

## **Leaves of Absence (Non-FMLA)**

### **I. Values, Purpose and Outcomes**

The City desires to accommodate employees where possible in providing limited time off for such activities as jury duty, military, or for personal reasons. As part of its Citywide vision of being an accountable government, the City intends to comply with all federal and state laws and regulations, which may provide certain legal rights to employees.

### **II. Purpose**

The City of Lynnwood grants employees leave time for extenuating circumstances including jury duty, court-ordered subpoena, military duty and personal leave. This leave time may be paid or unpaid time off work depending upon the particular type of leave granted.

### **III. Policy**

- A. Leaves are granted with the assumption that the employee will be available to return to regular employment upon expiration of the leave. Failure to return from leave as agreed without written notification will be treated as a resignation without notice.
- B. All leaves must be requested in writing at least 30 days prior to the beginning of leave except in emergency or unforeseeable situations. In those incidences where leave may be scheduled beyond the 30-day period, such as elective travel, employees are to notify their supervisor as soon as the event and date is determined. Employees must obtain prior written permission from their supervisor and remain in scheduled contact during the duration of leave if requested by their supervisor.
- C. Leaves are not to be considered approved until the employee receives approval in writing from their Supervisor. The City is not responsible for any costs incurred by an employee for travel plans made prior to the written approval of a leave request.
- D. Any extensions beyond the expected time of return must be submitted in writing and will be considered on a case-by-case basis.

### **IV. Personal Leave Without Pay (LWOP)**

It is the policy of the City to consider unpaid time off only when other paid leaves such as vacation and sick time are exhausted or are not granted. LWOP of more than 4 hours requires both department director and mayor approval.

- A. All requests must be in writing. For leaves of 5 days or more, requests must be made at least 30 days before the leave is expected to commence, except in the event of an emergency.
- B. LWOP may be used by new hires, who are not yet eligible for paid leave.
- C. An employee in leave without pay status will cease to earn sick leave, vacation leave, and City paid health benefits (except as otherwise provided under FMLA) when leave extends beyond a two-week period of time. In such cases, the employee will be eligible for COBRA coverage and may elect to pay for his/her health insurance benefits during the leave of absence. The Human Resources Department will be responsible for ensuring employees receive information about their COBRA rights in the event of a leave of absence resulting in loss of coverage.
- D. Failure to return from leave at the agreed upon date without prior supervisory approval will be considered a voluntary resignation.

V. Jury Duty

Regular full-time and regular part-time employees who are required to be absent from work on a regularly scheduled work day in order to serve as a witness on behalf of the City, a juror, or report to juror examinations, will be granted time off with regular pay.

The employee will be required to sign over to the City any jury or witness service earnings received, within the guidelines listed below:

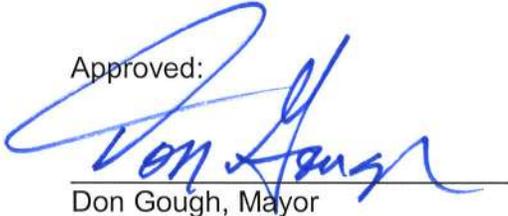
- Travel and parking allowances will not be considered as part of the juror's fees or witness' fees.
- The amount of the juror's fees or witness' fees signed over must not exceed the amount paid by the City for absence.
- Employees are expected to report the receipt of any juror or witness summons immediately. Any employee who has not given prior notice and received approval forfeits any City compensation.
- Employees will be expected to report to work the balance of those days they are excused or not selected.

VI. Military Leave

For those employees who are a member of the Washington national guard or of the army, navy, air force, coast guard, or marine corps reserve of the United States, or of any organized reserve or armed forces of the United States who are required to be absent from work to fulfill their obligations (including active military training each year as part of a reserve commitment), paid military leave will be granted up to a maximum of 21 working days each year beginning October 1st and ending the following September 30th.

- A. The application for leave must be made as early as notification is given and must include an attached copy of the military orders.
- B. Conflicts in schedules between the City and military weekend or evening drills will be coordinated by the employee, working closely with his/her supervisor
- C. The City will grant all re-employment rights, seniority, longevity, etc. as provided by law.

Approved:



Don Gough, Mayor

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Date