

N. UNPAID LEAVE OF ABSENCE

GENERAL POLICY

It is the policy of Scott County to grant unpaid leaves of absence to its employees when the requests are compatible with a department's operational needs and scheduling requirements. Non-probationary employees may request an unpaid leave of absence for public service leave and for extenuating medical circumstances. Probationary employees may request an unpaid leave of absence for previously scheduled commitments and extenuating medical circumstances.

SCOPE

This policy is applicable to the following:

All employees responsible to the Scott County Board of Supervisors;

All employees responsible to a county elected office holder providing the appropriate elected office holder and the Board of Supervisors have certified its applicability;

All employees not directly responsible to either the Board of Supervisors or an elected office holder and whose governing body and the Board of Supervisors has certified its applicability.

Whenever the provisions of this policy are in conflict with the Code of Iowa, or with a collectively-bargained agreement between the County and a certified bargaining unit, the provisions of the collectively-bargained agreement and/or the Code of Iowa will prevail.

ADMINISTRATIVE PROCEDURES

1. An employee desiring an unpaid leave of absence shall make a written request to his/her department head, setting forth the reason(s) for the request and the duration of the requested leave.

A request for an unpaid leave of thirty consecutive calendar days or less will be approved or disapproved promptly by the department head.

A request for an unpaid leave of more than thirty consecutive calendar days will be forwarded with any comments by the department head to the Human Resources Department. The Human Resources Director will transmit any request not required by state or federal law with recommendations to the Board of Supervisors for a final decision. Generally unpaid leave, under the provision of this policy, will not be approved for more than six months by the

Board of Supervisors. The Human Resources Director may recommend an extension in cases of a reasonable accommodation pursuant to the ADA.

2. Upon return from an unpaid leave of absence, Scott County will attempt to place the employee in his/her former position at the salary and step occupied at the time such leave began; provided however, that the employee is able to perform the essential functions of his/her position. In the event the former position is not available or the employee is not able to perform the essential functions of his/her position, Scott County will attempt to place the employee in another position consistent with qualifications, ability, and staffing requirements. At no time will employees utilizing this policy be guaranteed a position upon return from an unpaid leave of absence.
3. When an employee fails to return to work from an unpaid leave of absence on the date specified in the request, the County shall regard this as the employee's resignation, unless a written request for extension has been submitted by the employee, recommended by the department head, and approved by the Board of Supervisors prior to the expiration.
4. While on an unpaid leave of absence, an employee shall not be eligible for fringe benefits, including holiday pay, sick leave credits, vacation leave credits or the recognition of seniority during the period of such leave, unless required by law. Employees must pay the COBRA group health and life insurance premium rates once the unpaid leave of absence exceeds thirty (30) calendar days unless the employee is on approved FMLA leave or requests that the coverage be discontinued. The Human Resources Department will notify the employee of their COBRA rights.
5. In considering an employee's request for an unpaid leave of absence, the department head shall require the employee to use available paid leave accruals prior to being placed on leave without pay.
6. Public Service Leave. Any request for a leave of absence related to a political candidacy or public service shall comply with state law. Once sworn into office an employee may request an unpaid leave of absence to attend official meetings of the elected body. An employee seeking elected public office is prohibited from campaigning in any manner during work hours. Failure to observe this condition may result in disciplinary action, up to and including dismissal.