

## **HUMAN RESOURCES POLICY – RECEIPT OF BENEFITS DURING LEAVE - STAFF**

This policy is applicable to all staff employees of the University of Portland.

Staff employees who are on a Human Resources approved paid or unpaid leave of absence will continue to receive benefits provided by the University applicable to the employee's position through the entire period of leave that is covered by the federal Family & Medical Leave Act (FMLA), Oregon Family Leave Act (OFLA), Oregon Sick Time Law, military leave under federal or Oregon law, crime victim's leave under Oregon law, and leave related to domestic violence, harassment, sexual assault, and stalking under Oregon law. These types of leave are referred to in this policy as "Protected Leave."

Once an employee's leave is no longer covered as "Protected Leave," the employee will receive no benefits, subject to the following exceptions:

- If an employee is still employed by the University, the employee may continue medical and dental insurance benefits, life insurance benefits, and long-term disability benefits by paying the employee and employer portions of the cost for coverage, as long as such continuation is allowed by the applicable contract(s) between the University and insurer(s).
- If tuition remission was already approved for a semester, tuition remission may continue through that particular semester.
- The period of time for forgiveness of home loan/grant benefits will be extended by the period of time during which an employee was on leave but not eligible for receipt of benefits.

Employees on eligible military leave may be entitled to reinstatement upon returning from military leave with all benefits that would have been obtained but for being absent on military leave. This right is provided for by the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) and is known as the "escalator principle."

For regular benefits-eligible staff employees, the benefits that are referenced in this policy consist of: sick time, vacation time, pay for University holidays, medical and dental insurance benefits or share the savings benefits, life insurance benefits, long-term disability insurance benefits, employer-provided retirement contributions, tuition remission benefits, home loan/grant benefits, and Beauchamp Recreation Center benefits. For other employees, the benefits that are referenced in this policy consist of sick time accrued consistent with Oregon requirements, Beauchamp Recreation Center benefits, and any other benefits that may be specifically provided to certain positions.

It is the University's intent to comply with all requirements of all applicable laws, including FMLA, OFLA, the Oregon Sick Time Law, federal and Oregon laws regarding military leave, and all other federal and Oregon laws regarding protected leave. If there are any inconsistencies between this policy and any applicable legal requirements, the University will follow the legal requirements.

*\* This policy is effective March 1, 2018.*

*\*\* This policy was approved by PLC on February 19, 2018.*