

## M. PAID LEAVES OF ABSENCE

### GENERAL POLICY

It is the policy of Scott County to grant its employee paid leaves of absence in accordance with the specific and limited provisions of this policy. Included under this policy are bereavement leave, military leave, jury duty, and investigative leave.

### SCOPE

This policy is applicable to the following:

All employees responsible to the Scott County Board of Supervisors;

All employees responsible to a county elected office holder and the Board of Supervisors have certified its applicability;

All employees not directly responsible to either the Board of Supervisors or an elected office holder and whose governing body and the Board of Supervisors have certified its applicability.

Whenever the provisions of this policy are in conflict with the Code of Iowa, or with a collectively-bargained agreement between the County and a certified bargaining unit, the provisions of the collectively-bargained agreement and/or the Code of Iowa will prevail.

### BEREAVEMENT LEAVE

Regular County employees are eligible for a paid leave of absence of up to three days for a death in the immediate family for purposes of attending the funeral or attending to funeral related matters in the same week. An employee with permission of the department head may delay all or a portion of the bereavement leave until the actual memorial service. Payment will be made on the basis of the employee's straight time hourly rate of pay in effect at the time the leave is taken. Only days absent which would have been compensable work days will be paid, and no payment will be made while an employee is on leave of absence without pay.

For the purpose of determining eligibility for bereavement leave, immediate family shall be defined as including spouse, child, step-child, parent, step-parent, mother-in-law, father-in-law, daughter-in-law, son-in-law, brother, sister, brother-in-law, sister-in-law, step-brother, step-sister, grandparent, spouse's grandparent, grandchild, step-grandchild, legal ward, or other resident in the employee's household.

Extensions of the three day bereavement period may be granted by the department head due to the close nature of the family relationship (e.g. spouse, parent, or child) or in the event long distance travel is involved. However, in no event shall bereavement leave exceed five working days. The department head retains the discretion to grant additional leave charged to the employee's paid leave bank depending on the circumstances.

In the event of the death of a Scott County Employee, the Elected Official / Department Head shall have the discretion to grant bereavement leave to their departmental employees to attend funeral and visitation services. Every attempt shall be made to ensure the daily activities of the department are not reduced and that the service to the public is maintained.

### **MILITARY LEAVE**

Military leave shall be granted in compliance with state and federal law. Employees, other than employees employed temporarily for six months or less, ordered by proper authority to active state or federal service, or to fulfill annual military training obligations, shall be entitled to a leave of absence for the duration of said military assignment and in addition, the first thirty calendar days of such leave shall be with full pay and benefits for those days that the employee would normally perform services. The remainder of such leave shall be without pay or benefit accrual. If the workday for an employee encompasses more than one calendar day, the employee shall only be required to take a leave of absence for one day for that workday.

Employees returning to work from military leave of 1-30 calendar days must report back to work on the first regularly scheduled work day following completion of service, after allowance for safe travel and an 8 hour rest period. Employees returning from military service of less than 30 days shall be returned to the position held prior to the military leave of absence, or to a similar position, provided that such person is still qualified to perform the duties of such position. Employees returning to work from absences greater than 30 days shall comply with federal law.

Employees seeking a military leave of absence shall provide as much advance notice as known of his/her official military orders to the appropriate Department Head/Elected Official. Requests for thirty calendar days or less may be approved by the Department Head/Elected Official. The Department Head/Elected Official should report requests of more than thirty calendar days in any one calendar year to the Human Resources Director. Any potential abuses of military leave should be reported to the Human Resources Director.

### **JURY DUTY**

Regular County employees are eligible for a paid leave of absence while serving on jury duty or testifying in court as the result of a subpoena. Employees shall be paid their straight time hourly rate for all regularly-scheduled work time lost up to eight hours per day/forty hours per week.

In order for an employee to receive payment for jury duty, she/he must submit certification of service. The employee shall receive the difference between any compensation received for jury duty and her/his straight time hourly rate of pay for all work hours lost as a result of such jury duty. An employee may, as an alternative to the above, assign to the County that remuneration which is duplicate compensation, in which case no adjustments will be made to the employee's regular hourly rate, less mileage reimbursement.

In order for an employee to receive payment for work time lost as the result of being subpoenaed to testify in a state or federal court proceeding, she/he must provide evidence of the subpoena. The employee shall receive the difference between any compensation received for testifying and her/his straight time hourly rate of pay for all work hours lost as a result of the subpoena requirement. This provision shall not apply to court matters in which the employee is personally involved (e.g., as plaintiff, defendant, expert witness, etc.), nor shall it apply to situations in which the employee is testifying in her/his capacity as a County employee.

All requests for a leave of absence due to being called for jury duty or being subpoenaed to testify in court should be submitted to the appropriate department head as far in advance as possible.

Upon completion of jury duty or testimony by subpoena, the employee shall report to work within one hour, except where less than one hour remains in the employee's regular working day. Employees scheduled to work outside of normal court hours shall not be required to report to work if they are scheduled to report to jury duty the following day, allowing for an 8 hour rest period.

### **INVESTIGATIVE LEAVE**

Investigative leave is defined as a leave with pay that is imposed on an employee during the period that the employee's conduct is under examination.

The department head or elected official may place an employee on investigative leave for up to three days. If the department head or elected official wishes to place an individual on investigative leave for more than three days, he/she must receive the concurrence of the County Administrator, the Human Resources Director, and the County Attorney. In no event shall an employee be placed on investigative leave for more than ten working days.

At the conclusion of the investigative leave the department head or elected official shall have the following options with regard to the employee being investigated:

1. Allow the leave to expire and return the employee to normal duties.
2. Instigate the normal disciplinary process for that employee (up to and including termination).
3. Allow the leave to expire and return the employee to work at reassigned duties during the duration of an investigation at the same rate of pay.