



Question of the Week

April 23, 2025

Question

An employee requested an unpaid leave of absence to complete their last semester of college. Do we have to approve it? If we don't but still want to, what should we consider before approving the employee's request?

ANSWER

A leave of absence for educational purposes isn't covered by the Family and Medical Leave Act, Americans with Disabilities Act, or similar state leave laws. However, check if you have a policy that offers unpaid leaves of absence for similar situations and determine whether the employee is eligible to take leave according to the policy.

If there is no policy and you nevertheless wish to approve the leave request, it's important to consider the precedent you're setting. Would you be willing to offer similar unpaid time off to other employees in the future? If not, you'll want to be clear about why this situation is an exception.

You'll also need to consider whether benefits will continue (and if and how the employee will pay their premium while absent) and whether seniority and other benefits will continue to accrue while the employee is on leave.

It's also important to think through how the employee's work will be covered during the leave of absence. For example, decide if you'll distribute tasks among other employees or hire a temporary or contract worker for the duration of the employee's leave.

Having said that, there can be upsides to granting the leave of absence. Offering leave or flexibility in situations like this can show support for your employees, which may improve morale, retention, and engagement.

If you decide to offer this leave, document the agreed-upon terms in a leave letter and have both you and your employee sign it. You can find a sample [personal leave of absence letter](#) on the platform.

This Q&A does not constitute legal advice and does not address state or local law.