee receiving pay from the university. Depending on the nature of the leave, however, an employee may be required to use other accrued time off, e.g., accrued vacation, personal time off, or sick time, during the leave or may be eligible to receive disability benefits pursuant to the terms of the university's Voluntary Disability Insurance plan.

### a. Types of Leave of Absence Without Pay

1. **Personal Leave**
   A regular employee may be placed on personal leave without pay at a department's discretion. Extra time off in conjunction with paid vacation or time off to take care of family circumstances are examples of situations that may be the basis for granting personal leave.

2. **Disability Leave**
   See Guide Memo 2.1.6 [4]: Sick Time, and Guide Memo 2.3.5 [6]: Disability and Family Leaves, for information relating to leaves necessitated by the employee's own injury or illness or the illness of a family member.

3. **Professional or Educational Leave**
   A regular employee may be granted a leave of absence by a department to pursue activities or educational courses that will enhance the employee's value to the university. This type of leave should not exceed one year. Stanford Benefits must be notified prior to the leave start date for continuation of the university's contributions toward health benefits plans and retirement savings plan. (Time for participation in training, education, or professional development required and assigned by the department is paid work time. Refer to Guide Memo 2.1.12 [7]: Staff Development Program, for policy regarding time off with pay to participate in staff training and development programs.)

4. **Public Service Leave**
   A department may grant a regular employee a leave of absence for temporary participation in community, state, or national affairs, including elective public office. However, long-term or continuing full-time employment by a public or community agency normally is not a suitable basis for approval of a leave of absence.

5. **Military Service Leave**
   A regular employee who voluntarily enters military service or is called for active duty for an extended period should contact his/her Human Resources Manager for more information. [For short-time periods of military training duty refer to "military training leave" under 1.f. above; for leave of absence right for spouses of military personnel refer to 2.a.(6)-Other Leaves, below.] Certain leaves for family of members of the armed forces are outlined in Guide Memo 2.1.18 [8]: Military Leave.
(6) Other Leaves
The university provides leaves of absence as required by law, such as Volunteer Firefighters Leave, Parent's Leave for School Discipline, Parent's Leave for Children in School, Literacy Leave, time off from work for victims of domestic violence or sexual assault, absence from work for victims of crime and certain persons related to victims for judicial proceedings, and leave of absence right for spouses of military personnel while such personnel are on a leave from deployment. Consult with Employee and Labor Relations for details about any of these leaves.

b. Benefits Continuation During Unpaid Absences

(1) Benefits Continuation
The employee's insurance and health care plans will continue during an unpaid leave of absence if the employee pays his/her portion of the cost of coverage. Exception: An employee on a personal leave of absence must pay the entire cost of coverage (employee and employer portion). The employee will be billed the appropriate amount for their benefits during the unpaid leave of absence.

(2) Retirement Contributions
All retirement plan contributions stop while employees are on an unpaid leave of absence.

(3) Benefits Cancellation
An employee on an unpaid leave may choose to cancel coverage during the leave period. If the coverage is not cancelled within 31 days of the start of the leave, the employee will be billed for coverage. To cancel coverage, the employee must take action; visit the Cardinal at Work website[9] or contact the University HR Service Team[10]. The employee can re-enroll in benefits as soon as he/she returns to work in a benefits-eligible position.

3. Policies for Leaves of Absence

a. Length of Leave
Each leave of absence must be for a definite period with specific starting and ending dates. A leave cannot extend beyond the end of a fixed-term appointment. Whenever a proposed leave will result in a total period of absence exceeding 12 months, prior approval is required from local Human Resources Manager and the Vice President for Human Resources (or his/her designee) or the Director of Human Resources at SLAC. Approval of leaves exceeding 12 months should be rare.

b. Reinstatement Requirement
A department granting or recommending a leave of absence is obligated to reinstate the employee in the same or a similar position at the end of the leave. Under special circumstances, the Vice President for Human Resources (or his/her designee) may approve a recommended leave when the employee has waived in writing the reemployment obligation. A leave of absence is not appropriate when the employee cannot provide reasonable assurance of intention to return to University employment at the end of the leave.

c. Termination of Leave by Layoff
When a layoff situation occurs in a department while an employee is on a leave of absence, normal layoff procedures will apply and will include the employee on leave. If a leave is terminated by layoff, the standard provisions for severance pay, reemployment, and benefits continuation are applicable.

d. Failure to Return from Leave
When an employee does not return to work at the end of a leave, or when a department learns that an
employee will not return, the department initiates a termination of the leave and of the individual's employee status, citing the reason for the employee's separation.

4. Guide to Supervisors

a. Records
PeopleSoft/Axess should reflect both paid and unpaid absences indicating the type of leave and the period of absence. Retain in the department files documentation such as evidence of disability and written request for leave.

b. Advance Approval
When a leave requires advance approval from the Vice President for Human Resources (or the Director of Human Resources at SLAC), the department's request for approval should include the department's written recommendation.

c. Change in Circumstances During Leave Without Pay
When any change in circumstances make it necessary to modify a leave of absence, discuss the situation with the Human Resources Manager before any action is taken.

d. Benefit Plan Arrangements
Employees on an unpaid leave of absence will be billed by Vita Administration Companies for their insurance and health plan premiums on an after-tax basis. Employees must pay the premiums promptly to Vita.

e. Work Schedule Modifications
Supervisors should adhere to University policies and government requirements regarding overtime pay when modifying a nonexempt employee's work schedule to provide the employee with personal time off. (See Guide Memo 2.1.5 [3]: Compensation of Staff Employees, for policies on work scheduling.)

f. Procedures for Military Training Pay
The employee should be placed on Leave of Absence Unpaid for reason of Military Service so health and life benefits are not interrupted. When training leave ends, the employee must provide a copy of the pay stub verifying income received from the military. The department then adjusts the employee's pay for the leave period so that the adjusted salary plus military pay equals the usual full-time salary. (See Guide Memo 2.1.18 [8]: Military Leave.)

g. Reemployment Rights of Veterans
Any employee who enters military service may have legally guaranteed reemployment rights. When an employee goes into military service, the employee's department should obtain information about these rights from Human Resources.