

# Leaves at TCNJ

# Roadmap



- I. Overview of Types of Leaves
- II. TCNJ Leave Request Process
- III. Key Takeaways

# 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/>

# TCNJ Leave Request Process



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



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