

## **Policy 15      Unpaid Leave and Other Leaves of Absence**

### **15.01 Unpaid Leave**

(a)    Requests. Any request for an unpaid leave of absence must be submitted in writing by the requesting employee to his or her supervisor as far in advance of the anticipated leave dates as possible. Unless there are extenuating circumstances, this should normally be at least fifteen days prior to the start of the requested leave. The request must state the purpose of the proposed leave and an anticipated return to work date.

(b)    Purposes. The request for unpaid leave may be based on a medical condition or incapacity for work, or on another reason. If the request is based on a medical condition or incapacity for work, the request must be accompanied by a medical provider's certification of the need for such leave and the prognosis and time frame for a return to work. At the discretion of the County, documentation of the continuing need for leave may be required during the period of leave. No leave may be requested for the purpose of other employment, and an employee granted an unpaid leave of absence (other than military leave) may not be employed elsewhere during the leave period.

(c)    Benefit Time. Unpaid leave may not begin until the employee has used any available PTO. If the leave is based on a medical condition or incapacity for work, the employee must also exhaust any available ELB time.

(d)    Grant of Leave. An unpaid leave of three days or less may be granted by the employee's supervisor. An unpaid leave of over three days requires approval from the department head and the Human Resources Department. The decision on whether to grant an unpaid leave of absence resides in the County's sole discretion in the best interests of the County. Unless required by law, including as an accommodation, unpaid leaves of absence of over one year in duration will not be granted.

(e)    Return to Work. If the employee is unable to return to work on the scheduled date, the employee may file a request for an extension of leave prior to expiration of the leave already granted. An employee who fails to return to work at the expiration of the granted leave of absence will be terminated from employment, unless there are strong extenuating circumstances. If the leave is based on a medical condition, certification of fitness for duty will be required.

(f)    Absence at the Direction of the Department. Unpaid absences from work at the direction of the employee's supervisor or department, such as absences due to lack of work, lack of funds, furloughs, inability to get to work during bad weather or other emergency, or administrative leave, are not considered unpaid leave under this policy, and do not require the employee to use paid benefit time.

### **15.02 Jury Duty**

(a)    Pay. A regular employee required to serve as a juror during working hours will receive regular pay less any jury fee received for any work day, up to a maximum of ten

in any calendar year, served as a juror provided that:

- The employee notifies his or her supervisor as far in advance as possible as to the dates and times the employee will be required to serve as a juror and provides a copy of the jury duty notice to his or her supervisor.
- The employee returns to work immediately following dismissal from jury duty.
- The employee works any regularly scheduled hours immediately prior to the commencement of jury duty.
- The employee reports to his or her supervisor any jury duty fee received and authorizes a payroll deduction equivalent to the jury fee, except for mileage.
- The employee reports jury duty on his or her timecard for the days and hours served as a juror.

(b) Benefit Time. An employee who serves as a juror may, at his or her option, use PTO for the period of jury duty and retain the jury duty fee along with the benefit time pay.

(c) Overtime or Compensatory Time. No overtime or compensatory time will be allowed for jury duty.

(d) Shift Changes for Dispatchers. Duty hours for dispatchers on second or third shift who are called for jury duty will be changed to first shift. Dispatchers scheduled to work third shift the night before jury duty will be given the night off, and if the night before is a scheduled day off they will be given the night following the day of jury duty off.

### **15.03 Witnesses**

If an employee is required to testify in court, or before another tribunal or body having subpoena power, and the testimony is on behalf of Winnebago County or arising from service as a Winnebago County employee, the employee will be paid for all time associated with such testimony less any witness fee received.