

**ALLEGAN COUNTY  
POLICY**



**TITLE: LEAVES OF ABSENCE  
POLICY NUMBER: 507**

**APPROVED BY: Board of Commissioners**

**EFFECTIVE DATE: November 9, 2023**

1. **GENERAL:** A leave of absence is an absence from work with or without pay that is authorized in writing. The following provisions apply to all leaves of absence to the fullest extent consistent with applicable law:
  - 1.1 If the duration of any leave of absence exceeds 12 weeks in any 12-month period without the express written approval of the Employer, the employee may be terminated from employment with automatic loss of seniority. All leave requests must state the date the leave begins and the date the employee will (or, if applicable, is expected to) return to work.
  - 1.2 If an employee obtains a leave of absence for a reason other than stated at the time the request is made, the employee may be terminated from employment.
  - 1.3 Failure to return to work on the date scheduled may result in termination of employment.
  - 1.4 Employees may not accept other employment while on a leave of absence unless approved in advance in writing by the Employer. Acceptance of other employment or working for another employer while on a leave of absence without such approval may result in termination of employment.
  - 1.5 Leaves of absence are without pay unless otherwise specifically provided.
2. **PERSONAL LEAVE:** The Employer may grant a leave of absence for personal reasons not to exceed 30 calendar days at a time and without pay and without loss of seniority. A personal leave may be granted, denied or extended in the sole discretion of the Employer upon written request to the Department Head and Human Resources Department which sets forth the reasons for such leave. Only employees beyond the introductory period are eligible for a personal leave.
3. **MILITARY LEAVE:** An employee serving in the armed forces of the United States shall be treated by the Employer as required by applicable law.
4. **GUARD DUTY LEAVE:** An employee who is a member of the National Guard or Reserves who is called for defense training shall be entitled to a leave of absence for whatever is the annual active duty training period. During this leave, and upon presentation of documentation of their gross wages with the Guard or Reserves, they may receive pay for the difference between such pay and their regular gross pay, such payment not to exceed two (2) calendar weeks.

5. **JURY DUTY LEAVE:** A full-time or regular part-time employee who is called to and reports for jury duty shall be compensated by the Employer for time spent in performing jury duty during such hours as the employee was scheduled to work. The compensation to be paid shall not exceed the difference between the employee's regular straight time hourly rate and the daily jury fee paid by the court. If the employee reports for jury duty and is excused early, he or she must then report for work. In order to receive payment, an employee must give the Employer prior notice that he or she has been summoned for jury duty and must furnish satisfactory evidence that jury duty was performed on the days for which he or she claims payment. The provisions of this section are not applicable to an employee who, without being summoned, volunteers for jury duty. Compensation as set forth in this section shall be paid to an employee who is subpoenaed as a witness in a case in which the employee is not a party and which subpoena is received as a result of his or her work for the Employer. The Employer's payment to an employee for performance of jury duty under this section is limited to 30 days in any calendar year.
  
6. **NON-FMLA DISABILITY LEAVE OF ABSENCE:** An employee who because of non-work-related accident or illness is physically unable to report for work beyond the time allocated under the FMLA shall, upon written application and cause shown, be given a leave of absence for the duration of such disability up to a period of 12 months (unless otherwise approved by the Employer), provided that the employee continues to supply the Employer with acceptable medical certification of the necessity for the continued leave of absence. The employee's physician must verify in writing that the employee is fit to return to all normal duties before an employee can return to work at the expiration of the approved leave. Disability due to pregnancy shall be treated as any other medical disability.
  
7. **BEREAVEMENT LEAVE:** Upon written notification to the Employer and upon consideration of any emergent service delivery needs, an employee shall be granted paid leave for consecutive regularly scheduled work days within the first thirty (30) calendar days following the death of an employee's immediate or extended family member(s), subject to the provisions below, for the purpose of assisting in the funeral/memorial service arrangements, attending the funeral/memorial service, attending post funeral/memorial service function(s) or arrangement(s), and/or grieving.
  - 7.1 Up to five (5) days for immediate family, defined as the employee's current spouse or household partner, child, brother, sister, parent, grandparent or grandchild, including current "step", "foster" or "in-law" relations for the same relationships as applicable and household members that employee is legally or financially responsible for and was residing in the home at the time of death.
  - 7.2 Up to three (3) days for extended family, defined as the employee's current aunt, uncle, niece, nephew or great-grandparent, including current "step" or "in-law" relations for the same relationships as applicable.
  - 7.3 With the advance approval of the Employer, some or all of the five (5) or three (3) days may be used in an inconsecutive manner during or after the thirty (30) calendar days following death when unusual circumstances exist.
  - 7.4 Upon written notification to the Employer, an employee shall be permitted to extend their "immediate family" bereavement leave by up to five (5) more

consecutive regularly scheduled work days, contiguous to the original leave. The bereavement leave extension shall be charged to the employee's PTO bank. If the employee does not have adequate time available in the PTO bank, the extension shall be considered unpaid leave.

- 7.5 An employee excused from work under the first paragraph of this Section shall, after making notification to the employee's supervisor, receive the amount of straight-time wages (exclusive of shift or any other premiums) that such employee would have earned by working on such scheduled days of work for which such employee was excused.

8. **FAMILY AND MEDICAL LEAVE ACT (FMLA):** The Employer's FMLA policy is set forth in Policy No. 512 of the Employee Handbook.