

Leave From Duty (Non Sick Leave)

1012.1 PURPOSE AND SCOPE

Without trained, competent and loyal personnel, the Clay County Sheriff's Office could not effectively accomplish its mission. In order to help its personnel balance the competing demands between work commitments and personal responsibilities, the Clay County Sheriff's Office offers a generous leave program. It shall be the policy of the Clay County Sheriff's Office to closely follow the provisions for leave found in the County Commission Personnel Policy Manual. However, due to the unique nature of public safety work the Clay County Sheriff's Office recognizes that it may be in the best interest of the community, the agency and the employees to institute its own policies in certain circumstances. In all cases, it shall be the policy of the Clay County Sheriff's Office to administer its leave program in a fair, equitable and legal manner that benefits the community, the employee and the agency.

1012.1.1 GENERAL PROVISIONS

Unless specifically stated otherwise in Clay County Sheriff's Office written policy, the provisions of the Clay County Commission Personnel Policy Manual shall govern all administration of leave. In general, leave shall begin to accrue with the beginning of employment with the Clay County Sheriff's Office. The Department of Human Resources shall maintain a record of all leave for Clay County Sheriff's Office personnel.

1012.2 ANNUAL LEAVE

Annual Leave is an authorized absence with pay from a regularly scheduled workday. Annual leave is granted to personnel for the purpose of rest from their job tasks or to attend to a personal or emergency matter. Personnel may not work for the county in any position while on annual leave for the purpose of receiving additional compensation.

Personnel may not accrue more than twice their annual leave. Personnel who have reached their maximum accrual will not accrue additional hours until they fall below the maximum. They are responsible for monitoring their accrued annual leave and working with their supervisors to stay below the limit. After completion of one year full-time employment, accrued but unused annual leave is payable upon separation within the limits of Clay County Sheriff's Office Standard of unused vacation and/or compensatory time along with 25% of unused sick time will be paid with the final pay check provided a proper notice of separation is given. All benefits are paid within the accrual limits for leave.

Based upon the unique tasks and staffing needs of their division, Division Commanders may establish written procedures for requesting the use of annual leave. Commanders should attempt to make reasonable accommodations to grant requests made at least 30 days in advance. Reasonable accommodations shall take into consideration personnel requests as well as division/unit considerations as to minimize disruption and overtime costs.

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Employees with financial record keeping responsibilities are required to take a Annual Leave or use compensatory time at least once annually in the amount equivalent to one continuous work week.

For Full Time employee's Annual Leave is accrued at the following rates:

1012.3 PAID HOLIDAYS

Full-time employees are eligible for eight (8) hours of paid holiday leave for holidays recognized by the State of Missouri. Holidays that fall on Saturday are recognized the preceding Friday. Holidays that fall on Sunday are recognized the following Monday.

Full-time employees scheduled to work on a holiday will be compensated for hours actually worked plus eight (8) holiday hours. (For clarification purposes, an employee who works a twelve (12) hour shift on a holiday will be compensated for twelve (12) worked hours and 8 holiday hours for a total of twenty (20) hours.) Worked holiday hours are considered towards the computation of overtime. Sick time used in the same work-period will not result in additional hours of compensation.

Unscheduled absences immediately prior to, immediately following or on a holiday will result in forfeiture of holiday pay.

1012.4 PARENTAL LEAVE

The Clay County Sheriff's Office recognizes that the physical, emotional and spiritual well-being of its employees is very important to the overall effectiveness by which it accomplishes its mission. It also recognizes that the addition of a child to an employee's family is a life-changing event that adds significant stress in the employee's life - stress that can impact on their ability to perform their job. The opportunity to spend time caring for and bonding with a new child helps employees adjust to the changes in his/her family without the added demands and stress of the job tasks. Therefore, it shall be the policy of the Clay County Sheriff's Office to allow personnel up to 14 days of unpaid parental leave for the birth or adoption of the employee's child. This leave program is only available to those employees who are not eligible for leave under the Family Medical Leave Act. If the employee is eligible for Family Medical Leave (FML) they **MUST** use FML.

1012.4.1 GENERAL PROVISIONS

Parental leave is available to all eligible personnel (male or female) of the Clay County Sheriff's Office regardless of their length of service. It can be taken in minimum blocks of 1 day or up to 14 consecutive days leave any time within the first 90 days after birth or adoption. Personnel will be given the choice of using accumulated annual leave or sick leave for this period of time. If they do not have accumulated leave then they may request unpaid leave.

To qualify for parental leave personnel must have, or expect to have, ongoing responsibility for the upbringing of the child, and;

- be the biological parent of the child, or
- be married to the child's mother, or

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- be the child's adoptive parent, or
- reside in the home of the biological or adoptive parent.

The provisions for parental leave under this policy are for one period of parental leave per birth or adoption even if there is more than one child born or adopted. Parental leave granted under this policy will count towards the time allowed under the provisions of the Family Medical Leave Act.

1012.4.2 NOTIFICATION AND CERTIFICATION

Personnel should give as much notice as possible of their intent to take parental leave upon the birth or adoption of their child. At least 30 days before the expected birth or adoptive placement personnel shall give their division commander a written request of dates and times of leave. The employee's division commander may grant unscheduled changes to the request if it does not create an undue hardship on the operations of the division. Personnel may be asked to provide a copy of the child's birth certificate as proof of entitlement. In the case of adoption, copies of certification of placement from the adoption agency may be required.

1012.4.3 ADDITIONAL LEAVE

All personnel may request additional leave in accordance with the unpaid provisions of Family Medical Leave Act. If the employee has additional accrued vacation leave it will be substituted for "unpaid" FMLA leave. All accrued paid leave time runs concurrent with any FML time taken and counts against that calendar year FML available time. Paid sick leave in addition to what is provided above may not be used for parental leave. The employee's division commander, based upon staffing needs, may also approve the use of accumulated compensatory leave.

1012.5 MILITARY LEAVE

The Clay County Sheriff's Office recognizes the important contribution our members of the armed services provide for the safety and security of our communities. Therefore it shall be the policy of the Clay County Sheriff's Office to assist its personnel in meeting their active military and/or reserve obligations.

1012.5.1 ELIGIBILITY

Personnel who have been in County service for at least one (1) year immediately preceding leaving the service of the County directly to enter the active uniform service of the United States during a national emergency, drafted into such service, or employees subject to compulsory service who voluntarily enlist, shall be granted military leave of absence without pay to extend to three (3) months beyond the date of termination of active uniform service. The term "uniform service" as used herein shall include the Army, Navy, Air Force, Marine Corps, Coast Guard, and Public Health Service, as well as all auxiliary branches of said services in which either men or women shall be called on to serve, but shall not include services as non-sworn employees of any of the services. The term "national emergency" as used herein shall exist during such period as determined by the federal government.

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1012.5.2 RESTORATION

Personnel returning from military leave shall be entitled to restoration of the labeler position held prior to the leave provided they make application within three (3) months after release from duty, have been honorably discharged or remain a member of the Reserves or National Guard and is physically and mentally capable of performing the essential duties of the position involved, with or without an accommodation. In the event that the position vacated is not vacant or no longer exists at the time personnel qualify for return to work, they shall be entitled to be re-employed in another vacant position.

1012.5.3 SALARY

Personnel returning from military leave may be re-employed at the same salary range attained when granted a military leave. The employee may be eligible for a pay adjustment upon return to county service based on the length of leave.

Personnel who leave the County service directly for such military leave may elect to be paid for any accrued Annual and/or Sick Leave as the employee may be entitled to if actually separating from the County service. The decision shall be noted on the personnel action label affecting the leave. If personnel elect not to be paid for Annual/Sick Leave, such leave shall be reinstated upon return to work.

1012.5.4 MILITARY TRAINING

Personnel who are or may become active members of the National Guard, the Officer's Reserve Corps, or the Enlisted Reserve Corps of the United States Government shall be entitled to leave of absence with pay from their respective duties on all days during which they are required for military duty or training for a period not to exceed fifteen (15) calendar days in any one year. They shall receive five paid leave days for each seven days of such leave, not to exceed 10 paid leave days. Personnel who require additional leave may have such leave charged to Annual Leave or Leave without Pay.

1012.6 OTHER LEAVE

Personnel may also take advantage of Time off for Voting, Bereavement Leave, and other leave under the provisions of Clay County Commission Personnel Policy Chapter 13.

13 - 3 Bereavement Leave - Regular full time employees are allowed up to five days off (Maximum 40 hours) with pay in the event of the death of a member of the employee's immediate family. (See definition for "Immediate Family" member) Regular full time employees are allowed up to one day off (Maximum 8 hours) with pay in the event of the death of a member of the employee's extended family. (See definition of "Extended Family" member) Additional time required in the event of a death will be charged to vacation time, if available.

13 - 4 Other leave - Military leave, jury duty and time off for voting are allowed within federal or statutory requirements. Department managers may dictate when an employee may take his/her three hour time allotment for voting purposes. In most cases, voting will be required at the end of a shift or before shift start to decrease work flow interruption. Jury duty is allowed as paid time

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for full time employees however, employees are required to return any and all jury duty stipend/allowances to the County Treasurer.

1012.7 MONETARY VALUE OF LEAVE

All leave granted under this policy shall have no monetary value except according to any buy-back provisions granted by Clay County Sheriff's Office policy.