

PERSONAL LEAVE WITHOUT PAY (NON-FMLA AND NON-MILITARY)

Purpose

In an effort to recognize the needs of employees who require time off in addition to vacation and sick leave, the City of Rochester may consider a personal leave of absence without pay.

Eligibility

All regular, full-time employees employed by the City of Rochester for a minimum of six months may be eligible to apply for personal leave without pay. Employees who have a combined balance of at least 40 hours in their vacation, compensatory time account, or eligible sick leave are not eligible to apply for leave without pay. Requests for personal leave are approved at the sole discretion of the City.

This policy does not apply to approved leaves of absences under the Family Medical Leave Act and the Uniformed Services Employment and Re-employment Rights Act (military).

Requesting Unpaid Leave of Absence

An employee desiring leave without pay must submit a written request to their immediate supervisor, stating the specific reason for the request and the duration the employee would be absent.

The supervisor will review the request, taking department requirements into consideration, and will forward a recommendation to the department head and the Director of Human Resources whom may mutually approve the request if less than 30 calendar days.

Any unpaid absence period of more than 30 calendar days in a calendar year shall be approved by the City Administrator and Human Resources Director in advance of the leave start date. In those cases where it is determined the leave is appropriate, the City Administrator and Human Resources Director will grant an official leave of absence in order to preserve the employee's status as a public employee and their benefit rights under PERA.

The department is responsible for documenting the leave of absence by submitting a "Personnel Action Form" (PAF) to Human Resources. In those cases where a medical statement may be required, it shall be provided at the employee's expense.

Continuity of Service

Leave without pay, approved in accordance with this policy, shall not constitute a break in service. However, the time off will not count towards merit increases, promotions, or retirement. In addition, intermittent leave of absence without pay shall not be used in lieu of a part-time work schedule.

Expiration of Leave

Employees who have been on leave for a period longer than three months, or those who have been on leave due to an illness or accident, must furnish the Human Resources Department with a medical statement of health condition from their personal physician prior to being reinstated. The City reserves the right to request a second opinion at the City's expense.

Failure of an employee to report to work promptly at the expiration of a leave without pay may be cause for dismissal.

Employees desiring an extension of leave must provide a reasonable notice and make a written request to their department head. Upon receipt of the request, it shall be promptly submitted to the Human Resources Department along with the department head's recommendation on whether to approve the request. The Human Resources Department will submit the request to the City Administrator with all recommendations, if required.

Reinstatement

During an employee's approved leave without pay, the vacated position may be filled by a temporary appointment, a temporary promotion, or assignment of another employee.

At the expiration of the leave, the employee shall be reinstated in the position he/she vacated if the position still exists; or, if not, to any other position in the same class which may be vacant or becomes vacant.

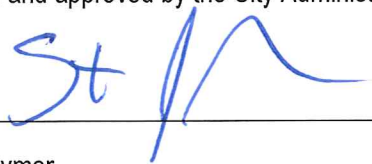
Impact on Benefit Accruals and Insurance Premiums

Benefit Accruals: When an employee requests eight hours or less of leave without pay within a specific pay period, this reduction in work hours will not affect benefit accruals. Leaves without pay totaling more than eight hours within a specific pay period will result in prorated sick and vacation benefit accruals.

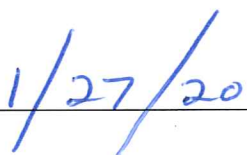
Any impact in Public Employees' Retirement Association (PERA) benefits will be governed by PERA policies.

Insurance Premiums: When an approved, unpaid leave of absence extends beyond a month-end date, the City will discontinue benefit premium contributions for medical, dental and City-provided life insurance effective the end of the calendar month in which the leave began. These benefits will be reinstated on the date the employee returns from leave as provided in the City's summary plan documents; however, no refunds for COBRA premium contributions will be made.

Revised and approved by the City Administrator:



Steve Rymer



Date