

Kingman County  
Kansas  
Personnel Policy  
Manual

Policy #16  
Personal Leave of Absence

Commission Approved  
Date: 10-20-2014

16 Personal Leave of Absence without Pay

16.1 Infrequently, a Personal Leave of Absence may be granted in certain situations to eligible employees and is generally intended for, but not limited to, the following situations:

- Unplanned, extended situations not covered by other leave policies such as, but not limited to, FMLA, extended funeral and bereavement leave, and workers' compensation Temporary Total Disability.
- Exhaustion of FMLA entitlement and /or worker's compensation Temporary Total Disability without the ability to return to work immediately.
- Any justifiable reason at the County's discretion provided the leave does not seriously disrupt the County's operation. The reason must show good cause why it should be granted.

16.2 Personal Leave may be granted with **Pre-approval** from the Department Head and Board of County Commissioners (BOCC). Personal Leave can be for any period of time up to but not to exceed three (3) months in a 12 month period and as long as department's duties can still be fulfilled. In determining whether to grant Personal Leave, the following shall be taken into account such factors as:

- (a) Likelihood that the employee will return to County service after the leave.
- (b) Likelihood that the County will benefit upon the employee's return, as a result of the employee's Personal Leave.
- (c) Prospects for covering the employee's position while on leave.

16.3 The Department Head may approve a Personal Leave of up to seven (7) days each calendar year without the BOCC approval. Any Personal Leave requested in excess of 7 days, the employee must fill out a Personal Leave Request Form for the Department Head and BOCC to review and approve.

16.4 Under no circumstances shall Personal Leave be granted to allow an employee to take a position with another employer.

16.5 Before a granted Personal Leave of Absence can be taken, the employee is required to use any accrued Personal Time pay and Vacation pay that currently exist.

16.6 An employee on Personal Leave of Absence will not earn vacation, holiday, or sick leave benefits and will not earn KPERS benefits (If receiving 50 % or less of normal compensation per KPERS.) Time elapsed during an employee's Personal Leave, if greater than seven (7) working days, shall not count toward that employee's length of service. The amount of time the employee is on leave after the first seven (7)

working days until they return to work will then be used to adjust their anniversary date so the employee will have worked a full year before they receive their vacation benefit. The change of anniversary date will be documented and signed by both the employee and their Department Head.

- 16.7 The employee will be responsible for the total cost of the health and dental insurance premiums the employee or the employee's family is receiving through the County during this Personal Leave period, except where otherwise provided by law. Also, the employee is responsible to make payments for any flex spending plan election and supplemental insurance premiums required to keep their policy active that they have voluntarily contracted on their own. These payments must be received by the Payroll Clerk by the first (1<sup>st</sup>) day of each month for that month's corresponding coverage

(Exception to 16.7, the County health and dental insurance premiums would continue to be paid for a serious health condition that makes the employee unable to perform the employee's job. The employee would be required to continue to provide doctors care documentation for not being able to work. BOCC approval is required for this exception.)

- 16.8 While on Personal Leave, employees are required to report periodically to their supervisor, at least every two weeks, regarding the status of their personal condition and their intent to return to work. Employees may be required to provide satisfactory evidence supporting their need for continued Personal Leave.
- 16.9 If applicable, before the employee is released to full-duty work, they shall submit a doctor's statement verifying the employee is released and the date of the release.
- 16.10 If the employee does not return to work by the specified return date, the County will assume the employee has resigned and the separation process shall be completed.
- 16.11 If at the end of the Personal Leave, an employee is still not able to return to their job because they are unable to perform the job, either with or without reasonable accommodation due to illness or injury, then the employee will be deemed to have exhausted all available leave and the County shall terminate the employee's employment. (The BOCC holds the right to consider additional leave time if unique circumstances warrant such a time extension.)

If the employee leaves employment in good standing the employee may be considered for employment by application at any time in the future.

**This policy shall in no way substitute or hinder the employee's eligibility for leave covered under the Family and Medical Leave Act.**