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## LEAVE OF ABSENCE

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### I. POLICY

An unpaid leave of absence may be approved for full-time and part-time employees working over 1,000 hours per year for a period of up to one year by the Town Manager to participate in education or special work opportunities which will permit the town to profit from the experience gained or the work performed. A leave of absence may also be approved for military training that extends beyond the fourteen (14) days provided as part of the military leave policy.

### II. PURPOSE

The Town strives to create a cooperative work environment by providing options for an extended leave of absence from work.

### III. PROCEDURE

**A. Time Frame:** A leave of absence may be granted for a period of up to one year (12 months).

**B. Approval Process**

**(1) Request:** Requests for a leave of absence are to be submitted in writing to the employee's Department Head, stating the anticipated start date, anticipated date of return, and the reason for the leave. Once the Department Head has received a complete request he/she will share the request with Human Resources within two business days.

**(2) Time for Approval:** Upon mutual receipt of a complete leave of absence request, the Department Head and Human Resources will have ten (10) business days to issue a recommendation to the Town Manager about whether to approve or reject the request.

- a. If the Department Head and Human Resources concur on the approval or rejection of the request, they will submit a joint recommendation to the Town Manager for final approval of the recommendation. The Town Manager will have ten (10) business days to issue a decision.
- b. If the Department Head and Human Resources do not concur on the approval or rejection of the request, they will each submit a recommendation to the Town Manager, who will issue a final decision. The Town Manager will have ten (10)

business days to issue a decision.

**C. Situations Eligible for Leave of Absence**

(1) Leaves, of various lengths, up to a year, may be granted for reasons including but not limited to:

- a. Time off in lieu of using leave accruals or to extend leave when accruals are exhausted.
- b. Time off to complete a temporary job, a project or education/training which is of some benefit to the town.

Example: (1) Request to teach a course at a university that is government related, (2) extended overseas travel and research required to complete an education degree.

- c. Military Training beyond the fourteen (14) days allowed in the Military Leave Policy.
- d. An employee in unpaid status because he or she has been called to active military service may be under special rules, noted separately under the Military Leave Policy.

*Cross-Reference Military Leave Policy*

**D. Pay and Benefits**

(1) **Pay:** Leave of Absence may only be taken without pay. An employee on a leave of absence shall be considered to be in unpaid status.

(2) **Health Insurance Benefits:** Subject to the regulations of the insurance carrier, an employee in unpaid status is eligible to continue health insurance under the town's group policy at their own expense under the provisions of Federal Consolidated Budget Omnibus Reconciliation Act (COBRA).

*Cross-Reference: Insurance Coverage and Payment Policy/Military Leave*

(3) **North Carolina Local Government Employees Retirement System (LGERS) Hold Status:** While an employee is on a leave of absence he/she will be considered on "hold" status with the North Carolina Local Government Retirement System (LGERS).

**E. Accrual**

**(1) Leave of Absence:** An employee is in unpaid status, the employee will not accrue annual vacation or sick leave.

#### **F. Use of Accrued Vacation Leave**

**(1) Use or Retain:** Employees may exhaust all or a portion of accrued vacation leave prior to a leave of absence, or may retain accrued leave for their return. If an employee retains a vacation leave balance and decides not to return to work after a leave of absence, he or she will be paid for the accumulated vacation leave up to 240 hours for general employees, 252 hours for law enforcement officers and 318 hours for fire protection personnel upon providing notice of resignation.

#### **G. Reinstatement from Leave of Absence**

**(1) Return to Previous or Similar Position:** Following an authorized leave of absence, the employee will return to the previous or similar position and assignment, at the previous pay grade and salary.

**(2) Return to Previous Benefits:** Following an authorized leave of absence, the employee will maintain the same eligibility for benefits as they had before the leave of absence.

**(3) Failure to Return to Work:** Following a leave of absence, an employee that does not return to work at the time agreed upon shall be considered to have resigned from the day not return to work. Extensions to the leave may be requested in writing; the total leave period may not exceed one year.

**(4) Return from Active Military Service:** Refer to Military Leave policy provisions.

### **IV. ADDITIONAL CONTACTS**

Human Resources

### **V. DEFINITIONS**

**A. Unpaid Status:** An employee is considered to be in unpaid status if the employee's work hours and/or use of paid leave for a pay period are less than 50% of that employee's regular working week.

### **VI. RESPONSIBILITIES**

**(1) Town Responsibilities:** Human Resources will review the benefits of an employee approved for leave of absence and notify him/her of any premiums due for continuation of coverage and the options available to the employee. Human Resources will review the employee's benefit status upon return to work.

## **VII. SCOPE**

As of October 23, 2017 this policy replaces and supersedes any previous policies, or unwritten policies or practices covering the same subject.

## **VIII. AUTHORIZATION**

A handwritten signature in black ink, appearing to read "J. Justice".

Jamie Justice  
Town Manager