



Policy Title: HR5025 - Leaves of Absence

Subject Area: Human Resources

Responsible Official(s): Executive Vice President and Chief Operating and Financial Officer

Responsible Office(s): Human Resources

Policy Statement

It is the policy of the University of Memphis to provide approved time off to regular employees due to reasons of illness or injury, as well as leave for educational purposes and for justifiable personal reasons.

Definitions

Regular Full Time – All personnel who are employed on a continuing basis, expected to exceed one year, and who have a regular work week of at least 37.5 hours.

Regular Part Time – All personnel who are employed on a continuing basis, expected to exceed one year, and who have a regular work week of less than 37.5 hours.

Unpaid Leave – A period of time when the employee does not receive compensation during a leave of absence.

Personal Leave – A leave for reasons other than an employee's own medical illness or injury.

Volunteer Firefighter – An individual who has advanced firefighting experience in combating, extinguishing, and preventing fires, responding to hazardous materials, incidents, and emergency medical calls which include special rescue situations.

Certified Disaster Service Volunteer – An individual who has completed the necessary training and is certified as a disaster service specialist by the Red Cross.

Medical Leave (non-qualifying under FMLA) – A leave period in which the employee has not worked the required twelve (12) months and the required minimum of 1,250 hours during the year preceding the leave to qualify under the Family Medical Leave Act (FMLA), or has

exhausted the allotted maximum twelve (12) work weeks of leave under the Family Medical Leave Act (FMLA).

Policy

General

A leave of absence, not to exceed one year, may be granted for justifiable absences for personal and/or medical reasons under certain circumstances and are usually unpaid. Factors which the University might consider, include (1) extraordinary circumstances that justify keeping the position open or vacant for the employee, (2) whether or not it is in the best interest of the institution, or (3) whether the employee performs a unique service or possesses unique qualifications that are required for the position.

Unpaid Leave (Leave without pay - LWOP)

Employees who have exhausted their own sick and/or annual leave and are not eligible to receive sick leave bank hours will be placed on leave without pay status.

An employee who is on 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.

An employee on leave without pay does not accrue additional sick or annual leave while on leave. In addition, an employee on leave without pay status is not entitled to compensation for official holidays occurring within the leave period.

Medical Leave (non-qualifying under FMLA)

Employees temporarily disabled due to an illness or medical condition who do not qualify for FMLA may request a leave of absence, not to exceed one year. Request for non-qualifying FMLA leave of absence will require a return-to-work certification from a medical professional. Approval of the leave of absence is subject to the approving authority(ies) as referenced on the [Request for Leave of Absence form](#).

Note: Leave requested under the Americans with Disabilities Act (ADA) will be in accordance with University Policy [HR5062 - ADA Workplace Accommodations](#).

Family Medical Leave Act (FMLA)

Leave requested under FMLA will be in accordance with the Family Medical Leave Act of 1993 and University policy, [HR5028 - Family, Medical and Service Member Leave](#).

Personal Leave

A personal leave request will be reviewed on an individual basis and approved or denied based on the business needs of the department.

Voting Leave

Employees who are registered voters may receive time-off to vote on Election Day if there are less than 3 hours between the start and end times of their work schedule and the time the polls open or close, provided such time-off is requested before 12:00 pm (noon) the day before the election. The supervisor has discretion to specify if the time-off needed to vote should be before or after the employee's working hours.

Civil Leave

Civil leave will be granted to regular employees in response to a subpoena or directive by proper authority, or when the employee appears as a witness for the Federal Government, State of Tennessee or a political subdivision of the State. Leave will also be granted when it is necessary to attend any court in connection with official duties or to serve on a jury in any State or Federal Court.

Military Leave

All employees who are members of any reserve component of the armed forces of the United States, the Tennessee National Guard or the U.S. Air Force Auxiliary Civil Air Patrol shall be entitled to a leave of absence from their duties for all periods of military service during which they are engaged in the performance of duty or training in the service of this State, or of the United States, under competent orders as stipulated in U.S.C. Title 38, § 4311-4318 and T.C.A. § 8-33-101 through 8-33-109, T.C.A. § 58-1-106 and T.C.A. § 42-7-102.

Volunteer Firefighter Service Leave

In accordance with T.C.A. § 50-1-309, a regular employee who is an active volunteer firefighter may be permitted to leave work to respond to fire calls during the employee's regular hours of employment without loss of pay, annual, sick or overtime accumulation.

Disaster Relief Service Leave

In accordance with T.C.A. § 8-50-810, a regular employee who is a certified disaster service volunteer of the American Red Cross may be granted leave with pay for up to fifteen (15) workdays each calendar year to participate in specialized disaster relief services for the American Red Cross.

Administrative Leave

A regular employee may be placed on leave with or without pay at the discretion of the AVP/Chief Human Resources Officer, or designee, due to administrative proceedings that might include workplace investigations, fitness for duty evaluations or other circumstances to determine or assess continued employment with the University.

Related Documents, Policies and Forms

[HR5028 - Family, Medical and Service Member Leave](#)

[HR5022 - Sick Leave](#)

[HR5021 - Annual Leave](#)

[HR5062 - ADA Workplace Accommodations](#)

[HR5026 - Sick Leave Banks - Faculty and Staff](#)

[Request for Leave of Absence Form](#)

Last Revision Update Log: 09/04/2024

HR5025 – Revised May 16, 2022

HR5025 – Supersedes UM1572 May 1, 2018

UM1572 – Revised August 26, 2008

UM1572 – Issued June 22, 2004 (Supersedes Policy Number 1:2B:01:04)