



Administrative Manual POLICY

SECTION

Personnel

SUBJECT

LEAVE OF ABSENCE WITHOUT PAY
OVERVIEW

SCOPE

All permanent full-time and permanent part-time employees who have completed their initial probationary period may request a leave of absence without pay. A leave of absence without pay may be granted if an employee has a valid reason for requesting leave time but does not have a sufficient amount of paid leave days available for use. A leave of absence for educational purposes, may be granted only if the employee has at least 1 year of continuous service. Educational leave may not be requested more than once every 3 years. Granting of a leave of absence without pay depends on length of time requested, type of City service, i.e. Civil Service or Non-Civil Service, and the action of the appointing official relative to approval or disapproval.

LEAVE EXAMPLES

Listed below are examples of acceptable reasons for granting a leave of absence and the period for which such leave may be granted.

- . Illness or disability of employee or a member of his immediate family - 1 year or less.
- . Prenatal and postnatal disability, i.e., child care - 1 year or less.
- . Educational purposes - 9 months or less.
- . Appointment to a position in the non-Classified Service - 6 months or less.
- . Election or appointment as president, vice president, etc. of a recognized City representation unit.



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SUBJECT

LEAVE OF ABSENCE WITHOUT PAY
30 CALENDAR DAYS OR LESS
PART I

SCOPE

A leave of absence without pay for a period not to exceed 30 calendar days or less may be granted by the employee's appointing officer. No other approval is required.

EXTENSION OF LEAVE

A leave of absence without pay approved originally for less than 30 calendar day period may be extended to the maximum limit of 30 days if approval is granted by the appointing officer. No extension beyond the maximum allowable can be granted by the appointing officer.

FILLING THE POSITION

If an employee has been granted a leave of absence for 30 calendar days or less, the appointing officer may not fill the position with a permanent employee. However, a temporary employee may be hired for the duration of the leave, if necessary.

RETURN TO DUTY GUIDELINES

An employee who has been granted a leave of absence for 30 calendar days or less must return to duty on the date specified by his appointing officer. An employee failing to return on the date specified will be considered absent without pay. Failure to return within 3 consecutive working days of the date specified without good cause and without notifying the appointing officer in writing will be deemed cause for dismissal.

Failure to submit the required notification of return to duty within the specified time period will be considered a resignation, and a CUT-OFF NOTICE (28-1608-5144), citing "Resignation" as the reason, must be immediately submitted by the

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30 CALENDAR DAYS OR LESS
PART I

appointing officer. A MEMORANDUM {28-1418-5007} should be attached to the CUT-OFF NOTICE by the appointing officer citing the particulars of failure to comply with City policy or return to duty from a leave of absence for 30 calendar days or less.

MEDICAL EVALUATION

Prior to reinstatement, a medical clearance to return to duty must be obtained from the Division of Occupational Medicine if the employee:

requested a leave of 30 calendar days or less because of personal illness, disability, prenatal or postnatal disability care. Otherwise, the employee may be reinstated without a medical clearance from the Division of Medicine.

LEAVE AND SERVICE CREDIT

An employee who is granted a leave of absence without pay for 30 calendar days or less will continue to accrue leave and service provided he is in pay status at some time during the payroll period containing his monthly anniversary date.

PAYROLL MARKINGS

An employee who is granted a leave of absence without pay for 30 calendar days or less should be marked appropriately on the PAYROLL ATTENDANCE REPORT {147-019}, i.e., a mark of "XP." In the REMARKS column next to the employee's name, the proper notation regarding appointing officer approval of a leave of absence for 30 calendar days or less should be entered. When the employee returns to duty following the authorized leave, the payroll marking should be adjusted and recorded as "Present", "P".

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If an employee has leave balances and the assigning officer posts such leave during the employee's absence, such posting must be continuous. The posting of any leave to ensure an employee's remaining in pay status coincident with anniversary date and leave accrual is prohibited.

HEALTH PLAN

It is the responsibility of the employee to contact the Employee Benefits section, Civil Service Commission, 1st Floor, 111 N. Calvert St., Court House East, Baltimore 21201, to ensure continuation and proper billing process for the employee's designated health plan.



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EXCEEDING 30 CALENDAR DAYS
PART II

APPROVAL

A leave of absence for a period in excess of 30 calendar days must be approved by the Civil Service Commission for employees in the classified service only, as well as the employee's appointing officer. Employees in non-Civil Service classes must obtain the approval of his appointing officer to be granted a leave of absence for 30 calendar days or more.

EXTENSION OF LEAVE

Extension of a leave of absence originally granted for 30 calendar days or less but will upon extension exceed 30 calendar days must be sought of the Civil Service Commission for those in classified service providing approval of the appointing officer has been obtained. Employees in non-Civil Service positions must obtain the approval of his appointing officer to be granted an extension of a leave originally granted for 30 days or less but upon extension will exceed 30 calendar days. An extension of leave originally granted for 30 calendar days or more may be granted with the approval of the appointing officer and/or the Civil Service Commission depending on class of City service.

PAYROLL MARKINGS

An employee granted a leave of absence exceeding 30 calendar days must be transferred to the 999 payroll by a CHANGE NOTICE (28-1618-5143). The payroll marking should be "XP" while on this payroll with appropriate notations in the REMARKS column next to the employee's name.

FILLING THE POSITION

If an employee has been granted a leave of absence for more

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than 30 calendar days, the appointing officer may either fill the position with a permanent employee or hire a temporary employee.

RETURN TO DUTY GUIDELINES

An employee who has been on a leave of absence for more than 30 calendar days must notify his appointing officer in writing at the earliest opportunity of his desire and fitness to return to duty. In all cases, this notification must be made not later than 10 calendar days following the expiration of the leave. Employees in the classified service must also notify the Civil Service Commission within this time period. The employee must return to duty within this time period unless:

. His position has been filled by a permanent employee.

OR

. His position has been abolished.

REQUIRED APPROVALS

The Mayor's Personnel Freeze Committee must approve the filling of a position with an employee returning from a Leave Of Absence Without Pay of more than 30 calendar days. Prior to the employee's return to duty, the appointing officer must submit an EMPLOYEE ACTION REQUEST (28-1608-5021) to the Freeze Committee. Failure to allow sufficient time, prior to the employee's return to duty, for approval of the EMPLOYEE ACTION REQUEST and a medical evaluation as applicable, will result in the employee being considered laid-off.

After receipt of the approved EMPLOYEE ACTION REQUEST, the appointing officer must complete a CHANGE NOTICE returning the employee to active payroll status. The effective date on the CHANGE NOTICE must not be prior to the date of Freeze Committee approval on the EMPLOYEE ACTION REQUEST.

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MEDICAL EVALUATION

Prior to reinstatement, medical clearance to return to duty must be obtained from the Division of Occupational Medicine (DOM) as follows:

- . If the leave of absence without pay exceeded 30 calendar days and was due to personal illness or disability exclusive of post natal disability, the employee must submit to and pass a return to duty evaluation.
- . If the leave of absence without pay totals more than 6 months, to include any time spent on lay-off, the employee must submit to and pass a preemployment physical examination.

EXCEPTION

An employee returning to duty after childbirth and an absence of 30 calendar days or longer need not have a return to duty physical. However, the employee must submit a statement to the Chief Physician at DOM from her private physician stating that the employee is fit for duty as of a specified date. This necessary documentation can be mailed or delivered to the clinic in advance of the date scheduled for return to duty. However, if the employee's private physician has placed any restrictions on the return to duty, then that employee must be cleared by DOM prior to return to work.

LEAVE AND SERVICE CREDIT

An employee who is granted a leave of absence without pay for more than 30 calendar days will not accrue leave or

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service while on the leave of absence. If the employee is reinstated within the 10 calendar day period following his leave of absence, or is determined to have been laid-off, he will be credited with his prior service for the purpose of calculating seniority, longevity, and vacation leave. He will also be credited with any unused leave he may have had prior to his leave for which he has not received payment.

ENTITLEMENTS IF LAID OFF

If an employee desires to return to his position but is unable to do so because it is not available, the appointing officer must attempt to place him in another vacant position within his job class. If the employee cannot be reinstated within the 10 calendar day period following expiration of his leave of absence, he is considered to be laid-off. In such cases, the appointing officer must submit a CUT-OFF NOTICE (28-1608-1544) citing "Leave of Absence Expired" as the reason. A copy of the notification by the employee of his willingness to return to duty must be attached to the CUT-OFF NOTICE.

The appointing officer should direct the employee to contact the Employee Benefits Unit of the Civil Service Commission for information regarding benefits to which he may be entitled and assistance in identifying employment opportunities in other agencies.

HEALTH PLAN

It is the responsibility of the employee to contact the Employee Benefits section, Civil Service Commission, 1st Floor, 111 N. Calvert St., Court House East, Baltimore 21201, to ensure continuation and proper billing process for the employee's designated health plan.



**Administrative
Manual
DETAIL PROCEDURE**

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Personnel

SUBJECT

REQUESTING LEAVE OF
ABSENCE WITHOUT PAY

SAMPLE FORM APPENDED TO PROCEDURE

RESPONSIBILITY

ACTION

- . Employee
 1. Complete "Part I" of REQUEST FOR LEAVE OF ABSENCE WITHOUT PAY (28-1418-5028). Forward form to appointing officer.
- . Appointing Officer
 2. Review request and note approval or disapproval by completing "Part II" of the request.
 - a.) If request disapproved, retain form in files. Inform employee of decision. Procedure ends here.
 - b.) If request approved and amount requested is 30 calendar days or less, retain form in files. Inform employee of decision. Proceed to Step 5.
 - c.) If request approved and amount requested is more than 30 calendar days, make 1 photocopy of form and retain in files.
 3. Have employee placed in an inactive payroll status by instructing payroll clerk to complete a CHANGE NOTICE (28-1618-5143 for Civil Service employees; 28-1428-5107 for non-Civil Service employees) [AM-205-4-5] with the following special entries:
 - . Annual Salary and Hourly/Daily Rate -- enter both amounts.
 - . Work Code -- Specify "9".
 - . Loc (location) -- Specify "999".
 - . Job Number -- Specify "zzz-zzzzz".
 - . Budget Account Number -- Specify "103" for the sub-object (last 3 digits of the account number).

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ABSENCE WITHOUT PAY

RESPONSIBILITY

ACTION

- . Appointing Officer
(continued)
 - Forward request (original) and CHANGE NOTICE to Civil Service (for employees in the Classified Service only) or Payroll and Disbursements as applicable. For non-Civil Service employees proceed to Step 5.

- . Civil Service Commission
 - 4. Review request and note approval or disapproval by completing "Part III" of the request.
 - a.) If request disapproved, make 2 photocopies of form and distribute as follows:
 - . Original -- Agency.
 - . Copy -- Employee.
 - . Copy -- Civil Service files.

Destroy CHANGE NOTICE.

Procedure ends here.
 - b.) If request approved, make 3 photocopies of form and distribute, with CHANGE NOTICE, as follows:
 - . Original -- Payroll and Disbursements.
 - . Copy -- Agency.
 - . Copy -- Employee.
 - . Copy -- Civil Service files.

- Appointing Officer
 - 5. Notify payroll clerk of duration of approved leave in order that the following reports may be accurately completed:
 - . PAYROLL ATTENDANCE REPORT [AM-204-16-1].
 - . ATTENDANCE RECORD (28-1408-5151) [AM-204-17-1].

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ABSENCE WITHOUT PAY

	CITY OF BALTIMORE	REQUEST FOR LEAVE OF ABSENCE WITHOUT PAY	
TO BE COMPLETED BY EMPLOYEE			
PART I	INSTRUCTIONS		
	<ol style="list-style-type: none"> 1. COMPLETE PART I 2. FORWARD FORM TO APPOINTING OFFICER. 3. ASK APPOINTING OFFICER ABOUT PROCEDURE FOR REINSTATEMENT. 		
	NOTE: YOUR POSITION MAY BE PERMANENTLY FILLED IF YOUR ABSENCE WILL EXCEED 30 CALENDAR DAYS.		
	NAME	SOCIAL SECURITY NO.	JOB TITLE
	HOME ADDRESS	AGENCY NAME	AGENCY NO. LOCATION NO.
	ENTRY DATE	PERIOD OF LEAVE OF ABSENCE: BEGINNING DATE ENDING DATE	TOTAL NO. OF CALENDAR DAYS
REASON FOR LEAVE			
		SIGNATURE	DATE
TO BE COMPLETED BY APPOINTING OFFICER (SEE ADMINISTRATIVE MANUAL FOR DETAILS)			
PART II	<input type="checkbox"/> APPROVED/ <input type="checkbox"/> DISAPPROVED REASON FOR DISAPPROVAL		
	APPOINTING OFFICER TYPED NAME	TITLE	
	SIGNATURE	DATE	
CIVIL SERVICE USE ONLY			
PART III	<input type="checkbox"/> APPROVED/ <input type="checkbox"/> DISAPPROVED REASON FOR DISAPPROVAL		
	TYPED NAME	TITLE	
	SIGNATURE	DATE	

28-1418-5028 (3-77)

- . Form Number: 28-1418-5028
- . Type: Single Sheet
- . Size: 8 1/2" x 11"

- . Order Unit: Specify "Each"
- . Quantity of Forms per Order Unit: 1 Sheet

To order, prepare a WAREHOUSE REQUISITION (28-1458-5129) [AM-302-1-1] specifying Warehouse Division 02, and citing the above information.