


Name of Policy: Administrative leave Policy Number: 3364-25-25 Approving Officer: President Responsible Agent: Senior Associate Vice President and Chief Human Resources Officer Scope: The University of Toledo – All Campuses, see (C)			
		Effective date: November 17, 2020 Original effective date: May 2, 2011	
Key words: sick leave without pay, no pay leave, unpaid leave, discipline leave, paid leave			
<input type="checkbox"/>	New policy proposal	<input checked="" type="checkbox"/>	Minor/technical revision of existing policy
<input type="checkbox"/>	Major revision of existing policy	<input type="checkbox"/>	Reaffirmation of existing policy

(A) Policy statement

- (1) The Appointing Authority may, in its discretion, place an employee on administrative leave with or without pay. Administrative leave with pay is to be used only in circumstances where the health or safety of an employee or of any person or property entrusted to the employee’s care could be adversely affected. Compensation for administrative leave with pay shall be equal to the employee’s base rate of pay. The length of administrative leave with pay is solely at the discretion of the Appointing Authority but shall not exceed the length of the situation for which the leave was granted. Employees placed on paid administrative leave will continue to accrue leave and service credit. An Appointing Authority may also grant administrative leave with pay of two days or less for employees who are moved in accordance with section 124.33 of the Revised Code.
- (2) The Appointing Authority may, in its discretion, place an employee on administrative leave without pay for a period not to exceed two months, if the employee has been charged with a violation of law that is punishable as a felony. If the employee subsequently does not plead guilty to or is not found guilty of a felony with which the employee is charged or any other felony, the appointing authority shall pay the employee at the employee’s base rate of pay, plus interest, for the period the employee was on the unpaid administrative leave.

(B) Purpose of policy

To provide uniform guidelines and procedures regarding administrative leaves.

(C) Scope

This policy applies to all employees of the University including faculty, staff, and medical residents. Student employees are not covered under this policy.

(D) Procedure

(1) Approval for Administrative Leave

Administrative leave may only be instituted with the review and approval of Appointing Authority. Administrative leave shall be authorized for the period of time necessary to conduct an internal review or investigation, including the decision of whether to impose discipline.

(2) Administrative Leave Pending Completion of Investigation

An employee should only be placed on administrative leave with pay when immediate action must be taken to remove an employee from his or her work site because of a threat to the health and/or safety of an employee, person or property entrusted to that employee. In such limited circumstances, it is permissible to place an employee on administrative leave with pay pending a review, investigation or disciplinary proceeding surrounding the situation that resulted in the employee being placed on administrative leave.

If the primary concern is the health or safety of a particular individual, or group of individuals, a modification of duties, a temporary reassignment to another position or another work area or a reassignment to another work shift may suffice to limit access to the person(s) whose health or safety may be endangered, thereby avoiding the need to place an individual on administrative leave with pay.

If the primary concern is the safety of property, it may be possible to remove access to University property either through a modification of job duties and responsibilities, a temporary reassignment to another position or reassignment to another work area so that no property is entrusted to an employee who could adversely affect or destroy the property.

(3) Employee Notification

(a) An employee placed on administrative leave pending completion of an investigation shall be notified at the outset of the leave that the employee:

- (i) Shall be in a work-ready status at all times during the employee's regularly scheduled time and must be able to report to work on short notice.

- (ii) Shall stay off University property during the leave, except for health care related appointments or need for treatment, or to conduct business with the employer if arrangements have been made with Appointing Authority in advance.
- (iii) Any previously approved vacation or personal time is negated.
- (iv) Shall not hold another job with another employer during the hours the employee is normally scheduled for work for the University. If the employee works during such hours, the employee will forfeit the administrative leave pay and is subject to disciplinary action up to and including termination.

<p>Approved by:</p> <p><u>/s/</u> Gregory C. Postel, M.D. Interim President</p> <p><u>November 17, 2020</u> Date</p> <p><i>Review/Revision Completed by: Senior Associate VP and Chief HR Officer, SLT</i></p>	<p>Policies Superseded by This Policy:</p> <ul style="list-style-type: none"> • <i>Previous 3364-25-25, effective May 2, 2011</i> • <i>Previous 3364-25-25, effective August 10, 2017</i> • <i>Previous 3364-25-25, effective November 6, 2017</i> <p>Initial effective date: May 2, 2011</p> <p>Review/Revision Date: June 26, 2014, August 10, 2017, November 6, 2017, November 17, 2020</p> <p>Next review date: November 17, 2023</p>
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