



OFFICE OF ADMINISTRATION ADMINISTRATIVE POLICY

POLICY TITLE: Leave of Absence Without Pay	AUTHORIZED BY: Kelvin L. Simmons
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ISSUED: August 1, 1984	REVISED: March 2011

I. General Statement

An employee whose employment is of a continuing or permanent nature may request in writing a leave of absence without pay. The request must be approved or disapproved in writing by the appointing authority. Any extension or reduction of the leave period requires mutual written approval of the employee and the appointing authority.

This policy should be interpreted and applied in conjunction with Policy B-35 (Family and Medical Leave), Policy B 14 (Military Leave) and Policy B-20a (Workers' Compensation). Beyond the situations addressed in those policies, leave of absence without pay will not regularly be granted and will be granted only under particularly special and unique circumstances solely at the discretion of OA. In the event that this policy conflicts with state statutes or the Code of State Regulations, statutes and regulations will control.

II. Reasons for Requesting a Leave of Absence

- A. Because of medical disability of the employee which is not covered by Policy B-35 (Family and Medical Leave).
- B. Because the employee is entering upon a course of training or study for the purpose of improving the quality of the employee's service to the state or preparing the employee for promotion.
- C. Because of extraordinary reasons, sufficient in the opinion of the appointing authority to warrant such leave of absence.

III. Procedures

- A. Leave of absence without pay shall not be granted for more than 12 months, but upon written application and before the expiration of the leave, the appointing authority may grant extensions of leave that best serve the interest of the division of service.
- B. At the expiration of a leave of absence or any extension of a leave of absence, the employee shall be returned to active duty in the division of service.
- C. The employee may, upon written application and with the approval of the appointing authority, return to active duty in the division of service before the expiration of a leave of absence or any extension of leave of absence.
- D. An employee's failure to report within three working days after the expiration of a leave of absence or extension of a leave of absence shall be treated as an absence without leave.
- E. Unless the appointing authority otherwise provides, before a leave of absence commences, the employee's accumulated annual and compensatory leave shall



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be exhausted, and in the event that a leave of absence is granted because of medical disability, all accumulated sick leave shall be exhausted.

IV. **Absence Without Leave**

- A. An employee absent from duty without prior authorization and under conditions which are not subsequently found to justify the granting of leave, depending upon the reason for and length of the absence, may be subject to appropriate discipline, up to and including dismissal.
- B. If an employee requests a leave of absence without pay under this policy and the appointing authority denies the request, continuing absence without leave requires dismissal of the employee.