

## HUMAN RESOURCES

Effective Date: April 2,  
2014

Date Revised: July 1,  
2017

Supersedes: N/A

Related Policies:  
Policy on Leaves of  
Absence (CA)

Responsible  
Office/Department:  
Human Resources  
Management

Keywords: leaves of  
absence; maternity  
leave; adoption; FMLA,  
military leave

# Policy on Leaves of Absence

## I. Purpose and Scope

This policy provides general information on the types of leaves of absence that may be available to University employees. This policy also provides general information about certain terms that apply to each type of leave of absence.

The policy does not address workers' compensation.

## II. Definitions

For the purposes of this policy, a Leave of Absence is an option offered by the University to faculty and staff who are unable to work due to a medical condition, the medical condition of a qualified family member (as defined by applicable law) or the birth or adoption of a child. Leaves are also designed to cover absences for military and personal reasons.

This University offers the following Leaves of Absence:

1. Parental Leave
2. Family Medical Leave
3. Military Leave
4. Personal and Small Necessities Leave
5. Faculty Leaves

## III. Policy

### a. General

#### i. Pay while on Leaves

Leaves of Absence are unpaid absences from employment at the University. Depending on the type of leave, employees use accrued sick and vacation time to remain in a paid status during a leave.

## **ii. Benefits while on Leaves**

While employees are in a paid status during a Leave of Absence, employees' contributions for their health, dental, retirement and all other benefits will be deducted from their paycheck. If employees choose to use unpaid time while on leave but wish to continue to participate in the health and dental plans, employees must make arrangements in advance with HRM Benefits and continue to make their required contributions. Life insurance and long term disability insurance may remain in effect during a Leave of Absence, depending upon its duration. Travel Accident, eligibility for Workers' Compensation, Sick Leave Accrual and Vacation Accrual will cease when an employees' unpaid status exceeds 30 days. The Tuition Waiver program will be limited to covered dependents if a Leave of Absence exceeds 30 days.

## **b. Parental Leave of Absence**

### **i. Description**

Employees are allowed to take parental leave for a period of 8 weeks for the purpose of giving birth or for the placement or adoption with the employee of a child under age 18, or under age 23 if the child is mentally or physically disabled. In the event that both parents work for the University, they shall be entitled to 8 weeks of parental leave in the aggregate for the birth or adoption of the same child. Parental leave shall run concurrently with leave taken under the Family Medical Leave Act as described in paragraph c below.

### **ii. Eligibility & Application**

All benefits eligible employees, regardless of marital status, are eligible for parental leave after they have completed their Probationary Period, as defined in the Policy on Probationary Period. Faculty members must also review and comply with all general policies on leaves of absence as outlined in the Faculty Handbook.

Employees must provide HRM with at least 2 weeks' notice of the anticipated start date of leave and their intention to return, or provide notice as soon as practicable if the delay is beyond the individual's control.

Employees must request parental leave with HRM Benefits and complete a Leave of Absence Application. Applicable supporting documentation is also required to be sent to HRM in order for the leave to be approved.

**c. Family and Medical Leave of Absence**

**i. Description**

Under the Family and Medical Leave Act (the “FMLA”), eligible employees may take up to a maximum of 12 weeks of unpaid leave of absence for the following reasons, consistent with the requirements stated in this policy:

- Birth, adoption or foster care placement of a child;
- Care of a child, spouse or parent of a faculty/staff member who has a serious health condition;
- The faculty/staff member’s own serious health condition and;
- Certain forms of military service and injuries sustained in connection therewith.

Spouses or domestic partners (provided a Domestic Partner Certification is on file with HRM Benefits) who wish to take time off upon the birth or adoption (or placement of a foster child) are eligible to take up to 12 weeks of unpaid time within the first 12 months following the birth, adoption, or foster care placement of a child. This leave will require the completion of a Leave of Absence Form with supporting documentation.

Eligible employees who request time off to care for an ill child, parent, spouse or domestic partner (provided a Domestic Partner Certification is on file with HRM Benefits), will be eligible to take up to 12 weeks of unpaid time during any 12 month period. If medically necessary, this leave may be taken intermittently. This leave will require the completion of a Leave of Absence Form with accompanying medical documentation.

In the event that both spouses work for the Univeristy, they shall be entitled to 12 weeks of FMLA leave in the aggregate for the birth, adoption, or foster care placement of the same child or to care for a sick parent.

Where applicable, FMLA leave shall run concurrently with parental leave as described in paragraph b above.

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use FMLA Leave to address certain situations related to the service member's call to active duty. These include: attending certain military events; arranging for childcare; addressing certain financial or legal arrangements; attending certain counseling sessions; and attending post-deployment reintegration briefings. FMLA Leave also includes a one-time leave that permits eligible employees to take up to 26 weeks of leave to care for a covered service member who has suffered from a combat-related illness or injury. The employee must be the spouse, child, parent, or "next of kin" and the primary caregiver of the injured service member.

Upon return from FMLA Leave, employees will return to their same or reasonably-equivalent positions, provided the leave is not longer than 12 weeks.

#### **ii. Eligibility & Application**

All employees, who have been employed for a minimum of twelve months and worked a minimum of 1,250 hours in the last twelve months, are eligible to take leave as long as it does not exceed 12 weeks in any 12-month period. The University uses a "12-month rolling back" counting method to calculate these 12 weeks. For example, if an employee takes parental leave for 8 weeks, the employee would have used 8 weeks of FMLA leave and would have 4 weeks remaining within the 12-month period.

Employees should notify HRM of their intent to take FMLA leave when the need for such Leave of Absence is foreseeable. Employees must make a reasonable effort to accommodate the University's needs, if possible, when scheduling a leave.

Employees must request FMLA Leave with HRM Benefits and complete a Leave of Absence Application. Depending upon the type of leave being requested, employees may be required to provide medical documentation to HRM in order for the leave to be approved.

#### **d. Military Leave of Absence**

##### **i. Description**

If an employee is ordered to active duty for a period of two weeks or less, the University will make up the difference, if any, between the employee's military pay and his or her regular wages.

If an employee voluntarily goes on military duty (for training, etc.), the employee may request a personal leave of absence, as described herein.

If an employee is drafted into the armed forces, or is a reservist ordered to active duty, the employee must submit an Application for Leave of Absence form through his or her department head. This leave will extend for the period of involuntary active duty. Upon completion of involuntary active duty, the employee will be reinstated to his or her former or a reasonably equivalent position without loss of seniority or status. The employee must receive a discharge certificate of satisfactory completion of service and forward it to the University within 90 days after release from active duty.

## **ii. Eligibility and Application**

Individuals seeking to take military leave should submit an Application for Leave of Absence, together with a copy of the orders to report for duty, to their department heads and HRM.

All University arrangements governing military duty are subject to modification caused by any special circumstances that may exist during an emergency period and any government regulations that may be in effect.

## **e. Small Necessities and Personal Leave of Absence**

### **i. Description**

Employees may take up to 24 hours of unpaid leave during a twelve-month period to attend activities directly related to the education of a dependent child (e.g. parent-teacher conferences), and/or to accompany a dependent child or elderly relative to a routine medical, dental or other professional services appointment (e.g. annual physical, vaccination appointment, nursing home interview/intake).

Subject to the discretion of the employee's department head and approval by HRM, staff members may seek a Personal Leave of Absence.

Absences for less than five days must be approved by and are administered directly by an employee's department head. Personal Leaves of Absence for more than five days must also be approved by HRM Benefits. Personal Leaves of Absence of more than one month are permitted only under extenuating circumstances. Such leaves require

approval by your department head, your academic dean or vice president and HRM Benefits.

During a Personal Leave of Absence that is one month or longer in duration:

- Vacation and sick time will not accrue;
- Group medical and dental will continue, provided the employee continues to make the required contribution to these plans;
- University contributions to the employee's retirement plan will cease and;
- Tuition waiver benefits will cease.

#### **ii. Eligibility and Application**

To apply for the leave, employees must complete an Application for Leave of Absence form, obtain their department head's approval for the leave, and return both the form and the approval to HRM Benefits for final approval.

#### **f. Faculty Leaves**

Faculty leaves, such as sabbaticals and leaves for academic study, are covered in the Faculty Handbook. Any questions regarding faculty leaves should be addressed to the Provost's Office. It is important that faculty let HRM Benefits know when they are going on one of the faculty leaves. Faculty must meet with HRM Benefits if they are entitled to continuation of benefits during their leave. As with any other type of leave, faculty must continue contributions to the health and dental plans and any other benefits if coverage is to continue during the leave.

#### **IV. Additional Information**

When the need for leave is foreseeable, the employee must apply for and be approved in advance of the leave begin date. In this case, thirty days' notice, or as much notice as is practical, must be given.

Leaves of absence are unpaid; however, employees may be eligible to receive pay for their leave using accrued sick time if on an approved medical leave. If eligibility requirements have been met, interim disability benefits are available. Approved leaves may also use accrued vacation time if available.

Please refer to the [Human Resources website](#) for complete guidelines on these related programs:

- Disability Benefits Program
- Sick Leave
- Vacation Time

## **V. Contact Information**

HRM Customer Service Center: 250 Columbus Place; 617-373-2230; [HRMInfo@neu.edu](mailto:HRMInfo@neu.edu)