

Prepared by the Personnel Management Office.  
This is a new Administrative Procedure.

July 1982

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LEAVES

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A9.420 LEAVE WITHOUT PAY FOR BOR PERSONNEL

1. Purpose. To enable BOR personnel to take leaves without pay in accordance with the following references.
2. References.
  - a. Appendix 9-14, BOR By-Laws and Policies
  - b. Article VI, Leaves Without Pay, Unit 07 Agreement, or
  - c. Article 3, Maintenance of Rights and Benefits, Unit 08 Agreement.
3. Objective. To consolidate into one document the existing practices and policies concerning leaves without pay (LWOP) for BOR personnel (to include faculty, APT and excluded) and to prescribe a standard form and procedure for the processing of such leaves.
4. Applicability/Responsibility. These instructions apply to all BOR employees. Employees are responsible for submitting their request to their employing agency who in turn will process such forms via the Chancellor's Office to the University Personnel Office for review and placement in the BOR agenda.
5. Guidelines.
  - a. In accordance with existing collective bargaining agreements and BOR policy, the University will consider granting leave without pay for professional improvement or personal reasons where such leave is determined to be to the advantage of the University and provided a satisfactory temporary replacement can be secured where necessary. Such leaves will not normally be granted for periods longer than one year at a time. However, in cases where the leave requirement is for more than one year as governed by regulation or statute, such as in the cases of IPA agreements, military service, etc., a leave up to two years may be requested. Leaves which

extend beyond one year require approval of the BOR's Personnel Relations Committee prior to placement on the Board's monthly agenda.

- b. Personal leave for compassionate reasons may be granted to faculty members, provided that a satisfactory temporary replacement can be secured. Such leaves shall not be granted for more than ninety (90) days at a time.
  - c. Tenured faculty members are considered to be filling permanent full-time positions. A tenured faculty member who wishes to work less than full time must apply for partial LWOP.
  - d. An employee cannot be granted a LWOP from a non-continuing position, an invalid account or from a grant or contract which has expired.
6. Definition. Leaves without pay may be voluntary or involuntary.
- a. Voluntary leaves:
    - 1) LWOP for Professional Improvement
- Professional improvement leaves are granted only in cases where the recipient will enhance his value to the University by deliberately seeking to improve his professional abilities. In these leaves, the improvement of the recipient's professional abilities must be primary and direct, and not a secondary or incidental consequence, such as may result from employment by an outside agency.
- a) If the support for the leave is provided by the recipient, then the recipient's statement of purpose establishes whether the primary purpose is professional improvement.
  - b) If support is provided by an outside agency, then the agency's reason for providing support defines the primary purpose of the leave.
  - c) Fellowships and foundation grants awarded to enable recipients to pursue the kind of

research, scholarship and creative work which improve their professional abilities and so enhance their value to the University are considered to be for professional improvement.

The following factors may also be considered in making a judgement on a faculty member's request for professional improvement leave:

- a) The leave will permit access to research equipment, facilities, or materials not available locally, and which are clearly required for the recipient's scholarly advancement.
- b) The training or experience relates to faculty member's area of assignment and is qualitatively superior to anything which can be obtained without taking leave.
- c) The leave will enable the recipient to adapt to and/or make a significant contribution to a priority program direction identified in the institution's ADP/EDP.

2) LWOP for Personal Reasons.

Leaves in this category are other than professional improvement.

B. Involuntary Leaves

- 1) Temporary cessation of normal operations. This type of leave is used when an employee's services are not needed temporarily due to a shutdown or curtailment of operations. Examples are the closing of student dormitories during vacation periods or the closing of facility for renovation, etc.
- 2) Depletion of funds. This type of leave is used when a program finds it necessary to reduce staffing temporarily because of lack of funds. This situation occurs most often in extramurally funded projects due to such reasons as unanticipated expenses or a reduction in funding.

7. Unauthorized Absence. An employee who fails to report for duty for causes within his or her control shall be removed from the payroll for the period of absence with appropriate adjustments to the annual salary. Should the unauthorized absence continue more than fifteen calendar days, the supervisor should investigate the situation and, if appropriate, recommend that the employee be terminated.
8. Procedures.
  - a. BOR personnel who wish to take LWOP should make every effort to submit applications to the immediate supervisor at least six months in advance of the desired effective date. In any case, leaves are to be submitted in time to be considered by the Board in advance of the desired effective date except that faculty members may be granted emergency leaves which do not exceed ninety (90) days under the provisions of the Unit 07 collective bargaining, subject to confirmation of the Board of Regents.
  - b. The UH Form 62 (PERS) Attachment 1 is to be used for requesting LWOP. The request must contain a statement of the purpose of the leave.
  - c. The request must be submitted to the immediate administrative supervisor for a recommendation and forwarding to the Chancellor or designee.
  - d. Requests must be forwarded with recommendations by the Chancellor to the Director of Personnel. The Director of Personnel will place them on the BOR Agenda. Exception: Faculty requests involving policy questions are to be forwarded by the Chancellor to the Vice President for Academic Affairs.
  - e. Any reviewing official who recommends approval of the leave with conditions other than as requested is to notify the applicant accordingly.
  - f. A copy of the leave request will be returned to the applicant through administrative channels after it is acted upon by the Board. If professional improvement LWOP (faculty & E/M) or educational LWOP (APT) is approved, a UH Form 31 (PERS) 10/71 Retirement Contribution Election While on Professional LWOP, Attachment 2, will also be forwarded to the applicant for execution and return with the SF-5B.

- g. A UH Form 1 (PERS) must be submitted with the SF-5B placing the individual on LWOP if the individual is on vacation and sick leave accumulating system.
  - h. Involuntary LWOP for cessation of normal operations and depletion of funds are to be processed via SF-5B as soon as the leave condition can be accurately determined.
  - i. Unauthorized absence requires that an SF-5B be submitted to remove and/or return the employee to the payroll. A memorandum of explanation by the immediate supervisor must accompany the SF-5B.
9. Employee Benefits.
- a. A person may purchase retirement credits while on leave without pay for professional improvement by direct payment to the Employees' Retirement System or such credit may be purchased after completion of the leave.
  - b. When a person is on leave without pay, there are no payroll deductions to continue those programs which require employee contributions. Should continued participation be desired, arrangements must be made by the employee with the agency concerned for coverage by direct payment. For example, the free life insurance and dental plan coverages would continue as employee contributions are not required; for a medical plan, contributions are required. Refer to Administrative Procedure A9.690, Health Fund Benefits for details. Also, direct contributions to any benefit plan sponsored by an employee organization would have to be made by an employee should continued participation be desired.

UNIVERSITY OF HAWAII  
REQUEST FOR LEAVE WITHOUT PAY (LOWP)

Name of requestor \_\_\_\_\_

Period from \_\_\_\_\_ to \_\_\_\_\_

Type of LWOP requested (see reverse side for descriptions)

\_\_\_\_\_ Professional Improvement \_\_\_\_\_ Personal Reasons

I have disclosed all sources of compensation for services while on leave (for professional improvement leaves only--may be included in narrative).

I have appended a narrative statement describing the purpose of the LWOP.

I apply for this leave with the intention of returning to service at the University of Hawaii. Should I fail to do so, the University may, at its option, assume that I have resigned my position by abandonment.

Position Title/Rank \_\_\_\_\_ Signature \_\_\_\_\_

Department/Division \_\_\_\_\_

Recommend:

Approval/Disapproval (comments if any)

A satisfactory temporary replacement can be secured.

Department/Division \_\_\_\_\_ Date \_\_\_\_\_

Approval/Disapproval (comments if any)

Dean/Director \_\_\_\_\_ Date \_\_\_\_\_

Approval/Disapproval (comments if any)

Provost (Community Colleges only) \_\_\_\_\_ Date \_\_\_\_\_

Approval/Disapproval (comments if any)

Chancellor \_\_\_\_\_ Date \_\_\_\_\_

Board of Regents \_\_\_\_\_ Date \_\_\_\_\_

1. Leave Without Pay for Professional Improvement

Professional improvement leaves are granted only in cases where the recipient will enhance his value to the University by deliberately seeking to improve his professional abilities. In these leaves, the improvement of the recipient's professional abilities must be primary and direct, and not a secondary or incidental consequence, such as may result from employment by an outside agency.

- a) If the support for the leave is provided by the recipient, then the recipient's statement of purpose establishes whether the primary purpose is professional improvement.
- b) If support is provided by an outside agency, then the agency's reason for providing support defines the primary purpose of the leave.
- c) Fellowships and foundation grants awarded to enable recipients to pursue the kind of research, scholarship and creative work which improve their professional abilities and to enhance their value to the University are considered to be for professional improvement.

2. Leave Without Pay for Personal Reasons.

Leaves in this category are other than professional or general improvement.

Attachment 2

UNIVERSITY OF HAWAI'I

RETIREMENT CONTRIBUTION ELECTION WHILE ON PROFESSIONAL  
IMPROVEMENT LEAVE WITHOUT PAY

In accordance with Section 88-21, Hawai'i Revised Statutes, personnel on "professional improvement leave without pay" may elect to contribute to the State Retirement System for the period of leave without pay. Since personnel on professional improvement leave without pay are not on the University payroll, no payroll deductions can be made to the State Retirement System.

Personnel going on professional improvement leave without pay are required to elect one of the following options:

Option 1. While on professional improvement leave, you are entitled to accrue service credit and retirement benefits if you continue to contribute to the Retirement System. It is recommended that you continue your contributions during your professional improvement leave to insure coverage in the event that death occurs during the leave period. If Option 1 is elected, the Personnel Office will provide you with specific instructions for making direct payments to the State Retirement System.

Option 2. If you do not desire to make any contributions during your professional improvement leave, only this form needs to be completed. (Note: Normal death benefits are not payable during a period when contributions are not made to the Retirement System.) You may purchase service credit upon your return to duty. Service credit purchase made within 90 days after return to duty will be computed on your regular salary rate in effect at the time the leave started; if purchase is made after 90 days from return to duty, service credit cost will be based on salary at the time of application for purchase of service credit. For information concerning the purchase of service credit under Option 2, please write to the State Retirement System.

I have read the above options and elect option \_\_\_\_\_ (enter option selection). My period of professional improvement leave without pay will be from \_\_\_\_\_, 19\_\_\_\_ thru \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Signature of Employee

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To be completed by employee or department before transmitting to UH Personnel Office. Please print or type.

Name of employee \_\_\_\_\_

Social Security Number \_\_\_\_\_

Department \_\_\_\_\_