

SALT LAKE COUNTY HUMAN RESOURCES POLICY & PROCEDURE
LEAVE PRACTICES

REFERENCE

Utah Code Annotated 63-13-2 as amended, 2000

Uniformed Services Employment & Re-employment Rights Act, 1994; 38 U.S.C.; 4301-4333

Utah Code Annotated 39-1-36 as amended, 1989

Human Resources Policy & Procedure:

- General Definitions
- Employee Incentive Procedure
- Employment Status
- Family and Medical Leave (FMLA)
- Overtime and Compensatory Time
- Pay Practices
- Sick Leave Bank
- Termination of Employment
- Workers' Compensation

PURPOSE

To explain the circumstances under which an employee may take time off work.

SUBJECTS COVERED IN THIS POLICY

- Administrative Leave
- Funeral Leave
- Holidays
- Incentive Leave
- Jury/Witness Leave
- Leave Without Pay
- Long Term Disability
- Military Leave
- Reasonable Accommodation
- Return To Work
- Sick Leave
- Special Leave
- Vacation
- Workers' Compensation
- Voluntary Furlough

PROCEDURE**1.0 ADMINISTRATIVE LEAVE**

1.1 An employee who has been granted administrative leave by the Mayor, Elected Official or an Administrator shall be paid at his or her current rate of pay, for time off during scheduled working hours.

1.2 Employees may be placed on administrative leave when, in the opinion of the Mayor, Elected Official or Administrator, it is in the best interest of the County.

2.0 FUNERAL LEAVE

2.1 In the event of death of a member of the employee's immediate family (see Human Resources Policy 5025: General Definitions, other relative or close friend, employees in the following employment statuses may be granted funeral leave: 02 full-time merit, 03

probationary, 04 provisional, 08 part-time merit with County benefits, and 12 time limited appointed. The amount of funeral leave granted (up to the maximum allowed per 2.1.1 and 2.1.2) is at the discretion of the agency based upon the employees' unique circumstances and the needs of the agency. An employee who has been granted funeral leave shall be paid, at his or her current rate of pay, for time off during scheduled working hours in the following manner:

- 2.1.1 Death in the immediate family - time off not to exceed five working days (not to exceed 40 hours).
- 2.1.2 Death of other relatives or friends - time off up to a maximum of five hours.
- 2.2 If additional time off beyond what is permitted in this policy is necessary, an employee may request to use vacation or leave without pay as appropriate.
- 2.3 In the event of the death of a member of the immediate family while an employee is on vacation, the vacation may be extended by the amount of time permitted by this policy.

3.0 HOLIDAYS

3.1 The following days are defined as legal holidays during which most offices of County government will be closed:

The 1st day of January	New Year's Day
The 3rd Monday of January	Martin Luther King Day
The 3rd Monday of February	President's Day
The last Monday in May	Memorial Day
The 4th day of July	Independence Day
The 24th day of July	Pioneer Day
The 1st Monday of September	Labor Day
The 11th day of November	Veterans Day
The 4th Thursday of November	Thanksgiving Day
The Friday After	Thanksgiving
The 25th day of December	Christmas Day

- 3.1.1 In the event that a holiday falls on a Sunday, it shall be observed on the following Monday. In the event that a holiday falls on a Saturday, it shall be observed on the preceding Friday.
- 3.2 Some County offices may be required to remain open for business on legal holidays.
 - 3.2.1 Employees who work on holidays shall be paid at straight time unless the requirements for overtime, as defined in Human Resources Policy 5420: Overtime and Compensatory Time, are met.
- 3.3 If a holiday occurs while an employee is on vacation or sick leave, the employee shall not be charged with vacation or sick leave on the day of the holiday.
- 3.4 The first eight hours of vacation taken each calendar year in a single pay period shall be considered the personal preference holiday and shall not be deducted from accrued vacation.
 - 3.4.1 Employees must be eligible to use and accrue vacation in order to use the preference day.
 - 3.4.2 Preference days are not cumulative and will be forfeited if not used within the calendar year.
- 3.5 Employees in the following employment statuses are eligible for paid leave on holidays: 02 full-time merit, 03 probationary, 04 provisional, 12 time limited appointed.
- 3.6 Employees in the following employment statuses are eligible for paid leave on holidays

on a pro-rated basis based upon the number of hours which the employee is normally scheduled to work weekly (i.e. 20 hours per week entitles the employee to 4 hours of paid leave, 30 hours per week entitles the employee to 6 hours of paid leave, etc.): 04 provisional, and 08 part-time merit with County benefits.

3.6.1 Any employee eligible for benefits who works an alternative schedule shall be awarded holiday pay on the basis of their FTE.

3.6.2 To be eligible for holiday pay, an employee must be in an eligible pay status the day before the holiday is observed.

3.7 Employees in the following categories are not eligible for paid leave on holidays: 05 temporary, and 09 part-time merit without County benefits.

4.0 INCENTIVE LEAVE

4.1 In accordance with Human Resources Policy 5530: Employee Incentive Procedure, employees shall be eligible for leave WITH pay for commendable performance.

4.1.1 An employee who has been granted incentive leave shall be paid, at his or her current rate of pay, for time off during scheduled working hours.

5.0 JURY/WITNESS LEAVE

5.1 In response to a subpoena or direction by the Federal Government, State of Utah or political subdivision thereof, employees in the following employment statuses are eligible for time off for jury/witness leave: 02 full-time merit, 03 probationary, 04 provisional, 08 part-time merit with County benefits, 09 part-time merit without County benefits, and 12 time limited appointed.

5.1.1 An employee who has been granted jury/witness leave shall be paid at his or her current rate of pay for time off during scheduled working hours and will **not** be entitled to the pay of fees received from services as a witness or juror for this same period of time.

5.1.2 Any income earned and received from jury or witness duty during the employee's scheduled working hours shall be turned over to the employee's Division, Department or Elected Office for reimbursement to Salt Lake County.

5.1.3 Time spent going to and from juror or witness duty is also considered to be an approved absence.

5.2 If an employee is subpoenaed for private litigation (as a plaintiff or defendant) or by some party other than the Federal Government, State of Utah or political subdivision thereof to testify, not in an official capacity, but as an individual, he or she may request to use vacation or leave without pay as appropriate.

6.0 LEAVE WITHOUT PAY

6.1 Employees in the following employment statuses are eligible for an unpaid leave of absence, not to exceed one year, for educational pursuits, family care, medical grounds or other reasons which may provide long-range benefits to County government and within the discretion of the Mayor upon recommendation of the Elected Official: 02 full-time merit, 08 part-time merit with County benefits, and 09 part-time merit without County benefits.

6.1.1 In exceptional cases, an additional period of leave without pay, of up to one year, may be granted upon recommendation of the Administrator or Elected Official and approval by the Mayor.

6.2 An employee may request leave without pay by submitting a written request to his or her Administrator. Refer to Human Resources Policy 5512 for FMLA provisions relating to leave without pay.

6.2.1 A request for less than thirty (30) days of leave without pay may be granted by the Administrator without approval by the Elected Official or the Mayor.

- 6.2.2 All requests for leave without pay of 30 days or more shall be submitted to the Elected Official or Department Director for recommendation to the Mayor.
 - 6.2.2.1 The approval shall be initiated by submitting a Personnel Action Form (CP4) with a letter of justification to the Human Resources Division.
- 6.3 While on leave without pay, an employee is not eligible for accumulation of sick leave, vacation or accumulation of retirement credits.
- 6.4 An employee on leave without pay in excess of 30 consecutive days may continue existing County insurance coverage by paying 50% of the **total** premium. The County shall pay the remaining 50%. An employee on an approved worker's compensation, FMLA or LTD leave is exempt from this requirement and shall be required to pay the same premium he or she normally pays.
 - 6.4.1 If an employee elects to discontinue his or her insurance coverage while on leave without pay, he or she shall be subject to certain pre-existing conditions and re-enrollment requirements of his or her individual insurance carrier unless the leave qualifies under the Family Medical Leave Act and Human Resources policy implementing the Act (see Human Resources Policy 5512).
- 6.5 An employee on leave without pay under provisions of Workers' Compensation will remain eligible for certain County benefits (except 401K contributions, sick and vacation accrual) in accordance with Human Resources Policy 5520: Workers' Compensation.
 - 6.5.1 For periods of 14 days or less, refer to Human Resources Policy 5520: Workers' Compensation.
- 6.6 An employee on leave without pay under provisions of Long Term Disability will remain eligible for certain County benefits as provided under Human Resources Policy 5500, Insurance Eligibility, except for accrual of leave and 401K; the employee's service date will also be adjusted.
 - 6.6.1 Administrators shall provide written notification to Long Term Disability applicants that the employee will be terminated after one year from the last day worked.
 - 6.6.2 One month prior to the actual termination, the Administrator shall notify the employee, in writing, of the pending termination date.
- 6.7 An employee on leave without pay shall not accumulate retirement benefits except when on Workers' Compensation or LTD.
 - 6.7.1 Time in leave without pay status shall not be counted toward retirement benefits.
 - 6.7.2 Contributions to the State Retirement Fund on behalf of the employee by the employer shall not be made while the employee is on leave without pay.
- 6.8 Upon return from leave without pay, the employee shall return to his or her former position, to a position with a comparable salary or to a position with an accommodation as provided in Human Resources Policy 5625: Reasonable Accommodation, within the department or elected office from which the leave was granted (See Human Resources Policy 5512 for FMLA exceptions).
 - 6.8.1 If there is not a vacant allocation to which the employee may be appointed, normal reduction-in-force (RIF) procedures shall be followed.
 - 6.8.2 If the position the employee formerly encumbered was abolished during the period of leave for purposes of RIF, the employee shall be considered as having encumbered the position at the time the position was abolished.
- 6.9 Upon return from leave without pay in excess of thirty (30) cumulative days in a twelve (12) month period, the employee's service date shall be adjusted to reflect the time spent in leave without pay status.
 - 6.9.1 The adjusted service date shall be used for determining the rate of vacation accrual, awarding employee service awards and employee service certificates and calculating Reduction-in-Force (RIF) points.
 - 6.9.2 An employee on Workers' Compensation or military leave shall not have his or

her service date adjusted.

- 6.10 Employees who are determined eligible for the Long Term Disability Program (LTD) shall be granted up to one year of medical leave without pay except as provided in Sections 6.10.1, 6.10.2 and 6.10.3 of this policy. Such time shall be computed from the last day worked (the date which initiated the three-month LTD elimination period) by the employee due to the disability.
- 6.10.1 Sick leave shall be used during this period, if available, until LTD benefits begin.
- 6.10.2 Vacation leave may be used if the employee wishes after exhausting all sick leave.
- 6.10.3 If the employee is unable to return to County employment within one year from the last day worked and has not used all available vacation leave, any remaining balance shall be paid out when the termination action is processed.
- 6.10.4 For eligible employees, LTD benefits begin after a three month waiting period beginning as of the last day worked.
- 6.10.5 After two months of approved enrollment under LTD, health insurance premiums are waived for up to twenty-two months or until eligible for Medicare/Medicaid, whichever occurs first.
- 6.10.6 Conditions for return to work shall include:
- 6.10.6.1 If an employee is able to return to normal duties within one year of the last day worked, the agency may restore the employee's prior position or a position with a comparable salary. If there is not a vacant allocation to which the employee may be appointed, normal reduction-in-force (RIF) procedures may be followed.
- 6.10.6.2 If the permanent partial disability prohibits the employee from performing the full level of job requirements, then the obligation to re-employ in the same position shall be set aside. Then the employing unit may place the individual in the best available position, with reasonable accommodation, for which the employee meets minimum qualifications if able to perform the essential job functions.
- 6.10.6.3 If the position the employee formerly encumbered was abolished during the period of leave for purposes of RIF, the employee shall be considered as having encumbered the position at the time the position was abolished.

7.0 MILITARY LEAVE

- 7.1 Employees in the following employment statuses are eligible for a paid leave of absence for military duty, not to exceed eleven (11) working days (88 hours) per calendar year: 02 full-time merit, 03 probationary, 04 provisional, 08 part-time merit with County benefits, and 12 time limited appointed.
- 7.2 If additional time off beyond what is permitted in this policy is required, an employee may, at his or her discretion, use vacation or leave without pay as appropriate.
- 7.3 A copy of the order requiring the attendance of an employee for military duty shall be given to the employee's Administrator before commencement of the leave and another copy shall be forwarded to the Human Resources Division for placement in the employee's personnel official file.
- 7.4 An employee ordered to active duty (activated or mobilized) shall be eligible to use the eleven days of military leave upon commencement of the active duty only if such leave has not been previously used during the calendar year.
- 7.4.1 If only a portion of the eleven days of military leave has been used, an employee ordered to active duty may use the remainder of his or her eleven days upon commencement of the active duty.

- 7.4.2 Once the eleven days of military leave have been used, an employee ordered to active duty will be placed in a leave without pay status for the remainder of his or her active duty unless the employee, at his or her discretion uses accrued vacation instead.
- 7.4.3 An employee returning from active duty shall be reinstated in accordance with Human Resources Policy 5400: Pay Practices.
- 7.5 Employees activated for military duty under provisions of the Uniformed Services Employment and Re-Employment Rights Act (USERRA) may be absent from employment for a period as required when serving under official orders and as prescribed in the Act.
- 7.6 Employees ordered to active duty will continue to accrue benefits under the Utah State Retirement System and retirement service credit will be adjusted for the period of active duty upon the return to employment.
- 7.7 The accrual of vacation and sick leave will be discontinued during the period of military activation, however; upon return to employment, vacation accrual rates will be credited based on total length of service including the period of military activation.
- 7.8 An employee on military leave without pay in excess of 30 days may continue existing County insurance coverage by paying 50% of the **total** premium after the first month of leave without pay. The County shall pay the remaining 50%.
- 7.9 If an employee elects to discontinue his or her insurance coverage while on military leave without pay, he or she may re-enroll within 30 days upon return to employment without a waiting period or pre-existing condition requirements.
- 7.10 Upon return from military leave without pay, the employee shall return to his or her former position or to a position with a comparable salary (where justified by organizational changes) without loss of seniority, pay or other employment rights that would have been accrued were it not for the military LWOP.
- 7.11 All conditions of eligibility for the benefits and rights provided under this policy are contingent upon the employee's compliance with the provisions of "USERRA".
- 7.12 Administrators shall not in any way discriminate or otherwise adversely treat employees based on their military active duty status.
- 8.0 SICK LEAVE
- 8.1 Employees in the following employment statuses shall accumulate sick leave according to the following formula: 02 full-time merit, 03 probationary, 04 provisional, 08 part-time merit with County benefits, and 12 time limited appointed.
- $$\text{Accrual} = \text{regular hours worked} \times (\text{times}) .04615$$
- 8.2 There is no limit on the amount of sick leave that may be accrued and carried forward to succeeding years.
- 8.3 Sick leave shall not be accrued during a period in which the employee has been granted leave without pay.
- 8.4 Pregnancy will be treated the same as any other medical condition.
- 8.5 Employees eligible for sick leave, who use little or none during the calendar year, will have a portion of their unused sick leave converted to additional vacation according to the following formula:
- $$\text{Accrued Credit} - (\text{minus}) \text{Used Credit} - (\text{minus}) 64 \text{ Hours} = \text{Converted Credit}$$
- 8.5.1 Employees may have, at year's end, the conversion of sick leave to vacation waived by submitting a written request to the Human Resources Division Director.
- 8.6 Sick leave may be used to cover an employee's absence from work due to their own illness or injury. Sick leave may also be used to cover an employee's absence from work to care for an ill or injured member of the employee's immediate family.

- 8.6.1 Whenever possible, employees should report their intended absence to their supervisor prior to the commencement of their scheduled work day.
- 8.6.2 Administrators have the responsibility to approve or disapprove sick leave requests, and may require the employee to provide medical clarification of illness or injury.
- 8.6.3 Whenever possible, medical and dental appointments should be arranged during non-working hours. In cases where these appointments must take place during working hours, the time off may be used as sick leave.
- 8.6.4 Sick leave may be used in increments of one quarter hour or more.
- 8.6.5 Sick leave shall not be used until the employee has completed one month of County employment.
- 8.7 Employees terminating County employment, for reasons other than retirement, shall not be compensated for any unused sick leave accumulated prior to the termination date.
- 8.8 Employees retiring pursuant to the provisions of the Utah State Retirement Act, the Utah Firemen's Retirement Act, and the Utah Public Safety Retirement Act, shall be paid for twenty-five (25%) percent of their accumulated sick leave at their current daily rate of pay. Payment for accrued sick leave shall be calculated by multiplying 25% of the hours accrued, through the day of termination, by the hourly rate in effect on the day of termination.
 - 8.8.1 Upon the death of an employee who otherwise was eligible for retirement and following a thirty (30) day waiting period after the date of death, the 25% sick leave pay out shall be paid to the personal representative of the employee's estate, or to such other person who evidences authority, under the Utah Probate Code, to collect the deceased employee's pay out as provided above.
- 8.9 When an employee transfers from one Division, Department, or Elected Office to another, the employee's accrued sick leave shall be transferred to the new Division, Department or Elected Office.
- 8.10 In the event an employee is reinstated in accordance with the Reinstatement paragraph of Human Resources Policy 5400: Pay Practices, the employee's accumulated sick leave hours shall be restored.
- 8.11 In the event an employee is injured on the job, he or she must apply for Workers' Compensation in accordance with Human Resources Policy 5520: Workers' Compensation. The employee may also use sick leave in accordance with the following formula:
 - Gross Monthly Compensation - (minus) Workers' Compensation =
Total Compensation Subject to Illness Leave Utilization.

The number of hours to be charged shall be determined by dividing the total amount subject to use by the appropriate hourly compensation rate.

 - 8.11.1 This shall not be construed as allowing a gross income, inclusive of workers' compensation, in excess of the employee's monthly salary.
 - 8.11.2 An employee reporting an accident or injury while performing his or her duties on the date of the accident will be paid for and considered to have worked that day.
 - 8.11.3 Time away from work following the date of injury will be used as sick leave except as provided under Compensation Payments of Human Resources Policy 5520: Workers Compensation.
 - 8.11.4 After an employee returns to work, partial absences from work which relate to the original injury (doctor's appointments, etc.) will be used as sick leave.
- 8.12 Additional sick leave may be advanced to a merit employee, not to exceed ninety-six (96) hours per calendar year, after approval by the Department Director or Elected Official.
 - 8.12.1 If less than 96 hours is advanced early in the year and a subsequent illness

occurs, the Administrator may advance additional time not to exceed the total of 96 hours in that year.

- 8.12.2 Balances owed from a previous year do not prohibit management discretion to advance additional time in a new year so long as the new outstanding balance does not exceed 96 hours.
- 8.12.3 The employee must agree to reimburse the County for any advanced sick leave which was used.
- 8.12.4 The employee must agree to reimburse the County for any or all of the advanced leave used if he/she fails to return to work or terminates employment prior to reimbursing the County for the advanced leave; the County may withhold the final paycheck or seek restitution from the employee.
- 8.13 Employees shall not be allowed to use sick leave for any period of time beyond, or in advance of, time already accrued, except as provided for in the preceding paragraph or in Human Resources Policy 5515: Sick Leave Bank.
- 8.14 The "donation" of sick leave by County employees to another employee, is not permitted.

9.0 VACATION

9.1 Employees in the following employment statuses shall accrue vacation according to the following schedule: 02 full-time merit, 08 part-time merit with County benefits, and 12 time limited appointed.

<u>COUNTY SERVICE</u>	<u>ACCRUAL</u>
Service date through the end of the 8th year	Regular hours worked x (times) .04615
Beginning of the 9th year through the end of the 16th year	regular hours worked x (times) .06923
Beginning of the 17th year and over	regular hours worked x (times) .09231

- 9.1.1 Probationary and provisional employees accrue vacation but are prohibited from using leave prior to completing one month of County employment.
- 9.2 If an employee has had his or her service date adjusted in accordance with current policy, the adjusted service date will be used for the purpose of determining the rate of vacation accrual.
- 9.3 Vacation shall not be accrued during a period in which the employee has been granted leave without pay.
- 9.4 Unused accrued vacation may be carried forward to succeeding years. However, no more than 40 days (320 hours) will be carried over from one year to the succeeding year.
- 9.5 Employees shall be entitled to use vacation at the discretion of the Division, Department or Elected Office in which they are employed.
 - 9.5.1 There is no limit on the amount of accrued vacation which may be used by an employee, subject only to the scheduling requirements of his or her Division, Department or Elected Office.
 - 9.5.2 Vacation may be used in increments of one quarter hour or more.
 - 9.5.3 Vacations are to be taken as time off and there will be no pay in-lieu of time off.
 - 9.5.4 Holidays occurring while an employee is on vacation will not be deducted from his or her accrued vacation.
 - 9.5.5 The first eight hours of vacation taken each calendar year in a single pay period shall be considered the personal preference holiday and shall not be deducted from accrued vacation.

- 9.5.5.1 Employees must be eligible to use and accrue vacation in order to use the preference day.
 - 9.5.5.2 Preference days are not cumulative and will be forfeited if not used within the calendar year.
 - 9.5.5.3 Status 08 part-time employees shall be awarded personal preference hours on the basis of their FTE, rounded to the nearest two decimals. For example, the first 6.40 hours of vacation for an FTE of .8 shall be personal preference hours.
 - 9.5.6 Employees shall not be allowed to use vacation for any period of time beyond, or in advance of, time already accrued.
 - 9.6 The "donation" of vacation by County employees to another employee is permitted only in accordance with Human Resources Policy 5515: Sick Leave Bank.
 - 9.7 Merit and time limited appointed employees who terminate County employment shall be paid for their accumulated vacation at their current daily rate of pay. Accrued vacation shall be paid for by the employing Department, Division or Office and reimbursed by the Employee Service Reserve Fund when an employee terminates County employment. Payment for accrued vacation shall be calculated by multiplying the vacation hours accrued by the hourly rate in effect on the day of termination.
 - 9.7.1 Temporary withholding of payment for accumulated vacation leave may be authorized when an employee is being terminated under circumstances in which the employee may owe money to the County or is holding County property.
 - 9.8 Employees who wish to exhaust accrued vacation during the period of time immediately preceding their effective date of retirement, resignation or termination may be placed on pre-termination leave, if approved by the administrator, but shall not be eligible for accrual of leave-on-leave.
 - 9.8.1 Divisions, Departments or Elected Offices shall be allowed to fill the allocation of employees placed on pre-termination leave so long as the budget allows.
 - 9.9 When an employee transfers from one Division, Department or Elected Office to another, the employee's accrued vacation shall be transferred to the new Division, Department or Elected Office.
 - 9.10 Each Administrator shall make every effort to encourage employees to use accrued vacation and to arrange work schedules so that employees may take vacations at times convenient for them as well as for the County.
- 10.0 VOLUNTARY FURLOUGH
- 10.1 The Salt Lake County Voluntary Furlough Program is applicable only in years when it is authorized for budget-required reasons by the Salt Lake County Council.
 - 10.2 The following employment statuses shall be eligible to participate in the voluntary furlough program: 02 full time merit, 03 probationary, 04 Provisional, 08 part time merit with county benefits, 09 part time merit without county benefits, 12 time limited appointed, 95 appointed, 97 Elected Officials, and 98 Appointed Justice Court Judges.
 - 10.3 Furlough hours shall be recorded as leave without pay.
 - 10.4 Furlough time shall be approved in the same manner as vacation and sick time.
 - 10.5 Furlough time may include a legal holiday(s).
 - 10.6 Employees designated as non-exempt from the Fair Labor Standards Act (FLSA) may take furlough as a normal scheduled work day or partial day; a partial day is considered to be one half (1/2) the employees normal scheduled work day.
 - 10.7 Employees designated as exempt from the FLSA may only take furlough time in full day increments and do not lose their exempt status except for the workweek in which the furlough occurs. An FLSA exempt employee shall not perform any work related tasks while on furlough. An FLSA exempt employee shall not work more than 40 total hours including regular hours and furloughed hours during a work week.
 - 10.8 An employee may take no more than ten consecutive furlough days within any pay period not to exceed thirty days during the calendar year.

- 10.9 Employees cannot use vacation/sick/compensatory time to cover the furlough day.
- 10.10 Employees cannot work extra hours in the week a furlough is taken (to make up for the loss of pay due to furlough time).
- 10.11 Employees cannot use furlough time as part of a leave without pay approved under 6.0 of this policy.
- 10.12 Employees cannot use furlough time as part of a suspension approved by an Administrator under Human Resources Policy and Procedure 5700-Discipline.
- 10.13 An employee who elects to include a legal holiday as part of the Voluntary Furlough Program shall not be compensated for the designated legal holiday(s)
- 10.14 Employees approved for furlough time shall receive the same County employee benefits as otherwise available to them per this policy and Human Resource Policy and Procedure 5500 – Insurance Eligibility. However, employees participating in this program will have a reduction in salary and thus their salary driven benefits such as retirement contributions, Long Term Disability (LTD), Worker’s Compensation, FICA, employee personal contribution to their 401K, and Utah Retirement System life insurance as determined by the Utah Retirement System (URS) shall be appropriately reduced.
- 10.15 Voluntary furlough time does not constitute a break in service therefore an employee’s service date will not be adjusted if they participate in the Voluntary Furlough Program so an employee’s accrual of vacation, sick leave, and legal holidays will not be affected.
- 10.16 No overtime hourly costs or the use of temporary employees shall be used or incurred as a result of granting a furlough.
- 10.17 Participating agencies shall document the terms of the voluntary furlough and emphasize the employee’s voluntary decision to request participation in the Program.
- 10.18 Employees who are paid by a funding source other than the County shall only be granted furlough time consistent with the terms and conditions of such funding source.

APPROVED and PASSED this 25th day of August, 2009

REQUEST FOR VOLUNTARY FURLOUGH LEAVE WITHOUT PAY
FISCAL YEAR

Employee Name:

Department/Division/Elected Official:

Dates of Requested Furlough (leave without pay):

Holidays Days Requested as Furlough:

Administrator Decision: Request Approved Request Denied

If denied, reason for denial:

Administrator Supervisors Signature:

Date:

By signing this request the undersigned employee understands that:

- Their request is entirely voluntary
- Their salary will be reduced by the amount of voluntary furlough leave taken
- Their request for furlough time may include a legal holiday(s)
- Employees designated as non-exempt from the Fair Labor Standards Act (FLSA) may take furlough as a normal scheduled work day or partial day; a partial day is considered to be one half (1/2) the employees normal scheduled work day
- Employees designated as exempt from the FLSA may only take furlough time in full day increments and do not lose their exempt status except for the workweek in which the furlough occurs. An FLSA exempt employee shall not perform any work related tasks while on furlough. An FLSA exempt employee shall not work more than 40 total hours including regular hours and furloughed hours during a work week
- 30 furlough days are allowed per calendar year but must not be taken in increments greater than 10 days per pay period
- Vacation/sick/compensatory time cannot be used to cover furlough time
- Extra hours cannot be worked in a week when furlough time is taken (to make up for the loss of pay due to furlough time)
- Furlough time cannot be used as part of a leave without pay approved under Human Resource Policy 5510 6.0 -Leave Practices
- Furlough time cannot be used as part of a suspension approved by an Administrator under Human Resources Policy and Procedure 5700-Discipline
- An employee who elects to include a legal holiday as part of the Voluntary Furlough Program shall not be compensated for the designated legal holiday(s)
- All benefits will remain in force; however, employees participating in this program may have a reduction in salary and thus their salary driven benefits such as retirement contributions, Long Term Disability (LTD), Worker's Compensation, FICA, employee personal contribution to their 401K, and Utah Retirement System life insurance as determined by the Utah Retirement System (URS) shall be appropriately reduced
- They will continue to accrue leave and benefits as if the furlough time was actually time worked; the furlough will not impact their service date nor delay a change to their leave accrual earning rate
- An employee will not be entitled to receive unemployment benefits for the days taken off because of the voluntary nature of the program

I have read the above outline of the program and understand and accept the terms and conditions of the Voluntary Furlough Program.

Employee Signature:

Date: