

RULE 15

LEAVE OF ABSENCE WITH PAY

15.01 Purpose

A leave of absence with pay will be provided under the following circumstances. (CSC 12/15/15)

A. Bereavement Leave (CSC 11/21/95) (CSC 12/15/15)

A leave of absence of three working days shall be granted to an employee who suffers a death of a Family Member. For purposes of this section, "working day" shall refer to the number of hours an employee would be regularly scheduled to work on the day that bereavement leave is used.

The leave may be used intermittently provided the intermittent use is approved in advance by the employee's supervisor and is exhausted within five working days from the date the employee first used Bereavement Leave.

Additional time off without pay may be granted as may reasonably be required under individual demonstrated circumstances. The employee may elect to concurrently use accrued vacation, sick leave and/or compensatory time to remain in paid status.

B. Religious Holiday (CSC 12/15/15)

Employees may observe religious holidays on days which do not fall on Sunday or on a holiday observed by the City. Such days shall be taken off without pay unless:

1. The employee has accumulated vacation benefits available in which case the employee shall be required to take such days off as vacation or without pay, or
2. The employee obtains supervisory approval to work an equivalent number of days at some other time during the fiscal year.

C. Jury Services

An employee in the classified service who serves as a juror will be granted leave with pay while serving on jury duty. This is contingent upon the employee refunding to the City any fees received.

D. Witness Fees

No employees will accept witness fees in any criminal case or any civil case to which the State of Minnesota, the County of Hennepin or the City of Minneapolis is party. Any person employed in the service of said city (Minneapolis), who shall be called as a witness to give testimony in any criminal action or proceeding before any justice of the peace of said county, the municipal court of the City of Minneapolis, the district court, the probate court or the grand jury of said county or before a coroner's jury, or in any civil action or proceeding before any of said courts wherein the State of Minnesota, the County of Hennepin or the City of Minneapolis is a party, shall not receive any witness fee or compensation whatever for so appearing and testifying; provided, however, that the compensation paid by the city or county to such officer or employee for his services shall not be reduced by reason of his absence from work while attending as such witness. Furthermore, when the employee is required to travel outside the City of Minneapolis to be a witness pursuant to the above provisions, the travel time with pay allowed will be computed on the basis of the fastest available method of transportation. (CSC 12/15/15)

The above provisions will also apply to the following:

1. In any criminal case to which the Federal Government is a party and in which the employee is subpoenaed as a federal witness.
2. In any case where the employee's relation to the case arose from the proper performance of the duties of the employee's City position, provided that the employee may accept witness fees and reimbursements. Such leave will be contingent upon the employee refunding to the City any witness fees that have been received.

E. Military Duty

Pursuant to Minnesota State Law, an employee is entitled to leave without loss of pay to fulfill military service obligations. (CSC 2/26/91) (CSC 2/24/09)

F. Olympic Competition

Pursuant to Minnesota State Law, a City employee is entitled to leave without loss of pay to participate as a qualified member of the United States Olympic team for an athletic competition in a sport sanctioned by the International Olympic Committee, provided that the period of such paid leave will not exceed the period of the official training camp and competition combined or ninety calendar days a year, whichever is less. (CSC 10/15/87)

G. Bone Marrow and Organ Donors

Pursuant to Minnesota State Law, an employee is entitled to leave without loss of pay who seeks to undergo a medical procedure to donate bone marrow or to donate an organ. Appropriate medical verification shall be required. (CSC 12/15/15)

H. Investigatory Leave

A department head may place an employee who is the subject of a misconduct investigation on an investigatory leave with pay. (CSC 2/24/09) (CSC 12/15/15)

I. Voting Leave (CSC 12/15/15)

Pursuant to Minnesota State Law, an employee is entitled to leave without loss of pay to vote. An employee claiming leave for voting who does not cast a ballot or utilizes the time off for an unauthorized purpose may be subject to disciplinary action.

J. Workers' Compensation

Employees in the classified service, who sustain a work-related injury as defined by Minnesota Statutes Chapter 176, may use sick leave or vacation to supplement workers' compensation wage loss benefits received. If sick leave or vacation is used it will be considered that the payments of full salary include the worker's compensation to which the employees are entitled under the statute, and the employees will receipt for such compensation payments. If sick leave or vacation is used, the employees' sick leave or vacation credits will be charged only for that number of days represented by the amount paid to them in excess of the worker's compensation payments to which they are entitled under the statute. If an employee is required to reimburse the City for the compensation payments thus received, by reason of the employee's settlement with a third party, his/her sick leave or vacation will be reinstated for the number of days which the reimbursement equals in terms of salary. In calculating the number of days, one-half day or more will be considered as one day, and less than one-half day will be disregarded. (CSC 12/15/15)

15.02 Right of Employee to Retain Position after Leave

An employee a granted a leave of absence with pay under Rule 15 will at the expiration of the leave will be restored to their position. (CSC 12/15/15)

15.03 Failure to Report after Leave

Failure of an employee to report to work at the expiration of leave will be considered a resignation and will be reported to the Human Resources Department. (CSC 2/24/09) (CSC 12/15/15)