Leaves at TCNJ
Roadmap

I. Overview of Types of Leaves
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Some Types of Leaves

- Family and Medical Leave Act (FMLA)
- New Jersey Family Leave Act (NJFLA)
- Personal Medical Leave
- American Disabilities Act (ADA)
- Maternity/Paternity Leave
- Personal Leave of Absence
- Religious-Based Leave
- Jury Duty
- Bereavement
- Military Duty
- Sabbatical (faculty members/librarians)
Types of Leaves ctd.

**FMLA (federal)**
- Provides job-protected, unpaid leave for up to 12 weeks
- Eligibility requirements for employees based on months/hours worked for employer
- Permitted for qualifying medical and/or family reasons

**NJFLA (state)**
- Provides job-protected, unpaid leave for up to 12 weeks
- Eligibility requirements for employees based on months/hours worked for employer
- Permitted for qualifying care reasons for another

* Please note that leaves may be continuous and/or intermittent
Types of Leaves ctd.

**Personal Medical Leave**
- An employee may be eligible for a Personal Medical Leave of Absence when the criteria for FMLA has not been met.
Types of Leaves ctd.

Agreements
- AFT – provisions regarding Sick Leave, Special Sick Leave and Leaves of Absence (without pay)
- CWA – provisions on various forms of Leaves of Absence and Leaves of Absence Without Pay
- IFPTE – provisions on various forms of Leaves and Leaves of Absence Without Pay

Regulations
- N.J. Administrative Code – Leave of Absence Without Pay (State Service)

All of the above provisions are considered when evaluating a request for a Personal Medical Leave of Absence

American Disabilities Act
- in certain instances, leaves may be granted as an accommodation / part of an accommodation
Additional Information

Additional information about leaves, as well as TCNJ’s Donated Leave Program, can be found at:

https://hr.tcnj.edu/benefits/leave-programs/
With some variation, the main question for employers is whether the requested leave/accommodation will create an undue burden/hardship.
TCNJ Leave Request Process

To assess, TCNJ has the following process in place:

1) Employee submits leave request to Human Resources (HR) with required documentation
2) HR may ask employee for additional supporting documentation
3) HR shares the TCNJ Leave of Absence Request Form with employee’s supervisor (manager/Dean) when the employee is not eligible for a federal or state Family Leave of Absence (FMLA or NJFLA), and is requesting another leave type
4) HR may consult with other relevant offices to aid in the request assessment.
5) HR issues letter to employee granting/denying/other the leave request, copying supervisor on same
TCNJ Leave Request Process

The TCNJ Leave of Absence Request Form that HR will share with supervisors/managers:
In completing the TCNJ Leave of Absence Request Form, some useful factors for supervisors to consider and include:

- Nature of employee’s job
- Employee’s current workload
- Upcoming deadlines for employee
- Other business demands for the department/unit
- Temporary transfers of responsibilities
- Any associated costs for the department/unit
TCNJ Leave Request Process

Factors HR may consider in their assessment include:

- Length of the leave request
- Leave history for employee
- Size, scope, and needs of the unit
- Availability of alternative options
Key Takeaways

- Be fair, reasonable and comprehensive when completing the TCNJ Leave of Absence Request Form

- Maintain open communication with HR throughout this process

- Not every hardship is an *undue* hardship but avoiding tough decisions to help someone known is equally not process-based