



Human Resources Policies and Procedures

Policy Title: Elective Leave of Absence	Policy Number: 4.7
Effective: March 13, 2006	
Supersedes: Elective Leave of Absence effective October 30, 2005 1988 Rules and Regulations #19, p.20-23	
Approval: <i>Carl R. [Signature]</i>	Page 1 of 5

1.0 Scope

- | | |
|---|--|
| <input checked="" type="checkbox"/> Full-time | <input checked="" type="checkbox"/> Salaried |
| <input checked="" type="checkbox"/> Part-time | <input checked="" type="checkbox"/> Union |
| <input type="checkbox"/> Temporary/Contract | <input type="checkbox"/> Independent Contractors |

Employees who are covered under the provisions of a collective bargaining agreement will follow the standards as contained in their respective contracts if this policy conflicts with the language in the contract.

2.0 Purpose

The City of Ann Arbor expects employees to be available for work according to established schedules. However, it is recognized that circumstances may arise in which employees find it necessary to be absent from work for an extended period of time. The City of Ann Arbor provides an Elective Leave of Absence program, which identifies the circumstances under which an employee may request to be away from work on an elective leave for a specified period of time.

3.0 Policy

The City of Ann Arbor may permit employees to take Elective Non-Medical Leaves of Absence from their employment for: (a) education; (b) personal reasons; or (c) following the birth or adoption of a child. Employees must have twelve (12) months of continuous service with the City in order to be eligible for an Elective Leave of Absence.

DISCLAIMER

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4.0 Responsibility

Interpretation and administration of this policy shall be the responsibility of Human Resources Services and management. It is the responsibility of each employee to follow this policy and abide by its intent.

5.0 Definitions

- 5.1 **Elective Leave of Absence** is an approved absence from work for a period of more than three (3) consecutive workdays.
- 5.2 **Educational Leave** is to pursue an approved educational course of study, which is only offered during normal working hours.
- 5.3 **Personal Leave** is to attend to personal business, which cannot be attended to outside of normal business time or during a vacation period.
- 5.4 **Maternity / Paternity Leave** can be taken for up to six months, inclusive of any applicable FMLA approved time, after the birth or adoption of a child under FMLA and to the extent that FMLA is available to the employee. The leave may be for the birth or adoption of the employee's child or that of the employee's Domestic Partner.
- 5.5 **Domestic Partners** - The City provides domestic partner benefits to its gay and lesbian employees who have or who may in the future meet the requisite requirements, including that they are in a relationship of mutual support, caring and commitment, and have completed a Declaration of Domestic Partnership form as described under City Ordinance R-224-6-92.

6.0 Procedures

6.1 Requests for an Elective Leave of Absence or Extension

- A. Employees are required to request an Elective Leave of Absence from their supervisors at least 30 days' prior to the first day of the leave. Employees are required to submit a written request by using the *Request for Leave of Absence Form*.
- B. If 30 days' notice is not possible due to circumstances beyond an employee's control, the employee is required to provide the supervisor with as much notice as possible. The Leave of Absence request may either be denied or delayed if appropriate notification is not given.

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- C. Elective Leaves of Absence are approved at the discretion of the employee's supervisor and Human Resources Services. Business necessity will be used as a basis to approve or deny an Elective Leave of Absence request. Business necessity includes, but is not limited to, considerations involving:
- Maintaining required staffing levels within a unit.
 - Current or expected work volumes within a unit.
 - Anticipated costs associated with holding a position open.
 - Anticipated costs associated with adjustments in job duties to permit accommodated job assignments.
- D. Twelve months of continuous service is required between requests for an Elective Leave of Absence.

6.2 Emergency Leaves

- A. In rare cases, it may be necessary for an employee to begin an Elective Leave of Absence before a Leave of Absence Request form has been submitted, documented and / or approved.
1. In these situations, an employee must give notice to his or her immediate supervisor (or the designee), as soon as practicable given the facts and circumstances of the situation. This notice should be in writing, but verbal notice may be acceptable in the event of an emergency, with written documentation to follow.
 2. Upon proper notification to the supervisor, a "pending" approval of an Elective Leave of Absence may be given until any required documentation has been submitted and approved.

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3. If an Elective Leave of Absence begins without completion of the Leave of Absence Request form and appropriate documentation, the employee will have seven (7) days to complete and submit the information to the supervisor or to Human Resources Services. Failure to submit this information within seven days may result in revocation of the pending Leave of Absence approval, denial of any further Leave of Absence, and / or corrective action, up to and including discharge.
4. Once the supervisor and Human Resources Services receives the Leave of Absence Request form and all additional documentation, if the Leave of Absence is determined to be appropriate, the pending approval will be confirmed and the employee shall be notified in writing of the final approval.

6.3 Benefits While on an Elective Leave of Absence

- A. An Elective Leave of Absence under this policy is considered an unpaid leave. An employee's status and benefits during a leave of absence will be affected as follows:
 1. Employees are required to utilize their accrued sick, vacation, personal or compensatory time for all or part of the leave.
 2. Medical, dental, basic and optional life insurance benefits for employees on an Elective Leave of Absence will end on the first day the leave begins. Employees may continue benefit coverage on a month-to-month basis by paying the full cost of coverage for the duration of the employee's leave. Employees, who do not make required benefit contributions while on an Elective Leave of Absence, will be terminated from coverage. The employee must make contribution payments within 30 days of the established due date to avoid termination of coverage.
 3. Employees on an Elective Leave of Absence are not eligible for holiday pay. Employees on an Elective Leave of Absence do not continue to accrue sick or vacation time while on such Elective Leave. Personal leave time will be credited upon an employee's return to work.

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4. Employees whose medical, dental, vision, basic and optional life insurance benefits cease while on an Elective Leave of Absence will have these benefits reinstated effective as of the date they return to active employment.
5. Employees must consult with the Pension Office for specific details on how the Elective Leave of Absence affects accrual of benefits under the City's pension plan.

6.4 Return After an Elective Leave of Absence

- A. Failure to report to work at an agreed-upon date after conclusion of an Elective Leave of Absence will constitute a voluntary resignation from the City of Ann Arbor. The employee shall be notified of termination by registered mail.
- B. An employee returning from an Elective Leave of Absence is not guaranteed that he or she will be restored to his or her previous position. The City shall make reasonable efforts to restore the employee to his or her position or to a similar position with equivalent pay, benefits, and terms and conditions of employment, however a position of employment with the City is not guaranteed.
- C. While on an Elective Leave of Absence, an employee may be required to furnish the City with periodic updates as to the employee's status and intent to return to work. Additionally, if circumstances change and the employee is able to return to work earlier than the date originally approved or as provided on an extension, the employee may be required to give the City at least two days' notice prior to the date the employee intends to return to work.
- D. If reduction in the work force occurs while an employee is on an Elective Leave of Absence, the provisions of the City's Reduction in Force Policy (3.14) shall apply, and determinations as to particular employees shall be made on a case-by-case basis.

6.5 Other Employment During Elective Leave of Absence

Employees on an approved Elective Leave of Absence from the City may not be actively employed elsewhere during an Elective Leave of Absence. Employees who violate this provision shall be subject to corrective action up to and including discharge from employment, and will be ineligible for rehire.

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