

	STANDARD OPERATING PROCEDURE <small>State Form 39870 (R/ S- 06)</small>	Reference Number HMR-002
	Subject Leave from Duty - Other than Vacation, Sick or Personal Leave	
	Special Instructions Replaces HMR-002 dated February 10, 2021	Effective Date April 23, 2024

I. PURPOSE

Establish guidelines for employees' use of leaves other than accrued time (vacation, compensatory, or personal) or sick time from the Department.

II. POLICY

All employees shall adhere to the guidelines of this procedure to request and return from a specified leave. Failure to follow these procedures could result in the denial of the requested leave. All state and federal laws and applicable guidelines shall be observed regarding certain types of leaves. Leaves covered in this SOP do not include sick or personal leave, vacation or disability.

III. TABLE OF CONTENTS

- A. Request for Leave – section IV. A.
- B. Community Service Leave – section IV. B.
- C. Court Appearance/Jury Duty – section IV. C.
- D. Education/Training Leave – section IV. D.
- E. Emergency Conditions – section IV. E.
- F. Family Medical Leave – section IV. F.
- G. New Parent Leave – section IV. G.
- H. Military Family Leave – section IV. H.
- I. Funeral Leave – section IV. I.
- J. Holidays – section IV. J.
- K. Maternity Leave – section IV. K.
- L. Military Leave – section IV. L.
- M. Request to Return to Duty – section IV. M.

IV. PROCEDURE

A. All requests for the leaves contained in this SOP, unless otherwise noted in the specific leave section, shall:

1. Be submitted as outlined in the requirements of each section;
2. Include the begin date and expected duration of the leave; and
3. Follow the specific guidelines listed in the applicable leave section.

B. Community Service Leave

1. Full-time Department employees shall be granted leave, with pay, not to exceed fifteen hours (15.0) each calendar year, to voluntarily participate in activities for the benefit of another governmental entity or an organization that is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code. These voluntary activities must not promote religion, or attempt to influence legislation, governmental policy, or elections to public office.
2. Employees desiring leave under this policy shall submit a [State Employee Community Services Program form \(State Form 49044\)](#) unless the request is to provide services during an emergency.
3. The completed form shall be forwarded, through channels, to the Assistant Chief of Staff (AC/S) Human Resources and Administration (HRA) who shall have the responsibility for considering such requests, and upon approval, shall complete Part 2 of the request for leave form and return the completed form to the employee prior to the dates for which leave has been requested.
4. After performing the volunteer services, the employee shall return the request form with Part 3 completed by the governmental entity or tax-exempt organization to their Commander to be forwarded to the Human Resources Division.
5. Failure to have Part 3 completed will result in revocation of community service leave approval and the time missed from duty will be charged as compensatory, vacation or personal leave time.
6. The code to be used in Time and Labor shall be Leave - Community Service.

C. Court Appearances/Jury Duty

1. Employees who are lawfully required to serve as witnesses, in matters relating to employment with the state, before anybody or agency having subpoena powers or who are required to report for jury duty shall be granted leaves of absence by their Commander from their positions during the required absence for such duty. Under these circumstances employees shall receive their regular salary from the State. Any compensation received for such court service shall be made payable to the Indiana State Police and remitted to the Fiscal Division.
2. Employees serving on a jury and assigned to shifts other than a day shift shall, upon request, be transferred to the day shift during the period of court service.
3. The above provisions do not apply when an employee is subpoenaed in a non-employment related matter.

D. Education/Training

1. A leave of absence without pay in excess of 30 days may be granted to employees with the approval of the Superintendent and the State Police Board, upon a request in writing, for participation in activities which the Department may be expected to derive direct benefits through the increased proficiency of employees or improved relationship with other departments or agencies. The duration of such leave shall not exceed the period authorized by the Superintendent and the State Police Board. Any employee granted such leave shall agree to remain in the service of the Department

for a period of time equal to the duration of such leave upon returning there from.

2. A leave of absence without pay for 30 days or less may be granted to employees, with the approval of the Superintendent and notification to the State Police Board.

3. Request for all education/training leaves shall be made in writing to the employee's Division, Section, Zone, Area or District Commander, who, upon review and recommendation, shall forward the request to the AC/S HRA, who shall then forward the request, with recommendations, to the Superintendent for consideration.

E. Emergency Conditions

1. The State Personnel Director may authorize the closing of a state operation due to emergency conditions occurring at a worksite. Weather conditions affecting only the ability to commute will not be considered emergency conditions necessitating the closing of a state worksite or paid leave.

2. When the State Personnel Director declares a state worksite closed due to emergency conditions, employees scheduled to work at that worksite during the time of the declaration who are not required to work shall be given leave with pay. Employees required to work at that worksite during the time period for which an emergency is declared shall be granted compensatory time on an hour for hour basis for such hours worked.

3. If conditions of a serious nature exist, but not sufficient to close facilities or curtail operations, the Superintendent may authorize leave without pay for affected employees. Likewise, if a weather emergency is declared in the county in which an employee resides, the Superintendent may authorize leave without pay for the affected employee. Employees may elect to use vacation leave, personal leave, or compensatory time to cover their absence.

4. The provisions of this section shall not apply to police employees or employees on sick leave or any other prior approved leave or to any other employees who are engaged in emergency response activities such as, but not limited to, snow removal operations, radio operations, and/or emergency management.

F. Family Medical Leave (FML)

1. The Department shall grant all lawful [Requests for FML](#) time as outlined in this procedure and shall give due consideration to all related requests for modified work schedules.

2. An employee shall be eligible for FML after being employed by the state for at least 12 months (consecutive or non-consecutive); has worked at least 1,250 hours in the 12-month period immediately preceding the need for the leave; and has not exhausted their allotment of FML in the applicable time period.

3. The Superintendent shall grant an employee's request for an unpaid leave of absence, intermittent leave, or a modified work schedule relating to the following:

- a. The birth of a child;
- b. Placement of a child for adoption or foster care:

- c. Care of a spouse, child or parent who has a serious health condition;
- d. Serious health condition of the employee which prevents the employee from performing the essential functions of the employee's job;
- e. Qualifying exigency arising out of the fact that the employee's spouse, child or parent is on covered active duty or call to covered active duty; or
- f. Care of a covered service member with a serious illness or injury.

4. Leaves or work schedule modifications related to F.3.a. and b. above shall conclude no later than 12 months after the birth of the employee's child or the placement of the child with the employee.

5. Leave or modified schedule requests.

a. If the need is foreseeable, requests must be submitted at least 30, but no less than 15 working days prior to the date of the requested leave or beginning of the requested modified schedule. Employees shall submit a request to include the dates and expected duration of the leave or the details of the modified schedule request. Failure of the employee to give adequate notice of a leave request or provide certification of the need for leave could result in such leave being classified as unauthorized.

b. Employees shall submit the request to their District, Section or Division Commander, who upon review and recommendation, shall forward the request to the AC/S HRA who shall then forward it, with recommendations, to the Superintendent for consideration. As applicable, the following shall be included:

i. The employee shall provide certification of the birth or placement of a child with the employee's family;

ii. For medical leaves, the health care provider's certification (for the [Employee's Serious Health Condition](#) or the [Family Member's Serious Health Condition](#)) must be completed and attached to the request;

iii. For leaves to care for an injured service member, the [Certification for Serious Injury or Illness of Covered Service member for Military Family Leave](#) must be completed and attached to the request; or

iv. For leaves due to a qualifying exigency arising out of the fact that the employee's spouse, child or parent is on covered active duty or is called to covered active duty, the [Certification of Qualifying Exigency for Military Family Leave](#) must be completed and attached to the request.

6. Verification

a. The Superintendent may require that the employee obtain a second medical opinion from a provider designated by the Department. The second opinion shall be at the Department's expense.

7. Scheduling

a. Where an employee requests use of intermittent leave or a reduced schedule that is medically necessary, the employee and the employee's Commander shall attempt to work out a schedule that meets the employee's needs without unduly disrupting Department operations, subject to the approval of the health care provider.

b. Use of intermittent leave or time off under a reduced work schedule may be charged in increments of one (1) hour. Where the employee uses accrued paid leave to cover the absence, it shall be charged against the employee's leave balance in increments of one hour.

c. The Superintendent retains the right to temporarily transfer an employee, using intermittent leave or who is on a modified work schedule, to another position.

8. Duration

a. An employee may not take more than 12 weeks of leave under this policy in any fiscal year for situations described in section IX, C 1-5 above. Where an employee uses leave intermittently or is granted a modified work schedule, only the actual leave time shall be counted against the 12- week limit.

b. When caring for a covered service member (see IX, A, 4) an employee may not take more than 26 weeks of leave, under this policy, in any fiscal year. This includes the 12 weeks available under section 1 above.

9. Insurance coverage

a. During the time an employee is on leave, under this policy, the employee shall be entitled to coverage, under Department health and life insurance, on the same terms and conditions in effect at the time the leave began provided the employee continues to pay the required employee share of premium while on leave. Employees on unpaid leave shall contribute their share of premiums through the Human Resources Division.

10. Use of accrued paid leaves

a. Any use of paid leave for an FML qualifying absence will run concurrently with the FML designation.

b. The Department shall designate paid or unpaid leave as FML, whether the employee designates it as such or not, if the Department has compelling information based on information provided by the employee that the leave was taken for an FML qualifying event.

c. Employees with a balance of compensatory time shall be required to use such compensatory time concurrently with any FML absence prior to the use of any accrued benefit leave (sick, vacation or personal leave).

d. Employees shall be required to use any available sick leave if the FML is for the serious health condition of the employee, spouse, child or parent who resides in the employee's household and is dependent upon the employee for care and support, after exhausting available compensatory time as required above and prior to use of other accrued benefit leave (vacation or personal leave).

e. Employees may choose to use vacation and/or personal leave for an FML qualifying absence if they want to receive compensation for that absence. This option is available only if the employee does not have a balance of compensatory time which is required to be used as stated in section I. 3, above, or if

sick leave is not available or appropriate under the circumstances of the leave.

f. Leave under this policy runs concurrently with the elimination and benefit periods of the State's short/long term disability program, and may run concurrently with Worker's Compensation if the absence qualifies for both programs.

g. Whether FML is paid, unpaid, or a combination, the employee is entitled to only 12 weeks in each fiscal year for leave taken due to qualifying events listed as items C. 1 through 5, above. Leave taken due to the qualifying event listed as item C. 6 above (alone or in combination with other qualifying events) is limited to 26 weeks in the single 12-month period designated to care for a covered service member.

11. Recertification

a. The Department shall require employees to provide a new certification annually for each fiscal year for any medical condition for which the need for leave may be expected to continue beyond that fiscal year. The annual certification is subject to calculation of eligibility, and additional medical opinions may be obtained.

b. The Department may require employees to provide recertification of the medical necessity for intermittent leave in any event every six (6) months.

c. Except as provided above, the Department may request recertification no more than once every 30 days in conjunction with an employee's absence unless:

- i. The employee requests an extension of the leave;
- ii. Circumstances described by the previous certification have changed significantly; or
- iii. The Department received information that casts doubt upon the continuing validity of the certification.

d. Recertifications are at the employee's expense.

e. Recertifications are not permitted for leave to care for a covered service member or because of a qualifying exigency arising out of the fact that the employee's spouse, child or parent is on active duty or is called to active duty status in support of a contingency operation.

12. Limitations

a. A husband and wife who are eligible for FML and are both employed by the State are limited to a combined total of 12 weeks of leave during any 12 month period if the leave is taken to care for the employees' newborn, adopted or foster child. Parenting leave for a newborn, adopted or foster child cannot be taken intermittently or on a reduced schedule without approval of the Department.

13. Non-discrimination

a. No employee may be discriminated against for the employee's use of family and medical leave. Use of family and medical leave cannot be used as a negative factor in promotional and disciplinary decisions nor can the use of such leave be counted against an employee under an attendance policy.

14. Record keeping

a. All uses of paid and unpaid leave, under this policy, must be recorded as family and medical leave on the employee's attendance report. The U.S. Department of Labor requires that all written documents, pertaining to requests for or uses of family leave, be kept for at least three years.

15. Definitions

a. Definitions for terms utilized with regards to the above policy on FML can be found in the [FML Definitions](#).

G. New Parent Leave

a. The Department shall provide New Parent Leave (NPL), a paid leave to employees, so they can spend time with their newborn or child newly placed for adoption. This policy recognizes the birth or adoption of a child is an important event where the family benefits from time spent together without concern for loss of employment or wages.

b. Definitions:

i. CHILD - An infant newly born to the employee or employee's spouse or a minor child placed for adoption with the employee.

ii. SPOUSE – A legally married husband or wife.

iii. PLACEMENT FOR ADOPTION - The order

(1) Granting custody pending adoption; or

(2) Issuing a domestic or international decree or certificate of adoption, whichever occurs first.

Placement for adoption does not include time spent fostering a child prior to the issuance of a decree of adoption nor the adoption of step-children by a step-parent.

c. This policy applies to all full-time employees who have been employed six consecutive months or more in permanent positions without a break in service:

i. Upon the birth of the employee's child on or after January 1, 2018;

ii. Upon the birth of a child to the employee's spouse on or after January 1, 2018; or

iii. Upon placement of a child for adoption with the employee on or after January 1, 2018.

d. Full-time eligible employees may request and receive up to 150 hours of paid leave upon the birth of their child or upon placement of a newly adopted child with the employee.

e. Any new parent leave not taken:

i. Within six months after the birth or placement for adoption; or

ii. Prior to separation from employment in state service is forfeited.

f. This leave runs concurrently with family-medical leave (FML) for eligible employees who are charged FML for absences due to childbirth or parenting. After required use of available sick leave and compensatory time as described in Section IX, I., employees may choose to use available new parent, vacation, or personal leave if they want to receive compensation during the FML absence.

g. Employees shall:

i. Notify their supervisor and HR representative a birth or placement for adoption is anticipated and an estimated timeframe;

ii. Apply for NPL - complete ([Request for New Parent Leave Memo](#));

iii. Employees shall enter requests for NPL into the designated PeopleSoft/Self Service module. Workflow notices will be issued to the employee, supervisor and HR.

iv. Apply for FML, if eligible;

v. Submit supporting documentation, such as a birth announcement/confirmation from a doctor/hospital/governmental entity or document placing the child with the employee for adoption (as described in the definition of placement for adoption); and

vi. Designate absences on the timesheet as NPL, tracking usage of NPL and not using more NPL than is authorized.

h. NPL may be used intermittently in increments not less than one full work day/shift.

g. Employees must provide notice no later than the workday prior to the anticipated leave.

H. Military Family Leave

1. Eligible employees shall be permitted an unpaid leave(s) of absence not to exceed ten (10) working days in a calendar year to spend with a spouse, child, grandchild, or sibling who is on active duty status with the U.S. Armed Forces, a reserve component, or the Indiana National Guard, in accordance with IC 22-2-13.

2. An eligible employee is one who:

a. Has been employed by the state for at least 12 months;

b. Has worked at least 1,500 hours during the 12 month period immediately preceding the day the leave begins; and

c. Is the spouse, parent (biological, adoptive or court appointed guardian or custodian), biological grandparent, or sibling of a person who is ordered to active duty.

3. Employees may utilize this leave, not to exceed a total of ten (10) days off, for all three periods:

a. No more than 30 days prior to the active duty orders becoming effective;

b. When the active duty person is on leave while active duty orders are in effect; or

c. No more than 30 days after the active duty orders have expired/terminated.

4. This leave shall be unpaid unless the employee elects to utilize accrued time off in order to remain in a paid status.

5. Requests for leave

a. At least 30, but no less than 15, working days prior to the date of the requested leave or beginning of the requested modified schedule employees shall submit a request to include the dates and expected duration of the leave. Failure of the employee to give adequate notice of a leave request or provide certification of the need for leave could result in such leave being classified as unauthorized.

b. Employees shall submit the request to their District, Section or Division Commander, who upon review and recommendation, shall forward the request to the AC/S HRA who shall then forward it, with recommendations, to the Superintendent for consideration.

I. Funeral Leave

1. The Department shall allow employees leave with pay, not to exceed three (3) workdays, in the event of the death of any relative as specified in this section and will not be cumulative. The employee's request for the leave shall be honored. The days shall be in conjunction with the time of the death or date of the funeral.

2. The leave shall be granted upon the death of husband, wife, father, mother, son, daughter, brother, sister, grandparent, grandchild or the spouse of any of these or a person living in the same household with the employee. For a married employee, these members of the spouse's family are included. For purposes of this section, "steps" or "greats" of the above listed relatives are also covered.

3. An employee's request for funeral leave shall be made within one (1) hour prior to the start of the employee's assigned shift or sooner, if possible.

a. Requests shall be made in writing or verbally, through channels, to the employee's Division, Section, Zone, Area or District Commander and should identify the deceased, specify the employee's relationship to the deceased, and the dates of the requested leave.

b. A copy of the Request for Funeral Leave form authorizing funeral leave shall be maintained locally in the employee's administrative file.

4. If the employee needs additional time off, the employee may use accrued compensatory time, vacation, or personal leave to cover that additional time, with the approval of the employee's supervisor.

5. The Department reserves the right to require documentation to verify the authenticity of the request when there is a legitimate reason to compel such verification. Documentation means a statement from a funeral home or obituary indicating the name of the deceased, date of death, location, and date of funeral.

J. Holidays

1. Employees shall observe holidays as authorized by the Governor; except, those employees working rotating shifts who shall receive compensation as outlined in the sections below.

2. Holidays falling within a scheduled vacation shall not be considered/recorded as vacation.

3. In order to be eligible for holiday compensation, an employee must be in pay status during the week in which the holiday is observed.

4. Police and Civilian employees

a. Required to work holidays shall be granted equal compensatory time off.

b. Working rotating shifts shall be granted compensatory time for the holiday whether they are working or on a scheduled day off.

c. Employees who are called in to work on the day a legal holiday is observed shall be entitled to an equal amount of compensatory time off.

d. Employees may request the date on which to take holiday compensatory time off and the request using holiday compensatory time off shall not be unreasonably denied.

e. Holidays shall be compensated for on a day for a day basis, regardless of the method of compensation.

K. Maternity Leave

1. The Superintendent may, upon written request, grant maternity leave with or without pay during the period in which any employee is unable to work (as certified by a doctor's statement) by pregnancy, pregnancy-related illness, childbirth, miscarriage, abortion, related medical conditions, and/or recovery thereof. Payment of regular wages during such period or periods, however, shall be conditioned upon and limited to the employee's use of any sick, special sick, vacation, compensatory, or personal leave days the employee has accrued;

2. The total continuous leave for maternity purposes, both paid and unpaid, shall not exceed a period of one (1) calendar year;

3. Pursuant to the above stated provisions, any employee may request a maternity leave at any time during the term of the pregnancy. Prior to such request, however, the Superintendent may, at any time during the term of pregnancy, request from the employee a medical certification from the attending physician. Such medical certification shall indicate that the employee may continue usual duties, without restriction, as to any physical requirements of the job, and furthermore, that the employee's employment can continue without injurious effects to either the employee or the employee's unborn child. Failure on the part of the employee to submit the medical certification requested will enable the Department to place such employee on maternity leave, without pay. Such leave shall continue until the requested certification has been submitted, subject to the one-year restriction.

4. Requests for leave

a. At least 30 working days prior to the date of the requested leave, or beginning of the requested modified schedule, employees shall submit a request to include the dates and expected duration of the leave or the details of the modified schedule request. If 30 working days notice is not possible, the employee shall submit a request as soon as practicable (at least 15 days from the start of the leave).

Failure of the employee to give adequate notice of a leave request, or provide certification of the need for leave, could result in such leave being classified as unauthorized.

b. Employees shall submit the request to their Division, Section, Zone, Area, or District Commander, who upon review and recommendation, shall forward the request to the AC/S HRA who shall then forward it, with recommendations, to the Superintendent for consideration.

L. Military Leave

a. Inactive Duty Training (Weekend Drill)

1. Employees in the active reserves or National Guard shall provide their Commanders a copy of their annual drill schedule as soon as they receive it. These employees shall be allowed time off to attend the drills/meetings listed on the schedule and shall not be required to submit additional notification.
2. For the good of the Department, with the consent of the employee Commanders may make schedule changes for instances when there are conflicts between the drill schedule and the Department work schedule. If the conflict cannot be resolved, the employee may use an accrued leave day or be removed from the payroll.
3. Employees shall notify their Commander when there is a change(s) to their annual drill schedule, as soon as practical, after receiving the change.

b. Military Leave (with pay)

1. Fifteen (15) days of paid military leave, in any one (1) calendar year, are authorized by the Superintendent to an employee during which military service is performed as part of the National Guard, or other reserve components of the United States military as required by law. Regular days off that may fall during the 15 day military leave period shall not be counted as military leave.
2. Employees shall submit a request for [Military Leave Request form](#) to their District, Section, Division, Area or Zone Commander for approval. All requests shall include:
 - i. A copy of the official military orders requiring such duty;
 - ii. Vacation, personal or compensatory leave time off may be used during the leave with pay and shall not be counted/charged as part of the 15 days military leave; and
 - iii. A list of all regularly scheduled days off and any accrued time off to be utilized during the leave with pay.
3. A copy shall be forwarded to the Human Resources Division to be placed in the employee's personnel file.
4. The paid military leave time granted shall be the period covered by the official military order plus any travel time authorized in accordance with military travel regulations not to exceed 15 working days. Applicable Commanders shall be responsible to monitor and record the use of such paid military leave days so as to not exceed the 15 allowable days.

5. If an employee is on military leave with pay when a legal holiday is observed the employee will receive compensatory time for the holiday.

c. Military Leave (without Pay)

1. Military leave without pay shall be subject to the approval of the Superintendent with approval of the State Police Board and shall be granted as required by law.

2. Employees shall submit a request, using the [Military Leave Request form](#), to their District, Section, Division, Area or Zone Commander, who upon review and recommendation, shall forward the request to the AC/S HRA, who shall then forward the request, with recommendations, to the Superintendent for consideration. All requests shall:

- a. Include a copy of the official military orders requiring such duty or an official statement from the employee's military commanding officer requiring military leave (pending receipt of official orders);
- b. Utilize all remaining paid military leave, up to the 15 day annual allowance; and
- c. Include a list of all other accrued leave to be utilized (if requested by the employee) in order to remain on payroll; however, all days must be used consecutively*.

*As long as the employee remains on payroll, premiums for benefits will continue to be deducted from their paycheck; however, once the employee exhausts all leave days, they shall be removed from payroll and shall then be coupon billed for the benefits they elect to continue.

3. Upon approval of the unpaid military leave by the Superintendent, the employee's responsible Commander shall:

a. Ensure all equipment is inventoried and retained as per [FSS-006 Disposition of Department Property During Temporary Separations](#).

b. Upon receipt of the employee's military leave photos (2) from PIO, ensure one photo is displayed at the employee's applicable District, Section or Division and one photo is presented to the employee's family, if applicable. Photos will only be provided for leaves in excess of 30 days.

c. Maintain open lines of communication with the employee for the duration of the leave as the nature of the employee's duties will allow.

d. Act as or appoint a family liaison to the employee's family, if applicable.

e. Ensure the Superintendent is aware of any significant events as it relates to the employee.

4. The Human Resources Division shall:

a. Make proper notifications of the approved leave to the employee's command, PIO, FSS, Fiscal Section, Training Division and the Protocol Officer.

b. Upon receipt of the employee's military leave photos (2) from PIO, forward one to the Superintendent and update the display at GHQ. Photos will only be provided for leaves in excess of 30 days. Upon the employee's return, the photo displays will be updated.

5. The first day of military leave shall be the first day covered in the official military order regardless if it falls on a duty day or a regularly scheduled day off.
6. For recording duty status on military leave, it is the employee's responsibility to contact their Commander and make arrangements to have the required SHIELD report(s) submitted on behalf of the absent employee as outlined in [ENF-044 Daily Activity and Duty Hours](#).
7. Accrual of Leave Time on unpaid Military Leave.
 - a. Employees on unpaid military leave for more than thirty (30) consecutive days shall not accrue vacation, sick or personal leave time.
 - b. Upon return from military leave, employees are given credit towards the accrual of bonus vacation leave for their time spent on military leave, and the bonus vacation leave accrued in the twelve (12)-month period immediately preceding their return to work shall be immediately credited to the employee's leave balance. Accrual dates are not adjusted to reflect the leave of absence due to military leave.

M. Request To Return To Duty From Leave

1. Upon termination of a leave:
 - a. With pay, the employee shall resume active duty with the Department; except for circumstances as outlined in [HMR-006 Return to Full-Duty from Illness or Injury](#) or for leaves in excess of 180 days.
 - b. Without pay, the employee shall submit a request to be returned to active duty (on a specified date). The written request shall be submitted to the employee's Division, Section, Zone, Area or District Commander, who, upon review and recommendation, shall forward the request to the AC/S HRA who shall then forward the request, with recommendations, to the Superintendent for consideration.
 - i. This shall include the use of Family Medical Leave and maternity leave when taken by an employee to care for an immediate family member.
 - ii. Requests to return to duty from an injury or illness (except for 2-a above) shall follow the provisions of [HMR-006 Return to Duty from Illness or Injury](#).
2. The Superintendent may require any person returning to the Department from a leave to submit to a physical and/or mental examination by a physician, psychologist, or psychiatrist selected by the Department and retraining as directed by the Superintendent.
3. Should an employee fail to return to work or active duty upon the termination of an approved leave period, such employee shall be considered as having withdrawn from the service of the Department.

N. This procedure is to be used in conjunction with all relevant Department regulations, rules, policies, and procedures.