

**Policy 1319**  
**Classified Employee Leave Without Pay**

**Date of Current Revision: February, 2008**  
**Responsible Office: Director, Human Resources**

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**1. PURPOSE**

It is university practice to grant classified employees Leave Without Pay in accordance with this policy and the Virginia Personnel Act.

**2. AUTHORITY**

The Virginia Personnel Act authorizes and sets standards for agencies granting employees leave without pay.

**3. DEFINITIONS**

**Unconditional Leave Without Pay:**

An employee's approved absence from work without pay that guarantees reinstatement to the position held by the employee before the leave was taken. Applies to Military Leave Without Pay only.

**Conditional Leave Without Pay:**

An employee's approved absence from work without pay that guarantees reinstatement only if the employee's position is available when he or she returns from leave. If the position is not available, the employee will be separated and may be employed again only after going through the normal recruitment and selection process.

**4. APPLICABILITY**

This policy applies to all full-time classified employees.

**5. POLICY**

Classified employees may be granted leave without pay for the following reasons:

- Extended periods of personal illness; (non-VSDP employees only)
- Periods of extended serious illness for immediate family members. Immediate family shall be defined as: mother, father, spouse, child, or guardian, and any other relative who resides in the employee's place of residence. (See Policy 1308, Family and Medical Leave.)
- Periods of leave because of any qualifying exigency arising out of the fact that the spouse, child or parent of the employee is on active duty or has been notified of an impending call or order to active duty in the Armed Forces in support of a contingency operation (See Policy 1308, Family and Medical Leave, 6.2(a))
- Periods of leave to care for a spouse, child, parent or next of kin with illness or injury incurred in the line of duty while in the Armed Forces, National Guard or Reserves (See Policy 1308, Family and Medical Leave 6.2(b)).
- Educational leave to further education through a study related to work. Must be approved by the university.
- Military leave for the duty indicated in military orders that are not covered by military leave with pay, normally for up to four years. Military leave without pay is,

by definition, unconditional leave without pay that guarantees the right of reinstatement.

- Workers' Compensation Leave in excess of 92 calendar days for illness or injury compensable under the Workers Compensation Act when employee does not have an accrued leave balance. This leave without pay is conditional.
- Leave because of a reduction in the departmental workload. Persons awarded leave of this nature may not be replaced during the period of absence. Leave of this type will not be awarded for less than one semi-monthly pay period.

A leave without pay may be granted for a period of up to 12 months. An extension may be requested for:

- Extended disability;(non-VSDP employees only)
- Active duty with the Armed Forces of the United States;
- Special courses of study; or
- Non-state employment in an essential position identified by the Department of Personnel & Training to be of vital importance to the State or national welfare.

## **6. PROCEDURE**

6.1 Classified employees must submit a request for leave without pay in writing to the immediate supervisor. All such written requests must indicate the type of leave requested and include a detailed justification for such leave. The supervisor will review the request for leave without pay and discuss the request with the employee. If the request is approved, a [Personnel Action Request form](#) must be completed with the appropriate signatures and forwarded to Human Resources. The employee's written request must be attached to the PAR form.

6.2 Employees placed on leave without pay may freeze their leave balances and will accumulate no leave during the period on leave without pay. Employees on leave without pay longer than 14 consecutive calendar days will have their leave anniversary date adjusted based on the length of absence unless it is related to Military Leave.

6.3 Leave without pay may affect other benefits such as health insurance, retirement benefits, and life insurance. Employees should contact Human Resources prior to requesting a leave without pay to learn of the affect on benefits.

6.4 An employee on leave without pay may have his or her incentive increase amount affected depending upon the number of hours missed from work.

6.5 Employees who fail to return at the end of a period of leave without pay shall be treated as having resigned their position.

## **7. RESPONSIBILITIES**

Employees seeking to extend their leave without pay status beyond the approved period are responsible for submitting a written request and justification to the Director of Human Resources. The Director will coordinate the extension request with the appropriate department and inform the employee of the action taken.

## **8. SANCTIONS**

Sanctions will be commensurate with the severity and/or frequency of the offense and may include termination of employment.

Employees who fail to comply with this policy in requesting unpaid leave may have that request denied on the basis of failing to comply.

## **9. EXCLUSIONS**

This policy does not apply to wage employees or members of the instructional or administrative & professional faculty.

## **10. INTERPRETATION**

The authority to interpret this policy rests with the president, and is generally delegated to the Director of Human Resources.

Previous Version: April 2006

Approved by the President: November, 2002

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