



Supervisor's Guide to Leave Management

BASIC GUIDELINES

- Employees cannot take leave whenever they want.
- Leave taken must be accrued and approved based on agency policy.
- Supervisors can designate unauthorized leave, including tardiness, as an unscheduled absence this means the leave can be considered unpaid leave without pay.
- An employee can also face disciplinary action for unscheduled absences.

FAMILY MEDICAL LEAVE ACT

One important exception to the leave principles above is when an employee qualifies for Family Medical Leave, or FMLA:

- FMLA can be used by employees who have worked for a covered employer for 12 months and have worked more than 1250 hours in the past 12 months.
- FMLA can be used for the following 6 reasons:
 - ⇒ Employee's own serious health condition
 - ⇒ To care for a spouse, parent, or child with a serious health condition
 - ⇒ Military exigency leave
 - ⇒ Military caregiver leave
 - ⇒ Birth of or care for a newborn child
 - ⇒ Placement for adoption or foster care and care for a newly placed child
- FMLA provides up to 12 weeks of unpaid leave.
- Supervisors may not punish an employee for using FMLA leave.
- Supervisors should consult with their HR office whenever they have or believe they might have an employee who qualifies for FMLA leave.

UNSCHEDULED ABSENCES

- Civil Service rules allow for the non-disciplinary removal of an employee who has seven or more unscheduled absences in a 26-week period.
- FMLA absences may not be counted when applying this rule.
- Before applying this rule, supervisors must counsel employees and provide notice of the rule.
- Supervisors should always work with their agency HR offices when considering this rule.



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TYPES OF LEAVE

There are different types of leave:

Annual leave

- ⇒ Must be approved by the employee's supervisor (except for valid FMLA usage)
- ⇒ Can be denied if a valid business reason exists

Sick Leave

- ⇒ Cannot be denied if it is accrued, legitimate, and the employee followed agency procedure for approval
- ⇒ Supervisors can request doctor's note at any time and for every absence (EXCEPT for FMLA usage)
- ⇒ Supervisors can request a doctor's note from one employee and not others, if that employee uses sick leave often or if a supervisor suspects the employee is abusing sick leave

Compensatory Leave (k-time)

- ⇒ Employees must get approval to use accrued k-time
- ⇒ K-time leave requests may be denied if there is a valid business reason for doing so
- ⇒ Appointing Authorities may require an employee to take k-time at any time

Leave Without Pay

- ⇒ Authorized Leave Without Pay is often used for employees who have approved leave requests, but not enough leave on the books
- ⇒ Unauthorized Leave Without Pay is used when an employee takes time off that was not approved - which can lead to disciplinary action