

National University Leave of Absence (LOA) Guidelines

Leave of Absence Overview Chart					
Leave	Description and Duration	Eligibility	Notice Requirements	Return From Leave	Additional Information
Family Medical Leave Act (FMLA)	<p>An eligible employee may take up to 12 weeks' leave in a rolling 12-month period for the following reasons:</p> <p>A Serious Health Condition:</p> <ul style="list-style-type: none"> Causing an employee to be unable to perform the essential functions of their job, including illness, injury, impairment or physical or mental condition, including pregnancy. Requiring an Employee to Provide care for a: <ul style="list-style-type: none"> Parent Spouse Child: For purposes of caring and bonding with an employee's child within one year of birth, adoption, or foster placement. <p><u>For Military Family Leave:</u></p> <ul style="list-style-type: none"> For certain Qualifying Exigencies arising out of the fact that an employee's spouse, child (of any age), or parent who is a member of the National Guard or Reserves, or a retired member of the Regular Armed Forces or retired Reserves, is on covered active duty or call to covered active-duty status. To Provide Military Caregiver Leave-Up to 26 weeks of FMLA in a 12-month period to provide care for a covered service member with a serious injury or illness sustained in the line of active military duty who is the employee's spouse, child, parent, or next of kin (nearest blood relative). 	<p>An employee who has:</p> <ul style="list-style-type: none"> Completed 12 months of service with the University (the service need not be consecutive) Worked at least 1,250 hours during the 12-month period immediately preceding the requested leave. Worked at a location where there are 50 employees of the University within a 75-mile radius. 	<ul style="list-style-type: none"> 30 days if the need for leave is foreseeable, or as soon as practical. Supporting documentation must be provided within 15 days of being requested by the University. Failure to provide certification may result in a delay or denial of leave. <p>If needed, the University may request recertification if an employee requests an extension</p>	<ul style="list-style-type: none"> Please contact Human Resources no less than 10 days prior to the return-to-work date. 	<ul style="list-style-type: none"> When permitted by law, FMLA will run concurrently with any other LOA or time off for which an employee may be eligible. Leave may be taken all at once, or when medically necessary, intermittently for periods no less than one hour.
California Family Rights Act (CFRA)	<p>The California Family Rights Act (CFRA) provides similar, not identical leave, to California employees. Differences include:</p> <ul style="list-style-type: none"> CFRA provides leave to care for a registered domestic partner or registered domestic partner's child. CFRA provides leave to care for parents-in-law, siblings, grandparent, grandchild, designated person. Pregnancy is not a covered condition under CFRA. CFRA does not provide Military Family Leave. 	<p>An employee who has:</p> <ul style="list-style-type: none"> Completed 12 months of service with the University (the service need not be consecutive) Worked at least 1,250 hours during the 12-month period immediately preceding the requested leave. 	<ul style="list-style-type: none"> Same as FMLA 		<ul style="list-style-type: none"> When permitted by law, CFRA will run concurrently with any other LOA or time off for which an employee may be eligible (CFRA does not run concurrently with POL). When taking CFRA leave for new child bonding: <ul style="list-style-type: none"> Leave must be taken in two week increments except on two occasions.
California Pregnancy Disability Leave (PDL)	<p>In California, up to a maximum of four months (or the working days in 17 1/3 weeks) may be taken for disability caused by an employee's pregnancy, childbirth, or related medical condition, such as leave for severe morning sickness and for prenatal care.</p>	<ul style="list-style-type: none"> All employees disabled by pregnancy. Part-time employees are entitled to leave on a pro rata basis based on the average number of hours they work in a 17 1/3 -week period. 	<ul style="list-style-type: none"> Same as FMLA. The actual time designated as POL is determined by an employee's healthcare provider. 		<ul style="list-style-type: none"> When permitted by law, POL will run concurrently with any other LOA or time off for which an employee may be eligible (POL does not run concurrently with CFRA). Leave may be taken all at once, or intermittently, for periods no less than one hour. PDL does not provide leave for bonding purposes, but eligible California employees can take additional time off for bonding under the CFRA.
California Reproductive Loss Leave	<p>In California, up to 5 days may be taken for reproductive loss event:</p> <ul style="list-style-type: none"> Failed adoption Failed surrogacy Miscarriage Stillbirth Unsuccessful assisted reproduction 	<ul style="list-style-type: none"> All employees who have worked at least 30 days prior to the leave start. 	<ul style="list-style-type: none"> If feasible, reasonable advance notice of the need for leave is requested, or as soon as practical. 	<ul style="list-style-type: none"> Same as FMLA 	<ul style="list-style-type: none"> The 5 days of leave doesn't need to be consecutive. Leave must be taken within 3 months of the reproductive loss event or within 3 months of the end of another leave (i.e. PDL, CFRA, etc.)

California Organ and Bone Marrow Donor Leave	<u>Organ Donor</u> : Up to 30 business days of paid leave and an additional 30 days unpaid leave in any 12- month consecutive period for the purpose of donating a medically necessary organ to another person.	<ul style="list-style-type: none">• All employees who complete 90- days of employment.	<ul style="list-style-type: none">• The employee must provide written verification of their status as an organ or bone marrow donor and the medical necessity for the donation.	<ul style="list-style-type: none">• Same as FMLA	<ul style="list-style-type: none">• Leave taken to donate organ or bone marrow donation does not run concurrently with FMLA or CFRA.• *Please contact the Benefits team for questions regarding eligibility in states other than California
	<u>Bone Marrow Donor</u> : Up to five business days of paid leave in any 12-month consecutive period to donate bone marrow.				

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California School Activities and Appearance Leave	<p>Up to eight hours per calendar month, or a total of 40 hours each school year, may be taken by parents, stepparents, foster parents, legal guardians, grandparents and persons standing in loco parentis for:</p> <ul style="list-style-type: none"> Finding, enrolling or re-enrolling a child in school or with a licensed childcare provider. Participation and Involvement, such as parent-teacher conferences, attendance at plays, or field trips. Childcare or School Emergencies (excluding planned holiday closures) resulting in a child not being permitted to remain in school or with a childcare provider due to: <ul style="list-style-type: none"> The school or childcare provider requests, or has a policy that prohibits, the child from attending /requires the child to be picked up. Unexpected closure or unavailability of the school or childcare provider. A natural disaster, including, but not limited to, fire, earthquake or flood. Behavioral or discipline problems that require a parent's presence, including a suspension or other urgent school disciplinary action. 	<ul style="list-style-type: none"> All employees 	<ul style="list-style-type: none"> If feasible, reasonable advance notice of the need for leave is requested, or as soon as practical. Documentation from the school or childcare provider to verify the employee's attendance may be required. 	<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> When permitted by law, School Activities and Appearance Leave will run concurrently with any other LOA or time off for which an employee may be eligible. *Please contact the Benefits team for questions regarding eligibility in states other than California
California Public Health Emergency Closure Leave	<p>Accrued, unused PSL may be used if a public health emergency results in the closure of:</p> <ul style="list-style-type: none"> Our offices or campuses. An employee's minor children's caregiver or school. 	<ul style="list-style-type: none"> All PSL-eligible employees 	<ul style="list-style-type: none"> If the closure does not affect the University's premises, advise your direct supervisor or HR Business Partner of your need to leave work. 	<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> When permitted by law, Public Health Emergency Closures Leave will run concurrently with any other LOA or time off for which an employee may be eligible.
Civil Air Patrol Leave	<p>An employee who is a volunteer member of the California Wing of the civilian auxiliary of the United States Air Force commonly known as the Civil Air Patrol and who has been duly directed and authorized by the United States Air Force, the California Emergency Management Agency, or other political subdivision of the State of California that has the authority to authorize an emergency operational mission of the California Wing of the Civil Air Patrol, to respond to an emergency operational mission, within or outside of the state, of the California Wing of the Civil Air Patrol. (Cal. Lab. Code §§ 1501 and 1503.)</p>	<ul style="list-style-type: none"> All employees 	<ul style="list-style-type: none"> If feasible, reasonable advance notice of the need for leave begin and end date is requested, or as soon as practical. Documentation from the proper Civil Air Patrol authority may be required to verify eligibility. 	<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> *Please contact the Benefits team for questions regarding eligibility in states other than California
Emergency Services or Emergency Rescue Training Leave	<p>Employees who also are:</p> <ul style="list-style-type: none"> volunteer firefighters, reserve police officers, or emergency rescue personnel <p>that require time off either to perform emergency services or emergency rescue training. (Cal. Lab. Code §§ 230.3 and § 230.4.)</p> <p>Duration - no more than an aggregate of 14 days of leave per calendar permissible.</p>	<ul style="list-style-type: none"> All employees 	<ul style="list-style-type: none"> With as much notice as possible, notice of the intended dates upon which the emergency services/training will begin and end. Documentation/certification from the proper agency/authority may be required to verify eligibility. 	<ul style="list-style-type: none"> No more than an aggregate of 14 days of leave per calendar permissible. 	<ul style="list-style-type: none"> *Please contact the Benefits team for questions regarding eligibility in states other than California

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California Crime Victims' Leave	<p><u>leave for Judicial Proceedings Related to Specified Serious Crimes:</u> leave may be taken to attend judicial proceedings related to a crime or attempted crime, whether to comply with a subpoena or other court order in which a right of the victim is at issue, for one of the following covered offenses:</p> <ul style="list-style-type: none"> Violent felony Serious felony Felony theft or felony embezzlement 	<p>An employee or their immediate family member who is a crime victim:</p> <ul style="list-style-type: none"> Spouse or registered domestic partner Child, stepchild, or child of a registered domestic partner Brother or stepbrother Sister or stepsister Mother or stepmother Father or stepfather 	<ul style="list-style-type: none"> If feasible, reasonable advance notice of the need for leave to comply with a subpoena or other court order as a witness is requested. Documentation to verify attendance, such as a copy of the notice of scheduled proceeding, subpoena or other court order may be required. 	<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> When permitted by law, Crime Victims' Leave will run concurrently with any other LOA or time off for which an employee may be eligible. *Please contact the Benefits team for questions regarding eligibility in states other than California
	<p><u>Leave for Any Proceeding Involving Victim's Rights:</u> Leave may be taken to appear in court at any proceeding in which a right of the victim is at issue.</p> <ul style="list-style-type: none"> Any person who suffers direct or threatened physical, psychological, or financial harm as result of the commission or attempted commission of a crime or delinquent act for one of the following covered offenses: <ul style="list-style-type: none"> Vehicular manslaughter while intoxicated Felony child abuse likely to produce great bodily harm or a death Assault resulting in the death of a child under eight years of age Felony domestic violence Felony physical abuse of an elder or dependent adult Felony stalking Solicitation for murder A serious felony, such as kidnapping, rape or assault Hit-and-run causing death or injury Felony driving under the influence causing injury Specified sexual assault Contact your HR Business Partner for more information. 	<p>An employee or their immediate family member who is a crime victim:</p> <ul style="list-style-type: none"> Spouse Parent Child Sibling Guardian 			
	<p><u>Domestic Violence, Sexual Assault and Stalking Leave:</u> Time off is available to victims of domestic violence, sexual assault or stalking to:</p> <ul style="list-style-type: none"> Obtain a temporary or permanent restraining order Pursue court-ordered relief to ensure the health, safety or welfare of the victim or his/her child Seek medical attention for injuries Obtain services from a domestic violence shelter, program or rape crisis center Seek psychological counseling Participate in safety planning and take other actions to increase safety, including temporary or permanent relocation <p>The University also will provide reasonable accommodation for the known victims of domestic violence, sexual assault or stalking who request an accommodation for their safety while at work, unless doing so creates an undue hardship. To request an accommodation, contact your HR Business Partner.</p>	<ul style="list-style-type: none"> An employee who is the victim of domestic violence, sexual assault or stalking for covered purposes. 			

California Voting Leave	Allowed if employee does not have sufficient time outside of normal working hours to vote.	<ul style="list-style-type: none"> All employees 	<ul style="list-style-type: none"> Employee must inform supervisor two (2) working days before election that this leave is needed and provide the reason why voting cannot be done outside of normal working hours. 	<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> Approved time must be taken at the beginning or end of the work shift, whichever allows for the most free time for voting and least time off from work, but only two hours will be paid. *Please contact the Benefits team for questions regarding eligibility in states other than California
California Jury Duty and Witness Testimony Leave	All employees in the state of California are eligible to take jury duty and witness leave.	<ul style="list-style-type: none"> All employees 	<ul style="list-style-type: none"> Employees must notify supervisor as soon as practical of the need for leave when called to jury service or summoned to witness duty, including providing appropriate documentation. 		<ul style="list-style-type: none"> *Please contact the Benefits team for questions regarding eligibility in states other than California
Uniformed Services Employment and Reemployment Rights Act (USERRA)	The U.S. Department of Labor's Veterans' Employment and Training Service (VETS) administers the Uniformed Services Employment and Reemployment Rights Act (USERRA). USERRA guarantees an employee returning from military service or training the right to be reemployed at this or former job (or as nearly comparable a job as possible) with the same benefits. Aspects of the law may change over time. Every effort will be made to keep the information provided up to date by the U.S. Department of Labor's VETS.	<ul style="list-style-type: none"> All employees. Services in the Uniformed Services and Uniformed Services <p>Services in the Uniformed Services means the performance of duty on a voluntary or involuntary basis in a uniformed service, including:</p> <ul style="list-style-type: none"> Active duty and active duty for training Initial active duty for training Inactive duty training Full-time National Guard duty Absence from work for an examination to determine a person's fitness for any of the above types of duty Funeral honors duty performed by National Guard or Reserve members Duty performed by intermittent employees of the National Disaster Medical System (NDMS) 	<ul style="list-style-type: none"> A service member must provide with advanced notice of military service as soon as practical, including providing appropriate documentation. 	<ul style="list-style-type: none"> A service member must be available to return to work within certain time limits. These time limits for returning to work depend (except for fitness-for-service examinations) on the duration of a person's military service. 	<ul style="list-style-type: none"> Please contact the Benefits team for questions regarding USERRA. Employees who are part of the military reserves are granted up to 80 hours of paid leave annually to fulfill their required annual training obligations. This leave is provided to support their commitment to military service while maintaining a professional presence at National University. In most cases, employees are discouraged from maintaining both a full-time military position and a full-time position at National University simultaneously.

		<p>Uniformed Services* includes:</p> <ul style="list-style-type: none"> • Army, Navy, Marine Corps, Air Force and Coast Guard • Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve and Coast Guard Reserve • Army National Guard and Air National Guard • Commissioned Corps of the Public Health Service <p>Any other category of persons designated by the President in time of war or emergency</p>			
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*All National University employees, regardless of their state of residency, are eligible for the same types of leaves available to California-based employees. Tax implications, benefits paid out, and paid state insurance benefits will be processed according to the laws of the state in which the employee resides. If any state or local law provides more generous benefits than those offered under this policy, the employee will receive the benefits required by the applicable law(s). Employees are encouraged to contact the Benefits team at confidentialbenefits@nu.edu with any questions regarding their available leave options. Please note that employees are protected from retaliation for exercising their rights to leaves of absence under the applicable law.