


AUSTIN PEAY STATE UNIVERSITY
POLICIES AND PROCEDURES MANUAL

Policy Number: 5:040	Supersedes Policy Number: 5:040
Date: May 16, 1996	Dated: December 18, 1989
Subject: Leave of Absence	
Initiating Authority: Vice President for Finance and Administration	TBR Policy/Guideline Reference: 5:01:01:03
Approved:  <div style="text-align: right;">President</div>	

It is the policy of Austin Peay State University to provide time off to regular employees who have insufficient accumulated annual and/or sick leave for the following reasons: illness, injury, or disability; educational purposes and justifiable personal reasons. (Refer to 5:043 for Maternity Leave Policy.) Leave of absence as referred to in this policy shall include any period of leave in a non-pay status or athletic competition leave as defined below. Leave of absence without pay, not to exceed one (1) year, may be granted for justifiable absences wherein it is not desirable to terminate the employee. Such leave must be approved by the President.

Leave of absence for periods exceeding one (1) year may be granted upon recommendation of the President of the institution and approval by the Chancellor. Leave of absence shall be granted for any period (which may exceed one (1) year) when an employee transfers to another TBR institution or school or to the Board's central office and requests to be placed on leave of absence.

Employees who request an unpaid leave of absence due to a Family and Medical Leave Act (FMLA) qualifying event shall have their leaves processed in accordance with the provisions of Family and Medical Leave Policy 5:01:01:14 regarding eligibility, continuation of insurance coverages, maximum leave period for parents who are both State employees, etc.

If an employee is not eligible for FMLA leave or the period of the leave exceeds the FMLA maximum, the remaining balance of the leave shall be processed in accordance with the provisions of this policy.

In addition, an employee who is on an unpaid leave of absence which does not qualify as FMLA leave shall be responsible for paying both the employee and employer portion of insurance premiums.

While on leave of absence for educational purposes or other justifiable personal reasons other than non-qualifying FMLA leave, illness, injury or disability, an employee retains accumulated annual and sick leave, but does not earn or accrue additional annual or sick leave. An employee who has qualified for Workers' Compensation may retain accumulated annual and sick leave. In addition, an employee on leave of absence is not entitled to compensation for official holidays occurring within the leave period.

In addition to the previously defined leave of absence policy, pursuant to Chapter 52 of the Public Acts of 1989, public employees who qualify as members of a United States team for athletic competition, on the world Pan-American or Olympic level in a sport contest in either Pan-American or Olympic competitions are eligible to request a leave of absence with or without pay for the purpose of preparing for and engaging in the competitions just described. Team is defined as meaning any group leader, coach, official, or athlete who comprises the official delegation of the United States to World, Pan-American, or Olympic competition. In no event shall the total of all such leave exceed the period of the official training camp and competition combined plus a reasonable amount of travel time or 90 calendar days a year whichever is less. The granting of leave under this section shall be discretionary with the public employer. In order to qualify for athletic competition leave, a public employee must: 1) be actively working for the public employer from whom the leave is requested at the time the request is made; 2) request such leave of absence a reasonable period prior to the date the public employee wishes the leave to commence; 3) at the time of the request, the employee shall provide the employer with the actual or anticipated dates of the competition, the dates of the official training camp and specify the total number of leave days that will be necessary in order for the public employee to participate; 4) the public employee must provide satisfactory evidence of qualification and selection for participation.

The employee may be granted leave pursuant to the provisions of this Act with or without pay subject to the complete discretion of the employer. If leave of absence under this Chapter is granted with pay, the employee retains accumulated annual and sick leave and continues to earn or accrue additional annual and sick leave. The employee is also entitled to compensation for official holidays occurring within the leave period. If the leave is granted without pay, an employee retains accumulated annual and sick leave, but does not earn or accrue additional annual or sick leave. The employee on leave of absence without pay is not entitled to compensation for official holidays occurring within the leave period. The president of the institution must approve the request.