

ARTICLE 17

LEAVE OF ABSENCE

- A. A leave of absence may be requested in writing for any of the following reasons:
1. **Personal illness/injury**  
(Personal illness includes a woman's actual physical inability to work as a result of pregnancy, child birth, or related medical condition).
  2. **Illness/injury in immediate family**
  3. **Education**
  4. **Military service**
  5. **Personal reason** (Personal reason includes the birth of a child, to care for a newborn, the adoption of a child or the placement of a child in foster care).
- B. General Provisions:
1. Leave of absence may be with pay or without pay.
  2. An employee absent from work for more than five (5) consecutive days shall be required to apply for and submit a request for a leave of absence in writing with the required documentation.
  3. Failure to report for duty upon expiration of a leave of absence shall be considered a resignation. Exceptions may be approved by the Employer in situations that are beyond the control of the employee.
  4. **Waiting periods for Leaves of Absence eligibility:**
    - a. Employees must have six (6) months or more of continuous service to be eligible for any of the following Leaves of Absence:
      - **Illness/injury in immediate family**
      - **Education**
      - **Personal reason**
      - **Personal illness/injury**
    - b. Employees shall not be required to complete a waiting period in order to be eligible for the following Leaves of Absence:
      - **Military Service**
      - **An illness/injury for which an employee is eligible for and receiving Worker's Compensation benefits.**
  5. **Duration of Leaves of Absence:**

- a. An approved leave of absence shall not exceed six (6) months, except that the following types of leaves of absence may have extensions of up to six (6) months granted:
    - Personal illness/injury
    - Education
  - b. All requirements for such requested extensions must be fulfilled. Extensions shall be granted or denied in writing. The aggregate total time of all extensions shall not exceed an additional six (6) months from the expiration of the original leave of absence.
6. The Department Head and the Director, Human Resources shall approve or disapprove all requests for Leave of Absence, except for Worker's Compensation claims which shall be governed by applicable statutes.
  7. An employee who receives a leave of absence without pay shall not accrue benefits during the time which the employee is on said leave of absence without pay.

C. Types of Leave of Absence:

1. Personal Illness/Injury:
  - a. All requests for this type of leave of absence must be submitted in writing to the Department Head or designee. In proper circumstances, the Employer may waive the requirement that said request be in writing.
  - b. The written request for a leave of absence must be accompanied by a physician's statement which includes the following information:
    - (1) General nature of personal illness/injury
    - (2) Dates of incapacity, including the anticipated date of return to work
    - (3) Physician's name, signature, address, and telephone number.
  - c. Request for an extension must be submitted in writing at least five (5) working days prior to the expiration of the original leave of absence. The request for an extension must be accompanied by a physician's statement which includes the information in Section C, paragraph 1.b, of this Article.
  - d. The Employer may exercise the right to have the employee examined by a physician selected by the Employer before approving and granting such request for leave of absence and/or extension at the Employer's expense.
  - e. Prior to returning from a Personal Illness/Injury Leave of Absence, regardless of whether said leave is with pay or without pay, the employee shall submit to the Employer evidence in the form of a medical certificate, or other written medical documentation; said certificate or documentation shall indicate the anticipated date of return and that the employee has the ability to perform the essential functions of the job with or without reasonable accommodation. At the Employer's sole discretion, it may require that a medical examination be conducted; said examination shall be at the Employer's expense.

2. Illness/injury of a Member of the Employee's Immediate Family:
  - a. A leave of absence may be requested because of illness/injury suffered by a member of the employee's immediate family. The term immediate family as used in this section shall mean current spouse, parents, grandparents, children, brothers or sisters of the employee or of the employee's current spouse. It shall also include any person who is normally a member of the employee's household. All requests for this type of leave of absence must be submitted in writing to the Department Head or designee. In proper circumstances, the Employer may waive the requirement that said request be in writing.
  - b. In addition to the written request for a leave of absence, a letter from the physician attending the ill/injured member may be requested to evaluate the request.
3. Education:
  - a. All requests for this type of leave of absence shall be submitted in writing to the Department Head or designee.
  - b. All requests for this type of leave of absence must be submitted at least thirty (30) days prior to the effective date of leave.
4. Military:
  - a. All requests for this type of leave of absence must be submitted in writing to the Department Head or designee.
  - b. All requests for this type of leave of absence must normally be submitted at least thirty (30) days prior to the effective date of leave.
  - c. An employee while attending, pursuant to governmental orders, the two (2) week National Guard Training, is entitled, under Federal Law, to accumulate both Sick and Annual Leave, to accumulate seniority towards longevity, and to accumulate seniority towards retirement.
  - d. An employee who goes on active military duty shall have re-employment rights as provided by State and Federal Statutes.
  - e. A probationary employee who enters the Armed Forces must complete his/her probationary period upon his/her return to County employment, and upon completing said probationary period, will be provided seniority equal to the time spent in the Armed Forces and the time spent in previous County service.
5. Personal Reasons:
  - a. All requests for this type of leave of absence shall be submitted in writing to the Department Head or designee.
  - b. All requests for this type of leave of absence must normally be submitted at least thirty (30) days prior to the effective date of leave.