

**Title: Leave of Absence Without Pay**

- ❑ Initial Action: 6/23/88
  - ❑ Board Resolution: 88-041, 21-014
  - ❑ Last Revised:
    - ❑ Policy March 2021
    - ❑ Procedure March 2021
  - ❑ Last Reviewed: March 2024
  - ❑ Effective: March 25, 2021
  - ❑ Next Review: March 2027
  - ❑ Responsibility: Executive Director of Human Resources
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Policy

Full-time employees may request a leave of absence without pay for up to one year.

Procedure and Eligibility

Full-time employees with at least 12 months of full-time employment may request a leave of absence without pay not to exceed 12 months. A request for a leave of absence without pay should be submitted in writing to the President at least 30 days in advance of the first date of leave, unless advance notice is not practical. The leave request must state the reason for the leave and the expected duration of the leave, including the proposed start and end date.

Leave without pay may be requested for personal reasons, including but not limited to, education and training, legal matters, family and personal emergencies, medical reasons, and as a potential reasonable accommodation. Employees should consult the College's Family and Medical Leave Act (FMLA) Policy and Reasonable Accommodations Policy for leave requests related to the FMLA and ADA (and similar state law).

The President or designee is authorized to approve or deny leave requested under this Policy. The decision to approve or deny a request for leave of absence without pay depends on a number of factors, including but not limited to length of the requested leave, the employee's job performance and disciplinary history, College and departmental needs, the reason the leave is requested, and the employee's length of service at the College.

This Policy will be applied on a non-discriminatory basis.

Benefits During Leave of Absence Without Pay

An employee on a leave of absence without pay retains their length of service and continues to accrue service time with the College. Service time cannot be applied toward faculty promotion.

An employee on a leave of absence without pay will not accrue paid leave or paid holidays during the leave period and will be placed in an unpaid status.

An employee on leave without pay status may continue health, dental, and vision insurance by paying the employee's and dependents' share of the premiums. The employee's failure to make timely payment of the monthly premiums may result in termination of benefits. These arrangements should be made through the Office of Human Resources. In the event the employee does not return to work at the conclusion of the leave, he/she may continue health insurance coverage consistent with the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA).

An employee granted leave of absence without pay is eligible to receive other insurance payments including Long-Term Disability, Worker's Compensation, and Accidental Death and Dismemberment (AD&D), according to the provisions of these insurance policies.

An employee granted leave of absence without pay is allowed to make individual arrangements for continuing their own contributions to the retirement plan while on leave. Participants in the Maryland State Pension System must submit a "Request for Qualifying Leave of Absence" even if no employee contributions are made (See Human Resources Officer).

An employee granted leave of absence without pay is not eligible for tuition waiver or tuition reimbursement benefits. Dependents may not receive tuition waiver during the employee's leave of absence without pay.

#### Return to Active Status

Upon return from a leave of absence without pay, the College will reinstate the employee to their position at the time the leave of absence began or to a similar position if the original position is unavailable, provided that:

1. The employee is qualified to perform their duties with or without reasonable accommodation;
2. The employee's position or a similar position exists; and
3. The employee is willing to accept reinstatement to the same or similar position.

An employee's failure to return from a leave of absence without pay will be considered a voluntary resignation.