

## **RETURN FROM LEAVE OF ABSENCE**

### **P-1 Type 520 Return from Leave of Absence**

Requires Approvals by: PA DEPT COMP

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#### **Completing the P1:**

- Return from leave of absence code:
  - 56 Return from Leave
- The Leave of Absence (LOA) return date must be in the current or a prior pay period. The return date entered on the P1 cannot be in the future.

#### **Pay Increases While on Leave and Upon Return from Leave:**

##### *Across the Board Increases*

- Employees on leave with pay or leave without pay will automatically receive any applicable Across-the-Board (ATB) increases during the pay period in which the ATB is effective.

##### *Step or Merit Pay Increases*

- Contract-covered:
  - If the employee missed a step increase while on leave without pay, the employee will receive the missed step increase upon return.
  - If the employee was in an intermittent leave code and was working intermittently during the pay period of their step increase date, the employee automatically received the increase, so no increase is due upon return. Refer to the [Increases for Employees on Intermittent Leave](#) instructions.
- Non-Contract:
  - If the employee missed a merit increase while on leave without pay, the missed increase can be given upon return. The missed increase may also be delayed based on the adjustment to the increase date, as increases for non-contract employees are discretionary.
  - If the employee was in an intermittent leave code and their step increase date was during the period of time on leave, confirm whether the employee received the increase. If not, the increase can be given upon return, or may be delayed, as increases for non-contract employees are discretionary. Refer to the [Increases for Employees on Intermittent Leave](#) instructions.

#### **Adjusting the Step Increase Date:**

- **Quick Reference:** Refer to the “Step Incr-Vac Ann Date” tab of the Pre-Audit Calculators to calculate what the employee’s new step increase date should be.

##### *Military Leave*

- Employees on military leave (with or without pay) should have their step increase date restored and not adjusted. They will automatically receive any applicable ATBs during the pay period in which the ATB is effective. They are not eligible to receive any missed step increases until they physically return to work.

##### *AFSCME Employees*

- Employees who were on leave without pay for more than 30 consecutive calendar days must have their step increase date adjusted forward by the length of time on leave without pay. See Step Increase Date section below for an example of how to adjust the step increase date.

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- If the employee received catastrophic donations while on leave, those hours are considered “paid time” and not leave without pay (even though the employee’s timesheet will reflect leave without pay). Therefore, the step increase date should not be adjusted for any period of time during which the employee received donated leave. See Step Increase Date section below for an example of how to adjust the step increase date.
  - Note: The total donated hours received should be included in the remarks of the employee’s timesheet each pay period.

### *All Other Employees*

- Employees who were on leave without pay for more than 30 consecutive calendar days must have their step increase date adjusted forward by the length of time on leave without pay. See Step Increase Date section below for an example of how to adjust the step increase date.

### **Administrative Rule 53.6(10), 53.7(5), and 63.6(1)**

**53.6(10) Return from leave.** If an employee returns from an authorized leave, the employee shall be paid at the same pay rate as prior to the leave, including any pay grade, pay plan, class or general salary increases for which the employee would have been eligible if not on leave, except as provided for in subrules 53.6(1) and 53.6(2). For setting eligibility dates, see subrule 53.7(5).

#### **53.7(5) Eligibility dates.**

*c. No adjustment for educational or military leave.* An employee who returns to work from required educational or military leave shall have the employee’s eligibility date restored without adjusting for the period of absence.

*d. Adjustments for returning from leave or recall.* An employee who returns to work from a recall list or from an authorized leave of absence shall have the employee’s eligibility date restored, but adjusted for the period of absence that exceeds 30 calendar days.

**63.6(1)** An employee who is on approved leave without pay, disaster service volunteer leave or educational leave must notify the appointing authority from which the employee is on leave of the intent to exercise return from leave rights. Upon return from leave, the employee shall have the right to return to a vacant position in the class held prior to the leave or to a class in the same pay grade for which the employee qualifies. If a vacant position is not available, the reduction in force provisions of 11—Chapter 60 shall apply. An employee on leave without pay, disaster service volunteer leave, or educational leave may request permission from the appointing authority to return to work sooner than the original approved leave expiration date. Employees on leave without pay for more than 30 calendar days, except for military leave, shall have their pay increase eligibility date adjusted to a later date which reflects the period of leave without pay.

### **Step Increase Date**

If on required educational or military leave, no adjustment needs to be made to the step increase date.

If on Leave Without Pay for **less** than 30 consecutive days, no adjustment needs to be made to the step increase date.

If on Leave Without Pay for **more** than 30 consecutive days:

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- The step increase date needs to be adjusted forward by the period of time the employee was on leave without pay.
- If the employee is AFSCME-covered, the step increase date should only be adjusted if the employee was on leave without pay for more than 30 consecutive days **and** did not receive any donations for more than 30 consecutive days during the time they were on leave without pay.
- If the employee was on Military Leave Without Pay then no adjustment is needed.

If on **Intermittent Leave** (used vacation, sick, or worked some hours in a 30-day period), an employee would not need their step increase date adjusted, as long as they did not have more than 30 consecutive days of leave without pay.

### **Formula to adjust step increase date forward:**

Went on leave **07/03/2014**. Returned from leave **08/15/2014**.

Was gone for **43 days** (28 days July + 15 days August). Take 43 days divided by 14 = **3.07**; round down to **3 pay periods**.

Previous step increase date: **09/26/2014**. New step increase date after adjusting forward 3 pay periods: **11/07/2014**.

Note: If the employee was AFSCME-covered and received donations in the 07/18/14 or 08/01/14 pay periods, the employee's step increase date does not need to be adjusted because donations count as "paid time" for AFSCME employees.