Background

This policy applies to employees who are not covered by a collective bargaining agreement or for whom the agreement contains no provision regarding this subject.

This policy defines: (a) a university employee’s eligibility for a non-investigatory Administrative Leave and the process through which the Board of Trustees will grant such leave and (b) the process through which an employee may be placed on an investigatory Administrative Leave. Absences of 15 consecutive calendar days or more are considered a leave of absence; however, the leave is effective retroactively to the first day of absence.

Policy

Non-Investigatory Administrative Leave:

Except as modification may be necessary by the financial condition of the university at the time of application or by the regulations of external granting agencies, the following shall constitute the policy relative to Administrative Leave:

1. Non-Investigatory Administrative Leave may be granted only by the Board of Trustees, on recommendation of the president for purposes of intellectual and professional enrichment promising to serve the best interests of the university.

2. Except in emergency or unusual cases, employees applying for Administrative Leave shall file their requests with the appropriate unit head by October 1 of the academic year preceding the year in which the Administrative Leave is intended to begin. The appropriate unit head must forward all requests for Administrative Leave, with his or her recommendation, to the appropriate vice president.

3. Unclassified exempt employees at the rank of assistant dean and above or its equivalent, as determined by the president and vice presidents, may apply for Administrative Leave on the basis of the following minimum terms of service:

   A. After 36 months of full-time service, eligible employees may apply for Administrative Leave for a period of three months at full salary or six months at one-half salary.
B. After four and one-half years of full-time service, eligible employees may apply for Administrative Leave for a period of three months at one half salary or six months at three-fourths salary.

C. After six years of full-time service, eligible employees may apply for Administrative Leave for a period of six months at full salary or nine months at two-thirds salary.

D. In determining eligibility for Administrative Leave, only nine months of full-time service in any one year may be counted.

4. Following completion of a period of Administrative Leave, service eligibility requirements for future periods of Administrative Leave shall be determined from the time of return from the completed period of Administrative Leave.

5. A person granted Administrative Leave shall not, except by special permission of the board on recommendation of the president, accept remuneration during the period of Administrative Leave other than that paid him or her by the university and any prizes or academic awards that may be given him or her.

6. A person on Administrative Leave shall receive any salary increase or promotion, which he or she would have received, had he or she not taken an Administrative Leave.

7. Unless waived by the appropriate unit head, employees taking a period of Administrative Leave are obligated to return to work for the university for at least one academic or calendar year, as appropriate, immediately following the period of Administrative Leave.

8. In emergency or unusual cases, the board may grant Administrative Leave to an applicant without regard to the service eligibility requirements found in Section 3 (A) – (C) of this policy. Each case shall be handled on its individual merits with regard to service eligibility guidelines and the amount of Administrative Leave the employee is entitled to take. All other requirements related to Administrative Leave, as described in this policy and the accompanying University Rule, apply to any period of non-investigatory Administrative Leave granted under this section.

9. In emergency or unusual cases, the chief human resources officer or the president may waive the filing requirements or may approve alternative salary arrangements for an individual requesting an Administrative Leave.

10. The university shall continue to contribute to its portion of the cost of benefits during the period an employee is on Administrative Leave.
**Investigatory Administrative Leave:**

1. With the approval of the chief human resources officer or designee, in consultation with the Office of General Counsel, an employee may be placed on an investigatory Administrative Leave with pay when an allegation of misconduct is made against an employee which, in the opinion of the appropriate Human Resources Department representative, requires that the employee be removed from the worksite in order to maintain the health, safety or welfare of that employee or others while the allegations against the employee are investigated.

   A. Prior to placing an employee on an investigatory Administrative Leave, the appropriate Human Resources Department representative will examine other options to protect UC employees and students, including a temporary transfer to another position away from the impacted individuals.

2. The length of the investigatory Administrative Leave shall not exceed the length of time necessary to conduct a thorough investigation of the allegations. Such investigations shall be conducted immediately and will be completed as soon as possible.

3. Unless otherwise prohibited by rule or regulation, the university reserves the right to dismiss the employee at any time during the investigatory Administrative Leave.

4. When the investigation is completed, the organizational unit along with the Human Resources Department (and, if necessary, the Office of General Counsel) shall determine and take the appropriate action.

**Procedure**

1. Employees must complete and submit the appropriate Time Off From Work Form or other form (electronic or otherwise) as designated by their organizational unit to their administrative authority for approval as soon as possible.

2. Follow university leave of absence administration processes.