



CITY OF FINDLAY, OHIO

POLICY AND PROCEDURES

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Approved by:

Anthony P. Iriti
Mayor Anthony P. Iriti

Subject:

Personal Leave of Absence

Special instructions: This is *PUBLIC RECORD*. See also

Civil Service Rules; Collective Bargaining Agreements, FMLA, Sick Leave, and Donated Leave Polices

Department:

ALL

Division:

ALL

Supersedes SOP issued:

None earlier

Date of issue:

05/01/2006

Effective date:

05/01/2006

I. POLICY STATEMENT

It is the policy of the City of Findlay to grant personal leaves of absence without pay at the discretion of the Safety/Administrative Director, on the advice of the employee's Department Head. It is generally not the City's policy to grant personal leaves of absence; and such leaves shall be granted only under unusual circumstances. A personal leave of absence is not available as a substitute for medical leave or vacation.

This policy statement is not intended to violate or to supersede any contrary provisions of any collective bargaining agreement, the terms of which control.

II. DEFINITIONS/PERSONAL LEAVE OF ABSENCE

A. **Personal Leave of Absence** is an absence from work without pay when all other forms of compensated absences have been exhausted.

B. Compensated Absences include:

1. Sick Leave/FMLA
2. Holivac/Vacation
3. Comp Time
4. Donated Sick Leave

C. Specific Prohibitions

1. The definition of personal leave of absence specifically excludes the use of such leave as a vacation substitute; requests for such leave will not be granted under any circumstances.
2. A personal leave of absence is defined under this Section to provide employees who have exhausted approved and earned leave (other than vacation) with extra time to address a continuing medical or personal family issues without immediately jeopardizing the employee's job status with the City.

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III. PROCEDURES

- A. The decision to grant personal leave of absence depends on the merits of each employee's request, including the effect that the employee's absence could have on the workload of other employees.
- B. Any request for personal leave of absence shall be considered only after an employee's Vacation/Holovac Time, Comp Time, Sick Time, and Donated Leave have all been exhausted. The request must be connected with the events giving rise to the employee having exhausted his/her paid donated leave, and cannot involve any reason unconnected with such events (i.e., seeking leave for a vacation).
- C. If the need for personal leave of absence arises because of an emergency or in other exigent circumstances, the Safety Director can, on the advice of the Department Head, waive any of the Specific prohibitions listed at §II(C) of this policy statement.
- D. An employee during his/her orientation period is generally not eligible for personal leave of absence, but the Safety Director may recommend that City Council approve a probationary employee's request in extreme circumstances.
- E. Pay and benefits generally are not payable to an employee on a personal leave of absence, with the exception of City-paid term life insurance that is continued for eligible employees for one year after the beginning of a leave of absence.
 - 1. Health Care Insurance shall be continued if the employee pays his/her full portion of the employee's premium in advance at the beginning of each month preceding any month during which an employee is on personal leave.
 - 2. Employees do not accrue benefits while on personal leave. These benefits include:
 - a. Seniority
 - b. Longevity
 - c. Vacation Time/Holovac
 - d. Sick Time
- F. Return to Work
 - 1. The assignment the employee held before a personal leave of absence is not guaranteed upon his/her return to work. Efforts shall be made by the City Administration, with the advice of the employee's Department Head, to place the employee in the first available similar assignment at the same rate of pay the employee held before going on personal leave.
 - 2. The returning employee shall have no guarantee of working the same shift or work schedule as he/she had before going on personal leave.

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3. The City recognizes that Civil Service Rules and applicable collective bargaining agreements control a returning employee's bumping rights after a personal leave of absence, if the employee occupied a Civil Service position at the time he/she went on personal leave; or if the employee's regular job assignment in the year before he/she went on personal leave was a Civil Service position.
 - a. This Section recognizes that an employee working out of classification (into a non-Civil Service assignment) at the time he/she went on personal leave would retain his/her rights under applicable Civil Service Rules and collective bargaining agreements.
 - b. In that event, the City would recognize that employee's Civil Service status at the time the employee accepting the "working out of classification" assignment.
 4. The employee's date of hire shall be adjusted to reflect the time spent on personal leave.
 - a. The employee's seniority date is adjusted to reflect the time taken on personal leave.
 - b. Employees do not lose any years of service for the purposes of retirement eligibility, bumping rights, and the like, except for the time off for personal leave.
 5. It is the employee's responsibility to return to work on the date the leave of absence expires.
 - a. Should the employee fail to return on that date, or fail to notify his/her Department Head and the Safety Director of a request for an extension, the City will presume that the employee has resigned.
 - b. In that event, the Safety Director would notify the employee in writing that his/her employment with the City has been terminated; and would apprise the former employee of his/her rights to appeal the City's decision, where such rights exist.
- G. Any requests for extension of a leave of absence must be in writing to the Safety/Administrative Director, and must be received at least 10 working days prior to the expiration of the first approved personal leave.