



Policy 1727

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| LEAVE OF ABSENCE WITHOUT PAY | |
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By Order of the Police Commissioner

POLICY

Employee Wellness. To recognize the needs of employees who may require time off not permitted by other types of leave, it is the policy of the Baltimore Police Department (BPD) to allow members to take a Leave of Absence Without Pay when requested, in accordance with the conditions of this policy.

DEFINITIONS

Immediate Family – Primarily includes a person's parents, spouse, mother, father, sister, brother, registered domestic partner, child, grandparent, grandchild, mother-in-law, father-in-law, step or half-blood relatives, or any relative residing in the same household as the employee (as defined by the Baltimore City Code, provided the name of the domestic partner is filed on record with the Baltimore City Department of Personnel in advance).

Leave of Absence Without Pay – An approved unpaid extended absence from duty.

GENERAL

1. A Leave of Absence Without Pay may be granted for the following reasons:
 - 1.1. Illness or temporary disability of an employee;
 - 1.2. Illness or disability of an employee or an employee's Immediate Family;
 - 1.3. Educational purposes
 - 1.3.1. A maximum of nine months is allowed, and
 - 1.3.2. Must be for work-related academic programs, courses, or degrees (e.g., Criminal Justice, Law Enforcement, Management/Leadership/Supervision, etc.);
 - 1.4. Campaigning for an elective office;
 - 1.5. Pregnancy of an employee who has exhausted all available vacation and sick leave; and

- 1.6. Special situations, as deemed appropriate by the Director, Human Resources Section.
2. Vacation leave, sick leave, and longevity are not accrued while on a Leave of Absence Without Pay.
3. If the Leave of Absence Without Pay is for more than 30 calendar days, the BPD may fill the position with another permanent employee.
4. When the Leave of Absence Without Pay has been granted, the employee must return on the date specified in the Human Resources Order indicating such return. Failure to return to work within three consecutive working days after the date specified in the Human Resources Order, without good cause and without notifying the BPD, may be cause for termination.
5. When returning to duty from a Leave of Absence Without Pay that was for a non-medical reason and/or lasted for a period of six months or more, the employee must attend the appropriate refresher training provided by the Professional Development and Training Academy (PDTA).
6. If an employee's position is no longer available upon return from a Leave of Absence Without Pay, the BPD shall attempt to place the employee in a vacant position within the job classification formerly held by the employee.
7. If the employee cannot be reinstated within the 10-day period following expiration of the Leave of Absence Without Pay, the employee will be considered laid off.

Eligibility

To be eligible for a Leave of Absence Without Pay:

1. The initial employment probationary period must be completed, and
2. Prior to requesting a Leave of Absence Without Pay for a non-medical reason, all available vacation leave, as well as sick leave (if applicable), must have been exhausted.

EXCEPTION: Maternity leave and the eligibility requirements of the Family and Medical Leave Act. (see Policy 1725, *Maternity Leave*, and Policy 1726, *Family and Medical Leave Act*).

Requests for Leave of Absence Without Pay

1. To request a Leave of Absence Without Pay, regardless of duration, submit an Administrative Report, Form 95, as soon as the awareness for the need for leave arises.
 - 1.1. Indicate the duration of absence, and
 - 1.2. The commencement and ending dates.
2. When the Leave of Absence Without Pay is for two or less days, submit the request to your Commanding Officer, who will hold the final authority to approve/disapprove the request.
3. When Leave of Absence Without Pay is for more than two days, submit the request via Official Channels to the Director, Human Resources Section, who will hold the final authority

to approve/disapprove the request.

Laid Off Employees

1. Laid off employees will be placed on a re-employment list under their job classification and salary for no more than 3 years.
 - 1.1. If the employee for any reason should accept a position lower than their original job classification, they will remain on the re-employment list for their job classification at the time of lay-off.
 - 1.2. If the position held by the employee is the only position within that job classification, the employee will be placed on a re-employment list for the class which most nearly approximates the class from which the lay-off occurred.
2. The re-employment list will be governed in accordance with the City of Baltimore's Department of Human Resources rules.
3. Upon receipt of a job/position offering notification (when laid off and placed on the re-employment list), respond within seven calendar days. Failure to respond will be construed as a job/position refusal and result in permanent removal from the re-employment List.

Health Insurance

1. The City of Baltimore will contribute its percentage of the employee's health insurance premium for a period of 30 days, provided the employee also continues to contribute their percentage of the premium.
2. Following the expiration of the above 30-day period, the employee will be billed directly by the insurance carrier at the group rate.
3. Failure of the employee to pay medical premiums will result in termination of health benefits.
4. If health benefits have been terminated, when the employee returns to duty, the employee will be treated as a new employee for the purpose of health insurance coverage.

ASSOCIATED POLICIES

Policy 1725, *Pregnancy*
Policy 1726, *Family Medical Leave Act*

RESCISSION

Remove and recycle/destroy General Order Q-27, *Leave of Absence Without Pay*, dated 27 May 2007.

COMMUNICATION OF POLICY

This policy is effective on the date listed herein. Each employee is responsible for complying with the contents of this policy.