

# North Dakota State University

## Policy Manual

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### SECTION 149

#### LEAVE WITHOUT PAY

SOURCE: SBHE Policy Manual, Section 701.1

1. Leave without pay may be authorized for benefited employees, who have maintained a record of good performance, for purposes such as education, research, temporary employment with another university, governmental, or private agency when such employment will contribute to the employee's expertise in his or her field and make the employee more effective upon return to employment, literary pursuits, or any other purpose that will improve the employee professionally and will directly or indirectly benefit the institution or system. In addition, a leave without pay may be granted for necessary absences due to illness (when family medical leave is not available or has expired) or other important matters.
2. Requests for leave without pay for the President shall be approved by the Board. Requests for leave without pay for institution employees shall be approved by the institution president or designee.

#### All Employees

In cases where a leave without pay is requested due to illness, the employee may be requested to provide medical certification to the human resources office to verify the existence of a health condition including date of commencement and probable duration of the illness.

#### Broadbanded Employees

Leave without pay for a period of less than 21 working days may be authorized by the department head. Leave without pay for 21 or more working days requires advance approval of the appropriate vice president and should be requested through the Office of Human Resources/Payroll.

Leave may not be granted for a period in excess of one calendar year, except for military service. Failure of an employee to report for duty or reinstatement on expiration of leave granted is cause for automatic termination.

#### Externally Funded Research Faculty

Research faculty (so designated by their titles) who are funded totally on externally generated funds may, when their project and funding are completed, request a leave without pay while they submit proposals for additional funding. Such a leave must be approved as other leaves without pay but allows the research faculty member to retain their research faculty title and use it when submitting funding proposals. Research faculty applying for a leave without pay under these circumstances should follow the NDSU Guidelines below but use the [Leave Without Pay form](#), located on the Office of the Provost/Faculty Affairs web page.

3. An employee who is on an approved leave of absence without pay may continue to be covered by employer benefits (health, basic life and employee assistant program) and/or voluntary benefits (optional life, dental, etc.) provided:

- a) the employee remits the appropriate premium(s) to the Human Resources/Payroll Office,
- b) such coverage is not inconsistent or contrary to insurance contracts, and
- c) such coverage would not be contrary to State law.

- 4. Leave of absence shall be granted with assurance of reinstatement to the same position or to other employment in the department recommending the leave unless circumstances make it clearly impractical.
- 5. Employees on leave without pay shall retain their year's service rights and accumulated benefits but shall earn no additional benefits.
- 6. NDSU Guidelines Proposals for leave of absence without pay shall be in writing and submitted on the University's [Leave Without Pay form](#) (located on the Office of the Provost/Faculty Affairs web page) for approval through appropriate channels. An individual requesting a leave without pay for a reason other than illness should inform the department chair or unit administrator at least six months prior to the anticipated leave and submit the request for administrative approval at least three months prior to the leave. The appropriate Vice President/Provost can waive the timelines.

No proposal for leave without pay shall be approved unless the employee agrees, in writing, to provide notification to the University by a specific date of the employee's resignation or of the employee's intent to return to NDSU. The date is to be negotiated prior to approval of the proposal. Failure by the employee after a specific request by the responsible supervisor to either provide the notification of the intent to return or to submit a resignation by the required date shall be deemed to be a resignation.

- 7. Employees exercising FMLA rights are allowed to take leave without pay while preserving leave balances as allowed in Section 143 Sick leave and Section 130 Annual Leave in the Policy Manual.

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#### HISTORY:

New	March 13, 1987
Amended	April 1995
Amended	October 1996
Amended	October 1998
Amended	April 2002
Amended	April 2006
Housekeeping	August 7, 2014
Amended	December 14, 2020
Housekeeping	June 29, 2021
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