Policy 3509

From Human Resources

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PERSONNEL POLICY MANUAL
MoDOT Personnel Policy Title: Special Leave Without Pay **Policy Number**: 3509 **Chapter Title**: Leaves of Absence **Effective Date**: July 1, 2009 **Supersedes Policy Number**: 3509 **Dated**: July 1, 2005
Approved By: Micki Knudsen, Human Resources Director (Signature on file)

POLICY STATEMENT

The department will allow full-time employees to be authorized for a leave of absence without pay for special conditions subject to approval by the appropriate district engineer or division leader/state engineer. Employees will retain prior creditable/credited service with the retirement system and the department while on an approved special leave without pay.

PROVISIONS / REQUIREMENTS

1. Employees should first review Personnel Policy 3512, "Family and Medical Leave Act," to determine if they qualify for this type of leave before requesting special leave without pay. Special leave without pay is primarily considered for reasons such as: personal hardship

requiring the employee's absence from work, reduction of workforce, or other extraordinary reasons. An employee going on special leave without pay retains all of his/her unused sick leave credits at the time of the beginning of the leave.

2. An employee has the option of either retaining or using accrued annual leave and compensatory time after his/her last day of work and prior to switching to leave without pay for a special leave. No annual or sick leave will be earned after the employee switches to leave without pay status. Any holidays occurring while the employee is using his/her accrued leave will be paid provided he/she is on paid leave immediately before and immediately after each holiday.

3. While on special leave without pay, insurance coverage will continue to be available without state participation. Eligible employees will need to make manual payments if they want to continue health, life, or disability insurance coverage.

4. Special leave without pay may be granted for a period up to 12 months; however, an extended leave of absence may be requested for an additional 12 months. At the expiration of the leave, the employee must return to work in an available job assignment if one is available. Positions for employees on a special leave for six months or less will be held open, or temporarily filled, until these employees return. Employees on leave more than six months will be placed in the same or a job similar to the one they were in before going on this leave.

5. An Employment Status Maintenance (ESMT) transaction is required to place an employee in a leave without pay employment status, when special leave without pay exceeds 80 consecutive work hours (more than 10 consecutive workdays for employees on 5x8 schedules and more than 8 consecutive workdays for employees on 4x10 schedules.) An ESMT is also required if an employee will be on unpaid leave for all the normal workdays and holidays within an entire pay period, even if this time is equal to or less than 80 hours. When the employee returns from the leave of absence, an ESMT transaction is again processed to place the employee in active employment status.

6. The period of the employee's absence without pay (when it exceeds 80 consecutive work hours) does not count toward creditable/credited service in the retirement system or with the department. The Human Resources Division will bridge the absence to determine the revised service record dates, modify the dates on the SAM II HR/Payroll System, and notify the relevant district/division/office of the revised dates.

7. An employee on special leave without pay must keep his/her supervisor informed of current address and telephone number at all times.

8. If the employee fails to return or declines an available position at the expiration of the leave, an ESMT transaction must be submitted indicating voluntary resignation. The effective date of the action will be the expiration date of the leave. Upon termination, the employee will be paid for any remaining accrued compensatory time and up to the maximum allowed accrual of annual leave.

CROSS REFERENCE

Personnel Policy 3512, “Family and Medical Leave”

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