

	<p>Town of Chapel Hill, NC</p> <p>Leave of Absence Policy</p>	<p>Policy Number: PP 2-14</p> <p>Effective Date: January 1, 2018</p>	<ul style="list-style-type: none"> <li>I. <a href="#">POLICY</a></li> <li>II. <a href="#">PURPOSE</a></li> <li>III. <a href="#">PROCEDURE</a></li> <li>IV. <a href="#">FORMS/INSTRUCTIONS</a></li> <li>V. <a href="#">ADDITIONAL CONTACTS</a></li> <li>VI. <a href="#">DEFINITIONS</a></li> <li>VII. <a href="#">RESPONSIBILITIES</a></li> <li>VIII. <a href="#">APPENDICES</a></li> <li>IX. <a href="#">FAQ</a></li> <li>X. <a href="#">SCOPE</a></li> <li>XI. <a href="#">RELATED INFORMATION</a></li> <li>XII. <a href="#">POLICY HISTORY</a></li> </ul>	<p>Approved By:</p>  <p>Roger L. Stancil, Town Manager</p>
---	---	--	---	---

## Leave of Absence Policy

### I. POLICY

With advance approval of the Town Manager, an employee may be granted a leave of absence without pay for a period not to exceed one (1) year for reasons of personal or family illness, completion of education, or special work which will permit the Town to profit from the experience gained or the work performed.

### II. PURPOSE

In accordance with the Town value of Teamwork, the Town creates a cooperative work environment by providing options for an extended leave of absence from work.

	<p><b>Teamwork:</b> We participate in a cooperative work environment in order to support each other in our service to the community. We encourage an environment that fosters innovation and creativity.</p>
---	--

The Director of Human Resource Development is authorized to issue procedures related to this policy.

[Town of Chapel Hill Ordinance Section 14-81](#)

	Town of Chapel Hill, NC	Policy Number: PP 2-14	I. <a href="#">POLICY</a> II. <a href="#">PURPOSE</a> III. <a href="#">PROCEDURE</a> IV. <a href="#">FORMS/INSTRUCTIONS</a> V. <a href="#">ADDITIONAL CONTACTS</a> VI. <a href="#">DEFINITIONS</a> VII. <a href="#">RESPONSIBILITIES</a> VIII. <a href="#">APPENDICES</a> IX. <a href="#">FAQ</a> X. <a href="#">SCOPE</a> XI. <a href="#">RELATED INFORMATION</a> XII. <a href="#">POLICY HISTORY</a>	Approved By:  Cliff Turner, Director Human Resource Development
	Leave of Absence Procedures	Effective Date: January 1, 2018		

### III. Leave of Absence Procedures

These procedures are issued by the Director of Human Resource Development to implement the Leave of Absence Policy PP 2-14, issued by the Chapel Hill Town Manager. These procedures may be periodically updated.

#### A. General Provisions

1. Discretionary Benefit: A leave of absence is a discretionary benefit to regular full and part time Town employees. The Town has no obligation to approve an unpaid leave of absence. The Town will consider certain factors in making a determination, some, but not all, of which are included below:
  - a) Length of employment.
  - b) Operational needs of the department
  - c) Prior Performance evaluations and other employee records
  - d) The reason for the leave of absence

#### 2. Timelines

Length of Leave Requested	Approved by	Approval Time (appx)
5 days or less	Department Head	5 business days
6 to 30 days	Department Head + Director of Human Resource Development	10 business days
>31 days	Town Manager	20 business days

B. Approval Process:

1. Must have Exhausted Other Leave: Leave of Absence requests are considered only after an employee has exhausted, or will have exhausted, all other leave that can be used for the situation under consideration. This may include, but is not limited to, compensatory time, holiday leave, annual leave, sick leave, or donated leave.
2. Request: Requests for a Leave of Absence are to be submitted IN ADVANCE in writing to the employee's Department Head, stating the anticipated start date, anticipated date of return, and the reason for the leave. Once the Department Head has received a complete request, they will share the request with the Human Resource Development Director within five (5) business days.
3. Leave to be Approved in Advance: An employee should not begin an unpaid leave of absence before it is approved. The Town will consider extraordinary circumstances with appropriate documentation.
4. Approval: A Department Head may approve an unpaid leave of absence request of five (5) days or less. For requests of more than five (5) days, but less than thirty (30) days, the Department Head and the Director of the Human Resource Development t may approve the leave. For requests for unpaid leaves of absences of more than thirty (30) days, The HRD Director and the Department Head will have ten (10) business days to issue a recommendation to the Town Manager about whether to approve or reject the request.
  - a) Concurrence: If the Department Head and the Human Resource Development Director concur on the approval or rejection of the request, they will submit a joint recommendation to the Town Manager for final approval. The Manager will have ten (10) business days to issue a decision.
  - b) Disagreement: If the Department Head and the Human Resource Development Director do not concur on the approval or rejection of the request, they will each submit a recommendation to the Manager who will issue a final decision. The Manager will have ten (10) business days to issue a decision.

C. Situations Eligible for Leave of Absence: Leaves of up to one year may be granted. Leave may be granted for reasons including, but not limited to, the following:

1. New employees who do not have sufficient leave to cover their absence. A new employee is defined as someone who has worked for the Town for less than six (6) months.
2. Time off to complete a temporary job, project, educational experience, or training. The value of such benefit is determined by the approving party(ies) at their sole discretion.
3. Time off for personal or family illness that is not covered under any other Town policy.
4. An employee called to active military duty. Other Town policies, as well as state and federal law, cover these employees. Please contact Human Resource Development directly for personalized assistance.

D. Pay and Benefits:

1. Use of Leave: An employee must first exhaust other applicable leave. For example, a person who is taking a leave of absence for educational purposes would not have to exhaust sick leave, since sick leave is not allowed to be used for this purpose. However, they must exhaust compensatory time, vacation leave, and holiday leave before requesting an unpaid leave of absence.
2. Holiday Pay: Employees are not eligible for holiday compensation unless they are in [pay status](#) for the pay cycle in which the holiday falls.
3. Health Insurance Benefits:
  - a) Employees in Pay Status: If an employee is in [pay status](#), the Town will continue to pay its portion of the individual and dependent medical insurance for that pay period. (*Pay Status is defined in the DEFINITIONS section of these procedures below*)
  - b) Employees in Unpaid Status: An employee in [unpaid status](#) may maintain Town health insurance under the Town's group policy at their own expense under the provisions of Federal Consolidated Omnibus Budget Reconciliation Act, or COBRA.
  - c) Active Duty Military: the Town's [Military Leave Policy, PP 2-5](#), provides detailed information regarding pay and benefits while on military leave. Please refer to this policy and consult with Human Resource Development. (HRD)

4. Leave Accrual:
- a) Unpaid Status: If the employee is in unpaid status, they do not accrue any leave.
  - b) Pay status: An employee accrues leave for any pay period that they are in pay status.
  - c) Active Duty Military: Please refer to the Town's Military Leave Policy, PP 2-5, for detailed information about leave accruals. The Town complies with all applicable laws.
5. Retirement: The Town does not make any contributions to the employee's Local Government Retirement system account, 401K plan, or Retirement Health Savings Plan. if the employee is not in pay status.
- E. Return to Work: If an employee returns from an authorized leave of absence as agreed upon, then the following conditions apply:
1. Return to previous or similar position: The employee will return to the previous or similar position and assignment at the pay grade and salary they were earning before they took the leave of absence. They are not eligible for any raises or promotions while they are in unpaid status under the provisions of this policy.
  2. Service Date Adjustment: **An employee does not receive service time credit for the period in which they are in unpaid status under the provisions of this policy. Adjusting the service date affects an employee's longevity, retirement, and annual leave accruals.** Please consult with HRD for more detailed information.
  3. Failure to return to work: An employee who does not return to work at the time agreed upon is considered to have resigned. Any extensions to the leave must be applied for and approved prior to the end of the approved leave. The total amount of leave granted under this policy may not exceed one year.

#### IV. FORMS/INSTRUCTIONS

##### [FORM 2-14 A REQUEST FOR A LEAVE OF ABSENCE](#)

## V. ADDITIONAL CONTACTS

Human Resource Development 919-968-2700 or [HR@townofchapelhill.org](mailto:HR@townofchapelhill.org)  
 Ombuds office 919-265-0806 or [Ombuds@townofchapelhill.org](mailto:Ombuds@townofchapelhill.org)  
 Business Management 919-968-2712

## VI. DEFINITIONS

- A. Immediate Family: (non FMLA definition):** For Town policies other than the FMLA, the term “immediate family members” shall include parents, stepparents, parents-in-law, grandparents, children, domestic partners, and spouses. It also includes siblings when the employee is the sole care provider. For the Town’s FMLA policy, please refer to the legal definition for Family Member- FMLA Definition.
- B. Pay Status:** A full or part-time employee is considered to be in pay status if the employee’s work hours and /or use of paid leave for a pay period is equivalent to at least 50% of the employee’s normal work hours for that pay cycle. Employees who are receiving Workers’ Compensation benefits are considered to be in pay status. Employees not in “pay status” are considered to be in an unpaid status.
- C. Unpaid Status:** A ‘part-time’ employee is considered to be in unpaid status if the employees work hours and/or use of paid leave for a pay period is less than 50% of the employee’s normal hours for that pay cycle. A ‘full time’ employee is considered to be in an unpaid status if the employees work hours and/or use of paid leave is less than 20 hours per work.

## VII. RESPONSIBILITIES

### **All Employees are expected to:**

- a) Request leave only when necessary
- b) Be responsible for knowing when their leave ends and reapplying if necessary
- c) Reapply for leave, if necessary, prior to the lapse of initial leave
- d) Provide requested documentation

### **All Department Heads are expected to:**

- a) Receive leave requests and manage the timelines for approval
- b) Fairly evaluate leave requests
- c) Practice equity when recommending approval of leaves
- d) Forward information to the HRD Director in a timely fashion
- e) Communicate the decision to the employee in a timely fashion
- f) Maintain employee confidentiality

**The Human Resource Development Director is expected to**

- a) Confer with the Department Head regarding leave requests
- b) Provide a recommendation to the Town Manager in a timely fashion

**All Human Resource Development staff members are expected to:**

- a) Assist employees who are requesting leave
- b) Help resolve disputes regarding the policy
- c) Help maintain employee confidentiality

VIII. APPENDICES None

IX. FREQUENTLY ASKED QUESTIONS None

X. SCOPE This policy covers all regular full and part time employees.

XI. RELATED INFORMATION None

XII: POLICY HISTORY

Adopted December 1, 2012

The Leave of Absence policy was created in 2012 as part of the Policy and Procedures Improvement Project. Its content is based on the former **Leave without Pay** policy, which was eliminated and replaced by the **Medical Leave** and **Leave of Absence** policies.

Updated January 1, 2018 to include:

- a) Policy name change
- b) Clarification of process
- c) Change to allow HRD Director and/or Department Head to approve leave of less than 30 days

As of January 1, 2018 this policy replaces and supersedes any previous Town policies, departmental policies, handbooks, or unwritten policies or practices covering the same subject. Departmental policies in compliance with this policy are referenced in Section XI Related Information. In the event of any disparity between this policy and the Town's Code of Ordinances and/or applicable local, state, or federal laws, the Town's Ordinance and/or applicable laws shall prevail.



### FORM 2-14 A REQUEST FOR LEAVE OF ABSENCE

Please complete all of the information below and submit this form to your Department Head. Contact HRD if you have questions . 919-968-2700 or [hr@townofchapelhill.org](mailto:hr@townofchapelhill.org)

Employee Name \_\_\_\_\_ Date: \_\_\_\_\_

Department \_\_\_\_\_

#### Amount of requested leave

- < 5 days (Requires Dept. Head approval)
- 6-30 days (Requires Dept. Head + HRD Director Approval)
- >30 days (Requires Town Manager approval)

Enter exact amount of leave requested here.

**Reason for Leave of Absence Request:** *(please be specific and use additional sheets as necessary)*

**Documents Attached to support Leave Request:** *(please itemize documents below)*

**I certify that this information is accurate.**

Employee Signature/Date \_\_\_\_\_  
\*\*\*\*\*

**This Section completed by the Department Head** *(explain, attach addt'l sheets if needed)*

Dept. can adequately function in employee's absence	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Reason for Absence consistent with policy	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Dept. Head Signature/Date \_\_\_\_\_  
\*\*\*\*\*

**HRD Review and Recommendation** *(please be specific, use additional sheets if necessary)*

I approve this leave request     Yes     No

HRD Director Signature/Date \_\_\_\_\_

