

## **SECTION 11.5**

### **UNPAID LEAVE OF ABSENCE**

1. Leaves of absence without pay up to ten (10) days (80 hours) per calendar year, may be granted at the discretion of the Department Head/Elected Official, but must be requested by the employee, in writing, in advance of the leave. Normally this leave without pay should be granted only on the basis of full workday increments, not on an hourly basis. The employee must be able to return to regular employment on or before the expiration date of the leave. Failure to return to work upon expiration of this leave will result in an “Administrative Separation” of employment.

To be eligible for consideration for an unpaid leave of absence, the employee must have maintained a satisfactory record of employment with the County. In accordance with County policy, employees must use all available accrued forms of paid leave i.e., vacation, personal leave, sick leave or compensatory time (where applicable) before an unpaid leave commences.

2. An employee who has exhausted all paid and unpaid leave options, may request additional time off, up to ninety (90) days, only under certain circumstances. Any requests for such additional time off without pay must be submitted to and may be approved by Commissioners’ Court only if the Department Head or Elected Official supports such a leave request. The leave should also be in the best interest of the County and may be approved under the following or similar circumstances: a) the employee is unable to return to full duty and would be eligible to retire within 90 days; b) employee possesses a critical skill as determined by the Department Head/Elected Official and could return to full duty within ninety (90) days; c) the leave is being granted as a reasonable accommodation in accordance with ADA. **Note:** At the discretion of the Elected Official/Department Head, with the concurrence of Human Resources, an employee previously approved by Commissioners’ Court for 90 days unpaid leave, who returns to work prior to the unpaid leave expiration, may be granted intermittently the available balance of the unpaid leave within one year of the initial approval as a reasonable accommodation.
3. While out on unpaid leave, an employee may not undertake outside employment, including self-employment (paid or volunteer work), without notification and consent of the department head/elected official.

#### **Procedure**

1. Requests for unpaid leave of absence or request for additional time off should be submitted in writing by the employee to the Department Head/Elected Official at least two weeks prior to the commencement date.