



OREGON DEPARTMENT OF FISH AND WILDLIFE POLICY

Human Resources Division

Title:	Leaves Without Pay	HR_460_06
Supersedes:	HR_460_06, dated August 1, 2008	
Applicability:	Management service and executive service employees. Refer to labor agreement for classified represented employees.	
Reference:	State Policy 60.000.11; ORS 240.145(3); 240.240; 240.250; 240.551	
Effective Date:	November 1, 2008	Approved: 

I. PURPOSE

To describe the circumstances where leave without pay is granted.

II. POLICY

It is the policy of the State of Oregon that an appointing authority or designated representative grant leave without pay in accordance with law or policy or when an employee's accrued leave is exhausted and the employee's absence will not seriously impact operations.

This policy specifically addresses the reasons under which leave without pay is granted based on state policy or statute. The decision to grant leave without pay for other reasons shall be at the discretion of the Human Resources Administrator and may be granted where the work of the department will not be seriously impacted by the absence of the employee.

A. General provisions

1. Leave without pay shall not be granted until all appropriate leave is exhausted, except when an employee chooses to maintain a balance of no more than 40 hours of sick leave while receiving short term disability insurance benefits provided through the Public Employees' Benefit Board. Additional exceptions are provided by statute and in the following policies:
 - a. ODFW HR_460_11 Statutorily Required Leaves with and without Pay
 - b. ODFW HR_460_04 Family and Medical Leave
 - c. ODFW HR_460_10 Military Leave
 - d. ODFW HR_460_01 Sick Leave with Pay
2. The appointing authority may grant leave without pay for reasons not specified in this policy when the absence of the employee will not seriously impact the work of the agency.

3. Leave without pay shall not be granted to an employee who is accepting employment outside of state service, unless the appointing authority approves the employment as a benefit to the state.
4. Leave without pay over 15 consecutive calendar days effects an employee's recognized service date (RSD) and salary eligibility date (SED) by the total amount of calendar days the employee is on leave without pay. For example, if the leave without pay is for 16 calendar days, the employee's RSD and SED shall be adjusted by 16 days.
5. The RSD and SED do not change for leave without pay for:
 - a 15 calendar days or less
 - b Military leave
 - c Family and Medical Leave
 - d Workers' Compensation.
5. Leave without pay totaling 11 or more working days in a month affects an employee's PERS retirement calculation.
6. All approved leave without pay must be supported by documentation showing why leave was requested and why it was granted.

B. Sick and Disability Leave

1. The Human Resources Administrator shall grant sick/disability leave without pay for any job-incurred injury or illness after the employee has exhausted all accrued sick leave, vacation leave, and personal leave. The department will make the determination if the job incurred injury or illness also qualifies as family and medical leave under HR_460_04, Family and Medical Leave. The sick leave without pay shall end upon request by the employee for reinstatement accompanied by a physician's certificate.
2. After all appropriate accrued leave has been exhausted, the Human Resources Administrator may grant leave without pay for a non-job-incurred injury or illness. The department will make the initial determination if the non-job-incurred injury or illness also qualifies as family and medical leave under HR_460_04, Family and Medical Leave.
3. The Human Resources Administrator may require that the employee submit a certificate from the attending physician or practitioner in verification of the need for leave resulting from a job-incurred or non-job-incurred injury or illness. Any out-of-pocket cost associated with the supplying of a certificate concerning a job-incurred injury or illness that is not covered by Workers' Compensation benefits shall be borne by the department. Any out-of-pocket cost associated with the supplying of a certificate concerning a non-job-incurred injury or illness shall be borne by the employee. Failure or refusal of the employee to submit a certificate that clearly

indicates a need to preclude the employee from the performance of duties may result in disciplinary action up to and including dismissal.

4. Prior to returning from an injury or illness related leave without pay, the supervisor and/or the Human Resources Administrator may require the employee to submit a release to return to work from an attending physician or practitioner.