Policy 3504

From Human Resources

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PERSONNEL POLICY MANUAL
MoDOT Personnel Policy Title: Educational Leave Without Pay **Policy Number**: 3504 **Chapter Title**: Leaves of Absences **Effective Date**: July 1, 2009 **Supersedes Policy Number**: 3504 **Dated**: July 1, 2005
Approved By: Micki Knudsen, Human Resources Director (Signature on file)

POLICY STATEMENT

The department will allow full-time employees to be approved for a leave of absence without pay for educational purposes. Employees will retain prior creditable service with the retirement system and the department while on an approved educational leave.

PROVISIONS/REQUIREMENTS

1. A full-time employee who is a member of the retirement system may apply for and, with the approval of the district engineer or the division leader/state engineer, receive an educational leave without pay not exceeding a consecutive nine-month period, to work toward a college diploma or degree in a field of study beneficial to both the department and the employee. Attendance must be at an educational institution accredited to award the diploma or degree to be attained.

2. It is not mandatory that educational leave be automatically issued upon an employee's request. All requests should be reviewed against the following criteria:

A. Requests to pursue a one-year, two-year, or four-year diploma or degree will be limited to the curriculum required in department job specifications or for which the department normally would recruit; or, the curriculum must be one for which a future special need has been recognized and sanctioned by the department. Approval of requests will be subject to expected staffing needs by the department at the time the employee expects to graduate.

B. Requests to pursue an advanced degree will be limited to instances where an advanced degree is required on a job specification and effective utilization of this background can be substantiated.

C. The ability of the district/division/office to meet their business operation needs, as well as the department's needs, if each leave request is approved.

3. Approval of educational leave without pay entitles the employee to retain prior creditable/credited service with both the retirement system and the department. However, the time away from employment while on leave without pay will not be counted as creditable/credited service with either the retirement system or the department. An employee going on educational leave without pay retains all of his/her unused sick leave credits he/she had at the beginning of the leave.

4. An employee has the option of either retaining or using accrued annual leave and compensatory time after his/her last day of work and prior to switching to leave without pay for an educational leave. No annual or sick leave will be earned after the employee switches to leave without pay status. Any holidays occurring while the employee is using his/her accrued leave will be paid provided he/she is on paid leave immediately before and immediately after each holiday.

5. While on educational leave without pay, insurance coverage will continue to be available without state participation. Eligible employees will need to make manual payments if they want to continue health, life, or disability insurance coverage.

6. An extension beyond a nine-month leave period may be requested by the employee, if attendance at the educational institution beyond that period is either required or warranted. If the employee does not return to work at the expiration of the educational leave and has neither requested nor received an extension, the educational leave automatically expires and the employee is considered to have voluntarily resigned.

7. Participants in the department's Co-operative Civil Engineer Training Program are exempt from the above provisions, as issuance of leave is automatic.

8. An Employment Status Maintenance (ESMT) transaction placing the employee in a leave without pay employment status is required when the educational leave without pay is for more than 80 consecutive work hours (more than 10 consecutive workdays for employees on 5x8 schedules and more than 8 consecutive workdays for employees on 4x10 schedules.) An ESMT is also required if an employee will be on unpaid leave for all the normal workdays and holidays within an entire pay period, even if this time is equal to or less than 80 hours. The Certificates/Remarks section of the ESMT should include a statement that the position has been retained for the employee while on leave. When the employee returns from educational leave, an ESMT is again submitted to place the employee in active status. The employee must provide an official copy of his or her grade report for the academic period, a copy of which is to be forwarded to the Human Resources Division to be placed in the employee's official personnel file.

9. If the employee violates any provisions of the educational leave or fails to return at expiration of the leave, an ESMT will be submitted indicating voluntary resignation. The effective date of the action will be either the expiration date of the leave, or in the case of a violation, the date on which such violation becomes known.

10. Since the time away on leave without pay (if the leave exceeds 80 work hours) does not count toward creditable/credited service in the retirement system or department, it will be necessary to bridge the absence by adjusting the service record dates. The Human Resources Division will be responsible for determining the revised dates, modifying the dates on the SAM II HR/Payroll System, and notifying the relevant district/division/office of the revised date.

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