

# Discretionary Leave of Absence

HR-05-10

## About This Policy

**Effective Dates:**

11-01-1959

**Last Updated:**

08-01-2020

**Responsible University Administrator:**

Vice President for Human Resources

**Policy Contact:**

[IU Human Resources](#)

[askHR@iu.edu](mailto:askHR@iu.edu)

## Scope

This policy applies to all Staff employees.

## Policy Statement

### 1. Description

- a. A discretionary leave of absence is absence without pay, authorized in advance, for 30 or more calendar days and for up to one year. The period of leave should not exceed one year. At that point the employee must either return to work or be terminated.
  - i. Leaves for military duty may exceed one year. For more information see the [Leaves for Military Duty and Leaves for Military Families](#) policy.
  - ii. Any other leave of absence for more than one year must be approved by the campus chancellor, provost, or appropriate vice president.
- b. A leave of absence implies that the employee intends to return to the same or similar position, which will be available when the employee returns.
  - i. a.
    - For this reason, employees must apply for a leave of absence with the academic dean, department head, or designated authority. If this individual recommends the leave, the recommendation is then forwarded to the appropriate administrative authority for approval. The individual who recommends the leave is responsible for the availability of a position when the employee returns to work.
- c. A discretionary leave of absence is not related to a leave that qualifies under the [Family and Medical Leave Act \(FMLA\)](#) or [Paid Parental Leave \(PPL\)](#). However, it is acceptable for an employee who has exhausted FMLA or PPL to extend a leave by taking a discretionary leave of absence. Any leave for a reason that qualifies under FMLA or PPL cannot be granted as a discretionary leave while the employee is eligible for FMLA or PPL.
- d. Employment elsewhere while on leave without the written approval of the appropriate chancellor, provost or vice president is prohibited and is subject to immediate termination.

### 2. Conditions considered when approving a leave of absence

- a.
  - The administrative authority is responsible for approving a leave of absence. Approval depends on consideration of the conditions listed below:
    1. The department head's recommendation
    2. The purpose of the leave of absence

3. The length of the leave of absence requested
  4. The employee's length of service
  5. The expectation of returning from the leave of absence
  6. The expected or potential length of service once the employee returns
  7. The problems incurred in hiring a temporary replacement, if the department needs a replacement
3. Benefits during a leave of absence
- a. For information regarding medical and dental benefits, see the [Health Care Benefits During An Unpaid Leave of Absence](#) policy.
  - b. For information regarding retirement benefits, see the relevant IU HR website for:
    - i. [IU Retirement Plan](#)
    - ii. [Retirement & Savings Plan](#)
    - iii. [PERF](#)
    - iv. [Supplemental Retirement Plans](#)
  - c. Basic Group Life Insurance will continue throughout a discretionary leave.
  - d. Employees that participate in the Supplemental Group Life Insurance benefit may continue coverage, but will be required to continue paying the full premium.
  - e. For information regarding time off accruals, see the [Time Off Accruals during Absences](#) policy.
  - f. In accordance with Section D of the [Seniority Date/Service Credit](#) policy, staff continue to accrue university service credit during unpaid leaves of absence for the following reasons:
    - i. FMLA
    - ii. non-FMLA medical
    - iii. military
    - iv. temporary reduction in force
    - v. discretionary leaves of absence
  - g. In Workers' Compensation cases, if staff have used all time off accruals, or if they choose not to use them, the only payment they will receive is from Workers' Compensation for 29 calendar days.
    - i. Staff do not accrue time off in these circumstances.
    - ii. Starting with the 30th calendar day, unless an employee has returned to work, he or she is then placed on leave of absence while still receiving the Workers' Compensation benefits.
  - h. For more information, please contact askHR at (812) 856-1234 or .
4. Partial leave of absence
- a. The provisions contained in sections [1](#) and [2](#) of this policy apply to a partial leave of absence.
  - b. A partial leave of absence is a formal leave in which the employee's [FTE](#) is temporarily reduced to an amount less than 100 percent but more than 0 percent.
  - c. A full-time [appointed employee](#) who is granted a partial leave of absence without pay may continue coverage in the university's benefit and insurance programs during the leave. Health and dental care premiums, unless terminated by the employee, will continue to be deducted from the partial pay. The Indiana University Human Resource Office will bill life insurance premiums to those with a reduced FTE.
  - d. Appointed Staff who earn income protection time, vacation, paid time off (PTO), or holiday time prior to the partial leave of absence continue to accrue time off based on their prorated FTE during the leave.
5. One-time leave of absence for up to 90 days

- a. A leave of absence without pay for up to 90 calendar days will be granted once, upon request, to appointed employees who have ten or more years of service. Departments are required to approve such a request unless they can show it creates an undue hardship.
- b. Employee requests for additional leaves are approved at the discretion of the department and are subject to the provisions in this policy.
- c. University service credit does accrue during a one-time leave of absence.

## Reason For Policy

To provide guidelines for the administration of a discretionary leave of absence and the procedure for requesting and approving one.

## Procedure

How to process a leave of absence

1. Consider the conditions surrounding the employee's request for a leave of absence, e.g., purpose, length of service, length of absence. (A complete list of conditions appears in Policy Statement, Section 2 of this policy.)
2. If the leave is for 30 or more calendar days, process it as a leave of absence; leaves for fewer than 30 calendar days (prorated for part-time staff) are noted as an absence on the attendance voucher.
  - a. If an employee has not returned to the job after being absent for a continuous period of 30 calendar days, the department must initiate a leave of absence or termination
3. Verify that the leave does not cause an undue hardship on the department.
4. Complete appropriate HRMS documentation to initiate a recommendation for the leave of absence. The recommendation must be for a specified period of time.
5. Route the recommendation to the administrative authority for approval.
6. Instruct the employee to contact Indiana University Human Resources concerning the status of retirement and group plans.

## Definitions

A discretionary leave of absence is absence without pay, authorized in advance, for 30 or more calendar days and for up to one year.

## Sanctions

Managers, supervisors, and employees who violate this policy are subject to disciplinary action, up to and including termination.

## History

### August 2020

University service credit accrues during a discretionary leave of absence

### April 2019

Updated based on HR policy advisor council recommendations

### June 2018

Updated 5.d under Policy Statement

### April 2015

The Benefits section (4) in the Policy Statement was updated

**Related Forms**

[Leave of Absence Request Form](#)