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**STOREY COUNTY ADMINISTRATIVE  
POLICIES AND PROCEDURES**

**NUMBER: 606**  
**EFFECTIVE DATE: 11/18/08**  
**REVISED: 01/02/18**  
**AUTHORITY: BOC**  
**COUNTY MANAGER: PAW**

**SUBJECT: LEAVE OF ABSENCE WITHOUT PAY**

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**I. Purpose:**

To establish a policy for granting leave of absence time to employees.

**II. Policy:**

The Personnel Director and/or Administrative Officer with the department head's consent may approve leaves of absence without pay for up to 6 months. Such approval will be for exceptional circumstances and conditions, such as education or prolonged illness, when the approval of such leave is consistent with the employer's needs, when the work of the office or department will not be impeded by the employee's absence, and when the leave will not require the appropriation of additional funds for the operation of the employee's department. Such leave may be extended for an additional period of up to 6 months at the sole discretion of the Personnel Director and/or Administrative Officer with the consent. The employer will require the use of all accrued paid leave prior to granting leave without pay.

**Procedure**

**1. Approval – Less Than 30 Days**

Leaves of absence without pay not exceeding 30 days may be granted by the Personnel Director and/or Administrative Officer with substantiating documentation explaining the reason for and supporting the requested leave.

**2. Approval – More Than 30 Days**

The Personnel Director and/or Administrative Officer may grant a leave in excess of 30 days following written certification by the employee that the leave is consistent with the intent of this section and substantiating documentation explaining the reason for and supporting the requested leave as requested by the employer is provided.

**3. Purpose**

Leaves of absence without pay will not be granted for the purpose of allowing an employee to seek or accept other employment, except when or if the Personnel Director and/or Administrative Officer determine that the granting of such leave is in its best interest.

#### **4. Employer Termination of Leave**

The Personnel Director and/or Administrative Officer with the department head or supervisor's consent may terminate any leave of absence without pay, except those granted pursuant to statute or regulation, prior to its expiration by providing written notice to the employee. The document granting the leave of absence will state the terms of the leave and any reason(s) for terminating such leave. Upon receipt of notice of termination of the leave, the employee is required to return to work within 5 calendar days or by a later-approved alternate date. In the event the employer terminates a leave of absence, the employee will be returned to the same class or position s/he occupied when the leave of absence was granted.

#### **5. Insurance**

Employees on approved leave of absence without pay may continue their medical, dental, and life insurance coverage in accordance with COBRA health benefit continuation regulations

#### **6. Return from Leave**

Employees on approved leave of absence without pay are required to return to work on the first work day following the end of leave. An employee who does not return from a leave of absence without pay on the first work day following the end of a leave will be considered to have resigned.

#### **7. Orientation Period**

If an employee is granted unpaid leave during his/her introductory period, the introductory period will be extended by the number of days of leave taken by the employee during his/her orientation period.

#### **8. Medical Leaves**

The Personnel Director and/or Administrative Officer may require a physician's certification or other appropriate type of verification to substantiate a need for a medical leave of absence without pay. The employer may also require a statement from a health care provider certifying that the employee is fit-for-duty and to return to work.

#### **9. Anniversary Date**

An employee's anniversary date will be adjusted by the number of days off work for all unpaid leaves of absence in excess of 15 days during any 12-month period. (See special provisions for Military Leave in Policy 609).

#### **10. Benefit Accrual**

If an employee is on unpaid leave for more than one-half (1/2) of his/her regularly scheduled work hours in any pay period, no leave benefits shall be accrued for that period, nor shall the employer contribute toward the cost of insurance benefits.

**III. RESPONSIBILITY FOR REVIEW: The County Personnel Director and/or Administrative Officer will review this policy every 5 years or sooner as necessary.**