

SECTION 21. ADMINISTRATIVE LEAVE

(As amended December 11, 2007, October 21, 2008, July 12, 2011, and June 30, 2015)

21-1. Authorized uses of administrative leave. The CAO may grant administrative leave to an employee:

- (a) in a general emergency;
- (b) when an unhealthy or dangerous situation exists at a County facility;
- (c) who is relieved of duty pending:
 - (1) an investigation of an incident or charge;
 - (2) removal from the employee's position; or
 - (3) a determination of the employee's fitness for duty;
- (d) to attend officially approved meetings, conferences, seminars, or training, or as paid professional improvement leave;
- (e) subpoenaed as a witness in a civil or criminal case or an administrative proceeding, unless the employee is subpoenaed as a witness in a civil case:
 - (1) that is unrelated to the employee's official duties; and
 - (2) to which the employee is a party;
- (f) required to serve on a jury;
- (g) for bereavement, under Section 21-2 of these Regulations;
- (h) for military service or military training under Section 22 of these Regulations;
- (i) who is injured on the job, until the Risk Management Division of the Department of Finance determines if the employee is eligible for disability leave;
- (j) under other circumstances where the CAO determines that granting administrative leave is in the best interest of the County;
- (k) for up to two hours to vote if the employee's work schedule on the day of an election does not allow at least 2 consecutive hours off while the polls are open;
- (l) to serve as an organ donor, under Section 21-4 of these Regulations; and
- (m) for an interview for other positions in County Government.

21-2. Limits on administrative leave for bereavement.

- (a) The Department Director may grant administrative leave to an employee who has experienced the death of a member of the employee's immediate family, under Section 1-32 of these Regulations.
- (b) Upon written request, the OHR Director may grant administrative leave to an employee who has experienced the death of an individual outside of the employee's immediate family who was related to the employee through blood or marriage or an individual with whom the employee had a close association that was the equivalent of a family relationship, if:
 - (1) there is demonstrated objective proof of an extremely close relationship between the individual and the employee, such as
 - (A) the individual was living with the employee at the time of death;
 - (B) the individual and the employee grew up together in the same household; or
 - (2) extenuating or special circumstances exist.
- (c) For each occasion, the maximum amount of administrative leave that an employee may use as bereavement leave is:
 - (1) 3 calendar days within 15 days of the death for a firefighter who works 24-hour shifts; and
 - (2) 3 workdays within 15 days of the death for any other employee.

21-3. Limits on administrative leave for injury on the job. If the Risk Management Division of the Department of Finance determines that an employee is not eligible for Workers' Compensation benefits for an injury on the job, the County must adjust the employee's leave balances or pay to reimburse the County for the administrative leave that the employee was granted for the injury on the job. The County should deduct leave from the employee's leave balances first but, if the employee has no leave, may take the value of the leave from the employee's pay.

21-4. Limits on administrative leave for organ donors.

- (a) The Department Director may grant administrative leave to an employee for:
 - (1) up to 7 days in any 12-month period to serve as a bone marrow donor; and
 - (2) up to 30 days in any 12-month period to serve as an organ donor.

- (b) The organ donor leave is in addition to any annual leave, sick leave, personal days, or paid time off that the employee is otherwise entitled to.
- (c) The employee must provide medical documentation of the bone marrow or organ donation before organ donor leave is approved.

21-5. Limits on administrative leave for general emergency. An employee will not be eligible for administrative leave for a general emergency if an employee is AWOL on either the employee’s last regular workday before or first regular workday after the general emergency, or AWOL on both days,

21-6 Appeal of administrative leave decision. An employee with merit system status who is adversely affected by an alleged improper, inequitable, or unfair application of the County’s regulations and policies on administrative leave may file a grievance under Section 34 of these Regulations.

Editor’s note – The subjects covered in this section of the Personnel Regulations are addressed for bargaining unit employees in the current collective bargaining agreements as indicated below:

Bargaining unit	Articles of current agreements with references to administrative leave
Firefighter/Rescuer	2, Organizational Security 3, Union Activities 9, Administrative Leave 10, Disability Leave 19, Wages 38, Contract Grievance Procedure 48, Job Sharing Program
OPT/SLT	16, Leave Without Pay 17, Disability Leave 19, Administrative Leave 34, Safety and Health 36, Union Activities

Police	2, Administrative Leave 15, Hours and Working Conditions 17, Disability Leave and Injury on the Job 27, Secondary Employment 29, Physical Fitness Awards 35, Vehicles 55, Job Sharing Program 61, Directives and Administrative Procedures
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