

NUMBER: 355
SUBJECT: LEAVE WITHOUT PAY—BENEFITS ELIGIBLE EMPLOYEES
APPROVAL DATE OF LAST REVISION: JANUARY 24, 2011
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355.1 – POLICY

Under special circumstances, employees may find it necessary to request leave without pay. These circumstances may include, but are not limited to, family and medical leave, short-term educational programs, and political activities. Normally, leave without pay will be granted for up to 12 weeks for FMLA (Family and Medical Leave Act) (see Section 300. 351) and up to one (1) year for other situations. Leave without pay is not an entitlement. As such, Bridgerland Technical College reserves the right to refuse leave without pay to employees when that leave is determined to be a substantial detriment to Bridgerland, unless other leave policies, such as FMLA, require that leave be granted.

355.2 – PROCEDURES

355.2.1 – Requesting Leave

Employees should always request leave without pay before taking it, with the exception of unexpected illness or emergencies. The request should be in writing and detail the reasons the leave is needed. An application for leave without pay must specify the intentions of the employee to return to employment. All leave without pay requests should be provided to the employee's immediate department head or supervisor and the appropriate administrative authority (the College President or any Vice President).

In recommending action on requests for leave without pay, Department Heads and supervisors should consider the need and urgency, the employee's length of service, the overall effect the absence will have on the department's operations, and the employee's rights under the Family and Medical Leave Policy (if applicable). All such requests will be approved or disapproved and additional information may be requested before a decision is made.

Leaves without pay will generally not be granted for a period greater than one (1) year. Extensions may be granted on a case-by-case basis and must be approved by the College President or Vice President for Instruction. While it is recognized that the duration may not be precisely known in advance, the expected date of return should be included in the request.

355.2.2 – Benefits During Leave Without Pay

355.2.2.1 – Insurance Benefits

Participation in the benefits programs is not automatically continued during a leave of absence without pay, except as provided by the Family and Medical Leave Policy. As a general rule, leave without pay that extends beyond one (1) month will also result in the suspension or termination of benefits, except within the requirements of the FMLA policy.

In some cases, insurance benefits can be continued with the employee paying the appropriate monthly premiums.

Employees should contact the Accounting Department for details and should complete the necessary forms at least one (1) month before the leave begins.

355.2.2.2 – Annual and Sick Leave

Employees who work more than half of the workdays during a month will earn annual and sick leave for that month. Employees do not earn annual or sick leave during leaves of absence without pay that last longer than half a month.

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355.2.2.3 – Tuition Reduction

The tuition reduction benefit will not continue after six (6) continuous months of leave without pay.

355.2.2.4 – Other Benefits

Other benefits and privileges associated with employment, such as the use of physical facilities and Bookstore discounts, will continue during leaves without pay.

355.2.3 – Returning to Work

Upon returning to work, the employee will be reinstated to his or her previous position or a similar position of equal value, unless otherwise agreed to in writing prior to the employee going on the leave without pay. Reinstatement rights may be protected in some cases by federal and state laws. The primary responsibility for reinstatement rests upon the department or other administrative unit in which the employee worked when the leave commenced.

It is generally expected that the employee will return to work on the date specified on their leave request application. If the employee is unable to return on the specified date, he or she should contact his or her supervisor to make other arrangements. If no notification or other arrangements are made, within a reasonable time before the employees expected return, Bridgerland may treat failure to return to work within five (5) working days of the date specified as a voluntary termination and a waiver of all reinstatement rights. The effective date of termination shall be the last day worked before the leave of absence without pay commenced.

355.3 – RESPONSIBILITY

355.3.1 – Department Heads and Supervisors

Department heads and supervisors are responsible for considering leave requests, forwarding them to the appropriate administrative authority (any Vice President or the College President) with a recommendation regarding whether to grant or deny the request and for managing the temporary vacancies created by employees on leave. They are also responsible for counseling employees about leave requests and the consequences and for processing the necessary forms.

355.3.2 – Accounting Department

The Accounting Department is responsible for assisting department heads and supervisors with the implementation of this policy and for coordinating the necessary paperwork and benefit issues that occur due to an employee's request for leave.

355.3.3 – Employees

Employees are responsible for providing as much notice as possible when requesting leave, completing the necessary paperwork, complying with requests for documentation, maintaining contact with the College, and returning to work as scheduled.