



ADMINISTRATIVE DIRECTIVE

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|---|----------------|-------------------------|
| LEAVES WITHOUT PAY – OTHER (NOT FAMILY MEDICAL LEAVE (FML), MEDICAL/PARENTAL OR MILITARY LEAVES) | NUMBER | PAGE |
| | 2.01-7F | 1 of 4 |
| EFFECTIVE DATE | | January 11, 2016 |

I. PURPOSE

To provide the terms and conditions applicable to any approved unpaid leave that is not Medical, Parental, or Military Leave (see A.D. 2.01-7D, Medical Leave and Parental Leave and/or A.D. 2.01-7G, Military Leave for terms on unpaid leave for these reasons).

II. POLICY

As part of the City of Tucson’s commitment to retaining highly qualified employees in the City service, when shown to benefit the City, employees are allowed to take an unpaid leave of absence in accordance with this directive and remain an employee of the City of Tucson. Leaves without pay under this policy will not be approved until the employee has exhausted all paid leave, with the exception of Sick Leave, as it does not apply to this policy. Paid leaves which must be exhausted include Vacation Leave, Compensatory Time, and, Floating/Birthday Holiday.

III. GENERAL PROVISIONS

A. Unscheduled Leave – Subject to the approval of the department director/designee, departments may place an employee on approved Leave Without Pay (LWOP) or unapproved Leave Without Pay (AWOL) when an employee has an unscheduled absence and has no accrued leave available for use, provided the leave is not due to a medical leave previously approved by Human Resources (A.D. 2.01-7, Employee Leaves).

B. Scheduled Leave – Subject to the approval of the department director/designee, with concurrence of the HR Director/Designee, departments may place a permanent employee on a scheduled leave of absence without pay when the purpose for the leave can be demonstrated to benefit the City. Such leaves will not be regarded as a right of employment and will be approved only when the organization will not be adversely affected. Duration of the leave is limited to 12 consecutive months.

Such leaves may include the following:

1. **Full-Time Employment Outside the City's Service** – Leave will be denied unless it is clearly demonstrated that the position will be temporary and the experience gained will benefit the City.
2. **Educational Purposes** – Leave will be denied unless it is clearly demonstrated that the experience gained will benefit the City.
3. **Personal Purposes** – Other leaves without pay will be denied unless it is clearly demonstrated that it will benefit the City.



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|---|----------------|-------------------------|
| LEAVES WITHOUT PAY – OTHER (NOT FAMILY MEDICAL LEAVE (FML), MEDICAL/PARENTAL OR MILITARY LEAVES) | NUMBER | PAGE |
| | 2.01-7F | 2 of 4 |
| EFFECTIVE DATE | | January 11, 2016 |

IV. EFFECTS ON EMPLOYMENT

- A. Leaves without pay, when approved in accordance with this directive, do not constitute a break in service and do not affect seniority in class for purposes of the Civil Service Rules. An employee on approved Leave Without Pay remains an employee of the City of Tucson and is entitled to all rights and privileges provided by the Civil Service Rules (e.g., seniority rights during layoff). While on leave, the employee must also comply with all City Administrative Directives.

Employees on unpaid leave for more than one-half (1/2) of a pay period are not entitled to leave accruals.

- B. Leaves without pay for more than the equivalent of two consecutive workweeks will affect an employee's anniversary date, leave accrual and certain premium pay/allowances.

1. The pay anniversary date will be moved forward the number of calendar days the employee was on Leave Without Pay, except for employees on approved FML and Military Leave.
2. Employees will not accrue Sick Leave, Vacation Leave, or longevity credit while on approved Leave Without Pay; the date of eligibility for increases in leave accrual rates will be moved forward the amount of time the employee was on Leave Without Pay, except for employees on approved FML and/or Military Leave.
3. The following premium pay/allowances will be suspended and/or pro-rated for any Leave Without Pay of more than the equivalent of two consecutive workweeks, including, but not limited to:
 - a. Certification Pay
 - b. Certified Bilingual Pay
 - c. Downtown Parking Allowance
 - d. Fire Inspectors Certification Pay
 - e. Equipment and/or Uniform Allowance (non-commissioned personnel only)
 - f. Executive Vehicle Allowance
 - g. Insurance Allowance for Commissioned Fire personnel (HSAK1)
 - h. Second Language Pay



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|---|----------------|-------------------------|
| LEAVES WITHOUT PAY – OTHER (NOT FAMILY MEDICAL LEAVE (FML), MEDICAL/PARENTAL OR MILITARY LEAVES) | NUMBER | PAGE |
| | 2.01-7F | 3 of 4 |
| EFFECTIVE DATE | | January 11, 2016 |

V. EFFECTS ON BENEFITS

See A.D. 2.01-7, Employee Leaves, for complete information regarding the use of Leave Without Pay and its effects on employee benefits.

VI. PROCESS TO REQUEST LEAVE WITHOUT PAY

- A.** If the Leave Without Pay is for the equivalent of two consecutive work weeks or less, a Request for Leave of Absence form (leave card) must be prepared and submitted at the end of the pay period(s) to which it pertains.
- B.** If the Leave Without Pay is for more than the equivalent of two consecutive work weeks the following steps must be followed:
 - 1.** The request must be made in writing (memorandum) to the employee's department director/designee four (4) calendar weeks in advance of the date the leave is to begin. In case of an emergency, the department director/designee may waive the four-week notice period.
 - 2.** When approved by the department director/designee, the Human Resources Director/Designee will review and submit the memo for final approval by the City Manager/Designee.
 - 3.** Once approved, a Personnel Action Request Form (PARF) must be prepared and submitted to Human Resources with a copy of the signed memo attached as soon as possible, and no later than the beginning of the pay period to which it pertains.
 - 4.** A separate PARF must be submitted to Human Resources before the employee returns to work, or before a leave of absence is extended.
- C.** Leaves without pay may be terminated by the employee prior to the expiration date only with the approval of the department director/designee and concurrence of the Human Resources Director/Designee.
- D.** Failure of an employee to report for duty promptly upon expiration of the leave will result in the employee being considered AWOL, and is just cause for discharge.



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| | 2.01-7F | 4 of 4 |
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Appendices None

References (for a complete list of references for the entire AD Leaves series, please see AD 2.01-7)

2.01-7 Employee Leaves
2.01-7C Family and Medical Leave (FML)
2.01-7D Medical Leaves and Parental Leave
2.01-7G Military Leave
Civil Service Rules and Regulations
Tucson City Code Part II, 10-34

Review Responsibility and Frequency The Human Resources Director will review this directive as needed.
Last review date: 7/1/2013.

Authorized



City Manager



Date