



## Deschutes County Administrative Policy No. HR-14

Effective Date: December 9, 2009

Updated: July 21, 2025

# LEAVE POLICY

## STATEMENT OF POLICY

It is the policy of Deschutes County to provide paid leave to employees for vacation and sick time and to require that employees responsibly manage their leave.

## APPLICABILITY

This policy applies to all regular County employees that accrue leave. Departments may adopt stricter leave policies that are consistent with this policy. In the event of a conflict between this policy and a collective bargaining agreement, the terms of the collective bargaining agreement shall prevail.

## POLICY AND PROCEDURE

### **General**

Time management leave is a combined leave bank for vacation and sick leave. The program is designed to eliminate abuses of sick leave while rewarding employees for faithful attendance. Employees are encouraged to maintain a reasonable leave balance in the event of an illness.

Employees who are ill are encouraged to use leave to become well and to prevent spread of the illness to co-workers (if applicable). A supervisor may require that an employee with an illness leave the workplace. A decision to send a sick employee home must be based on observable symptoms and behaviors that lead a reasonable person to conclude that the employee is unable to perform their basic job duties or presents a threat of infection to co-workers or the public. Supervisors should consider the seriousness of the illness (for example, a common cold generally would not be included) and the relative risk to the work group. If the employee disagrees with the supervisor's assessment, the County may require the employee to visit urgent care. If the employee receives documentation from the urgent care physician approving an immediate return to work, the County shall pay for the urgent care visit and the time associated with the urgent care visit shall be counted as time worked.

### **Procedure**

#### Scheduled Leave

- The County shall make reasonable efforts to grant requests for leave, but shall have no obligation to do so, except for Paid Leave Oregon (PLO), (Federal Medical Leave Act (FMLA), or Oregon Family Leave Act (OFLA) qualifying leave and other protected leaves as defined in Chapter 3.36 of the Personnel Rules.
- Scheduled leave includes vacations, personal appointments, and other leave that is requested in advance of the leave. Employees are required to request scheduled time off from their supervisor at least one work-day in advance. Department operations may require more notice depending on the amount of leave requested and to maintain minimum staffing levels. Employees must confirm that their time off has been approved prior to taking time off.

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- Supervisors shall only approve scheduled leave for hours that are currently in the employee's leave bank (leave banks are credited with that month's leave at the beginning of the month, as reflected on the employee's time sheet). Leave accrued in the month is available to be used anytime during the month. However, supervisors shall not approve scheduled leave contingent upon future accumulation/credit to the leave bank.

#### Leave Without Pay

- Leave without pay is discouraged and may not be requested or granted until all accrued leave, including compensatory time, has been exhausted.
- Leave without pay shall only be used in situations such as the death of an immediate family member (as defined in ORS 659A), a personal or family medical emergency (as defined in County Policy HR-12, Family and Medical Leave), or an extreme hardship (such as an employee that has severe fire damage to their residence).** A department head may grant a leave of absence without pay up to 30 calendar days (or up to 90 days when contained in an applicable collective bargaining agreements). Leave without pay for periods in excess of 30 days must be approved by the County Administrator – except for PLO/FMLA/OFLA qualifying leave. Factors that will be considered for leave without pay are the nature of the request, the employee's previous leave use history, relevant discipline (if applicable), probationary status, and workload.
- Except in cases of PLO/FMLA/OFLA qualifying leave, an employee on leave without pay for more than 40 hours in a pay period shall be required to pay a pro-rated portion of their full health insurance premium. Employees on leave without pay status shall only accrue paid leave on a pro-rated basis for actual paid hours during the pay period.

#### Unscheduled Leave

- Employees are responsible for regular attendance at their jobs, per Chapter 3.20 of the Personnel Rules. Excessive unscheduled absences create a burden on the other members of the work team and can negatively impact service to our customers.
- Unscheduled leave is any non-qualifying PLO/FMLA/OFLA leave (as defined in Administrative Policy HR-12, Family and Medical Leave Policy) that is not approved in advance. Unscheduled leave is most often related to an employee or a family member becoming ill, but it also includes unexpected events that result in an absence. If an employee is required to leave work due to an illness, the incident shall be considered unscheduled leave. Supervisors are responsible for closely monitoring unscheduled leave.
- Supervisors have the discretion to waive an incident due to extenuating circumstances.
- Supervisors may require documentation from a health care provider for any unscheduled leave equal to or greater than three consecutive regular work shifts.
- Inappropriate or excessive use of unscheduled leave may be cause for disciplinary action. Inappropriate use includes feigning illness, deceitful use of sick leave, or failure to provide requested documentation for an absence. **Excessive unscheduled leave is defined as seven occurrences during a rolling twelve-month period.** PLO/FMLA/OFLA qualifying leave shall **not** be included in calculating excessive unscheduled leave.
- An employee who takes excessive unscheduled leave, as defined above, may be required to provide documentation of the reason for any additional unscheduled leave of any length of time within a 12-month rolling period.
- For Performance Evaluations, an employee must have no more than six unscheduled leave occurrences, as defined above, to receive a "Meets Standards" on the Attendance factor.

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—An absence of more than one day for the same reason is considered one occurrence. If the days are not consecutive, a doctor's note may be requested to establish that the absences are linked.

#### Bereavement Leave

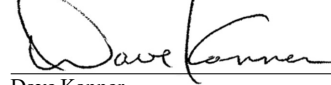
1. Employees shall be entitled to sixteen (16) hours of bereavement leave per occurrence to grieve and address matters related to the death of an immediate family member.

2. "Immediate family member" is defined as spouse, registered domestic partner (as defined by Oregon law), parent (to include step), child (to include step), brother (to include step), sister, (to include step), mother-in-law, father-in-law, grandparent, grandchild, and any member of the employee's immediate household.

3. The initial sixteen (16) hours of bereavement leave shall not require the use of accrued time off.

- Any additional time off beyond sixteen (16) hours may be charged to accrued time off

Approved by the Deschutes County Board of Commissioners on December 9, 2009.



Dave Kanner  
County Administrator

**Commented [SD3]:** Adjust language to match personnel rules: Non-represented employees shall be eligible for a maximum of twenty-four (24) hours of paid bereavement leave per occurrence, prorated for part-time employees in the event of the death of an immediate family member and the deceased individual resides in Oregon. In the event that the deceased individual resides outside of the State of Oregon, all non-represented employees shall be eligible for up to forty (40) hours of paid bereavement leave per occurrence, prorated for part-time employees. If additional bereavement leave is needed, an employee shall be allowed to use accrued leave, or leave without pay. Management reserves the right to request documentation for use of bereavement leave.

An "immediate family member" includes your spouse, same-sex domestic partner (as recognized under Oregon law), parent, child, sibling, mother-in-law, father-in-law, grandparent, grandchild, and any person residing in your household.

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