



Unified Government

Human Resources Guide

Effective 04-01-05

LEAVES OF ABSENCE WITHOUT PAY

- I. General: Unpaid leaves of absence may be granted by the Administrator to employees for reasonable cause, when requested in advance.
- II. Policy
 - A. Full-time and part-time A employees may be granted leave of absence without pay for any period not to exceed six months. No leave without pay will be granted beyond six months.
 - B. If leave is covered by the Family Medical Leave Act, the FMLA policy, 5.6, will control.
 - C. Before unpaid leave is to be granted all comp time, vacation and sick leave, when applicable, must be exhausted. Any employee requesting leave should first consult with Human Resources regarding their rights under the Family Medical Leave Act.
 - D. The employee's request for leave must be in writing and is to describe the nature and length of the leave. It is to be requested at least seven days in advance of the first day of leave, except in cases of emergency. Request for leave for medical reasons must include a written statement of the attending duly-license practitioner.
 - E. Leave without pay is limited to 30 days or less, however the Administrator may extend leave without pay beyond the initial 30 days, in 30 day increments, not to exceed six months.
 - F. If the employee is unable to return to work after an unpaid leave of absence, the employee will be separated from employment.
 - G. The employee granted leave of absence without pay will be returned to the same or an equivalent job, without reduction in pay, seniority, or other benefits.
 - H. The employee granted unpaid leave of absence for reasons of illness must request that his/her attending duly licensed health practitioner submit a medical report to the department at least every 30 days, in addition to the initial report requesting the leave of absence.
 - I. In addition to any medical examination secured by the employee, the department head has the authority to require him/her to submit to examination, at Unified Government expense, by a second health practitioner as a condition of receiving or continuing to receive unpaid leave of absence for reasons of illness. An employee who refuses to submit to such examination and/or diagnostic tests shall forfeit all rights to unpaid leave of absence for reasons of illness.
 - J. The department head must notify Human Resources of any requests for leave without pay. Upon approval by the Administrator, Human Resources sends notice about approved unpaid leaves of absence to the appropriate departments. If an employee returns to work prior to the prearranged date, the department must notify Human Resources and Payroll.



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- K. Human Resources will notify the employee on a leave of absence without pay that his/her Unified Government-provided health and dental care coverage ceases after the initial 31 days. (See 5.6—Family and Medical Leave for health care coverage during unpaid FMLA leave.) If desiring to retain coverage during a longer leave, he/she must arrange to make all the necessary payments. Payments are to be made in advance, on at least a monthly basis. (During the initial 31 days, any missed payroll deductions for medical, dental, and life coverage must be paid directly to Human Resources.)
- L. Absence without notification or without permission for a period of three consecutive working days, including regularly scheduled working days plus any scheduled overtime days, shall be considered a voluntary resignation, unless it can subsequently be shown that such absence was unavoidable. In the Fire Department, three consecutive 24-hour shifts are considered equal to three consecutive working days.
- M. Neither sick leave nor vacation time accumulates, nor shall car allowance be paid during leaves of absence without pay.
- N. Employees on an unpaid leave of absence are prohibited from being gainfully employed by an employer other than the Unified Government or being self-employed.

RELATED POLICIES: 4.1 Health Care Benefits
5.6 Family and Medical Leave
5.7 Military Leave

RELATED FORM(S): Personnel Action Notice