

## 31.03.04 Leave of Absence without Pay

Revised [October 17, 2023](#)

Next Scheduled Review: October 17, 2028

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### Regulation Summary

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This regulation explains the categories of leave without pay available to employees of The Texas A&M University System (system) and establishes the effect of, and procedures for, taking such unpaid leave.

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### Regulation

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#### 1. APPROVAL OF LEAVE WITHOUT PAY

1.1 The member chief executive officer (CEO) is authorized to approve leaves of absence without pay for employees, subject to the following provisions:

1.1.1 Except for disciplinary suspensions, active military duty, and leave covered by workers' compensation benefits, an employee must exhaust accumulated paid sick leave, vacation, compensatory time and sick leave pool time before such leaves are granted. Paid leave must be exhausted only in those cases where the employee is eligible to take such leave.

1.1.2 Such leaves, except those for military training and duty as described in System Regulation *31.03.06, Military Leave and Service*, are limited to 12 months in duration and may be designated as unpaid parental leave or designated unpaid family and medical leave, if eligibility requirements are met.

1.1.3 Except for disciplinary suspensions, and subject to fiscal constraints, approval of such leaves constitutes a guarantee of employment at the conclusion of the specified leave period.

1.1.4 The member CEO may grant exceptions to the limitations stated in Sections 1.1.1-1.1.3 of this regulation for a reason such as to work for another state governmental entity under an interagency agreement or educational purposes, or where the granting of an exception would benefit the member.

1.2 The member CEO may delegate authority to approve leave of absence without pay requests.

#### 2. STATE SERVICE CREDIT

2.1 Except as provided in System Regulation *31.03.06*, any full calendar month in which an employee is on leave without pay is not counted in computing total state service for purposes relating to longevity pay or to the rate of accrual of vacation leave or continuous

state service for purposes relating to merit salary provisions or vacation leave. Any such full or partial calendar month of leave without pay does not constitute a break in continuity of employment. An employee does not accrue vacation or sick leave for a full calendar month during which the employee is on leave without pay.

- 2.2 Except as provided in System Regulation *31.03.06*, any full calendar month in which an employee is on leave without pay is not included in the calculation of six continuous months of employment for eligibility to receive payment for accumulated vacation at the time of resignation, dismissal or separation from state employment. It also is not counted toward the continuous service requirements for purposes of merit pay and promotion eligibility.

### 3. LEAVE OF ABSENCE FOR FOREIGN SERVICE

- 3.1 A faculty or staff member may be granted a leave of absence without pay for foreign service with the United Nations, the United States Government, international development foundations or other recognized international technical assistance agencies. Such a leave of absence may be granted for up to one year, and the employee may request extensions on a year-to-year basis.
- 3.2 The faculty or staff member initiates the request for such a leave of absence, which is routed through normal administrative channels to the member CEO for approval.

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## Related Statutes, Policies, or Requirements

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[Tex. Gov't Code § 661.909](#)

[System Policy \*31.03, Leaves of Absence\*](#)

[System Regulation \*31.03.02, Sick Leave\*](#)

[System Regulation \*31.03.05, Family and Medical Leave\*](#)

[System Regulation \*31.03.06, Military Leave and Service\*](#)

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## Member Rule Requirements

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A rule is not required to supplement this regulation.

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## Contact Office

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