THE UNIVERSITY OF MICHIGAN

STANDARD PRACTICE GUIDE

SECTION:	Personnel	**Number:**	201.30
		Revised:	7/01/05
SUBJECT:	Leaves of Absence	**Date Issued:**	
		Review Date:	7/1/09
		Attachment(s)	
APPLIES TO:	Non-Probationary, Regular Staff with the exception of those represented by a bargaining unit		
ISSUED BY:	Personnel Office and the Office of the Vice President for Academic Affairs and Provost		

I. Policy

Leaves of absence are granted for these reasons: child care, disability, government service, medical, and military service. In addition, educational and personal leaves of absence may be arranged at the discretion of the University.

Leaves of absence are without compensation by the University except as provided by the University Disability Plans (SPG 203.1 and 203.1-1).

Approval for leaves of absence must be obtained from the staff member's supervisor and from the appropriate Personnel Service Center Employment Office. Staff members must provide advance notice of requests for leaves of absence to their supervisors.

Employment outside the University while on leave is cause for termination of a staff member's University employment unless such employment is specifically approved in advance because it relates to the staff member's responsibilities at the University, or is for government service or military service.

Twelve (12) months of continuous service are required between any two of these leaves: personal, educational, extended child care, or government service.

Staff members returning from initial child care, disability, medical, or military service leaves of absence will be assigned to their former classifications or classifications of like status and pay for which they are qualified; unless their circumstances or the circumstances of the University have changed, making this unreasonable.

Staff members returning from child care leaves which have been extended beyond the period initially requested, educational leaves, or government service leaves will be placed in vacant positions in their former classifications or classifications of like status and pay for which they are qualified, if any exist. If no such vacant positions exist, returning staff members will have a three month, post-leave placement period during which to seek positions within the University. If they are not placed within three months after their leaves have expired, their employment with the University will be terminated.

Staff members returning from personal leaves will be placed in the positions being held by the units from which they are on leave; unless their circumstances or the circumstances of the University have changed, making this unreasonable.

II. Regulations and Definitions

A. Approval

Approval for leaves of absence must be obtained from the staff member's supervisor and from the appropriate Personnel Service Center Employment Office.

B. Regular Leaves - Types, Eligibility, and Duration

Type	**Child Care**
Eligibility	Available to both female and male staff members following the birth of the staff member's child or following the adoption of a child who is under the age of six.
Maximum Duration of Initial Leave	Six months
Maximum Duration including Extensions	One year from the date of the child's birth or the date of adoption.

Type	**Disability**
Eligibility	The staff member is eligible for a University Disability Plan (SPG 203.1 and 203.1-1), and has exhausted all sick and vacation time.
Maximum Duration of Initial Leave	Duration of disability, or until age 65, as covered by the University Disability Plans (SPG 203.1 and 203.1-1).
Maximum Duration including Extensions	

Type	**Government Service***
Eligibility	A staff member with at least one year of continuous service, is elected** to a full-time public political office (except that of Michigan state legislator)***, or appointed to an office of a policy-making nature or one of significant responsibility such as head of or assistant to the head of an office, department, or branch of the federal, state, or local government.
Maximum Duration of Initial Leave	One term of office, or one year of service.

Maximum Duration including Extensions	Renewable upon request for additional terms of office, or years of service.

*For procedures related to notifying the Secretary of the University of candidacy for, or election or appointment to public office, see Regents' By-laws, Sec. 5.13, "Governmental Activities."

**In addition, a candidate for elective public office may request a leave for the period of the campaign for office.

***Michigan state legislators are prohibited by the State's Constitution from simultaneously being on a leave of absence from a public employer.

Maternity

Although there is no leave by this title, coverage is provided under SPG 201.11 and 201.11-2, "Sick Time", as well as the medical, medical/child care, and child care leaves described in this SPG.

Type	**Medical**
Eligibility	A staff member is unable to work because of personal illness or injury, or disability related to pregnancy; and has exhausted all sick and vacation time. (See SPGs 201.11, 201.11-2)
Maximum Duration of Initial Leave	Six months
Maximum Duration including Extensions	Two years (May be longer in cases covered by Worker's Compensation.)

Type	**Medical/Child Care (combined)**
Eligibility	A staff member is unable to work because of pregnancy, and sick time and vacation time are exhausted; and the staff member desires to remain off work following the birth of the child. (This combined purpose leave permits simplified processing when, at the beginning of a medical leave, a staff member also intends to take time off to care for a newborn.)
Maximum Duration of Initial Leave	Nine months
Maximum Duration including Extensions	One year from the date of the child's birth.

Type	**Military Service**
Eligibility	A staff member has a: Selective Service induction, A-1 enlistment, or a call-up as a member of the National Guard or Reserve. (See SPG 201.30 and 201.30-1.)
Maximum Duration of Initial Leave	Period of active duty.
Maximum Duration including Extensions	Four years plus additional time imposed by law, if any, plus 90 days after release from duty.

Pregnancy

Although there is no leave by this title, coverage is provided under SPG 201.11, 201.11-2, "Sick Time", as well as the medical, medical/child care, and child care leaves described in this SPG.

Seasonal

See SPG 201.30-3, Seasonal Leave of Absence Appointment.

C. Discretionary Leaves - Types, Eligibility, and Duration

Type	**Educational**
Eligibility	Is granted at the University's discretion, for a staff member with at least one year of continuous service who undertakes a full-time, accredited educational program that is directly related to the current position or to positions to which the staff member may reasonably aspire within the University; and whose program is to be completed within four continuous years.
Maximum Duration of Initial Leave	One year.
Maximum Duration including Extensions	Four years, renewable annually.

Type	**Personal**
Eligibility	Is granted at the University's discretion, if the staff member's department guarantees a return to the same position or one of like status and pay.
Maximum Duration of Initial Leave	One year.
Maximum Duration including Extensions	One year.

D. Excused Absence without Pay

Staff member may not be excused without pay for more than 14 consecutive calendar days. Longer absences are unexcused, unless the period in excess of 14 days is covered by a leave of absence. Exception: excused time without pay is used to cover the 20 days waiting period required in SPG 201.11-2, "Sick Time."

E. Sick Time

1. Disability, medical, and medical/child care (combined) leaves will not be granted until the requesting staff member has used all available sick time. (See SPG 201.11 and 201.11-2.)

   Exception: A staff member who is granted a medical leave because of an injury (i.e. automobile accident) covered by an outside insurance policy which reimburses lost salary may, but is not required to, use accrued sick time prior to the leave.

2. A staff member placed on a medical leave in association with Workers' Compensation coverage must use all available sick time prior to the leave.

3. For all other leaves, staff members retain the amount of sick time that remained unused as of the effective date of the leave; but they may not use sick time during the leave.

4. No sick time accrues while a staff member is on leave.

F. Vacation

1. Child care, disability, educational, government service, medical, medical/child care (combined), and personal leaves will not be granted until the requesting staff member has used all accrued vacation.

   Exceptions: A staff member who is granted a medical leave because of an injury (i.e. automobile accident) covered by an outside insurance policy which reimburses lost salary, or a staff member placed on a medical leave due to circumstances covered by Workers' Compensation may, but is not required to, use accrued vacation prior to such a leave. (See SPG 201.64 and 201.64-2.)

2. When a military service leave is granted, the staff member will be paid for accrued vacation.

3. No vacation time will accrue while a staff member is on leave.

G. Length of Service

Length of service, which is calculated from an individual's latest date of regular employment prior to the leave, will continue to accrue during a leave of absence or extension.

But, if the staff member does not return to work from a leave, the last day worked shall be considered the date of termination for the purposes of determining eligibility for retirement or for Disability Plan benefits.

H. Outside Employment

Employment outside the University while on leave is cause for termination of a staff member's University employment unless such employment is specifically approved in advance because it relates to the staff member's responsibilities at the University, or is for government service or military service.

I. Extending a Leave

Staff members may be eligible for extensions to leaves of absence according to the regulations provided under specific types of leaves. A staff member's request for an extension must be submitted to the appropriate Personnel Service Center Employment Office at least two weeks before the initial leave expires.

J. Failing to Return from a Leave

Failure to report for work at the conclusion of a leave without requesting and receiving an extension of the leave, will be cause for termination of the staff member's employment with the University.

K. Return Before the Expiration of a Leave

A staff member's return to work before the expiration of a leave or extension is at the discretion of the University.

L. Medical Examination

A staff member returning from a medical leave must provide a physician's statement containing a release to return to work, and noting restrictions, if any.

The University may require, without cost to the staff member, that a physician or physicians of its choosing examine the staff member and provide evidence of ability to return to work that is acceptable to the University before the staff member returns to active employment.

M. Effects of Leaves on Benefits

Refer to SPGs 203.1, Basic Long Term Disability Plan; 203.1-1, Expanded Long Term Disability Plan; 203.2, Health Insurance - Blue Cross/Blue Shield & Health Maintenance Organizations; 203.3, Health Insurance - Major Medical Expense Plan; 203.4, Group Life Insurance; 203.5, TIAA-CREF Retirement Plan; and 203.9, Dental Assistance Plan; and to the Table at the end of this SPG which contains a summary of the effects of leaves on benefits and the actions a staff member should take regarding benefits prior to going on leave and upon return.

N. Return from Initial Child Care, Disability, Medical, and Military Service* Leaves of Absence

Note: Department is defined in SPG 201.10 "Definitions," and organizational group is defined in SPG 201.72 "Reduction-in-Force."

The University will follow this procedure to return staff members from initial child care, disability, medical, and military service* leaves:

1. A returning staff member will be assigned to any vacant position in their former classification or one of like status and compensation for which the returning staff member is qualified. Assignments will be made in this order: a) the Department from which the staff member was granted leave; b) the Organizational Group from which the staff member was granted leave; c) the entire University.

2. If placement cannot be made in a vacant position, the returning staff member displaces the staff member with the most recent date of hire in the same classification within the organizational group from which the staff member was granted leave, provided the returning staff member has more service with the University than the staff member with the most recent date of hire and has the ability to do the work.

3. If placement cannot be made in the same classification within the organizational group from which the leave of absence originated, the returning staff member displaces the staff member with the most recent date of hire in the same classification within the University provided the staff member has more service with the University than the staff member with the most recent date of hire and has the ability to do the work.

4. Staff members who cannot be placed as described in N. 1-3 will be laid off. (See SPG 201.72, Reduction in Force.)

*Returns from military service will in all cases be accomplished in accordance with applicable legal requirements.

5. Staff members who are displaced as the result of another staff member returning from leave will be transferred, if possible, or laid off. (See SPG 201.72, Reduction-in-Force.)

O. Return from Extended Child Care, Educational, and Government Service Leaves of Absence

Staff members returning from educational or government service leaves, or from child care leaves which have been extended beyond the period initially requested, will be placed in vacant positions

in their former classifications or classifications of like status and pay for which they are qualified, if any exist. If no such vacant positions exist, returning staff members will have three months after the end of the leave during which to apply as internal candidates for any open positions in which they are interested. (See SPG 201.76 Promotional Openings Program) During this placement period they will be eligible to maintain any benefits they maintained during the leave, subject to the limitations of the University's contracts with benefit providers. If the staff members are not placed within three months after their leaves have expired, their employment with the University will be terminated.

III. Procedures

(Refer to the Forms Guide for explanations of how to complete the forms mentioned in this section.)

A. Request for a Leave of Absence or Extension to a Leave of Absence

RESPONSIBILITY		ACTION
Staff Member	1.	Submit a signed Request for a Leave of Absence (form #36609) accompanied by appropriate documentation: a) Child Care - Physician's Statement (form #36607) certifying ability to return to work (This establishes the starting date of the child care leave), and the child's date of birth. Or, in the case of adoption, provide the date of the adoption. b) Disability - Contact the Office of Staff Benefits regarding eligibility and procedures. c) Educational - Verification of registration for a full-time accredited educational program. d) Medical - Physician's Statement (form #36607). e) Medical/Childcare - Physician's Statement (form #36607) establishing the starting date of the medical leave; and, when available, the child's date of birth. f) Military Service - Notice of Induction or military orders. To extend a leave of absence, submit a request for an extension with related documentation to the appropriate Personnel Service Center at least two weeks before the initial leave expires.
Supervisor	2.	Review the request to determine the staff member's eligibility and the legitimacy of the reason for the leave or extension; and, if appropriate, determine with Payroll Timekeeping the staff member's sick and vacation accruals in order to establish the starting date for the leave.

	3.	If the request does not meet the eligibility requirements contained in this policy, send the leave request to the appropriate Personnel Service Center Employment Office for review.
	4.	If the request has supervisory approval, complete the Appointment Change Request, form #36701, also referred to as a "turnaround document" or "TAD." Send the Appointment Change Request, the Request for Leave, and any required supporting documents, i.e. Physician's Statement, Notice of Induction, Educational Leave Addendum, to the appropriate Personnel Service Center Employment Office for approval.
	5.	If the staff member's pay for the current payroll period will be affected, inform the Payroll Office of the impending change of status.
Personnel Service Center Employment Office	6.	Review the Appointment Change Request, Request for Leave, and supporting documentation for conformity to regulations and policy. Contact the responsible supervisor if questions exist.
	7.	If the leave is approved, a) Notify the staff members and the department of the approval in writing. Notify the staff members in writing of their responsibility for arranging to continue their staff benefits. b) Forward the Appointment Change Request and supporting documentation to the Faculty and Staff Records Office or the Medical Campus' Human Resource Information Office.
	8.	If the leave is not approved, return the request with an explanation to the supervisor from which it was received.
Faculty and Staff Records Office or the Medical Campus' Human Resource Information Office	9.	Process the Appointment Change Request; submit information to the Payroll Office; send the Notice of Appointment Change to the Staff Member; and send a new Appointment Change Request Form to the appropriate Personnel Service Center Employment Office.
Staff Member	10.	Contact the Office of Staff Benefits before the leave begins to arrange for continuation of benefits.
B. <u>Return from Leave</u>		
Staff Member	1.	Two weeks before the date that the leave expires, notify the appropriate Personnel Service Center Employment Office of your intent to return to work. If returning from a medical leave, provide a medical release from a physician.

Personnel Service Center
Employment Office

2. If a returning staff member's former position is not available, and there are vacant positions of like status and compensation for which the returning staff member is qualified, discuss options a, b, or c with the staff member as they apply:
   a) Return the staff member to a vacant position in the department from which the leave was taken.
   b) Return the staff member to a vacant position in the organizational group from which the leave was taken.
   c) Return the staff member to a vacant position any place in the University.
3. In the case of staff members returning from initial child care, disability, medical, or military service leaves, if there are no such vacant positions, discuss options a, b, or c with the staff member as they apply: (See B. 10, for procedures for handling returns from other leaves.)
   a) The returnee displaces the staff member with the most recent date of hire in the same classification within the organizational group from which the returnee took leave, provided the returnee has the ability to do the work and has more service than the staff member with the most recent date of hire.
   b) If the conditions in "a)" are not met, the returnee displaces the staff member with the most recent date of hire in the same classification within the University, provided the returnee has the ability to do the work and has more service than the staff member with the most recent date of hire.
   c) If the returning staff member cannot be placed as described in 2 or 3, complete a Layoff Request (form 36605).
4. Notify returnees to contact the Office of Staff Benefits in case changes in staff benefit plans are necessary.

Staff Member

5. Within 60 days of return to work, contact the Office of Staff Benefits to make any necessary changes in benefits regarding coverage or beneficiaries.

Office of
Staff Benefits

6. If the staff member does not contact the Office of Staff Benefits within 30 days of return from leave, enroll the staff member in the benefits that were in effect on the staff member's last day of work prior to the leave.

   The staff member may still make allowable changes within 60 days of return from leave. Benefit coverage may be canceled at any time; however, refunds will only be made

		if the staff member cancels coverage within 60 days of return from leave.
Supervisor	7.	a) If returning a staff member to the former position, consult with the appropriate Personnel Service Center Employment Office to determine the returning salary and to arrange the return date. b) If returning the staff member to a different position within the department, prepare a Notification of Open Position Form (#36500), mark it "do not post," and send it to the Personnel Service Center Employment Office. Consult with the Employment Office to determine the salary and to arrange the return date.
Personnel Service Center	8.	Prepare the Appointment Change Request or a Notification of Open Position Worksheet and forward it to Faculty and Staff Records Office or the Medical Campus' Human Resource Information Office.
Faculty and Staff Records Office or Medical Campus' Human Resource Information Office	9.	Complete the processing of the Appointment Change Request or the Notification of Open Position Worksheet; submit information to the Payroll Office; send the staff member a Notice of Appointment Change; and send a new Appointment Change Request Form to the department.
Personnel Service Center Employment Office	10.	In the case of returnees from educational or government service leaves, or from child care leaves that have been extended beyond the period initially requested, if no vacancies exist: a) Inform the staff members that they will have a three month post-leave placement period during which to apply for positions through the Promotional Openings Program. b) Complete an Appointment Change Request to indicated that the leave has expired and the staff member is in a three month post-leave placement period. Send it to the Faculty and Staff Records Office or the Medical Campus' Human Resource Information Office. c) If the staff member does not find a position by the end of the three month post-leave placement period, send paperwork terminating them to the Faculty and Staff Records Office or the Medical Campus' Human Resource Information Office.

d) If the staff member does find a position before the post-leave placement period ends, return them to active employment as indicated by items B. 4-8.

Staff Member

11. Staff members who continued their benefits during a leave, but are not returned to work after the leave, should contact the Office of Staff Benefits immediately, in order to obtain information about the availability of continuing coverage that the individual pays for directly.