

IAEA Professional Leave of Absence Policy

1.0 General Criteria for Professional Leave of Absence (LOA)

An LOA, not governed by the FMLA or ADA, is granted in cases in which the employee's performance is satisfactory and it may reasonably be expected that the employee will return to work after the leave.

Leaves may be denied if they would adversely affect business operations of the work unit.

Management must ensure each employee requesting LOA understands thoroughly the effect it has on policies and procedures.

1.1 Granting Leave of Absence (LOA)

The Associate Lab Director of Human Resources, the Associate Lab Director, the Department Chair/Division Manager, and HRM of the employee's organization have the authority to approve an LOA for:

- International Atomic Energy Agency (IAEA) contract position, without pay, based on contract assignment but not to exceed three years

The employee must complete a [Leave of Absence Form](#) and submit to their supervisor for consideration. If approved, the LOA request is then sent to the Department Chair/Division Manager, and HRM, will either approve or disapprove the request. If approved, forward the completed form to ALD, and Chief Human Resource Officer and others as required.

An LOA may not exceed 36-months.

1.2 Handling Leave of Absence (LOA) Requests

The ALD or Department Chair/Division Manager and CHRO approves the request for LOA and notifies the HRM. Upon receipt of all approvals, the HRM initiates the formal LOA process for an employee loaned to the IAEA organization.

1.3 Departing on Leave of Absence (LOA)

The employee must report to the HRM when departing on LOA. The HRM must obtain the employee's badge and issued property if the LOA is more than 90 days and turn the badge over to Personnel Security until the employee returns to work.

If for some unusual reason an employee does not report to the HRM when departing on LOA, management must obtain the employee's badge and property before departure to the IAEA if the LOA will be more than 90 days and turn the badge over to Personnel Security until the employee returns to work.

1.4 When Leave of Absence (LOA) Begins and Ends

An initial LOA without pay begins with the day after the last day worked at BSA. When an employee is granted an LOA, the date of expiration is the day preceding the employee's return to work date.

1.5 Returning After Leave of Absence (LOA)

An employee returning from LOA must report through the HRM prior to returning to the job site. If the employee fails to return to work after the LOA expires and does not request additional leave before its expiration and the decision is to terminate employment, the final date of the LOA becomes the termination date.

An employee who does not return from Leave of Absence is considered to have voluntarily resigned. The effective date of the termination will be based on when the employee provides notification that they will not return, or in the case of an employee who fails to communicate with the Laboratory, the last day of the approved LOA.

An employee on Leave of Absence is not eligible for severance pay due to reductions-in-force.

1.6 Eligibility

All employees who have been employed at BSA for at least 12-months and have worked at least 1,250 hours during 12-months preceding the need for leave are eligible.

1.7 Return to Work

Upon completion of the leave, the employee is entitled to be restored to the position which the employee held prior to the leave, or an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.

However, the employee is not entitled to any greater right, benefit, or position than the employee would have had if the leave had not been taken.

1.8 Continued Service to the Laboratory

Leave is granted to staff members whose continuing employment with, and service to, the Laboratory is expected. The staff member granted leave is expected to return to the Laboratory at the end of the leave.

1.9 Continuous Service Date

Subsequent interruptions of eligible or active service, such as a leave of absence, are deducted from the continuous service record by adjusting the vacation accrual date. For example, when an employee with an accrual date of 4/5/91 returns from a leave of absence of 45 calendar days, the original date is brought forward by the number of days absent to establish a new accrual date of 5/20/91.

2.0 Benefits Status While on Leave of Absence

Since a Leave of Absence suspends active Laboratory service, insurance benefits will be terminated during the Leave period. Eligibility of benefits will be available upon the employee's return.

2.1 Sick Leave Accruals

Since a Leave of Absence suspends active Laboratory service, no sick leave is used or accrued during the Leave period. All previously accrued sick leave credit is held on account pending the employee's return.

2.2 Vacation Accruals

Since a Leave of Absence suspends active Laboratory service, no vacation time is used or accrued during the Leave period. Time spent on Leave is excluded from length of service in determining vacation accrual rates.

2.3 Vacation Buy Plan

Participation in the Vacation Buy Plan is terminated upon commencement of a Leave of Absence.

2.4 Reimbursement Accounts

Participation in the Reimbursement Accounts (Healthcare, Dependent Day Care, and Transit Commuter) is terminated upon commencement of a Leave of Absence.

2.5 Retirement Plan Contributions

The Laboratory does not make Retirement Plan contributions on behalf of employees who are on a Leave of Absence.