

I. Purpose

The purpose of this policy is to identify types of leave, to establish eligibility for leave, and to provide standards and guidelines for attendance, the use of leave and compensatory time, the observance of holidays, and handling unpaid absences from work.

II. Policy

A. Attendance

1. Employees of the State Accounting Office (SAO) are expected to have good attendance (i.e., report to work as scheduled, on-time, prepared to start work upon arrival, and stay on the job for each work shift as scheduled or as otherwise directed/expected).

2. Deputy State Accounting Officers, directly or through their subordinate division directors/leaders, are responsible for managing the attendance of all employees in their assigned work areas.

3. Patterns of absenteeism and tardiness and the improper use of leave are not acceptable and can be grounds for disciplinary action, up to and including termination from employment.

4. Employees must follow their respective work unit/division procedures for reporting absences, late arrivals, and requesting the use of leave and approval for absences from work. Employees are expected to personally contact their supervisor (or supervisor's designee) prior to their scheduled starting time. Employees should not rely on friends, relatives, or co-workers to report their absence(s) unless the employee is physically unable to communicate. Calling-in, leaving a message(s), texting, or emailing to report an absence does not mean the absence and/or request to use leave (or category of leave) is automatically approved. Failure to follow SAO and work unit/division procedures for reporting and requesting approval for an absence(s) may result in denial of the request, leave without pay, and/or other employment action.

5. Employees are expected to accurately and timely document both their attendance for time worked and for time absent into the current time and labor system of record used by the SAO.

- a. Employees should make timesheet entries daily.
- b. Supervisors should approve time and leave weekly.
- c. Supervisors/managers and SAO Human Resources staff are authorized to make timesheet entries on an employee's behalf when an employee is prevented from doing so based on system access issues, medical reasons, urgent or emergency situations, or when an employee fails to timely/accurately enter their work time and absences. In the latter scenario, a pattern of failure to timely enter work time and absences timely may result in corrective and/or disciplinary action. When an approver makes an adjustment to an employee's timesheet for one of the above stated reasons, the approver will advise the employee of the adjustment via email.

B. Leave and Holidays

1. All salaried SAO employees shall earn and use leave in accordance with State Personnel Board Rule 478-1-.16.
2. An employee's supervisor may require appropriate documentation before authorizing the use of any type of leave. For some types of leave, documentation is mandatory.
3. To help protect confidentiality of sensitive medical information, employees should give any health-related documentation (e.g., doctor's note) for use of sick leave directly to SAO Human Resources, rather than to the supervisor. Human Resources staff will then advise the supervisor that sufficient documentation has been provided to support the absence.
4. Except for absences covered by the Family Medical Leave Act (FMLA) and by Paid Parental Leave, an employee's supervisor may approve the use of *up to* ten (10) consecutive workdays (whether paid or unpaid) of all types of leave in accordance with policy details below.
5. Except for absences covered by the Family Medical Leave Act (FMLA) and Paid Parental Leave, respective Deputy State Accounting Officer approval is required for the use of *more than* ten (10) consecutive workdays of all types of leave (whether paid or unpaid).
6. An employee who is absent from work without having obtained prior approval for the use of accrued leave may be placed in non-pay status even if the employee has sufficient accrued leave to cover the absence. Such absences may be grounds for disciplinary action, up to and including termination of employment.
7. Any instances of unpaid leave must be reported by supervisors to SAO Human Resources immediately, but no later than the workday immediately following the designation of such leave so that Human Resources has sufficient opportunity to adjust the employee's paycheck timely and avoid payroll overpayment(s). Supervisors must ensure that all unpaid leave (whether authorized or unauthorized) is immediately entered into the time and labor system of record and approved promptly.
8. With the exception of newly hired employees and employees on, or recently on, approved FMLA absences, SAO employees are expected to maintain sufficient leave balances to cover unexpected absences due to unforeseen events (e.g., household emergency or sudden illness) and reduce the risk of salary overpayments.
9. To avoid and mitigate risk for salary overpayments, SAO Human Resources may initiate an off-cycle paycheck when an employee is absent from work but does not have sufficient available paid leave or compensatory time to cover the absence(s), or when an employee's absence has been designated as unauthorized leave without pay.
10. Because of payroll processing deadlines and direct deposit time requirements, it is sometimes impossible to avoid overpayment(s) when an employee is absent from work but does not have sufficient available paid leave or compensatory time to cover the absence(s), or when an employee's absence has been designated as unauthorized leave without pay. In the event that such overpayment(s) occurs, the affected employee is responsible for repaying the overpayment(s) within the following payroll cycle.

This repayment is typically deducted from the employee's salary payment in the following pay period. If an employee does not have sufficient available salary payment to repay the entire overpayment, Human Resources is authorized to split the overpayment recoupment over the next two pay cycles. However, if the overpayment cannot be recouped over these two pay cycles, the affected employee must immediately remit payment to the SAO, via check or money order, to repay the salary overpayment.

11. Holidays observed by the SAO shall be those proclaimed by the State Governor each year as official paid State holidays. Typically, the Governor proclaims official State holidays for the subsequent calendar year. Official state holidays are posted on the Team Georgia website under the Resource Center.

C. Accruing, Using, Transferring Leave, and Earning and Using Compensatory Time

1. Accruing Annual and Sick Leave

a. Non-temporary, full-time salaried employees in pay status for 40 hours or more during a pay period earn annual and sick leave for that pay period. Full-time employees in pay status for fewer than 40 hours during a pay period earn no leave for the pay period.

b. Part-time salaried employees who work 20 or more hours per week and who are in pay status for one half of their regularly scheduled hours during a pay period earn pro-rated annual and sick leave for that pay period.

c. Hourly employees shall not earn annual or sick leave.

d. Active salaried, non-temporary employees who are rehired retirees of the Employees' Retirement System of Georgia are not eligible for any paid leave benefits while receiving retirement annuity payments during the first 1,040 hours of work performed in the calendar year.

2. Earning FLSA Compensatory Time and Georgia Compensatory Time

FLSA or Georgia Compensatory Time shall be earned in accordance with the requirements set forth in state policy by the Governor's Office of Planning and Budget at <https://opb.georgia.gov/workinghours-overtime-and-compensatory-time>.

3. Converting Personal Leave

A limited number of hours of personal leave may be converted from accrued sick leave each calendar year in accordance with Section C.10 of this policy.

4. Using Annual, Personal, Sick Leave, Compensatory Time, and Deferred Holiday Time

a. Annual leave, compensatory time (both FLSA and Georgia Compensatory Time), personal, sick, and holiday leave must be accrued, earned, or converted, as appropriate, **before** use.

b. Earned FLSA Compensatory time, then Deferred Holiday time must be used (in that order) before any other leave type can be used. Supervisors are responsible for monitoring their employees' FLSA Compensatory and Deferred Holiday balances and ensuring no other leave type is approved before these balances are exhausted.

c. Requests for time away from work are to be made *in advance* unless an emergency prevents such a prior request. Supervisors may require documentation to confirm such emergency. An employee who fails to present satisfactory documentation promptly may be charged unauthorized leave without pay, and may be subject to disciplinary action, up to and including termination of employment.

d. If unanticipated official changes in the office schedule occur during an employee's period of approved leave, the employee's annual, sick, and/or personal leave usage shall **not** be reduced because of such changes. Such unanticipated changes may include an official late opening, early closing, or unexpected closing for the day ordered by the Governor.

Example: An employee who is absent from work on pre-approved eight (8) hours of annual leave during a day when the SAO offices officially close three (3) hours early due to inclement winter weather. In this example, the employee on pre-approved annual leave cannot modify/reduce their annual leave usage from eight (8) hours to five (5) hours; the employee will be charged the original eight (8) hours of annual leave as previously approved.

e. An employee who is unable to report to work as scheduled must notify the supervisor or designee of inability to report as scheduled. This notice must be in accordance with procedures established by the employee's unit and/or division or, in the absence of any specific work unit/division procedures, not later than 15 minutes **before** regular reporting time. Upon reporting to work, the employee must submit a leave request in the time and labor system of record. Supervisors may require additional notice, such as via text, email, calendar invitation/entry, etc.

f. A non-exempt employee who is late/tardy may have leave deducted from accrued leave balances or may be charged authorized or unauthorized leave without pay, based on supervisory discretion and approval. An employee who is tardy from work does not have a right to "make up" the time by working later or reducing their lunch break; such scheduling adjustments must be requested by the employee, in advance, and approval is subject to supervisory discretion.

g. Unless otherwise provided for in this policy, by Governor's Executive Order, or state rule or policy (e.g., temporary public health emergency-related state policy), hourly paid employees are not permitted to have any paid time away from work, nor do they have a right to work outside of their assigned work schedule to "make up" for lost time. The required workload or office coverage, not employees' pay, should inform scheduling decisions.

Example: If an emergency office closure occurs, supervisors should not permit hourly employees to work additional hours during the week for the express purpose to allow hourly employees to receive a "normal/typical" paycheck. However, *if workload dictates and if management approves*, a supervisor may ask hourly employees to work additional time – generally, up to a maximum of 29 hours in a given work week – to meet time-sensitive deadlines, complete critical projects, or provide essential office coverage.

h. An employee who is absent after all annual, sick, and personal leave and compensatory time is used may be separated from employment unless the employee properly requests and obtains prior approval for leave without pay. Such short-term authorized leave without pay may be granted for up to ten (10) consecutive workdays.

i. Participating in voluntary state wellness-related activities, such as visiting onsite benefits fairs, participating in biometric screenings, or attending health education events are considered **non-work** time. If participation in such activities cannot be completed during the normal lunch break, employees must request and obtain approval for use of appropriate leave or compensatory time. Alternatively, supervisors have the authority to permit employees to adjust their work schedule in order to participate in such activities.

j. Meal breaks and commutes to and from an employee's primary work site are not considered work time and should not be recorded/included as work time on timesheets. For example, an employee who begins work at 8:00 a.m. and ends work at 5:00 p.m. and who takes a one-hour lunch break from Noon to 1:00 p.m., should record total work hours for this work shift as 8 hours.

5. Transferring Leave

a. Employees transferring between the SAO and another executive branch state agency will have their available unused annual, personal, and sick leave balances transferred with them via certified communication from the prior agency's designated Human Resources official. Georgia Compensatory time does not transfer. The records of any forfeited leave also will be transferred, but not restored to the employee except as provided in this policy.

b. Transfers of leave vary between Executive, Legislative, and Judicial branches of state government and between Board of Regents/University System of Georgia, Authorities, Community Service Boards, County Boards of Health, and Board of Health Community Operated Programs. Accordingly, these transfers are not automatic and may not include all categories of leave.

6. Details of Types of Leave

a. Annual Leave

(1). Accrual of annual leave begins on the first date of employment and is credited to eligible employees at the end of each pay period.

(2). Active salaried, non-temporary employees who are rehired retirees of the Employees' Retirement System of Georgia are not eligible for any paid leave benefits while receiving retirement annuity payments during the first 1,040 hours of work performed in the calendar year.

(3). Annual leave accrues on a graduated scale based on an employee's length of continuous, unbroken State service in a position entitled to accrue leave in accordance with this policy.

(4). Non-temporary, full-time, salaried employees scheduled for at least 40 hours per work week must be in pay status for at least 40 hours during the pay period to accrue annual leave, which they accrue at the following rates for complete months of continuous service:

- 0 - 60 months inclusive = 5 hours per pay period
- 61 - 120 months inclusive = 6 hours per pay period
- 121 months and over = 7 hours per pay period

(5). Eligible part-time, salaried employees scheduled to work at least 20 (but fewer than 40) hours per workweek accrue annual leave as outlined for full-time employees, but at a *pro-rated rate*. The pro-rated rate is determined by dividing the employee's standard weekly work hours by 40.

Example: A part-time employee scheduled for 20 hours per workweek would accrue annual leave at 50% of the rate a full-time employee accrues annual leave (20 hours ÷ 40 = .5 or 50%) A new 20-hour employee would earn 2.5 hours of annual leave semi-monthly. The minimum periods of time in pay status required for annual leave accrual are similarly pro-rated for part-time employees. A 20-hour employee would need to be in pay status at least 20 hours during a semi-monthly pay period in order to accrue leave at the end of that pay period.

(6). Annual leave may be used for any purpose, including vacation or personal business. However, its use may be denied for work-related reasons.

(7). Each full-time, salaried employee may accrue up to a maximum 360 hours of annual leave. Accrual hours are pro-rated for eligible part-time, salaried employees. Any annual leave earned in excess of 360 hours and not used by the end of any month is forfeited. Forfeited annual leave may be restored to the employee as provided in this policy.

(8). When considering annual leave requests, supervisors should try to accommodate employee preferences; however, approval is not guaranteed. Annual leave requests may not be approved for employees who request annual leave during critical and/or busy periods or during periods of staff shortages or times when co-workers have already requested leave. Supervisors must weigh the business needs and the timeliness of the requests in approving annual leave

(9). Employees are required to use FLSA compensatory time first, then deferred holiday time, before using annual leave (or any other type of leave).

(10). Employees who are absent from work must use appropriate available accrued leave. *Exception: When an employee's absence to perform Ordered Military Duty extends beyond the period of paid military leave, the employee is not required to use accrued leave and may instead be on approved regular leave of absence without pay.*

(11). Employees separating from employment will be paid for *up to* 360 hours of their accrued annual leave. Payment for accrued annual leave will be processed *after* separation, but no sooner than the pay period following separation provided that the employee has returned all SAO property. A delay in the return of SAO property will result in a delay of the annual leave payout. Payout of accrued annual leave may be reduced to recoup unreturned property (e.g.

laptop or cell phone), overpayment of wages, or other expenses owed to the SAO by the employee. Employees will not be paid for any forfeited annual leave.

b. Sick Leave

(1). Sick leave is accrued by non-temporary salaried employees who are regularly scheduled to work 20 or more hours per week.

(2). Active salaried, non-temporary employees who are rehired retirees of the Employees' Retirement System of Georgia are not eligible for any paid leave benefits while receiving retirement annuity payments during the first 1,040 hours of work performed in the calendar year.

(3). Accrual of sick leave begins on the first date of employment and is credited to eligible employees at the end of each pay period.

(4). Full-time employees accrue at the rate of five (5) hours per pay period regardless of the employee's length of service provided the employee is in pay status for at least 40 hours during the pay period. Sick leave is prorated for eligible part-time, salaried employees who work at least 20 hours per week.

(5). Each full-time employee may accrue up to 720 hours of sick leave. Any sick leave earned in excess of 720 hours and not used by the end of any month is forfeited. Forfeited leave may be restored to the employee as provided later in this policy.

(6). Eligible part-time, salaried employees scheduled to work at least 20 (but fewer than 40) hours per workweek accrue sick leave as outlined for full-time employees, but at a pro-rated rate. The pro-rated rate is determined by dividing the employee's standard weekly work hours by 40.

Example: A part-time employee scheduled for 20 hours per workweek would accrue annual leave at 50% of the rate a full-time employee accrues sick leave ($20 \text{ hours} \div 40 = .5$ or 50%) A 20-hour employee would earn 2.5 hours of sick leave semi-monthly. The minimum periods of time in pay status required for sick leave accrual are similarly pro-rated for part-time employees. A 20-hour employee would need to be in pay status at least 20 hours during a semi-monthly pay period in order to accrue leave at the end of that pay period.

(7). Employees are required to use earned FLSA compensatory time first, then deferred holiday time, before using sick (or any other type of) leave.

(8). Provided that the employee adheres to procedures for approval of leave, an employee may use accrued sick leave for any absence due to:

- (a). Personal illness, injury, or disability;
- (b). Dental or medical care;
- (c). Adoption of a child by the employee when the employee's presence is required for health-related reasons;

- (d). Exposure to contagious disease that may reasonably expose others and endanger their health if the employee is present at work;
- (e). Illness, injury, or disability in the employee's immediate family that requires the employee's presence; or
- (f). Death in the employee's immediate family that requires the employee's presence; however, sick leave used for this purpose shall be limited to five (5) workdays or the equivalent of one workweek.

(9). For purposes of this policy, "immediate family" means the employee's spouse, child, parent, grandparent, grandchild, brother, and sister, including active step and in-law relationships. Immediate family also includes any other person who resides in the employee's household and is also recognized by law as a dependent of the employee.

(10). An employee may be required to report daily by telephone, or other means as identified by established by the employee's unit and/or division, to the supervisor or appropriate SAO authority. The supervisor may also require satisfactory evidence for the use of sick leave in the event an employee has used at least 17 hours of sick leave in any 30-day period or has demonstrated excessive or abusive use of sick leave.

(11). Excessive or abusive use of sick leave shall be defined as pattern of intermittent, short-term usage. Establishment of this pattern includes but is not limited to:

- (a). Frequent use of sick leave in conjunction with holidays, scheduled off days, weekends, or pay days;
- (b). Frequent use of sick leave when scheduled for undesirable temporary shifts or assignments or during periods of peak workload;
- (c). Requesting sick leave for an absence for which other paid leave has previously been denied;
- (d). Frequent occurrences of illness during the work day;
- (e). Peculiar and increasingly improbable excuses;
- (f). Repetitive use of fewer than 17 hours of sick leave in 30-day periods; or
- (g). Prior written notification of failure to adhere to procedures for approval of leave, inappropriate attendance, or inappropriate use of leave.

(12). If an employee is ill for three (3) workdays or more during a period of annual leave or use of earned Georgia Compensatory Time, the period of illness *may*, upon presentation of satisfactory written evidence and upon receiving supervisory approval, *be charged as sick leave*. The charges against annual leave or Georgia Compensatory Time shall then be reduced accordingly.

- (a). The employee must provide a written request for substitution of sick leave to her/his supervisor within two (2) weeks after returning to work.
- (b). Such written request must include sufficient documentation from the employee's health care provider specifying dates of the illness; to protect sensitive health information, this documentation should be given to SAO Human Resources staff rather than directly to the supervisor.
- (c). No substitution will be allowed for illness that does not last for three (3) or more workdays.

(d). Supervisors are not obligated to approve requests to substitute leave (e.g., when documentation is vague or otherwise insufficient).

(13). If an absence because of illness, injury, or disability extends beyond available sick leave, the absence may be charged to other available leave types, including annual leave, personal leave, and earned Georgia Compensatory Time.

(14). If an employee's illness, injury, or disability, or that of an immediate family member exhausts the employee's available paid leave and compensatory time, the SAO may restore as much forfeited leave in the form of sick leave as is required by the circumstances of the illness or disability. The employee must submit to the SAO Human Resources Manager a written request for restoration of forfeited leave, stating the circumstances for requesting for such restoration and including supporting medical documentation.

c. Unpaid Leave

No later than ten (10) workdays before all paid leave has been exhausted, an employee may request a continued leave of absence without pay by requesting one of the following:

- (1). Short-term authorized leave without pay for an absence of up to ten (10) consecutive workdays (See section 18 of this policy.)
- (2). Contingent leave of absence without pay for an absence of more than ten (10) consecutive workdays (See section 18 of this policy.)
- (3) Regular leave of absence without pay for ADA accommodations or for military leave. (See section 18 of this policy.)

7. Divestment and Restoration of Sick Leave

If an employee has a break in state service or transfers into a position not entitled to earn sick leave, the employee's accrued sick leave is divested and not paid out. An employee who returns to state employment on or after July 1, 2003, and remains employed for two (2) consecutive years in a position entitled to accrue leave is eligible to regain sick leave divested when the most recent state employment ended.

a. Divested sick leave includes any sick leave available for use at the time of the employee's separation from State employment. It does not include any sick leave forfeited before the employee's separation.

b. The maximum amount of divested sick leave an employee may regain is 720 hours. Divested leave will be restored only to the extent that the restored leave and current unused sick leave total 720 hours. Any remaining balance of divested leave will be credited to the employee's forfeited leave.

c. The SAO will divest accrued sick leave for its active salaried, non-temporary employees who are rehired retirees of the Employees' Retirement System of Georgia when they become ineligible for paid leave benefits upon reinstatement of retirement annuity payments at the beginning of each calendar year.

d. To obtain restoration of divested sick leave, an employee must submit a written request to the SAO Human Resources Manager and include satisfactory evidence of the existence of such leave.

e. Employees separating from state employment will forfeit any accrued sick leave.

8. Workers' Compensation and the Use of Leave

Employees shall not be allowed to use accrued leave for absences resulting from an accidental injury or occupational disease that is compensable under the Georgia Workers' Compensation Act until the employee elects, in writing, to use accrued paid leave in lieu of Workers' Compensation wage loss benefits. If such an election is made, the leave granted will be credited on a day-for-day basis as compensation against any indemnity awarded by the State Board of Workers' Compensation.

9. Short- and Long-Term Disability and Use of Leave

a. Employees will not be required to use paid leave and compensatory time while receiving short-term or long-term disability insurance payments.

b. Employees are prohibited from using sick leave while receiving disability insurance benefits.

10. Personal Leave Conversion

Each year, an employee who has an accrued sick leave balance of more than 120 hours as of November 30th may convert up to 24 hours of the excess sick leave to personal leave.

a. The employee must have a remaining sick leave balance of at least 120 hours after conversion.

b. Eligible employees must elect in December of each year the number of hours of sick leave they wish to convert to personal leave for use during the following calendar year. This election must be made in Employee Self Service by the announced system deadline. Employees who fail to make personal leave elections by the announced deadline, regardless of reason, will forfeit the opportunity to convert to personal leave for the affected calendar year.

c. Sick leave that is converted in December becomes personal leave on January 1st and cannot be reversed after it has been converted.

d. Personal leave is available for use during only the calendar year following conversion.

e. Any unused personal leave after December 31st of each calendar year is lost and cannot be restored for any purpose, including retirement.

f. Personal leave may be used for any purpose, upon receiving supervisory approval, with the following exceptions:

(1). Employees cannot use personal leave while receiving Georgia state-funded wage substitutes, such as Workers' Compensation wage loss benefits.

(2). Although its use may be denied based on work-related reasons, every reasonable effort must be made to approve the employee's request. However, when employees wait to request use of personal leave until the end of the calendar year, during times when co-workers have

already been approved for time off, approval is not guaranteed. Accordingly, waiting to request the use of personal leave until the end of the calendar year may increase the risk that personal leave not be approved. As previously stated, personal leave not used by December 31st of each calendar year is lost and cannot be restored for any purpose.

(3). Typically, employees should provide at least 24 hours' advance notice of their intent to use personal leave.

(4). Employees separating from state employment will not be paid for any unused personal leave.

11. FLSA and Georgia Compensatory Time

Overtime for non-exempt employees is governed by provisions of the federal Fair Labor Standards Act (FLSA). Overtime worked by non-exempt employees is credited as FLSA Compensatory Time at the rate of one-and-one-half hours of compensatory time for each hour of overtime worked. Exempt SAO employees are credited Georgia Compensatory Time at the rate of one hour of compensatory time for each hour of overtime worked, up to a maximum of 240 hours. Non-exempt employees may also be credited Georgia Compensatory Time (hour for hour), up to a maximum of 240 hours, when they work overtime during weeks that include holidays.

a. For non-exempt employees, overtime is credited when the employee works more than 40 hours in a workweek.

b. Time worked does not include paid time off such as annual, sick, education leave, nor does it include holidays or suspension.

c. Such leave may be used for any purpose, including vacation or personal business. However, its use may be denied based on business-related reasons.

d. Employees are required to use FLSA Compensatory Time and deferred holiday leave before using any other paid leave.

e. Unused Georgia Compensatory Time expires one (1) year after it is earned; it is time-stamped in the time and labor system of record when earned and then is automatically deleted from employees' leave balances when it expires. Expired Georgia Compensatory Time cannot be restored. Employees are responsible for monitoring the expiration of their own Georgia Compensatory Time balances.

f. Because unused, accrued Georgia Compensatory Time cannot be paid out when employees separate from state service or from SAO employment, it is not permissible for an employee to effectively circumvent this policy provision by using Georgia Compensatory Time at the end of their employment.

Example: An employee who gives a three-week resignation or retirement notice, may not use Georgia Compensatory Time for the final week of their SAO employment as doing so results in the SAO effectively paying the employee for unused Georgia Compensatory Time, when it is otherwise impermissible to do so.

g. Employees transferring to a different State agency or separating from state service will be paid for their accrued FLSA Compensatory Time but will **not** be paid any accrued Georgia Compensatory Time.

12. Administrative Leave

Paid administrative leave is available to non-temporary, salaried employees for certain limited activities. Such leave is in addition to, not deducted from, an employee's accrued leave and will be included as service in computing any retirement benefits. Administrative leave has no cash value if unused, and there will be no payout upon termination of employment.

a. Emergency Office Closure

(1). Non-temporary salaried employees affected by officially ordered office or facility closings because of severe weather conditions or other emergencies, as determined by the Governor, the State Accounting Officer, or their designee are paid for scheduled work time they do not work because of the closure.

(2). Active salaried, non-temporary employees who are rehired retirees of the Employees' Retirement System of Georgia are not eligible for any paid leave benefits while receiving retirement annuity payments during the first 1,040 hours of work performed in the calendar year.

(3). When there is no official SAO office closing, but a non-temporary, salaried employee is unable to report to work because of severe weather conditions, the employee may be permitted (at the supervisor's discretion) to make up the work time (or telework, if determined to be appropriate) within the workweek or to charge the absence to one of the following:

- (a). FLSA compensatory time;
- (b). Deferred holiday time;
- (c). Accrued annual leave;
- (d). Personal leave;
- (e). Accrued Georgia compensatory time; or
- (f). Leave without pay, if the employee has none of the above leave/time.

(4). In the event that emergency office closure leave is authorized, employees already approved to be on leave will be charged that pre-approved leave. They will not receive administrative leave or earn compensatory time for emergency office closure. Refer to the example in section 4D.

(5). Employees who arrive later than or leave earlier than the specified emergency closure time are to be charged leave for the period of their absence unless they obtain approval from their manager to make up the hours missed during the same workweek. Employees are not permitted to receive emergency office closure leave for hours not worked when the office/facility was open.

(6). Employees who were not scheduled to be off but who fail to report for work at all or fail to seek and obtain approval to be absent will be charged leave without pay for the entire workday.

(7). In the event of an office closure, there is no right to compensation in any manner for the following: temporary employees, hourly employees, and employees who are not directly affected by the office closure – including those who are not scheduled to work in an affected area during the emergency office closure (e.g., employees who are on leave, who are scheduled to participate in training or those teleworking off-site, etc.). Additionally, such employees do not have a right to “make-up” the time.

(8). During a temporary emergency office or facility closing, any time worked during an employee’s normal work schedule, including that by essential employees, will be considered normal work time. No additional compensation will be given unless employees are required to work time in addition to their normal work schedule.

b. Blood Donation

(1). Non-temporary salaried employees are permitted to take up to two (2) hours of paid time off to donate blood up to four (4) times each calendar year.

(2). Employees who donate blood platelets or granulocytes through the plasmapheresis process are permitted up to four (4) hours of paid time off a maximum of four (4) times per year.

(3). Active salaried, non-temporary employees who are rehired retirees of the Employees’ Retirement System of Georgia are not eligible for any paid leave benefits while receiving retirement annuity payments during the first 1,040 hours of work performed in the calendar year.

(4). The agency may specify the hours during which an employee may be absent to donate blood and may require documentation supporting the absence.

(5). An employee who does not use the entire time allowed at the time of each donation does not accrue any right to any subsequent paid or unpaid leave and cannot use blood donation absence to increase her/his accumulated overtime.

Example a: If an employee takes two (2) hours to donate blood AND works a full 40-hour workweek, the employee does not accrue any overtime.

Example b: If an employee takes two (2) hours to donate blood AND works 43 hours that week, the employee, whether FLSA exempt or non-exempt, accrues only one (1) hour of (Georgia Compensatory Time) overtime.

c. Bone Marrow Donation Leave

(1). Non-temporary salaried employees are permitted up to seven (7) workdays of paid time off to donate bone marrow for transplantation. Such leave shall not be charged against or deducted from any accrued leave balance and shall be included as service in computing any retirement or pension benefits.

(2). Active salaried, non-temporary employees who are rehired retirees of the Employees' Retirement System of Georgia are not eligible for any paid leave benefits while receiving retirement annuity payments during the first 1,040 hours of work performed in the calendar year.

(3). To receive paid bone marrow donation leave, the employee must request and receive agency approval for the absence and provide a written statement from a medical practitioner performing the procedure. If the donation does not occur, bone marrow donation leave is not applicable.

d. Organ Donation Leave

(1). Non-temporary salaried employees are permitted 30 workdays of paid leave to donate an organ for transplantation. The term "organ" means any human organ that is capable of being transferred from the body of one person to the body of another. Such leave shall not be charged against or deducted from any accrued leave balance and shall be included as service in computing any retirement or pension benefits.

(2). Active salaried, non-temporary employees who are rehired retirees of the Employees' Retirement System of Georgia are not eligible for any paid leave benefits while receiving retirement annuity payments during the first 1,040 hours of work performed in the calendar year.

(3). To receive paid organ donation leave, the employee must request and receive agency approval for the absence and shall provide to Human Resources a statement from the medical practitioner who is to perform the transplant or a hospital administrator indicating that the employee is to make an organ donation. If the donation does not occur, the employee is not permitted organ donation leave as outlined in this section of the policy.

d. Court

(1). Non-temporary salaried employees are permitted to use paid administrative leave (i.e., "court leave") for the purpose of attending, during their work hours, a judicial proceeding in response to a subpoena, summons for jury duty, or other court order or process that requires the attendance of the employee (such as serving as a witness or juror) in any federal, state, or local court.

(2). Active salaried non-temporary employees who are rehired retirees of the Employees' Retirement System of Georgia are not eligible for any paid leave benefits while receiving retirement annuity payments during the first 1,040 hours of work performed in the calendar year.

(3). An employee who receives a subpoena, summons, or other court order to perform jury duty or serve as a witness during scheduled work time is to promptly submit a copy to the supervisor and to properly request leave.

- (4). Because employees will not typically know in advance the amount of time required to fulfill their court obligation, they are required to regularly update the supervisor concerning time needed for absence from work.
- (5). Administrative/court leave is granted specifically for the time the employee is required to be in court and reasonable time traveling to and from such proceedings.
- (6). Employees are required to report to work as soon as they are released from jury duty or court-ordered appearance if the release occurs before the end of the scheduled workday. Management may require documentation from the court verifying time served. Failure to return timely from court leave or to request and receive approval for the use of accrued leave will be treated as an unexcused absence.
- (7). An employee subpoenaed to serve as a juror or witness on a regularly scheduled day off or on a day observed as a holiday is not entitled to any equivalent time off or other compensation for such service.
- (8). Employees will not receive compensation or compensatory time for any time spent serving as a juror or witness that is outside of the employee's regular work schedule.
- (9). Employees may keep any juror fees and travel allowances paid by a court for service as a juror or witness.
- (10). An employee shall not receive paid court leave to attend any case or proceeding in which the employee is a litigant, defendant, or other principal party, or if s/he appears as a voluntary witness, is testifying for a fee as an expert witness, or has any other personal or familial interest in the proceeding.
- (11). When court leave is not applicable, the employee must properly request and receive approval for the use of annual leave, personal leave, compensatory time, deferred holiday time, or leave without pay, if applicable.

e. Voting

- (1). Non-temporary salaried employees are permitted up to two (2) hours of paid time off to vote in any municipal, county, state, or federal political party primary or election for which the employee is qualified and registered to vote on the day on which the primary or election is held.
- (2). Active salaried, non-temporary employees who are rehired retirees of the Employees' Retirement System of Georgia are not eligible for any paid leave benefits while receiving retirement annuity payments during the first 1,040 hours of work performed in the calendar year.
- (3). An employee is permitted voting leave **only** if the polls are not open at least two (2) hours before OR two (2) hours after the employee's scheduled work hours.

(4). Voting leave covers only the *minimum* time necessary to give an employee two (2) hours either before or after work to vote. It is not available midday.

(5). The two examples below show appropriate use of voting leave:

Example a: An employee is scheduled to work 7:00 a.m. - 5:30 p.m., including a half-hour meal period. The polls are open 7:00 a.m. - 7:00 p.m. The employee may be permitted 30 minutes of voting time absence at the end of the workday, i.e., to leave at 5:00 p.m. to vote--not two (2) hours at the beginning of the workday.

Example b: An employee is scheduled to work 8:00 a.m. - 7:00 p.m., including a one-hour meal period. The polls are open 7:00 a.m. - 7:00 p.m. The employee may be permitted one (1) hour of voting time absence at the beginning of the workday, i.e., to report to work at 9:00 a.m. after having voted.

(6). Annual leave, personal leave, and/or earned compensatory time may be requested if voting time is not allowable or if the two (2) hours granted is not sufficient, provided the employee has sufficient leave available.

(7). Employees must request and receive approval in advance of using paid voting leave.

13. Education Support Leave

a. Non-temporary, full-time salaried employees are permitted up to eight (8) hours of paid time off during regularly scheduled work hours per calendar year for the purpose of providing services promoting student achievement and academic support *in the state of Georgia*. Education support leave does not accumulate—i.e., unused leave does not roll over into subsequent calendar years, and has no cash value, thus is not paid out upon termination of employment.

b. Active salaried, non-temporary employees who are rehired retirees of the Employees' Retirement System of Georgia are not eligible for any paid leave benefits while receiving retirement annuity payments during the first 1,040 hours of work performed in the calendar year.

c. Education support leave may be taken in increments of fewer than eight (8) hours.

d. The SAO maintains the authority to determine whether an activity qualifies for education support leave. The SAO Human Resources Manager provides guidance regarding such leave usage.

e. An employee must meet all eligibility criteria described below in order to use education support leave.

(1). An employee may be, but is not required to be, the parent of a student.

(2). *Only activities directly supporting student achievement and academic support qualify for education support leave.* Such activities may range from early care and learning through higher education. They may include, but are not limited to, attending parent/teacher conferences, participating in classroom activities such as reading to a class or presenting on career day, attending award and recognition or graduation ceremonies, and participating in education-related field trips.

- (3). Use of education support leave is not permissible for school-related social activities such as being a chaperone for an event not related to student achievement or academic support in Georgia (e.g., a field trip to Six Flags, a school party, attending social activities, extra-curricular activities, or athletic events, or helping a child move into a dormitory).
- (4). Employees are not permitted to use education support leave to participate in their own educational activities.
- (5). Employees must not receive pay for services they perform while using education support leave.
- (6). Use of education support leave for any political purpose or agenda is prohibited.
- (7). An employee must request from the supervisor and receive approval *in advance* before providing the services for which the education support leave is being requested.
- (8). When requesting use of education support leave, an employee may be required to submit *in advance* reasonably sufficient written documentation from a school administrator, teacher, other official, or institution, including the nature, location, and time of the academic activity.
- (9). Employees requesting an eight (8)-hour block of time must submit satisfactory written documentation, *in advance*, justifying absence for a full workday.
- (10). The supervisor maintains discretion to approve or deny requests based on operational needs or other reasons, such as employee conduct, attendance, or unsatisfactory work performance. Denials are to be applied consistently for all similarly situated employees.
- (11). Employees are permitted to use no more than eight (8) hours of education support leave in a calendar year regardless of transfer from one state employer to another. Supervisors are responsible for ensuring that an employee has sufficient education support leave before approving requests.
- (12). Education support leave is not available to support education outside the state of Georgia.
- (13). The three examples below describe situations in which use of education support leave would be permissible and when it would be impermissible:

*Example 1: The tenth-grade daughter of an SAO employee asks her mother to be a speaker at her high school Career Day (which will be held during regular school hours) by presenting to students information on writing effective résumés and preparing for job interviews. Provided sufficient documentation is provided, the supervisor **is permitted to use education leave** to be absent from work for the number of hours necessary to participate in the event.*

Example 2: So that parents can meet their children's teachers at the beginning of the school year, an elementary school open house is scheduled on a weekday at 7:00-8:00 p.m. An SAO employee (whose scheduled work hours are 8:00 a.m. - 5:00 p.m.) asks to use education support leave in order to leave work two (2) hours early so he has sufficient time to travel

home, eat dinner, and attend with his child. The employee is **not permitted to use education leave** to participate because the event is outside the employee's scheduled work hours. In order to leave work early, he may, however, request the use of appropriate paid leave, such as annual leave or compensatory time.

Example 3: An SAO employee requests (3) three hours of education support leave to meet with their son's teacher to discuss his progress at his high school in Phenix City, Alabama. The employee is **not permitted to use education leave** because its use is limited to education support **in the state of Georgia**. The employee may, however, request the use of appropriate paid leave, such as annual leave or compensatory time.

14. Paid Parental Leave

a. To enhance work-life balance for employees, full-time employees, as well as hourly employees who meet the criteria noted below, are provided with up to 120 hours of paid parental leave in a 12-month period. Paid parental leave is not charged against an employee's accrued leave.

b. Eligibility for paid parental leave is based on one of the following qualifying life events:

- (1) birth of the employee's child;
- (2) placement of a minor child for adoption with the employee; or
- (3) placement of a minor child for foster care with the employee.

c. To be eligible to use paid parental leave for a qualifying life event, an employee must meet one of the two following criteria:

- (1) if salaried, the employee must have six continuous months of employment with an employing entity (as defined in O.C.G.A. 45-20-17(a)(2)(A)); or,
- (2) if hourly, the employee must have worked 700 hours for an employing entity (as defined in O.C.G.A. 45-20-17(a)(2)(A)) in the six months immediately preceding the first requested paid parental leave date.

d. Rehired retirees of the Employees' Retirement System of Georgia, whether salaried or hourly, are not eligible for paid parental leave while receiving retirement annuity payments during the first 1,040 hours of work performed in the calendar year.

e. If an employee eligible for paid parental leave is also eligible for leave under the federal Family and Medical Leave Act (FMLA), paid parental leave will run concurrently with FMLA leave.

f. Unless prevented by a documented emergency, an eligible employee must complete the SAO Paid Parental Leave Request form *prior* to the qualifying event to officially request use of paid parental leave for use related to the qualifying event.

f. An eligible employee may take a maximum of 120 hours of paid parental leave in a rolling 12-month period. The rolling period will be measured backward from the first date of leave taken. The amount

of leave in a rolling 12-month period cannot exceed 120 hours, regardless of the number of qualifying events that occur during that period and regardless of transfers between employing entities.

g. Any paid parental leave remaining 12 months after the initial qualifying event is lost and shall not carry over for future use.

h. Unused paid parental leave shall have no cash value and shall not be paid out at the time of the employee's separation from employment.

15. Disaster Volunteer Leave

a. A non-temporary salaried employee who is a certified disaster service volunteer of the American Red Cross is permitted paid time off to participate in specialized disaster relief services upon the request of the American Red Cross.

b. Active salaried, non-temporary employees who are rehired retirees of the Employees' Retirement System of Georgia are not eligible for any paid leave benefits while receiving retirement annuity payments during the first 1,040 hours of work performed in the calendar year.

c. An employee who is a certified disaster volunteer and whose services are requested by the American Red Cross shall provide the supervisor a copy of the request.

d. Paid disaster volunteer leave may be granted only after obtaining the approval of the eligible employee's supervisor, Deputy State Accounting Officer, and State Accounting Officer or designee and will be coordinated through the Director of Georgia Emergency Management.

e. Paid disaster volunteer leave cannot exceed 15 workdays in any 12-month period and can be granted only for services related to a disaster occurring within the state of Georgia or in a contiguous state that has a reciprocal statutory provision.

16. Line-of-Duty Injury Leave (Special Injury Leave)

A non-temporary salaried employee scheduled to work 30 or more hours per week who becomes physically disabled as a result of an injury incurred in the line of duty and caused by a willful act of violence committed by a non-agency employee is entitled to a leave of absence for the period that the employee is physically unable to perform assigned her/his job. Such leave is provided in lieu of using accrued leave, and the employee will continue to receive regular compensation, subject to limitations below.

a. Active salaried, non-temporary employees who are rehired retirees of the Employees' Retirement System of Georgia are not eligible for any paid leave benefits while receiving retirement annuity payments during the first 1,040 hours of work performed in the calendar year.

b. Special injury leave cannot exceed 180 workdays for any single incident.

c. An employee seeking such leave must submit acceptable medical documentation of disability to SAO Human Resources.

d. Benefits received will be subordinate to any Workers' Compensation wage loss benefits the employee is awarded and will be limited to the difference between the amount of Workers' Compensation benefits paid and the amount of the employee's regular compensation.

17. Military Leave

Military leave may be used by an employee who is ordered to military duty performed in the service of the state or of the United States pursuant to orders issued by a state or federal authority, including, but not limited to, attendance at any service schools conducted by the Armed Forces of the United States as a voluntary member of the National Guard, Georgia State Defense Force, or any reserve force or reserve component of the Armed Forces of the United States.

a. Military leave is administered pursuant to provisions of State Personnel Board Rule 478-1-.19.

b. An employee who performs ordered military duty is eligible for military leave, whether paid or unpaid.

c. An employee who performs ordered military duty is eligible for up to 144 hours of military leave in any one federal fiscal year.

d. Paid or unpaid leave must be permitted for time engaged in officially ordered military duty, plus time spent traveling to and from such duty.

e. If the period of ordered military duty extends beyond the period covered by paid military leave, the employee will be granted an authorized leave of absence. Employees may request regular leave of absence without pay or may use accrued leave--FLSA compensatory time, deferred holiday time, annual leave, personal leave, and/or Georgia Compensatory Time. In general, an employee may be absent for ordered military leave for a cumulative period of up to five (5) years, based on the employee's compliance with applicable law.

f. An employee ordered to military duty without her/his consent shall be paid for absences for such duty up to a total of 144 hours in any one federal fiscal year and not exceeding 144 hours in any one continuous period of such absence.

g. An employee ordered to military duty with her/his consent shall, if the period of ordered military duty is:

(1). 30 calendar days or fewer--be paid for absences for such duty up to a total of 144 hours in any one federal fiscal year and not exceeding 144 hours in any one continuous period of such absence.

(2). More than 30 calendar days--be granted a leave of absence without pay for such period as required by law.

h. Military Leave, except for that occurring as a result of a State or National emergency, shall be requested and approved in advance.

- i. If the Governor declares an emergency and orders an employee to State active duty as a member of the Georgia National Guard, the employee, while performing such duty, will be paid his or her regular salary for a period not exceeding 240 hours in any one federal fiscal year and not exceeding 30 workdays, or 240 hours, in any one continuous period of such State active duty service.
- j. An employee who works part-time shall be eligible for paid military leave prorated in accordance with the employee's normal work schedule.
- k. An employee is to verbally notify the supervisor immediately when notified of a requirement to report for military duty and to provide the supervisor as much notice as possible of the anticipated date of release from duty and return to work.
- l. For military leave to be approved, an employee must provide the supervisor with a copy of the military orders.
- m. Military orders must be presented before going on such leave except in cases of State or National emergency.
- n. Time served while on military leave will not be considered a break in service and will be credited for purposes of seniority, length of employment service, annual leave or holiday privileges, or for any other right or privilege of employment, reemployment, reinstatement, transfer, or promotion.

18. Holidays

The SAO observes paid holidays each calendar year on dates declared by the Governor of Georgia.

a. Paid Holidays

- (1). Full-time and eligible part-time *salaried* employees will be paid for time away from work because of officially declared holidays.
- (2). Active salaried, non-temporary employees who are rehired retirees of the Employees' Retirement System of Georgia are not eligible for any paid leave benefits while receiving retirement annuity payments during the first 1,040 hours of work performed in the calendar year.
- (3). Eligible part-time *salaried* employees will receive holiday pay equal to the number of hours they would have worked, but at a pro-rated rate.
- (4). To be eligible for pay on a state holiday, an employee must be in pay status for the full scheduled work shift on either the workday immediately before or immediately after the holiday. "Pay status" means either working or taking approved paid time off.
- (5). Employees are not paid for a holiday that occurs before they enter or reenter state employment.
- (6). Employees are not paid for a holiday that occurs the day after they leave state employment.

- (7). Employees are not paid for a holiday that occurs on their last day of state employment unless the holiday is at the end of their normal workweek. However, compensation for employees retiring from state employment will not be reduced when their last day of employment before retirement falls on a holiday.
- (8). An employee who would otherwise have been eligible for a paid holiday but was either required to work on part or all of a holiday or whose scheduled day off occurred on a holiday will receive equivalent time off (i.e., deferred holiday time).
- (9). Deferred holiday time (equivalent time off to observe the holiday) will not exceed the time worked on the holiday or eight (8) hours, whichever is less.
- (10). Employees must use FLSA Compensatory Time first, then deferred holiday time, before using any other type of paid absence from work.
- (11). Deferred holiday time must be used within 365 calendar days of the day proclaimed as a holiday. Otherwise, it must be paid out. Supervisors are responsible for monitoring employees' deferred holiday time and ensuring it is used before other leave types. Because the SAO does not receive additional budget funds to pay out deferred holiday time, supervisors may require employees to take time off in order to exhaust deferred holiday time balance.
- (12). An employee who separates from the agency will be paid for any deferred holiday time not used or paid out before the separation.
- (13). An employee will not be paid for a holiday in advance of the observation of the holiday.
- (14). An employee scheduled to work on a holiday who, without prior approval, fails to report for a portion of the scheduled duty or to properly request and obtain approval to be absent will not be granted deferred holiday time for the time (if any) that was worked on the holiday. Such employee may be subject to leave without pay for the scheduled time not worked and/or other appropriate action.
- (15). An eligible employee returning from approved leave without pay will be paid for a holiday only if the holiday is in the same pay period and the holiday immediately preceded the day the employee reported back to work.

b. Other Religious Holiday Observances

- (1). An employee who makes a written request to the supervisor at least seven (7) calendar days in advance will be given priority consideration for time away from work to observe a religious holiday that is not observed as a state holiday.
- (2). An employee may request priority consideration for up to three (3) workdays in each calendar year.
- (3). An employee request for time off for religious observance cannot be denied unless:

(a). The duties the employee performs are urgently required, and the employee, in the SAO's judgment, is the only person available who can perform the duties, or

(b). The SAO can otherwise show that granting the request would be an undue hardship.

(4). Such time away from work shall be charged to deferred holiday time, accrued annual leave, personal leave, or compensatory time. If the employee lacks sufficient leave of these types, the Department must allow leave without pay for the absence unless doing so would be an undue hardship.

19. Unpaid, Approved Absences

a. Short-Term Authorized Leave without Pay

(1). When an employee is absent, but lacks sufficient accrued leave to cover the absence, the employee may request up to 10 consecutive workdays of leave without pay.

(2). The immediate supervisor may authorize short-term leave without pay for a period of not more than 10 consecutive workdays in any one continuous absence.

(3). Deputy State Accounting Officer approval is required for the use of more than 10 consecutive workdays in any one continuous absence.

(4). When an employee has sufficient accrued leave to cover the absence, the employee must use the available leave and is not permitted to use short-term authorized leave without pay in an attempt to preserve existing leave balances.

(5). At the expiration of the approved leave, the employee shall be returned to the same position without any loss in rights provided that the employee returns within the terms of the leave granted.

b. Regular Leave of Absence without Pay and Contingent Leave of Absence without Pay

(1). The leave must be for more than 10 consecutive workdays and may not exceed 12 continuous months unless required for reasonable accommodation under provisions of the Americans with Disabilities Act (ADA).

(2). The employee must submit a written request for the leave in advance and obtain written approval of all staff in the supervisory chain up through the appropriate Deputy State Accounting Officer, and the SAO Human Resources Manager.

(3). If approved, SAO Human Resources will provide to the employee a written notice specifying the terms and conditions of the approval.

(4). If the approved leave of absence without pay is 30 calendar days or more, the employee may request and receive a payout for all accrued annual leave (excluding forfeited) up to a maximum of 360 hours.

(5). No later than 10 workdays before expiration of the approved leave of absence without pay, the employee may submit a written request for an extension if the employee is unable to return to work as scheduled. If approved, SAO Human Resources will provide to the employee a written notice specifying the terms and conditions of the approval.

(6). If the leave is because of personal illness or disability, upon returning to work, the employee must present to the supervisor a medical release, describing the extent to which the employee is able to perform the essential functions of the assigned position.

(7). *Regular Leave of Absence without Pay ONLY:*

This type of leave without pay has restricted usage and is limited to the following situations:

(a). To serve as a method of accommodating an employee who has requested and received approval to be absent under provisions of the Americans with Disabilities Act (ADA).

(b). When an employee's period of ordered military duty extends beyond the period covered by paid military leave.

(c). When the regular leave of absence without pay expires, the employee shall be reinstated to the former position or to a position of equal grade and pay without the loss of any rights, provided the return is within the terms of the leave granted.

(8). *Contingent Leave of Absence without Pay ONLY:*

(a) A Contingent Leave of Absence Without Pay does not guarantee an employee any right to return to work at the expiration of or during the period of approved leave. The SAO may fill the employee's assigned position at any time. The employee's right to return at the expiration of leave is contingent upon the availability of the position or the availability of a suitable vacancy.

(b) An employee who fails to report to work upon the expiration of contingent leave without pay or who fails to properly request advance approval in writing and obtain written approval to continue to be absent from work is considered to have voluntarily resigned and may be separated immediately. Such separation does not permit any SAO internal review rights.

20. Unpaid Unauthorized Absences – Unauthorized Leave Without Pay

a. An employee who fails to properly obtain supervisory permission to be absent from work will be placed on unauthorized leave without pay.

b. Unauthorized absences will result in the employee's being placed in a non-pay status for the duration of the absence even though the employee may have sufficient leave balances to cover the absence.

c. Unauthorized leave without pay may be for part or all of a workday.

d. Unauthorized leave without pay may result in disciplinary action up to and including termination of employment.

e. An employee who is absent from duty for three (3) consecutive workdays or equivalent without proper authorization may be considered to have voluntarily resigned and may be separated immediately from employment. Such separation does not permit any SAO internal review rights.

21. Family and Medical Leave Act (FMLA)

The Family and Medical Leave Act is a federal law that provides eligible employees with unpaid, job-protected time off work for specified family and medical reasons. It is not an additional category of paid leave. However, an eligible employee may use their accrued paid leave for such absences. An employee who has exhausted all paid leave and compensatory time may, under provisions of FMLA, be approved to use leave without pay.

History:

Original Policy, *Leave and Attendance*, effective 07/01/2009

Revised Policy, *Leave and Attendance* 12/22/2021

References:

State Personnel Board Rule 478-1-.16 *Absence from Work*

Statewide Policy #7, *Rules, Regulations and procedures Governing Work Hours, the Payment of Overtime and the granting of Compensatory Time*

O.C.G.A. § 1-4-1 (holidays)

O.C.G.A. § 21-2-404 (voting leave)

O.C.G.A. § 31-29-1 (leave for contracting TB or infectious hepatitis)

O.C.G.A. §§ 32-2-7, 45-7-9, and 47-2-221 (line-of-duty injury leave)

O.C.G.A. § 34-1-3 (court leave)

O.C.G.A. § 38-3-93 (disaster volunteer leave)

O.C.G.A. § 38-2-279 (paid military leave)

O.C.G.A. § 45-20-30 (blood donation leave)

O.C.G.A. § 45-20-31 (organ and bone marrow donation leave)

O.C.G.A. § 45-20-32 (education support leave)

29 U.S.C. § 201, et seq., *Fair Labor Standards Act of 1938, As Amended*

42 U.S.C. § 12101, et seq., *Americans with Disabilities Act, As Amended*