



PROCEDURE

Leaves of Absence

Procedure Administrator: Associate Vice President for Human Resources
Authority: N.J.A.C. 4A:6-1.1, et seq.
Effective Date: January 20, 1975; December 30, 2008; May 30, 2009; August 10, 2010; April 7, 2014; August 15, 2019; April 9, 2021
Index Cross-References: Procedure 1096: Sabbatical Leave Application Procedure; Procedure 6125: Donated Leave Program; Procedure 6128: Voluntary Furlough Program
Procedure File Number: 6153
Approved By: Harvey Kesselman, President

The following describes the University’s procedure to grant time off with pay and without pay to its employees, consistent with Federal and State statutes, regulations, and applicable provisions of the relevant collective agreements.

SICK LEAVE

All employees are required to notify their supervisor, as far in advance as possible, when they will not report to work due to illness or other medical reason (i.e. doctor’s appointment). Any employee absent five or more consecutive scheduled workdays must present to the Office of Human Resources (OHR) medical documentation signed by a health care provider. Failure to provide valid medical documentation within a reasonable period of time of the absence may result in disciplinary actions, up to and including termination. Under the Health Insurance Portability and Accountability Act (HIPAA), this documentation should be presented by the employee directly to the OHR. However, if presented to the supervisor, the supervisor should immediately provide it to OHR. The documentation is then placed in the employee’s confidential medical file.

Sick leave may also be used by employees who are unable to work for a reasonable amount of time because of a serious illness or death in the employee's immediate family. For purposes of this section, immediate family is defined as: an employee's spouse, domestic partner, child, legal ward, grandchild, foster child, mother, father, legal guardian, grandfather, grandmother, brother, sister, father-in-law, mother-in-law, and other relatives residing in the employee's household.

The University reserves the right to require the presentation of appropriate medical documentation at any time for any Sick Leave absence.

VACATION LEAVE

All employees are required to obtain approval from their supervisor before vacation leave may be used.

- Managerial and 12-month non-faculty AFT professional staff are credited

with 22 vacation days each year. 10-month non-faculty AFT staff are credited with vacation days on a pro-rated basis.

- Faculty are not granted vacation leave.
- Classified Civil Service employees earn vacation leave in accordance with N.J.A.C. 4A:6-1.2 based on years of service.

An employee may accrue and carry over to the following year up to one time (1X) the employee's then current rate of accrual.

ADMINISTRATIVE LEAVE

Civil Service employees receive administrative leave, up to three days in a calendar year. Administrative leave is not cumulative from year to year and any remaining leave at the end of each year, or upon separation, is forfeited. Administrative leave must be pre-approved by your immediate supervisor whenever possible.

COMPENSATORY TIME

A supervisor/unit head must preapprove the accrual or usage of compensatory time. All compensatory time is subject to specified accrual maximums. Refer to the "Use of Time" page under the OHR website for details on compensatory time for all job classifications.

DONATED LEAVE

A State employee shall be eligible to receive donated sick or vacation leave if the employee:

- Has completed at least one year of continuous State service;
- Is suffering from a catastrophic health condition or injury which is expected to require a prolonged absence from work by the employee; or
- Is needed to provide care to a member of the employee's immediate family who is suffering from a catastrophic health condition or injury.

In all cases, the employee must have exhausted all accrued sick, vacation, administrative leave, and compensatory time. Refer to Procedure 6128 (Donated Leave Program) for more information.

JURY DUTY

Time served for jury duty is time off with pay. Employees who are required to appear for jury duty must submit to the Payroll office a note from the Jury Manager verifying the time served. Employees who are summoned but are dismissed from jury selection should report to work as normal pursuant to N.J.A.C. 4A:6-1.19.

LEAVE TO APPEAR AS A WITNESS

Time off is granted to employees who are summoned to appear as a witness or a party before a judicial or administrative body or legislative committee for work-related matters. If the appearance is part of the employee's job function, time off shall be granted with pay. If an employee appears as a witness or a party during his or her normal day off, rules governing overtime and compensation time shall apply.

If the appearance is not part of the employee's job function, and the employee is summoned as a witness and not a named party to the proceeding, time off shall be granted with pay. If the employee is a named party to the proceeding, time off shall be granted without pay, but the employee may use accrued leave time for compensation. Time off with pay is granted to employees to attend the employee's worker's compensation proceeding.

LEAVE FOR APPOINTMENT BY GOVERNOR

When a permanent employee is appointed by the Governor to an office or position pursuant to N.J.A.C. 4A:6-1.12, the University shall grant and record a leave of absence without pay for the period of appointment, provided that the employee requests such a leave of absence prior to the appointment. Upon the expiration of the leave, the employee shall have the right to return to the former title and receive all the benefits of that title as if the employee had remained in that title.

LEAVE FOR ATHLETIC COMPETITION

Any State employee in the career or unclassified service who qualifies as a member of the United States team for athletic competition at the world, Pan American or Olympic level, in a sport contested in either Pan American or Olympic competitions, shall be granted a leave of absence with pay for the purpose of preparing for and engaging in the competition. Such paid leave shall be no more than 90 calendar days in one year or the combined days of the official training camp and competition, whichever is less.

LEAVE FOR EMERGENCY CIVILIAN DUTY

An employee is entitled to paid leave in performance of civilian duty in relation to national defense or other emergency declared by the Governor or the President of the United States. Certified disaster service volunteers of the American Red Cross may be given leave with pay for up to ten days if one of the following conditions are met: (1) disaster relief services are performed in the State; (2) the disaster is a federally or presidentially declared disaster designated as Level III or above in accordance with American National Red Cross regulations and procedures; or (3) the disaster is declared by the governor of a state or territory.

LEAVE FOR UNION OFFICE

The University may grant a leave of absence without pay to an employee elected or appointed as an official of the employee's union. The maximum period for such leaves shall be a subject of negotiation between the employer and union.

MILITARY LEAVE

Leave of absence is granted for military service pursuant to N.J.A.C. 4A:6-1.11. Leaves may be paid or unpaid depending on the type of military service. Employees requesting such leaves must notify supervisors and submit a copy of their military orders to the OHR well in advance.

CONVENTION LEAVE

An employee who is a duly-authorized representative shall, upon request, be granted a leave of absence with pay for a period of up to five days in a calendar year to attend any

State or national convention of any one or more of the organizations listed in N.J.S.A. 38:23-2.

An employee who is a duly-authorized representative of the N.J. Police Benevolent Association, Fraternal Order of Police, the Fire Fighters Mutual Benevolent Association, or the Professional Fire Fighters Association of New Jersey, shall be granted a leave of absence with pay to attend a State or national convention of one or more of those organizations if specific conditions are met as listed in N.J.A.C. 4A:6-1.13.

SABBATICAL LEAVE

Tenured faculty and librarians are eligible for sabbatical leave after they have completed six or more consecutive years of service as of June 30 prior to the year for which the leave is requested. Sabbatical leave is administered in accordance with the Stockton Federation of Teachers (SFT) current bargaining unit agreement in effect at the time leave is requested.

FAMILY LEAVE

Eligible employees (generally those employed at least 12 months) may be entitled to 12 weeks of leave (paid or unpaid) to care for a newborn child, an adopted child, an ill family member or for personal illness. Pregnancy is treated like any other temporary medical condition requiring a leave of absence. An employee anticipating such a leave should schedule a meeting with the leave coordinator in the OHR. Medical documentation must be provided to the OHR prior to the commencement of the leave.

Family and Medical Leave Act

- To be eligible, employees must have worked for the employer for at least 12 months for a minimum of 1,250 hours. Eligible employees are entitled to 12 weeks of FMLA leave in a 12-month period. Such leave may be taken in intermittent periods. The employee must have a serious health condition that involves incapacity or treatment in connection with or resulting from inpatient care in a hospital, hospice, or residential medical care facility; any period of incapacity requiring absence from work, school, or other regular daily activities, of more than three calendar days, that also involves continuing treatment by a health care provider; or continuing treatment by a health care provider for a chronic or long term-health condition that is incurable or so serious that if not treated, would likely result in a period of incapacity of more than three calendar days; or for prenatal care.

State Family Leave Act (NJ FLA)

- To be eligible for family medical leave, classified and unclassified employees must be employed by the University for a minimum of 12 months and have worked for a minimum of 1,000 hours, excluding overtime, during the last 12-month period. Eligible employees are entitled to a family medical leave related to the birth of a child of the employee, the adoption of a child by the employee; the serious health condition of a family member (as defined by NJ FLA) of the employee.
- Eligible employees can take a consecutive block of up to 12 weeks or can take leave on an intermittent or reduced schedule. An employee is entitled to leave of 12 weeks in any 24 month period. Typically, the leave will be unpaid. However, for a paid leave, an employee may utilize accrued time: sick, vacation, administrative or compensatory leave.

VOLUNTARY FURLOUGH

All full- and part-time employees may request to use the Voluntary Furlough Program for a leave of absence from work without pay for up to thirty (30) days in a calendar year without adversely affecting employee benefits. The Furlough Program is designed to accommodate personal leave needs without pay; however, it is not to be utilized in place of sick or disability leave. State employees are prohibited from seeking alternate employment during furlough days while retaining State-paid benefits. Furloughs are subject to the approval of the Divisional Executive. For additional information, refer to Procedure 6128 (Voluntary Furlough Program).

LEAVE WITHOUT PAY

A leave of absence without pay for a classified or unclassified employee may be granted for a period not to exceed one year, with the approval of the OHR and the Divisional Executive. A leave of absence may be extended beyond one year for exceptional circumstances upon request to the University and written approval by the OHR and the Divisional Executive.

The University may permit an employee to return from a leave of absence without pay prior to its conclusion.

TEMPORARY EMPLOYEES

See N.J.A.C. 4A:6-1.1(b) for information about leave availability for temporary employees.

Review History:

	Date
Procedure Administrator	01/28/2021
Divisional Executive	02/10/2021
General Counsel	03/14/2021
Cabinet	04/08/2021
President	04/09/2021