

3.6(3): Leave Without Pay

This policy applies to all employees eligible for annual and sick leave.

POLICIES AND PROCEDURES

Leave Without Pay (LWOP) occurs when an employee misses work after exhausting sick and/or annual leave accruals. LWOP may also occur when an employee takes leave that was not approved.

The County discourages the use of LWOP. A manager or director may approve the use of LWOP only in extraordinary circumstances.

If LWOP is not approved by an employee's manager or director prior to use, it will be deemed unauthorized LWOP. The use of unauthorized LWOP shall be subject to disciplinary action, up to and including, termination of employment under the Discipline and Appeal Policy 1.8.

Employees who use LWOP may not be eligible to work an alternative work schedule for six (6) months following the use of LWOP.

Effect of Leave Without Pay Status on Accruals

If an employee is in unpaid status for more than fifty (50) percent of the pay period, he or she shall not accrue annual or sick leave.

Taking leave without pay while in a probationary period may extend an employee's probationary period until actual time worked is equivalent to a twelve (12) month period.

Leave of Absence

Regular full-time employees may request a one-time leave of absence. *A leave of absence is intended to provide for employees who encounter a personal or medical issue, who have exhausted protected leave (such as FMLA), or who are not eligible for FMLA and believe that they could return to work full-time if they were able to take a limited block of additional time away from work.* This block of leave shall not exceed thirty (30) calendar days. If an employee who is requesting a leave of absence has remaining annual or sick accruals, these accruals must be used during the leave of absence.

Employees must request a leave of absence in writing and submit the written request to their Department Director at least thirty (30) calendar days prior to

3.6(3): Leave Without Pay (continued)

commencement of leave, except in cases of an emergency. A leave request is subject to the approval of the Department Director, who shall consider the following when determining whether or not to approve the leave:

- The work requirements and work load of the department;
- The employee's performance and length of service with the County; and
- The urgency of the situation prompting the leave request.

The approved written request must be forwarded to the People Services Department and the County Manager's Office for notification prior to the employee taking the leave. It is the employee's responsibility to pay his or her portion of the insurance coverage while on leave without pay. Failure to pay will result in a termination of insurance coverage.

Failure to return to work within the approved time frame may result in termination. After a leave of absence, the County will attempt to return an employee to the same or equivalent position that he or she left, and the same level of pay and benefits as prior to taking an approved leave of absence. Any salary increase, which would have been granted if the employee had not been on leave, shall be awarded immediately upon return to work, but shall not be retroactive. Because of the nature of our business, it is not always practical to hold a position open during a leave of absence. In the event an employee's job is filled, an employee may be considered along with other candidates for any vacant position for which he or she is qualified.