

VANDERBILT UNIVERSITY AND MEDICAL CENTER

HUMAN RESOURCES POLICIES AND PROCEDURES

SUBJECT: ADMINISTRATIVE LEAVE POLICY

POLICY #: HR-020

EFFECTIVE DATE: January 1, 2000

(Revised October 2001 - changes noted in Red)

POLICY

The purpose of this policy is to define when staff are eligible for, or may be placed on, a leave of absence for administrative reasons. The policy is broken into five (5) categories: bereavement, jury duty, military, other administrative, and temporary layoff leave.

PROCEDURE

I. ELIGIBILITY AND PROCESS

- A. **Bereavement Leave:** The loss of a family member may require time away from work. If there is a death in the family, staff may take up to three working days off as leave with pay. The family is defined as spouse, son, daughter, mother, father, mother-in-law, father-in-law, sister, brother, grandparent or grandchild. This policy would also include domestic partner, stepparent, step-sibling or stepchild. The process is outlined below:
1. All regular and term full-time and part-time staff are eligible.
 2. Bereavement leave is to be utilized within fourteen (14) days of the date of death. Exceptions for unusual circumstances (i.e., remains must be transported from overseas) must be coordinated with Employee Relations.
 3. Supervisors may ask staff to provide a certification of the death, such as a death certificate or a published death notice, before bereavement pay will be authorized.

B. **Jury Duty/Court Appearances:** Vanderbilt recognizes a staff member's responsibility, when subpoenaed, to serve on a jury or to testify as a witness. The process is outlined below:

1. The regular or term staff member will receive his/her regular Vanderbilt paycheck while on approved jury duty and does not have to return the jury duty payment. Time spent on jury duty will count towards the scheduled work week. Hourly-paid temporary staff are only paid for actual hours worked at Vanderbilt, and while Vanderbilt recognizes the responsibility outlined above, the temporary staff member will not be paid.
2. When a staff member is subpoenaed or requested to testify as a witness in a case related to the staff member's employment at Vanderbilt, he/she will be compensated for that time away from work.
3. When called as a juror or witness, the staff member should immediately notify his/her supervisor. If the jury obligation is less than three (3) hours in a day, the staff member must report for the rest of his/her work shift.
4. Staff who work an evening or night shift, and are scheduled to report for jury duty the next morning, will be excused from, and paid for, that shift. If the staff member spends more than three (3) hours in jury duty, he/she will be excused from his/her next shift if the shift occurs within twenty-four (24) hours of jury duty service.
5. Staff who appear in court on their own behalf, or who are subpoenaed for matters unrelated to the staff member's employment at Vanderbilt, must use vacation, holiday or personal leave time. If accrued leave is not available, approved leave will be unpaid.

C. **Military Leave:** Vanderbilt follows the guidelines established by the Uniformed Services Employment and Reemployment Rights Act (USERRA) regarding military leave.

Notice of Service: When a staff member is called to military service, USERRA requires the staff members in the uniformed services to give advance written or verbal notice of the service to their department, unless such notice is precluded by military necessity. footnote 1

Benefits: The University will activate the returning veteran's benefits based upon the length of service he/she would have had if

he/she remained on the job. However, vacation, sick, personal or holiday time are not accrued during the time spent in military service. Contact the Benefits Office for specific information.

1. A staff member may, while in the service, elect to continue University health plan coverage and is required to pay only the staff member's portion of the insurance premium when in the service for 30 days or less. Thereafter, the staff member may elect to continue healthcare coverage as provided under USERRA. However, if coverage is terminated at the staff member's option, the University may not impose a waiting period for benefit reinstatement upon return to employment.
2. A returning staff member is considered as not having incurred a break-in-service.

Returning to Work After Military Duty: For criteria including holding of a position, retraining for a position, salary, priority placement, or other reemployment conditions, the manager should consult with Employee Relations. The general timeliness guidelines under USERRA for a staff members' return to work is highlighted below:

- If the staff member served fewer than 31 days or was away from Vanderbilt for other qualified reasons, the staff member must return to work the next regularly scheduled workday.
- If the staff member served more than 30 days but fewer than 181 days, the staff member must notify Vanderbilt of his/her intention to return to work and reapply within 14 days.
- If the staff member served more than 180 days, the staff member must notify Vanderbilt of his/her intention to return to work and reapply within 90 days after completion of service.

If you have any questions, please contact Employee Relations prior to denying reemployment to a staff member returning from military duty.

- D. **Other Administrative Leave:** Administrative leave is a general leave status, initiated by the supervisor, which is paid. Examples of when a staff member may be placed on other administrative leave include, but are not limited to: a work area must be closed for repairs, an internal review or investigation, or for an investigation of an external event, such as an arrest.

Supervisors should consult with Employee Relations before placing an individual on leave to determine the appropriate type of leave and to coordinate the appropriate payroll processing information .

- E. **Temporary Layoff Leave:** Some departments lay staff members off on a temporary or seasonal basis in accordance with their staffing needs. Departments for which seasonable layoff is a recurring activity should share these policies with staff members during the employment process. Questions about temporary or seasonal layoffs should be directed to Employee Relations.

NOTE: A seasonal or temporary layoff is a layoff period of six (6) months or less, where the department expects to recall the staff member to active employment status. A seasonal or temporary leave of less than one (1) month is handled at the department level as an informal layoff leave and is not processed through the payroll system as a temporary layoff leave option.

A layoff of more than six (6) months or that is due to the elimination of a staff position with no expectation for recall or rehire is considered a permanent layoff. For information regarding permanent layoffs, please refer to the following policies: End of Employment Policy and, for medical center staff only, the Vanderbilt University Medical Center Layoff Policy.

The temporary layoff leave process is outlined below:

0. The effective start date of a layoff leave is the first missed workday.
1. For a temporary layoff, staff must utilize all accrued paid time away (holiday, vacation and personal leave) before the layoff moves into the unpaid status. Use of sick time is not an option.
2. For full-time staff who receive health care benefits, as long as accrued vacation, holiday and personal leave time are available, benefits will continue. When paid time ends, the staff member has the option to continue coverage at his/her own expense. The staff member should be advised to contact the Benefits' Office before the leave goes into unpaid status.
3. Staff on temporary layoff leave who fail to return to work at the end of the designated leave period, must repay

Vanderbilt for the employers portion of the health coverage premiums paid while the staff member was on unpaid leave.

4. When the department is ready to recall staff members from layoff leave status, the staff member should be contacted by phone or registered or certified mail at least seven (7) days in advance to confirm the date when they are expected to return to work. Staff members who do not return within seven days (7) of recall, and who do not have authorization to delay their return, will be terminated.

Footnotes

1 A staff member performing military service may opt to, but is not required to, use vacation or annual leave with pay during the time that he/she is performing military service. This is an exception to our other leave policies which requires a staff member to exhaust all appropriate accruals prior to going into an unpaid status.

This policy is intended as a guideline to assist in the consistent application of University policies and programs for staff. The policy does not create a contract implied or expressed, with any Vanderbilt staff members, who are employees at will. Vanderbilt reserves the right to modify this policy in whole or in part, at any time, at the discretion of the University.

Process flowcharts are available on the HR web site to assist staff and supervisors in understanding and administering this policy.

Approved by Darlene Lewis, Associate Vice Chancellor, Human Resources

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Approved by Harry Jacobson, M.D. Vice Chancellor, Health Affairs

Revised October 2001

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