



# Unpaid Leave Policy 6.45

## Office of Human Resources

Applies to: Faculty and staff

### POLICY

Issued: 10/01/1973

Revised: 06/01/2011

Faculty and staff may request an unpaid leave for personal, professional, or medical reasons, including pregnancy. A leave implies that the same or a similar position will be made available to the individual upon return from leave. Requests for leave are subject to approval by the appropriate administrative official within the employing unit, and are approved at the discretion of the employing unit. All unpaid family and medical leave falls under this policy.

### Policy Details

#### I. Medical leave

- A. The university reserves the right to require the employee to provide satisfactory medical documentation for medical leave which indicates a projected date for return to work or reevaluation, medical verification of ability to return to work, and other appropriate information.
- B. Available sick leave should be used prior to the approval of unpaid medical leave. A waiver of this requirement may be made in workers' compensation cases.
- C. Medical leave must be designated as [FML](#) and counted toward both the 12 weeks of FML and the time limit for medical leave, if applicable.

#### II. Holidays, vacation, and sick leave

- A. Faculty and staff do not receive pay for holidays that occur during a leave.
- B. Vacation and sick leave credits do not accrue during a leave.

#### III. Available vacation time should be used prior to the approval of unpaid leave.

#### IV. Benefits

Faculty and staff who are granted a leave must initiate arrangements with the Office of Human Resources, [Benefit Services](#), to discuss the [continuation of group benefit programs](#).

#### V. Personal leave

- A. The specific reason for a personal leave should be included in the written leave request.
- B. Personal leave must be designated as [Family and Medical Leave \(FML\)](#) and counted toward both the 12 weeks of FML and the time limit for personal leave, if applicable.

#### VI. Retirement service credit for unpaid leave

- A. STRS members – A member of the State Teachers Retirement System of Ohio (STRS) may be allowed to contribute to the retirement system to obtain service credit for the leave period. Eligibility requirements, procedures and terms and conditions are outlined on the STRS [Purchasing Service](#) web site.
- B. OPERS members – A member of the Ohio Public Employees Retirement System (OPERS) may be allowed to contribute to the retirement system to obtain service credit for the period of leave. Eligibility requirements, procedures and terms and conditions are outlined on the OPERS [Purchase of Service Credit](#) web site.

#### VII. Faculty

- A. Approval and guidelines

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1. Faculty requests for leave without pay are subject to approval by the department chair, dean, Office of Academic Affairs (OAA), and Board of Trustees; the Board of Trustees gives final approval upon the recommendation of the provost and president. The maximum faculty leave without pay is generally one year. In no case will it extend beyond two years.
  2. The university normally grants a leave without pay only with the clear understanding that the faculty member will return to her or his university position. A leave will not be granted to accept an ongoing position at another institution or business, unless such action is considered by the appropriate administrative officials as an outstanding professional development opportunity for the faculty member, who intends to return to her or his university position.
  3. Guidelines for compensated faculty professional leave are in the Office of [Academic Affairs Faculty Professional Leave Policy](#).
- B. Professional leave
1. Professional reasons include the opportunity to take a temporary paid position outside the university that will enhance professional development and increase the faculty member's value to the academic unit on her or his return.
  2. A copy of the letter of offer to the faculty member setting forth the terms and goals of the temporary position must be attached to the faculty member's request for approval.
  3. Leaves are not granted in the following circumstances:
    - a. Untenured faculty in their terminal year of employment, and
    - b. Faculty who have accepted new permanent employment.
  4. Faculty on an unpaid leave may not be compensated by the university during the period of the leave. Supplemental compensation is not available during an unpaid leave.
  5. Faculty members may not cancel or change the timing of an unpaid leave without submitting a written request for the change through the same approval levels listed above. Changes require approval by the Board of Trustees.
  6. At its discretion and in rare circumstances, OAA may approve a one-year unpaid leave for a truly exceptional faculty member (e.g. a member of a national academy) who has accepted new permanent employment, if there is a reasonable chance that providing the leave will facilitate the faculty member's return to the university at the conclusion of the leave.
- C. Entrepreneurial leave
1. A faculty member may request an entrepreneurial leave when a company offers her/him a regular paid position because of her/his expertise with a particular technical problem or process.
  2. The procedures for an entrepreneurial leave are identical to those of a professional leave.
  3. The letter of offer from the prospective employer must include:
    - a. Statement of terms and goals of appointment,
    - b. Statement of understanding and concurrence with faculty member's status on unpaid leave from the university, and
    - c. Statement of affirmation that appointment of the faculty member to this position is deemed crucial to the success of the company.
  4. The faculty member's request letter must include the following:

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- a. Explanation of the reason for the request, timing of the leave, and potential benefits of the entrepreneurial experience to her/his professional development and to the tenure-initiating unit, college, and university,
  - b. Suggested arrangements for meeting her/his responsibilities during the entrepreneurial leave,
  - c. Statement that she/he understands and will comply with requirements to:
    - i. Observe college and university entrepreneurial leave policies and procedures,
    - ii. Observe university conflict of interest policies and procedures, and
    - iii. Observe university guidelines governing faculty participation in companies commercializing research that faculty have performed as an employee of the university.
  - d. Statement to the Office of Technology and Licensing that discloses any discoveries, inventions, designs, know-how, software, and/or any other intellectual property that she/he has developed while a faculty member of the university and that may be related, either directly or indirectly, to her/his activities with the company while on entrepreneurial leave.
- D. A leave implies that the same or similar position will be held open for the faculty member or will be made available upon her or his return. Accordingly, the appointing unit must reserve funds for the position of the faculty member on leave.
- E. Compensation
- Faculty members serving on nine-month appointments are paid in 12 monthly installments; therefore, four monthly payments are withheld for each quarter of leave without pay.

### VIII. Staff

#### Approval and guidelines

- A. Staff may be granted unpaid leave up to six months, at the discretion of the university.
- B. Staff may be granted unpaid leave at the discretion of the unit. If unpaid leave exceeds three months, the unit must consult with OHR.
- C. Approval of unpaid leave will be based on the ability to return to work date, ability to perform the essential functions of the job upon return to work, operational needs of the department, and addition factors as appropriate.
- D. Classified civil service staff may apply for or be placed on disability separation if no return to work date can be provided or if the need for leave continues beyond approved family and medical leave.
- E. Eligibility for multiple leaves is based on leave time previously taken.
- F. If a leave is used for a purpose other than that stated, the balance of the leave may be canceled and the individual may be subject to disciplinary action or dismissal.
- G. The right to return to work earlier than scheduled is subject to the availability of work. If an individual wants to return to work before the expiration of the leave, the supervisor must be notified in writing prior to the desired date of return. In the case of a medical leave, medical documentation will be required.



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### PROCEDURE

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### Responsibilities

Position or Office	Responsibilities
<b>Faculty Leave</b>	
Faculty	<ul style="list-style-type: none"> <li>A. Request a leave by completing the <a href="#">Application for Leave</a> form, along with the required documentation outlined in this policy.</li> <li>B. Submit the form and documentation to the TIU head prior to the beginning of the leave, including a summary statement of information required in the dean's letter.</li> <li>C. Submit a request for personal leave at least 90 days prior to the beginning of the leave.</li> <li>D. Submit a request for medical leave as far in advance as possible.</li> <li>E. Arrange for benefits and/or purchase of retirement service credit as appropriate.</li> </ul>
TIU head and department staff	<ul style="list-style-type: none"> <li>F. Approve or deny the request.</li> <li>G. Inform the faculty member of the decision upon approval by OAA.</li> <li>H. Send approved requests to the college.</li> <li>I. Enter the leave into the HRIS as appropriate.</li> <li>J. Reserve funds for the position of the faculty member on leave.</li> </ul>
Dean and college staff	<ul style="list-style-type: none"> <li>K. Approve or deny the request.</li> <li>L. Inform the chair of the decision upon approval by OAA.</li> <li>M. Submit a letter of request to the provost, including complete information regarding the proposed leave, statement of duties vacated, how duties will be covered during the absence, and the faculty member's address during the leave.</li> </ul>
Provost and OAA staff	<ul style="list-style-type: none"> <li>N. Approve or deny the request.</li> <li>O. Inform the dean of the decision.</li> <li>P. Submit information for Board of Trustees approval as appropriate.</li> </ul>
<b>Staff Leave</b>	
Staff	<ul style="list-style-type: none"> <li>A. Request a leave by completing the <a href="#">Application for Leave</a> form. Leave requests should have a definite starting date and definite date of return. Neither of these dates should be a holiday or scheduled day off.</li> <li>B. Submit the form to the appropriate administrative official within the employing unit prior to the beginning of the leave. Include a specific starting and return date, neither of which may be a holiday or scheduled day off.</li> <li>C. Arrange for benefits and/or purchase of retirement service credit as appropriate.</li> </ul>
Employing unit	<ul style="list-style-type: none"> <li>D. Approve or deny the request.</li> <li>E. Inform the staff member of the decision.</li> <li>F. Enter the leave into the HRIS as appropriate.</li> </ul>



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## Resources

- Application for Leave form, [hr.osu.edu/forms/appleave.pdf](http://hr.osu.edu/forms/appleave.pdf)
- Benefit Continuation form, [hr.osu.edu/forms/milbenefit.pdf](http://hr.osu.edu/forms/milbenefit.pdf)
- Benefit Program Eligibility, [hr.osu.edu/policy/empben](http://hr.osu.edu/policy/empben)
- Classified Civil Service Rules, Chapter 73 – Unpaid Leaves, [hr.osu.edu/Policy/CCS/ccs73.PDF](http://hr.osu.edu/Policy/CCS/ccs73.PDF)
- Continuing Benefits While on Leave, [hr.osu.edu/hrpubs/ben/loabook.pdf](http://hr.osu.edu/hrpubs/ben/loabook.pdf)
- Faculty Professional Leave Policy, [oaa.osu.edu/assets/files/documents/facultyprofessionalleave.pdf](http://oaa.osu.edu/assets/files/documents/facultyprofessionalleave.pdf)
- Family and Medical Leave, Policy 6.05, [hr.osu.edu/policy/policy605.pdf](http://hr.osu.edu/policy/policy605.pdf)
- Medical Certification of Health Care Provider for Employee’s Serious Health Condition (FML), [hr.osu.edu/forms/ben/fmlcertee.pdf](http://hr.osu.edu/forms/ben/fmlcertee.pdf)
- Medical Certification of Health Care Provider for Family Member’s Serious Health Condition (FML), [hr.osu.edu/forms/ben/fmlcertfam.pdf](http://hr.osu.edu/forms/ben/fmlcertfam.pdf)
- Ohio Public Employees Retirement System (OPERS), [opers.org](http://opers.org)
- State Teachers Retirement System of Ohio (STRS), [www.strsoh.org](http://www.strsoh.org)

## Contacts

Subject	Office	Telephone	E-mail/URL
Faculty leave	Office of Academic Affairs	614-292-5881	<a href="http://oaa.osu.edu">oaa.osu.edu</a>
Staff leave	Employee Relations, Office of Human Resources	614-292-2800	<a href="mailto:ohrc@hr.osu.edu">ohrc@hr.osu.edu</a> <a href="http://hr.osu.edu">hr.osu.edu</a>
Policy interpretation for Health System employees	Employee Relations, Health System Human Resources	614-293-4988	
Benefits	Office of Human Resources, Benefit Services	614-292-1050 800-678-6010	<a href="mailto:service@hr.osu.edu">service@hr.osu.edu</a> <a href="http://hr.osu.edu/benefits">hr.osu.edu/benefits</a>

## History

Issued: 10/01/1973 Issued as Leaves of Absence  
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