



**SUBJECT: LEAVE OF ABSENCE**

**POLICY:** At its option, the District may grant an unpaid Leave of Absence (LOA) to department members for the purposes of medical issues, schooling, internship, seasonal job, and/or any other rare occurrence deemed appropriate by the Chief or his designee. Approval of such leave is at the sole discretion of the Chief or his designee. Military leave terms will be established by state and federal laws. See RCW 73.16.032 - 035 and the Uniformed Services Employment and Reemployment Rights Act (USERRA) (38 USC ss4301 through 4335).

**PURPOSE:** To allow members in good standing to take a Leave of Absence for any of the purposes outlined above, and return to the department without going through a competitive testing process. To also outline the process by which members may request a LOA and/or return from a LOA.

**DEFINITION:** An unpaid Leave of Absence is defined as being inactive from department duties and requirements for more than 30 days and up to 90 days. Military and medical leave terms will be set on a case-by-case basis, at the discretion of the Chief and as outlined by applicable law. Any other LOA may, at the Chief's discretion, be extended past 90 days.

**SCOPE:** All District members.

**PROCEDURE: Request for Leave:**

Members may request a Leave of Absence by submitting a Request For Leave Of Absence form to Human Resources, detailing the reason for the request and the estimated return time, not later than 30 days prior to the beginning of the requested leave.

Thirty-day notice may be waived in the case of a military leave when a service member is called to immediate duty, but notice must still be given. Written military orders shall be provided by the service member after 30 days of military leave as provided by the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA). For more information regarding employee rights and responsibilities under USERRA, log on to <http://www.dol.gov/elaws/userra.htm>.



Members requesting a medical leave shall submit a doctor's note of restriction from duty with a brief explanation of the medical issue and the estimated time off required. Depending on the severity of the medical condition, the request for leave may also fall under any applicable guidelines of the Family Medical Leave Act.

Full-time paid employees shall exhaust all vacation and comp time prior to beginning a LOA. In the case of a medical leave, sick time must also be exhausted prior to requesting an unpaid LOA. No benefits shall be provided while on LOA, nor shall any LEOFF/PERS contributions be made. No sick leave, vacation time or comp time will accrue during the unpaid LOA. Full-time, paid employees will not accrue seniority during the period of the LOA.

Vacation and comp time benefits need not be exhausted in the case of a military leave, but may be used at the request of the service member. Seniority and benefit levels will be restored to an employee returning from military leave, but benefits will not accrue during the period of leave. Employees on military leave may recover retirement credit equal to the duration of the leave as applicable under state and federal laws. Additional information can be obtained from the Board for Volunteer Firefighters website ([www.bvff.wa.gov/forms.html#military](http://www.bvff.wa.gov/forms.html#military)) for volunteers and from the State of Washington Department of Retirement Systems website ([www.drs.wa.gov/publications/member/military/plan23mil.htm](http://www.drs.wa.gov/publications/member/military/plan23mil.htm)) for full and part-time employees.

All District issued items will be collected by the District from any member approved for a LOA. An exit TB test and exit survey will also be required prior to beginning a LOA. Failure to comply with either of these terms will render the request for leave void. Computer access and facility use will be restricted while a member is on a LOA.

#### **Return from Leave:**

Once on a Leave of Absence, it is the member's responsibility to request a return by submitting a Return From Leave form to Human Resources, no later than 4 weeks prior to the LOA expiration date. Should the expiration date on the LOA pass, the employee shall be considered voluntarily terminated (volunteer and part-time personnel) or resigned (full-time personnel).



---

Members returning from a leave of 90 days or more will be required to complete the following steps at their own cost.

- Drug Screen by District approved facility
- Physical Exam by District physician
- Driving Record
- TB Test
- Training Evaluation

Members returning from a military or medical leave may have the costs associated with the above items waived.

Members returning from a medical leave of any duration will be required to submit a doctor's release from their treating physician, as it pertains to the member's job description. This release may substitute for the required physical exam above, at the Chief's discretion.

Full-time and part-time, paid employees may only return from a LOA should a corresponding full-time or part-time position, at the same rank or below, be vacant.

Employees returning from military leave may be reinstated to their original or like position for up to 5 years after the beginning of the military leave as provided under USERRA.