

## POLICIES AND PROCEDURES

Administrative Guidelines for  
Subject: Non-Compensated Leave of Absence Policy Reference: F-I-d,3,a  
Source: President Eff. Date: February 9, 2001  
Approval Auth.: President Approved: \_\_\_\_\_  
Remarks: This policy replaces previous policy dated April 25,  
2000.  
Date: February 9, 2001

The following administrative policy provides guidelines for implementation of the Board Non-Compensated Leave of Absence Policy:

1. **Purpose:** A leave may be granted for any good cause, but it is intended primarily to permit educational leave; (i.e., time for advanced study or related experience designed to contribute to the professional development of the employee), health leave (i.e., time for the recovery of health in excess of that provided by the sick leave policy), and maternity leave; military leave of employees who are members of the state military forces or other reserve components of the U.S. Armed Forces and have been called to active duty for more than fifteen working days.
2. **Eligibility:** Any regular, full-time, benefits-eligible employee of the College may apply for a non-compensated leave of absence. A regular, full-time, benefits eligible employee is (1) an employee (excluding faculty) who is budgeted for fifty percent or more time for at least five months, excluding students holding positions for which student status is a requirement for employment, or (2) a full-time faculty member as defined in the Faculty Salary Policy.
3. **Number of leaves:** The number of leaves to be granted in the College or within a department or administrative area for a given year shall be determined by the President in consultation with the appropriate administrator and supervisory personnel.
4. **Duration of leave:** A non-compensated leave of absence for extended illness may be granted initially for any period of time up to one year. Non-compensated leaves of absence of up to one month can be approved by the appropriate Vice President or if no Vice-President is in the administrative chain, then the President. Non-compensated leaves of absence of greater than one month and up to one year, require the approval of the President.

5. **Obligations of the Applicant:** Applicants must state their expectation to return to the institution and must agree to reimburse the institution for any benefits received while on leave should they decide not to return. Applicants must also agree to provide evidence upon return that the purpose for which the leave was granted was satisfactorily fulfilled, or to show cause for non-fulfillment.
6. **Obligations of the College:** The College may, upon termination of leave reinstate the employee to a position in the same, or related, area at least equivalent to the one vacated at the time leave was granted provided the employee is capable of performing the essential duties of the position as prescribed by the appropriate provisions of the Americans with Disabilities Act.
7. **Retention of accrued benefits:** All employee benefits accrued prior to leave shall be reinstated to the employee on submission of evidence of satisfactory progress toward achieving the purpose for which the leave was granted. All benefits and responsibilities of the Faculty Tenure Policy shall apply during the leave, except leave time shall not apply for tenure purposes.
8. **Participation in group benefits:** Employees on leave shall be permitted to continue membership in group benefit plans to the extent allowed by law and by contracts in force during the period of leave, and shall continue to receive any related benefits provided by the College to all other personnel. Any fringe benefits not related to group benefits plans (e.g., vacation) are excluded, except as approved specifically by the President.
9. **Payment of premiums for group insurance:** Employees shall be eligible to continue insurance coverage during an approved leave of absence under the conditions set forth by the Employees Retirement System of Texas. These rules are available through contacting the MCC Human Resources Office.
10. **Reinstatement of insurance for military recruits and their dependents:** Employees and their dependents who are called to active duty shall have group insurance coverage that was in effect immediately prior to the commencement of their active duty upon returning to active employment at the college. If the employee elects to continue dependent coverage, the college shall endeavor to provide an insurance coverage category for dependents/spouses only and shall not require the reservist to be enrolled.

To the extent available, the basic insurance plan shall waive evidence of insurability and/or pre-existing conditions limitations, if applicable, for reservists and their dependents returning to employment who cancelled insurance coverage with the institution while on active duty. Such waiver may be conditioned upon re-enrollment within a time period comparable to that which is applicable to newly eligible employees and dependents.

11. **Application information:** The application for a non-compensated leave of absence shall contain:
  - a. Information regarding the effective date and expected duration of leave and the date by which notification of College action is needed.
  - b. A statement of the specific purpose for which the leave is requested. (attach military orders)
  - c. A statement justifying the leave in terms of both institutional and individual needs.
  - d. A statement of the applicant's expectation to return to the Institution.
  - e. A statement of agreement to reimburse the Institution for any benefits provided while on leave.
  - f. The signature of the applicant and date of application.
  
12. **Application date:** Applications should be submitted through administrative channels to the President as early as possible, ordinarily, not later than five months prior to the proposed effective date. Applications received after this time may be given consideration on an individual basis by the President.