

Subject: LEAVES OF ABSENCE WITHOUT PAY

Date: ~~September 6, 2000~~ January 7, 2024

Pages: 1 of 21

Replaces Policy Dated: ~~October 1, 1997~~ September 6, 2000

PURPOSE: To establish the conditions, not otherwise covered by state or federal laws, under which Pinal County employees may be granted a Leave of an Absence without pay.

STATEMENT OF POLICY: To provide options for unpaid leave when all accruals have been exhausted and support the continued employment and work-life balance of our employees.

SCOPE: This policy applies to all ~~part-time~~ employees of Pinal County ~~who work more than 20 hours per week and to full-time Pinal County employees~~, excluding temporary and seasonal employees, and Elected Officials.

PROCEDURE: ~~A Leave of absence without pay for non-disability reasons (see Sick Leave policy for sick leave without pay for periods of prolonged disability) will be first considered first evaluated for eligibility under the Family Medical Leave Policy # 07.40. Should the request for Leave fail to meet the criteria specified under the FMLA policy only then would a leave without pay be considered. Requests for a Leave of Absences without Pay may be granted at the discretion of an Appointing Authority or designee for a period up to thirty (30) calendar days when an employee are limited to 180 calendar days and. Requests for such leave must be made submitted in writing to the employee's immediate supervisor. Requests for leave without pay will not be granted until the employee has exhausted available leaves with pay to include vacation, Sick Leave, and e Compensatory Time, Floating Holiday, and Sabbatical Leave. and Family Medical Leave. If the immediate supervisor approves the leave, approvals must also be obtained from the Department Director or, and Elected Official or Deputy/Assistant County Manager, and the County Manager or their appointed agent.~~

Leaves of absence without pay may be granted for the following purposes:

- Education that advances an employee's career opportunities with Pinal County
 - ~~□ Education~~
 - ~~□ Travel~~
- Healthcare reasons when leave is provided under state or federal law. ~~□ Care of a disabled person~~
- Leave for service in the public interest.
- Personal leave or travel plans scheduled prior to employment and made known to the Hiring Authority in advance of the employment start date.
- Non-routine, special personal or family circumstances.
- not covered by Family Medical Leave
 - ~~□ Temporary employment by another public agency~~
 - Military Call Up
 - ~~□ Religious activities (non-compensated)~~
 - ~~□ Peace Corps Duty (special two-year limitations).~~

Requests for a Leave of Absence without Pay must be submitted in writing to the Appointing Authority through the employee's immediate supervisor.

When the need for leave can be anticipated, the employee shall submit the request no less than thirty (30) calendar days in advance of the requested leave time. In all other circumstances, the employee shall submit the request in writing as soon as reasonably practicable.

Approval/disapproval determinations will be made based on coverage considerations, which may include, but are not limited to, anticipated staffing needs, vacancies, staff already out on leave, departmental use of overtime, and whether the employee is in good standing.

Employees on approved leave without pay may elect to continue Pinal County group insurance coverage while on such leave. Employees on approved ~~qualifying Family Medical L~~leave will be responsible for ~~continu~~ing to pay the employee=s' share of any-all health insurance premiums. ~~Employees on unpaid leave (but not Family Medical Leave) must bear the entire cost and remit both the employee and County portions of the premiums to the Pinal County Benefit Plan on a monthly basis. Employees who qualify for Family Medical Leave will be responsible for paying both employee and County portions of their premiums only after exhausting their Family Medical Leave entitlement. If such payments are not made in a timely manner~~ within 45 days of the first missed premium payment, coverage will be terminated retroactively to the last paid date.

~~The County is not obligated to hold the employee's position open while the employee is on leave without pay. However, should the leave without pay be granted under the Family Medical Leave policy, that policy would govern the employee=s return to work. The position may be filled on a temporary or regular basis. An employee's right to return to a position, either covered or uncovered under the Merit Rules, in the County from a leave without pay shall be conditioned on the availability of an appropriate position and sufficient personal services funds.~~ Budget.

Employees who have elected to take leave without pay of thirty (30) calendar days, because such leave under this policy, ~~when such leave does not fall under the provisions of the Family Medical Leave Act,~~ a form of protected leave, will not receive credit for the unpaid portion of that leave when calculating length of service for seniority, retirement, or Sabbatical Leave (-sSingle pPeriod LLeave) eligibility.

Unpaid Leave of Absences without Pay exceeding the thirty (30) day limitation period may be considered on a case by case basis if it is in the best interest of the employee and the County. Leaves exceeding thirty (30) calendar days shall require the approval of the Appointing Authority and the concurrence of the County Manager.