**5.35 Leaves of Absence *(Adopted 6-1-1992; Revised 6-4-2001, 12-2-2013)***

Employees are eligible for extended paid/unpaid leaves of absence from the College under certain circumstances.

**Procedures:**

#### 5.35.1 Family and Medical Leave Act (FMLA) *(Revised 12-2-2013)*

The College will comply with the provisions of the federal Family and Medical Leave Act (FMLA). The Office of Human Resources must be notified immediately upon request of Family Medical Leave to assure legal compliance. Please refer to Policy 5.44 for the complete Family and Medical Leave Act Policy and Procedures.

#### 5.35.2 Military Leave *(Revised 12-2-2013)*

Full-time employees who are members of the U.S. Armed Forces and its reserve components will be eligible for re-employment in the same or similar position after completing military service, provided that the employee shows his/her orders to his/her supervisor as soon as s/he receives them; satisfactorily completes active duty service; enters the military service directly from employment with East Central College; and applies for and is available for reemployment within 90 days after discharge from active duty. If the employee is returning 31-180 days of active duty for training, he/she must apply within 14 days after discharge. If active duty lasts 30 days or less, the employee must report to work at their next scheduled work shift.

Employees with one year or more of service will be protected against loss of income as a result of participation in annual encampment or training duty in the U.S. Military Reserves or the National Guard. In these circumstances, the College will pay the difference between what an employee earns from the government for military service and what the employee would have earned as normal straight-time earnings through his/her employment with the College. This difference will be paid for up to two weeks in a calendar year. An employee who qualifies for such pay and who is on military leave during one of the College's paid holidays, will receive full holiday pay from the College for that day, irrespective of any military pay earned that day.

Employees may also be eligible for leave in certain circumstances, described below, if their spouse, son, daughter, parent or next of kin is a member or veteran of the U.S. Armed Forces.

An eligible employee may take FMLA leave for a “qualifying exigency” arising out of the fact that his/her spouse, son, daughter or parent is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces.

An eligible employee who is the spouse, son, daughter, parent, or next of kin of a “covered servicemember” may take up to 26 weeks of unpaid leave during a 12-month period to care for the servicemember, if the servicemember is undergoing medical treatment, recuperation, or therapy, is in outpatient status, or is on the temporary disability retired list, for a serious injury or illness that occurred in the line of duty (or existed before but was aggravated by service in the line of duty) and that resulted in the servicemember being unable to perform the duties of his/her office, grade, rank or rating.

#### 5.35.3 Public Service Leave of Absence

Employees who desire to accept temporary employment in federal, state, or local government or with an organization devoted to higher education betterment may be granted a public service unpaid leave of absence with no paid benefits up to one year.

#### 5.35.4 Requests for Unpaid Leave

When possible, requests for a leave of absence or any extension of a leave should be submitted to the employee's supervisor(s) sixty days prior to commencement of the leave period, or as soon as is practicable. The approval or denial process is Supervisor, Administrator, Director of Human Resources, President, and Board of Trustees.

#### 5.35.5 Employee Failure to Return to Work *(Revised 12-2-2013)*

If an employee fails to return to work for his/her next scheduled work shift after the conclusion of an approved leave of absence, the employee may be terminated from employment.

#### 5.35.6 Reduced Work Schedule for Full-time Employees (Adopted 7-30-2001; Revised 12-2-

##### **2013)**

Full-time employees may request a reduced work schedule on a temporary basis. Reduced work schedule will be defined as completion of less than 40 hours per week. Full-time employees who request reduced leave must work a minimum of 20 hours per week.

1. Eligibility

To be eligible to request the reduced schedule, employees must be 12month, full-time employees for a consecutive period of at least two years, based upon their date of hire. The employee must demonstrate satisfactory work performance, as reported by the supervisor, for the most recent twoyear period.

Upon return from Reduced Work Schedule employees must complete a minimum of two years of continued 12-month, full-time employment with satisfactory performance before they are eligible to request Reduced Leave again. An employee may request a Reduced Work Schedule no more than twice.

1. Approval Process

In all cases, the supervisor, vice president(s), Human Resources and President of the College must approve the reduced schedule. The approval process will include an assessment of the hardship to the department and to the College. The expected workload effect and departmental conditions will also be considered, and may influence the parameters of the Reduced Work Schedule. Every request will be evaluated on a case-by-case basis. The supervisor, vice president(s), Human Resources and President of the College will decide if temporary employees will be hired to assist with the workload.

1. Duration

The duration of the Reduced Work Schedule is subject to the approval of the supervisor, vice president(s), Human Resources and the President of the College, but will not exceed one fiscal year.

1. Continuation of Salary and Benefits

During the period of Reduced Work Schedule, the employee will be paid only for time worked. Non-exempt employees will be paid for hours worked; exempt employees will be paid a percentage of their annual salary, based upon the percentage of schedule worked. Insurance and retirement benefits will be continued on a pro-rated basis. These benefits will include medical, dental, vision, life and disability insurances. Educational Assistance may be used by qualified dependents, but may not be used by the employee who is on the Reduced Work Schedule. During the period of Reduced Work Schedule, the employee may utilize accrued leave, but additional leave will not accrue while the reduced work schedule is in effect. Accrued sick leave may only be used if the reduced work schedule is due to a qualifying FMLA leave. The employee will not be eligible for supplemental employment with the College. If reduced work schedule is in conjunction with FMLA, benefits will be continued at no cost to the employee.