

UNIVERSITY OF HOUSTON SYSTEM  
ADMINISTRATIVE MEMORANDUM

**SECTION: Human Resources**

**NUMBER: 02.D.03**

**AREA: Leave Entitlements**

**SUBJECT: Leave of Absence Without Pay for Staff Employees**

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1. PURPOSE

- 1.1. A leave of absence without pay is an authorized temporary release of a staff member from the payroll. The purpose of this administrative memorandum is to establish University of Houston System policy for considering and granting a leave of absence without pay. This policy does not apply to unpaid leaves because of work-related injury or illness (refer to A.M. No. 01.C.03, Reporting Workers' Compensation Accidents) or to the Family and Medical Leave (refer to A.M. 02.D.06, Family and Medical Leave).

2. DEFINITIONS

- 2.1. Regular, benefits-eligible employee. An employee of any component of the UH System who is employed to work at least 20 hours per week for at least 4.5 continuous months, excluding students employed in positions that require student status as a condition for employment.
- 2.2. CEO. Chief Executive Officer of a component of the UH System, or designee of the CEO.

3. POLICY

- 3.1. A regular, benefits-eligible employee may be granted a leave of absence without pay for a period not to exceed 12 months after all applicable accrued paid leave balances (including sick leave, vacation leave, and compensatory leave) have been exhausted. The use of accrued sick leave is, however, restricted to those circumstances that would otherwise qualify the employee for sick leave usage under state law and university rules and regulations governing the use of sick leave. For more information concerning the use of sick leave, refer to A.M. 02.D.01 – Vacation and Sick Leave.

If leave without pay is granted for a shorter specific period of time, it may be extended for a combined period of time not to exceed 12 months.

The CEO may grant exceptions to these limitations for such purposes as interagency agreements or educational purposes.

- 3.2. All requests for leave of absence without pay require prior approval of the CEO. The CEO may delegate authority to approve requests for any leave of absence without pay that is for a duration of thirty (30) calendar days or less.
- 3.3. A leave of absence without pay incorporates an intent from the employee to return to work and implies an intent from the University to return the employee to work. Subject to fiscal constraints, the employing department is required to reinstate an employee to the former position or to one of similar requirements and compensation upon expiration of a leave of absence without pay.
- 3.4. Requests for leave of absence without pay will be reviewed on a case-by-case basis. The needs of the employee and the needs of the employing department will be taken into consideration in granting leaves of absence without pay and in determining the duration of such leave.
- 3.5. Failure to return as scheduled from an approved leave of absence without pay and failure to inform the employing department of an acceptable reason for not returning as scheduled will be considered as voluntary resignation of employment.
- 3.6. Each component of the University of Houston System will establish and publish procedures to enable eligible employees to apply for and be considered for leave of absence without pay. Additionally, each component will publish procedures for documenting approval or disapproval of such applications and for maintaining accurate records of such leave.
- 3.7. Nothing in this policy shall be used as the basis for discrimination or retaliation against any individual or group on the basis of race, sex, age, color, religion, national origin, disability, or veteran status.

#### 4. POLICY PROVISIONS

- 4.1. Leave request. All requests for leave of absence without pay must be submitted in writing. Request forms may be obtained from the component Human Resources Department.

The employee should fully outline the purpose for the request and include documentation of the need to take leave. The leave of absence without pay must be approved in advance allowing sufficient time for administrative consideration and/or the appointment of temporary replacement personnel if necessary. If leave is requested for a medical reason the employee must attach a physician's statement which specifies the reason for the leave and appropriate times for the leave to begin and end.

The request form with medical documentation, if approved by the employee's department head, will be forwarded through the component human resources department to the CEO for consideration. Copies of the approved request form will be maintained in accordance with the policy stated in A.M. No. 02.A.31, Access to and Maintenance of Staff Personnel Files.

- 4.2. Payroll action. Leaves of absence must be reported on the employee's time and effort report. The duration of any leave of absence which encompasses an entire pay period (biweekly for nonexempt or monthly for exempt) requires the submission of a Personnel Action Request (PAR) form, to ensure proper recording of state service calculations and leave accruals.
- 4.3. Benefits Status During Leave Without Pay. An employee approved for leave of absence without pay should contact the Human Resources Department immediately to discuss benefits during leave. During a leave of absence without pay, service is not considered to be interrupted; however, benefits associated with the pay status are affected.

If an employee misses a whole calendar month, the employee will not receive service credits for leave accruals for that month. However, if the employee has any fraction of paid employment in a calendar month, the employee will be credited with sick leave and vacation entitlement for that month. Certain benefits are affected as follows:

- a. Group health and life insurance coverage may be continued during the leave provided the applicable premium payments are made to the Human Resources Department. The State contribution toward the employee's total monthly premium will not continue. The employee must pay the total premium.
- b. Credit for vacation or sick leave entitlement is not accumulated during a leave of absence without pay.
- c. Time on leave of absence without pay is not creditable toward "total State employment" for determining seniority and longevity pay.
- d. Membership in the Teacher Retirement System or Optional Retirement Program becomes inactive and contributions cannot be withdrawn.
- e. Tax deferred annuities become inactive.
- f. An employee is not entitled to pay for holidays if on leave of absence without pay on both the workday before and the workday after the holiday.

For additional information, contact the benefits office in the component Human Resources Department.

- 4.4. Clearance Process. Before beginning an approved leave of absence without pay, the employee may be required to complete the appropriate component clearance process and return all state or component property.
- 4.5. Return from leave of absence without pay. An employee must contact the employing department prior to returning to work to arrange a mutually acceptable date for the return to work. If the leave is taken for medical reasons, the employee must provide an acceptable doctor's release to the employing department to return to work.

The employing department is responsible to take appropriate payroll action to return the employee to pay status following an approved leave of absence.

5. REVIEW AND RESPONSIBILITY

Responsible party: Chancellor or Chancellor's designee

Review: Odd numbered years on or before June 1

6. APPROVAL

Approved: William P. Hobby  
Chancellor

Date: January 25, 1996