

# PERSONAL LEAVE OF ABSENCE POLICY



**Policy Title:** Personal Leave of Absence  
**Policy Number:** 4.04  
**Authorization:** Grand Forks County Commission

**Effective Date:** August 1, 2017  
**Replaces Policy Number:** 104-11  
**Revision Date:** August 1, 2017

## POLICY STATEMENT

To provide eligible employees with leave of absences when justified by personal circumstances, such as specialized experiences, family issues, extenuating personal needs and elective office. This type of leave also includes the time off given to any employee with illness/injury or those who are pregnant but do not meet the eligibility criteria for Family and Medical Leave.

## RATIONALE

To establish the eligibility for and circumstances under which a Personal Leave of Absence is allowed.

## APPLIES TO

All eligible employees, who regularly work an average at least 20 hours per week. Elected officials, temporary/seasonal employees, and employees who regularly work *less* than an average of 20 hour per week are not eligible for a Personal Leave of Absence.

## DEFINITIONS

- Eligible Employee:** Employees who work an average of at least 20 hours per week/1,040 hours per year.
- Temporary/Seasonal:** Employees who are expected to remain in a position only for a certain amount of time.
- Active Pay Status:** Employees who are at work or on approved leave with pay, such as vacation or sick leave.
- Inactive Pay Status:** Employees who are not receiving regular pay for hours worked or approved leave with pay, such as vacation and sick leave.
- Employee Assistance Program (EAP):** A problem assessment and resource referral service for employees and immediate family members.

## PERSONAL LEAVE OF ABSENCES PROVISIONS

Employees who wish to request a Personal Leave of Absences must submit a completed Personal Leave of Absence Request Form to the Department Head as soon as the need for personal leave is known. The employee must discuss their request for a Personal Leave of Absence and any return-to-work arrangements with their Department Head and Human Resources prior to the start of the leave.

Personal Leaves may be granted to eligible employees with the approval of the Department Head and consultation with Human Resources. Personal Leaves of Absence may be granted for a period not to exceed three (3) months. Once a leave has been granted, an employee may request extensions in three-month increments for up to one year of leave.

Extension requests should be submitted in writing to the department at least 14 days in advance prior to the scheduled end of the leave. The extension must be approved by the Department Head and the Director of Human Resources.

A Personal Leave of Absence should not be used as an alternative to a resignation or other termination of employment.

## JOB GUARANTEE

There is no job guarantee or protections with a Personal Leave of Absence. Approval of the leave request does not guarantee job reinstatement. The employee's position may be filled, modified or eliminated during the Personal Leave of Absence.

## WHILE ON A LEAVE OF ABSENCE

### COMMUNICATION/STATUS REPORTS

While the employee is on a leave of absence, the employee may be asked to provide periodic status reports to Human Resources regarding their intention to return to work.

### PAY STATUS

Grand Forks County requires employees to use available paid leave, pursuant to the applicable leave policies, prior to using leave without pay.

Accrued time off banks will cease when the employee moves to an inactive pay status. Accrued time off banks will restart when the employee returns to an active pay status.

### EMPLOYEE BENEFITS

**Insurance:** Health care coverage ends after 30 calendar days of Personal Leave. When an employee is on Personal Leave, the employee is responsible to arrange for full premium payments. This does not apply to employees on approved FMLA leave and Military leave.

In accordance with the plans' details, Grand Forks County will terminate the employees' group coverage and offer continuation of health insurance benefits only in accordance with the Consolidated Omnibus Budget Reconciliation Act (COBRA) and the provisions of the health insurance plans.

**Holidays during a Leave of Absence:** Employees will not be paid for holidays that fall during a Leave of Absence unless the holiday falls on a day covered by accruals (i.e., vacation leave, sick leave or a personal holiday).

**Retirement Plans:** When an employee is on a leave of absence without pay, NDPERS contributions made by Grand Forks County will cease until such time as the employee returns to work. This break in contributions will affect the number of months worked at retirement.

## RETURNING FROM A PERSONAL LEAVE OF ABSENCE

Reinstatement after a leave is at the discretion of the department, with consultation with the Human Resources Director. If the employee is not reinstated, they may apply for open positions that are posted on the County's website. Employees may also contact their Department Head or Human Resources to explore the possibility of placement elsewhere in Grand Forks County.

If the employee is being reinstated and the Personal Leave of Absence was due to illness/injury, the employee must provide a medical provider release to return to work.

## FAILURE TO RETURN AFTER A LEAVE OF ABSENCE

If an employee is not reinstated or does not return to work at the end of the approved Personal Leave and has not been approved for other reasonable accommodations as required by law, employment will be terminated as the last day of the approved leave of absence.

## CONFIDENTIALITY

Grand Forks County will keep confidential all information relating to requests for Personal Leave. This information will be used only to make decisions in regard to the provisions of this policy. Supervisors will submit all medical information to Human Resources and should not retain any copies in their employee file.

Human Resources will only share information with the employee's supervisor that pertain to duration of leave and applicable work restrictions.

## ROLES

Department Heads are responsible for ensuring that all Personal Leave of Absences are reviewed with the Human Resources Department prior to approving the request.

Employees are responsible for requesting the need for a Personal Leave of Absence timely and extensions that might be needed.

Payroll will record all compensated time through the County's Payroll system.

*This policy is intended as a guideline to assist in the consistent application of Grand Forks County policies and procedures for employees. The policy does not create a contract implied or expressed with any Grand Forks County employees. Grand Forks County reserves the right to modify this policy in whole or in part, at any time, in its sole discretion. This policy will be reviewed no less than every three years, unless required by Federal, State, or Local law.*

## RESOURCES

Contact the Human Resources if you have any questions or if you would like additional information about this policy.

## FORMS

*Personal Leave Request Form  
Time off and Payment Request Form*

## RELATED POLICIES AND PROCEDURES

FMLA Leave  
Vacation Leave  
Sick Leave  
Attendance Policy  
Employee Assistance Program