

Chapter 16 Leave of Absence

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16.01 Leave of Absence without Pay (Classified Employees)

- **Policy**

Classified employees may request and be granted leaves of absence without pay.

The terms and conditions for granting leaves of absence without pay are contained in Chapter ER 18 of the Wisconsin Administrative Code for non-represented classified employees and in the appropriate collective bargaining agreement for represented employees.

- **Procedure**

Application for leaves should be made on Form DER-C&C-20 (Rev. 9/90) [see Appendix 16-A]. The form should be processed through the supervisor/department chair to the Dean/Director to the Classified Human Resources (CHR) office.

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16.02 Leave with Pay

See Staff Benefits booklet for sick leave, including Income Continuation Insurance (ICI) benefits; vacation; holidays; jury duty, military leave; time off for voting and time to compete for civil service positions.

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16.04 Inclement Weather Guidelines for Classified Employees

The Chancellor is responsible for determining if, for the safety and welfare of students and staff, classes will be postponed or some services suspended due to inclement weather. Some University services and functions must remain in operation regardless of weather conditions, e.g. University Housing, UW Madison Police Department, power plant operations, etc.

University Communications staff will work with the Chancellor to provide appropriate announcements to the media. Deans and directors should receive authorization from the Office of the Chancellor before directing employees not to report for work or sending employees home. Unless directed otherwise, employees are expected to report to work as scheduled. Each employee is expected to use discretion in determining if travel is safe. An employee who reasonably determines that travel would not be safe will not be subject to discipline for not reporting to work. Supervisors are expected to honor the reasonable requests of employees to arrive late or to leave early because of inclement weather. Employees are expected to make a reasonable effort to notify their supervisors if they cannot report to work or will report late.

Employees who are absent from work because of the inclement weather normally must use available annual leave (vacation), available holidays, leave without pay, or when appropriate, accrued compensatory time to cover the absence or must arrange with the supervisor to make up the time. Employees not exempt for overtime must account for each hour of scheduled duty. Employees exempt from overtime may account for their time in a manner consistent with their responsibilities, as approved by their supervisor.

If represented classified employees are directed not to report or are sent home they will be treated in accordance with the terms of their respective collective bargaining agreements. (Note: At this time some collective bargaining agreements provide that the employee will be compensated as if the time were worked when the employer directs employees to leave work or not to report to work.)

All employees not covered by collective bargaining agreements who are directed not to report or are sent home will normally be treated as follows:

- **Classified (Non-Exempt from overtime)** -- may use available annual leave (vacation), accrued compensatory time, available holidays, or leave without pay to cover each hour absent. Non-exempt employees must account for each hour of employment. If an employee's supervisor determines that the work unit can benefit from services provided by the employee at other than regularly scheduled times, the employee will be allowed to make up, during the remainder of the workweek, as much of the time as is beneficial to the work unit.
- **Classified (Exempt from overtime)** -- may use available annual leave (vacation), available holidays, leave without pay or when appropriate, compensatory time to cover the absence. An employee and the employee's supervisor may agree that the employee may account for the time of the absences in another manner consistent with the exempt nature of the employee's work assignment.

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16.05 Individual Building Closures

Occasionally, due to unavoidable circumstances such as construction, repairs, or the failure of heating or cooling systems, it may be necessary to close or restrict access to a building temporarily.

Arrangements should be made so employees have the option to work as scheduled at an alternative work site, such as in other nearby buildings. They may also be given the opportunity to choose to cover the time with: available vacation, available holidays, leave without pay, accrued compensatory time, or arrange with the supervisor to make up the time. (For FLSA non-exempt employees, the make up time must occur within the same workweek.) Work at home may also be presented as an option if the job responsibilities make this a possibility and if approved by the supervisor and Appointing Authority. FLSA non-exempt employees must account for each scheduled work hour.

FLSA exempt employees may account for their time in a manner consistent with their professional responsibilities, as approved by their supervisor.

Most collective bargaining agreements prevent the employer from forcing employees to use paid leave or leave without pay. For this reason represented employees must be given the option to perform work at an alternative work site in addition to the other leave options listed above.

Units are encouraged to consult with the Classified Personnel Office whenever a situation arises where this information may need to be implemented.

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16.06 Elections

State statute 7.33 (4) provides that state employees may act as "election officials" without loss of pay when their election duties occur on a scheduled workday. An election official means an individual who is charged with any duties relating to the conduct of an election. This includes poll workers.

Process:

1. An employee who requests time off to serve as an election official should complete the ***Classified Employee Request to Serve as an Election Official*** form ([appendix 16 D](#)) and give it to the supervisor for approval.
2. The employee must provide the supervisor at least seven days' notice of application for leave to serve as an election official. Employees are encouraged to make requests as soon as they know they will serve to enable the supervisor to plan for coverage.
3. If the employee does not provide verification of the appointment at the time of the request for leave, the employing unit may request the municipal clerk to verify the appointment.
4. The employee shall be granted off work the entire 24-hour period of each election day in which the employee serves as an election official. Attendance is without loss of pay for any scheduled working hours during this 24-hour period.
5. The employee shall certify in writing the amount of compensation received for such service.
6. The employing unit payroll shall deduct the amount of compensation received (#4) from the employee's pay earned for the scheduled working hours during the 24 hours the employee is on paid leave.
7. ***DER Bulletin CLR/CBB-118Addendum Subject: Pay for Employees Serving as Election Officials*** contains frequently asked questions / answers and is available at http://oser.state.wi.us/bulletins/bulletin_get.asp?bid=140.