

	<i>Administrative Regulation</i>	Policy #:	7.05
	LEAVE OF ABSENCE	Effective:	11/28/2017
		Revised:	06/25/2025
		Owner:	Human Resources

Note: Terms that are ***bolded and italicized*** the first time they appear in this regulation are defined below. After the first occurrence, defined terms appear in *italics only*.

PURPOSE:

To provide employees with necessary support and resources to manage unexpected life events that may require temporary ***leave of absence*** from work.

SCOPE:

This regulation applies to all regular full-time, part-time, and limited duration employees. Represented employees should also refer to specific collective bargaining agreements for details regarding a *leave of absence*.

POLICY:

The City expects its employees to attend to personal matters outside of working hours or during scheduled time off. However, personal circumstances may necessitate an absence from work that extends beyond a traditional vacation or PTO request (generally more than three weeks in length) or after a ***protected leave*** has ended. An employee may be granted up to six months of leave during any twelve-month period with the approval of the ***department director*** and Human Resources Director.

The *leave of absence* begins immediately following the last date the employee works. Employees will be required to use all applicable accrued paid leaves prior to beginning an unpaid *leave of absence*. A *leave of absence* will not be granted to allow an employee time off to seek employment elsewhere or to work for another employer.

Employees who begin employment elsewhere while on *leave of absence* are considered to have voluntarily resigned from their positions with the City. If the employee does not return to work at the end of the approved leave, employment may be terminated.

PROCEDURE:

1. Requesting a Leave of Absence

- a. A request for a *leave of absence* must be in writing and must provide a reasonable justification for the request.
- b. The supervisor and *department director*, in consultation with Human Resources, may choose to approve or deny the request.

2. Types of Leave

A. **Personal Leave:**

- a. An employee needing to be off work more than three (3) weeks may request personal leave. A *leave of absence* granted under these circumstances may be for educational or other compelling personal reasons.
- b. This type of leave is generally considered ***non-protected*** and may be approved without reinstatement rights.
- c. If there is no suitable position available at the conclusion of the leave, the employee may be required to resign.
- d. Positions vacated due to a *leave of absence* and later filled by an employee returning from leave are exempt from posting requirements under City HR regulations..
- e. Extensions beyond the six-month maximum will be considered only in exceptional circumstances and require the approval of the *department director*, Human Resources Director and the City Manager.

B. ***Extended Medical Leave of Absence:***

- a. Medical leave may extend up to three months beyond the exhaustion of *protected leave* (FMLA/OFLA) if the employee has a serious illness or injury that prevents them from working. During this leave, the employee remains on active status, provided they comply with the requirements outlined in the City's [Disability Accommodations administrative regulation](#).
- b. The employee is expected to return to work immediately upon full release by their physician. Should the employee not return to work upon release by the attending physician, employment may be terminated.
- c. Employees must notify their *department director* or Human Resources of any changes to their medical status during the duration of the approved leave.

3. **Benefits and Service Credit While Out on a Leave of Absence**

- a. PTO, sick leave, vacation hours, and ***seniority*** do not accrue during unpaid leave, unless the leave is protected under federal or state law.
- b. Holiday pay is not provided during any unpaid *leave of absence* that is not protected under FMLA or OFLA.
- c. Employees on an unpaid unprotected *leave of absence* can maintain the City's group health (medical, dental, and vision) insurance coverage at employee expense as specified by the federal Consolidated Omnibus Budget Reconciliation Act (COBRA).
- d. Employees on unpaid protected *leave of absence* may maintain the City's group health insurance coverage (medical, dental, and vision) by paying their share of the premium cost, for a maximum of three (3) months.

4. Returning from a Leave of Absence

- a. The employee must return to work upon the expiration of the *leave of absence*.
- b. An employee is required to return from personal leave on the originally scheduled return date. If the employee is unable to return, they must submit a written request for an extension, including the reason, requested duration, and any supporting documentation, at least seven (7) days before the approved leave expires.
- c. An employee returning from extended medical leave must provide a release from their medical provider, indicating whether there are any restrictions.

5. Termination of a Leave

- a. The City may terminate a *leave of absence* if it finds that the reason(s) for granting it no longer exists, or the facts were misrepresented.
- b. Represented employees should refer to their respective collective bargaining agreement for additional information.

DEFINITIONS:

Department Director:

The individual responsible for overseeing the operations, personnel, and compliance functions of a City department. For the purposes of this administrative regulation, "Department Director" also includes any formally assigned designee, including an employee serving in an Acting-In-Capacity (AIC) role, who has been authorized to carry out departmental responsibilities in the absence of the Department Director.

Extended Medical Leave of Absence:

An approved leave of absence granted after the exhaustion of *protected leave* when an employee is unable to return to work due to a serious medical condition, subject to medical documentation and approval under City policy.

Leave of Absence:

A temporary, approved period of time away from work that extends beyond the use of accrued paid leave or follows the exhaustion of *protected leave*. A leave of absence may be paid or unpaid and may be protected or *non-protected*, depending on the circumstances and applicable law or policy.

Non-Protected Leave:

Leave that is not covered by federal or state job-protection laws and does not guarantee reinstatement to the same or equivalent position at the conclusion of the leave.

Protected Leave:

Leave that provides job protection and continuation of benefits as required by federal or state law, including but not limited to the Family and Medical Leave Act (FMLA), the Oregon Family Leave Act (OFLA), and Paid Leave Oregon.

Seniority:

The length of continuous service with the City, beginning on the employee's hire date, provided the

probationary period has been satisfactorily completed.

RESOURCES:

Administrative Regulations:

- [Disability Accommodations](#)
- [Family Medical Leave](#)
- [Paid Time Off \(PTO\)](#)

Forms:

- [ADA Request for Accommodation](#)