

# Stark County Board of Developmental Disabilities

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## LEAVES OF ABSENCE

### POLICY

The Superintendent may grant a leave of absence without pay to any employee for personal reasons, up to a maximum of (6) six months. Such a leave may not be renewed or extended beyond six (6) months.

Leave without pay cannot be utilized until all other forms of legally available leave have been exhausted including Family Medical Leave, vacation, personal leave and sick leave, if applicable.

The authorization of a leave of absence without pay is a matter of administrative discretion. The Superintendent will decide in each individual case if a leave of absence is to be granted.

An employee who is absent from work and has exhausted all applicable paid leave without requesting or receiving a leave of absence without pay may be considered to have abandoned his/her position and could be subject to disciplinary action up to and including termination.

The Superintendent will develop procedures for this policy.

(Reference: Ohio Administrative Code 123:1-34-01)

<b>Historical Resolution Information</b>	Reviewer(s):
<b>Date</b> <b>Resolution Number</b>	Superintendent
5/19/12      05-42-12	Director of Human Resources
5/16/15      05-28-15	

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## LEAVES OF ABSENCE

### PROCEDURE

#### Leave Request and Approval

Except for emergencies, employees shall request a leave of absence without pay a minimum of thirty (30) days prior to commencement of the desired leave. Requests must be made to the Superintendent and may be done with the assistance of a supervisor or the Human Resources Department. The request must be accompanied with supporting documentation explaining the reason for the leave.

An employee shall furnish a satisfactory written signed statement from a licensed physician to justify a medically related leave of absence. The certificate shall state the nature of the illness and the date as to when the medically related leave is to begin and the estimated date when the employee may return to work. The leave of absence will end when the licensed physician unconditionally releases the employee to return to work with a signed written statement. The medically related leave of absence will not exceed six (6) months.

#### Benefits while on Leave

Employees on unpaid leave of absence do not accrue vacation or sick time.

Authorized leaves of absence without pay will count as service credit for layoff purposes and for computing the amount of vacation leave, provided the employee is properly returned to service.

The period during which an employee is on a leave of absence without pay shall not be counted towards an employee's original or promotional probationary period.

An employee who participated in a group medical or dental insurance program shall have the option of continuing their benefits under the provisions of the federal COBRA legislation.

#### Return to Work

Upon completion of a leave of absence, the employee is to be returned to the same or similar position within the employee's classification.

An employee may return to work before the scheduled expiration of the leave if requested by the employee and approved by the Superintendent.

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If the leave was for medical purposes, prior to return to work the employee shall provide a physician's certificate that confirms the employee is able to perform the essential job duties of the employee's position. If the employee is unable to return to active work status within six months, the employee may be given a disability separation.

The Board, the Superintendent or designee maintains the right to investigate any absence from work. If found that a leave is not actually being used for the purpose for which it was granted, the Superintendent may cancel the leave and direct the employee, in writing, to return to work.

Failure to return to work within three (3) working days of the expiration or cancellation of a leave notification shall be just cause for removal. An employee who fails to return to service from a leave of absence without pay and is subsequently removed or voluntarily resigns from the service is deemed to have a termination date corresponding to the starting date of the leave of absence without pay.