

LEAVE WITHOUT PAY POLICY - PROCEDURE

- Effective** April 18, 2011
- Purpose** To establish a uniform process in which employees may be granted leave without pay; i.e., an approved unpaid absence; to set forth the criteria in which other leaves may be used in lieu of sick leave for employees covered by collective bargaining agreements.
- Authority** OAC 123:1-34-01
OCSEA Article 31.01
FOP Article 45 (pdf)
- Reference** ODNR FMLA Policy and Procedure
Request for Leave Form (ADM 4258)
ODNR Voluntary Cost Savings Policy
ODNR Childbirth Adoption Policy
- Resource** Office of Human Resources; Division/Office personnel coordinators

POLICY

It is the policy of the Department of Natural Resources to grant paid leave benefits when requested in accordance with applicable laws and collective bargaining agreements. Upon exhausting all applicable paid leaves, an employee may be granted leave without pay (LWOP). This policy attempts to address certain personal needs of Department employees without compromising the operational needs of the Department. As always, operational needs and service to the public will take precedence over conflicting personal needs. It should be recognized that LWOP may have adverse impacts on other employees as work units in regard to scheduling vacations, mandatory overtime and work shifts.

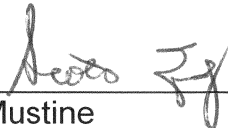
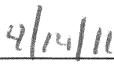
The approval of LWOP is a discretionary function of management relative to the applicable collective bargaining agreements. It shall be the policy of this Department to follow the provisions of the collective bargaining agreements (non-exempt employees) and the Director's authority (exempt employees).

CRITERIA AND PROCEDURE

1. An employee requesting LWOP shall use all available balances of personal, compensatory and vacation leave prior to taking LWOP. In the case of injury or illness to the employee or a member of his/her immediate family or because of medical appointments or other ongoing treatment, the employee's sick leave balance must be exhausted. Employees covered by a collective bargaining agreement, shall be granted other leave in lieu of sick leave if one of the reasons for leave qualifies under the Family and Medical Leave Act of 1993 (FMLA). Other leave will be granted and must be exhausted prior to LWOP being

approved. If the reason for leave is for medical/dental appointments scheduled in advance or if medical documentation is provided to verify the absence, the division/office may at its discretion grant the request for unpaid leave in lieu of sick leave. All other requests will be denied in which case the employee will be in an unpaid leave status. Further, the employee may be considered absent without leave and appropriate administrative action initiated.

2. A request for LWOP must have prior approval. The request must be made as soon as one is knowledgeable of the need. If the reason for the request qualifies under the FMLA, the employee shall provide notice in accordance with those guidelines.
3. All requests for LWOP shall be initiated with the employee's immediate supervisor and forwarded through the chain of command. The recommendation shall be reviewed by the division/office Chief and forwarded to the Office of Human Resources for final consideration (approval/disapproval) by the Director.
4. Employees requesting LWOP shall complete ADM 4258 - Request for Leave, including specific beginning and ending dates, as well as the respective reason(s) for the request. If the requested leave qualifies under FMLA, a completed medical certification form must also be submitted.
5. If an employee is on a LWOP for one (1) complete pay period, a personnel action is required for an approved leave of absence. The Director retains final authority on all requests through the Office of Human Resources as consistent with other requests for leave. If the LWOP request is for less than one complete pay period, approval of such request is at the discretion of the division/office Chief.
6. LWOP requests shall not be granted during peak work periods or when such requests would adversely affect operational efficiency due to staffing levels, except where such leave is mandated by contractual language or federal law.
7. An unpaid leave of absence may be granted for any personal reason, upon request, for a period not to exceed six (6) months for FOP and Exempt employees. Leave of absence without pay may be granted for a maximum period of two (2) years for purposes of education or training which would be of benefit to ODNR. Renewal or extension beyond the two (2) year period shall not be allowed. The Employer may grant unpaid leaves of absence to OCSEA employees upon request for a period not to exceed one (1) year. The Employer may extend the leave for OCSEA employees upon request of the employee.

Office of the Director:	<input checked="" type="checkbox"/> Approve	<input type="checkbox"/> Disapprove
		
David Mustine	Date	