

Rule XI Time Off

Section A. Paid time off (PTO)

1 Accrual of paid time

- a Each full-time permanent or probationary employee in the paid time off plan shall be entitled to earn and accrue paid time off leave in accordance with the provisions of this Section.
- b Each part-time permanent or probationary employee in the paid time off plan shall be entitled to earn and accrue paid time off leave in proportion to the actual time in pay status, provided the employee is regularly engaged on a pay period basis in employment of 40 hours or more, in accordance with the provisions of this Section.
- c Paid time off shall not be granted to temporary, emergency, seasonal, intermittent or on-call employees or to employees compensated in accordance with session rate schedules.
- d Paid time off benefits for term employees shall be determined at time of appointment and in accordance with the nature and length of the term of appointment. These benefits shall be recommended by the Appointing Authority and are subject to approval by the Civil Service Commission.

2 Required employment period for paid time off

If an employee is in the paid time off plan, paid time off leave shall be earned from the effective date of appointment to a permanent position. Any employee appointed or reinstated to a permanent or term position on or after January 1, 2002 shall be enrolled in the paid time off plan.

3 Paid time off allowance

- a Paid time off leave shall be earned by each employee with four years or less of continuous service at a maximum proportional rate of 6.16 paid time off hours for each pay period resulting in an annual paid time off leave of 160.16 hours.
- b Paid time off leave shall be earned by each employee with more than four years and 9 years or less of continuous service at the maximum proportional rate of 7.70 paid time off hours for each pay period resulting in an annual paid time off leave of 200.20 hours.
- c Paid time off leave shall be earned by each employee with more than 9 years and 19 years or less of continuous service at the maximum proportional rate of 9.24 paid time off hours for each pay period resulting in an annual paid time off leave of 240.24 hours.
- d Paid time off leave shall be earned by each employee with more than 19 years and 29 years or less of continuous service at the maximum proportional rate of 10.77 paid time off hours for each pay period resulting in an annual paid time off leave of 280.02 hours.
- e Paid time off leave shall be earned by each employee with more than 29 years of continuous service at the maximum proportional rate of 12.31 paid time off hours for each pay period resulting in an annual paid time off leave of 320.06 hours.

4 Definition of continuous service and required service

An employee in the paid time off plan will accrue paid time off benefits in proportion to time in pay status for that pay period. Time in pay status constituting more than eighty hours per pay period shall

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not be counted in the calculation of entitlement to earn and accrue paid time off leave. Receipt of short-term disability and long-term disability do not constitute pay status for these purposes.

5 Deferment of paid time off

An employee with the approval of the Appointing Authority may defer paid time off but any deferred paid time off accrued may not exceed one and a half times the hours earned annually or 480 hours, whichever is less. The following list is illustrative of years of service and maximum hours of paid time off which may be deferred:

Years of Service	Maximum Deferred Paid Time Off Allowed
< 5	240.24
5 < 10	300.30
10 < 20	360.36
20 < 30	420.03
30+	480.09

6 Application for paid time off

a Application for paid time off should be made by the employee to the Appointing Authority in advance of the absence, when possible. Paid time off for those qualifying shall be scheduled by the Appointing Authority in such manner as to protect the effective operation of the department and the public interest.

b Earned paid time off shall normally be taken as time off. In unusual cases, however, if the workload of the organizational unit makes the granting of paid time off impractical or undesirable, the employee may be granted pay by the Appointing Authority in lieu of paid time off, subject to the approval of the Personnel Director. However, no employee shall be required to work more than one and a half years without using some paid time off.

(1) Any absence chargeable to paid time off leave shall be reported in increments of tenths of an hour.

(2) Only those hours for which an employee normally would have been required to work and receive pay shall be charged against accrued paid time off. A holiday as authorized in these rules falling on a workday within a period of paid time off is not considered as part of the employee's paid time off leave.

7 Effect of transfer, promotion and demotion upon paid time off

An employee who moves from one department or organizational unit to another shall at the time of such move have accrued paid time off leave transferred as an obligation of the new employing department or be paid by the employee's former department.

8 Effect of reinstatement

An employee who is reinstated within two years of separation from work shall accrue paid time under the PTO pay according to years of service at the time of separation. Any previous sick time will not be reinstated.

9 Effect of other leaves upon paid time off

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- 81 a All accumulated and unused paid time off shall be credited to any employee returning from a leave
82 of absence.
- 83 b An employee on military leave without pay shall not accrue paid time off during the period of such
84 leave, but the period of such leave shall be counted in the length of continuous service for
85 determining the paid time accrual rate.

86 10 Payment of paid time off upon termination

- 87 a A permanent employee or an employee who has completed six months of service, who leaves
88 County employment, shall receive a lump sum payment for accrued paid time off leave up to and
89 including the last day of employment.
- 90 b Employees who leave County service during the first six months of employment shall not receive
91 payment for accrued paid time off leave.
- 92 c Regardless of the employee's length of service any accrued paid time off leave due an employee
93 who dies in service shall be paid to the employee's estate unless the employee previously had
94 directed the Chief Accounting Officer, in writing, to make the payment in a different manner.

95 Section B. Traditional time off plan

96 1 Accrual of vacation time

- 97 a Each full-time permanent or probationary employee in the traditional time off plan shall be
98 entitled to earn and accrue vacation leave with full pay in accordance with the provisions of this
99 Section.
- 100 b Each part-time permanent or probationary employee in the traditional time off plan shall be
101 entitled to earn and accrue vacation with pay in proportion to the actual time in pay status,
102 provided the employee is regularly engaged on a pay period basis in employment of 40 hours or
103 more, in accordance with the provisions of this Section.
- 104 c Vacation shall not be granted to temporary, emergency, seasonal, or on-call employees or to
105 employees compensated in accordance with session rate schedules.
- 106 d Vacation benefits for term employees shall be determined at time of appointment and in
107 accordance with the nature and length of the term of appointment. These benefits shall be
108 recommended by the Appointing Authority and are subject to approval by the Civil Service
109 Commission.

110 2 Required employment period for vacation leave

111 If an employee is in the traditional time off plan, vacation leave shall be earned from the effective date
112 of appointment to a permanent position but may not be used or paid until an employee has completed
113 six months of continuous service and has met the other requirements specified in this section. Any
114 exceptions to this section must be approved in advance by the Civil Service Commission. However, any
115 employee appointed or reinstated to a permanent or term position on or after January 1, 2002 shall
116 not be allowed to enroll in the traditional time off plan.

117 3 Vacation allowance

- 118 a Vacation leave shall be earned by each employee with four years or less of continuous service at a
119 maximum proportional rate of 3.08 vacation hours for each pay period resulting in an annual
120 vacation leave of 80.08 hours.

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- 121 b Vacation leave shall be earned by each employee with more than four years and 11 years or less of
122 continuous service at the maximum proportional rate of 4.62 vacation hours for each pay period
123 resulting in an annual vacation leave of 120.12 hours.
- 124 c Vacation leave shall be earned by each employee with more than 11 years and 20 years or less of
125 continuous service at the maximum proportional rate of 6.16 vacation hours for each pay period
126 resulting in an annual vacation leave of 160.16 hours.
- 127 d Vacation leave shall be earned by each employee with more than 20 years and 30 years or less of
128 continuous service at the maximum proportional rate of 7.70 vacation hours for each pay period
129 resulting in an annual vacation leave of 200.20 hours.
- 130 e Vacation leave shall be earned by each employee with more than 30 years of continuous service at
131 the maximum proportional rate of 9.24 vacation hours for each pay period resulting in an annual
132 vacation leave of 240.24 hours.

133 4 Definition of continuous service and required service

134 An employee in the traditional time off plan will accrue benefits in proportion to time in pay status.
135 Time in pay status constituting more than 80 hours per pay period shall not be counted in the
136 calculation of entitlement to earn and accrue vacation leave. Receipt of long-term disability does not
137 constitute time earned in pay status.

138 5 Deferment of vacation

139 Vacation should normally be taken annually. However, an employee with the approval of the
140 Appointing Authority may defer vacation but any deferred vacation accrued may not exceed twice the
141 hours earned annually or 320.32 hours, whichever is less. The following list is illustrative of years of
142 service and maximum hours of vacation which may be deferred:

143	Maximum Deferred	
144	Years of	Paid Time Off
145	<u>Service</u>	<u>Allowed</u>
146	0 – 1	80.08
147	1 – 4	160.16
148	4 – 5	200.20
149	5 – 11	240.24
150	11 – 12	280.28
151	12+	320.32

152 6 Application For Vacation

- 153 a Application for vacation must be made by the employee to the Appointing Authority in advance of
154 the absence. Vacations for those qualifying shall be scheduled by the Appointing Authority in such
155 manner as to protect the effective operation of the department and the public interest.
- 156 b Earned vacations shall normally be taken as time off. In unusual cases, however, if the workload of
157 the organizational unit makes the granting of vacation impractical or undesirable, the employee
158 may be granted pay by the Appointing Authority in lieu of vacation, subject to the approval of the
159 Personnel Director. However, no employee shall be required to work more than two years without
160 a vacation.

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- 161 (1) Any absence chargeable to vacation leave shall be reported in increments of tenths of an hour.
- 162 (2) Only those hours for which an employee normally would have been required to work and
- 163 receive pay shall be charged against accrued vacation. A holiday as authorized in these rules
- 164 falling on a workday within a period of vacation is not considered as part of the employee's
- 165 vacation.
- 166 7 Effect of transfer, promotion and demotion upon vacation
- 167 An employee who moves from one department or organizational unit to another shall at the time of
- 168 such move have accrued paid time off leave transferred as an obligation of the new employing
- 169 department or be paid by the employee's former department.
- 170 8 Effect of other leaves upon vacation
- 171 a Vacation leave shall continue to accrue during authorized paid time off.
- 172 b All accumulated and unused vacation shall be credited to any employee returning from a leave of
- 173 absence.
- 174 c An employee on military leave without pay shall not accrue vacation during the period of such
- 175 leave but the period of such leave shall be counted in the length of continuous service for
- 176 determining the vacation accrual rate.
- 177 9 Payment of vacation upon termination
- 178 a A permanent employee or an employee who has completed six months of service, who leaves
- 179 County employment, shall receive a lump sum payment for accrued vacation leave up to and
- 180 including the last day of employment.
- 181 b Employees who leave County service during the first six months of employment shall not receive
- 182 payment for accrued vacation leave.
- 183 c Regardless of the employee's length of service any accrued vacation leave due an employee who
- 184 dies in service shall be paid to the employee's estate unless the employee previously had directed
- 185 the Chief Accounting Officer in writing to make the payment in a different manner.
- 186 Section C. Sick Leave
- 187 1 Sick leave use
- 188 Sick leave is to be used with the approval of the Appointing Authority when an employee is unable to
- 189 perform job duties because of illness, injury, pregnancy, pregnancy related disabilities; when an
- 190 employee's immediate family member is ill or injured; or other appropriate reasons, including but not
- 191 be limited to:
- 192 a medical, dental or optical examinations and treatment, when such examinations or treatment
- 193 cannot be scheduled outside the employee's work hours;
- 194 b exposure to contagious disease which might jeopardize the health of other employees and/or the
- 195 public they serve.
- 196 c the employee's immediate family member includes spouse, domestic partner, children, domestic
- 197 partner's children, stepchildren, or a relative living in the same household.
- 198 2 Accrual of sick leave
- 199 a Each full-time permanent or probationary employee in the traditional time off plan shall be
- 200 entitled to earn and accrue sick leave with pay in proportion to the time in pay status. Time in pay

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- 201 status constituting more than 80 hours per period shall not be count in the calculation in the
 202 entitlement to earn and accrue sick leave.
- 203 b Each part-time permanent or probationary employee in the traditional time off plan shall be
 204 entitled to earn and accrue sick leave with pay in proportion to time in pay status, provided the
 205 employee is regularly engaged on a pay period basis in employment of 40 hours or more and
 206 provided further that illness or injury interrupts an actual period of scheduled part-time work. Time
 207 in pay status constituting more than 80 hours per period shall not be counted in the calculation in
 208 the entitlement to earn and accrue sick leave.
- 209 c Emergency, on-call, temporary, seasonal employees or employees compensated in accordance
 210 with session rate schedules are not eligible for sick leave with pay. Sick leave benefits for term
 211 employees shall be determined at the time of appointment and in accordance with the nature and
 212 length of the term appointment. These benefits shall be recommended by the Appointing
 213 Authority and be subject to approval by the Civil Service Commission.
- 214 3 Required employment period for sick leave
- 215 Sick leave with pay shall be earned from the commencement of employment if the employee is in the
 216 traditional time off plan. An employee in the paid time off plan shall not be eligible to earn sick leave.
- 217 4 Method of accrual and unlimited accumulation
- 218 a Sick leave shall be earned by each eligible employee, regardless of service time, at a maximum
 219 proportional rate of three hours per pay period.
- 220 b There shall be no limit to the maximum number of sick leave hours an employee may accumulate.
- 221 c Sick leave shall continue to accrue during the time an employee is on authorized paid time off.
- 222 5 Application for sick leave
- 223 Detailed information regarding use of sick leave will be included in a separate policy.
- 224 6 Annual recognition for exemplary attendance
- 225 a A full-time employee who has accrued sick leave in the traditional time off plan in each biweekly
 226 pay period and who has used no more than eight hours of paid sick leave, excluding time covered
 227 under family leave in either eligibility period of January 1 – June 30 or July 1 – December 31 of the
 228 calendar year shall receive an additional eight hours of pay for each eligibility period in which the
 229 employee has qualified for the sick leave recognition award.
- 230 (1) At the employee's option, the additional eight hours awarded in each eligibility period may be
 231 taken as time off with pay during the following eligibility period in lieu of a cash payment.
- 232 (2) If required for administrative or cost reasons, or for program effectiveness, the Commission
 233 may make such other order relating to increasing or decreasing the recognition award or the
 234 requirements for receiving the award as in its discretion may be proper.
- 235 b Any cash payment under this provision shall be made within six biweekly pay periods after the
 236 employee has qualified for the sick leave recognition award, and no deferment to any subsequent
 237 pay period shall be made unless specifically authorized by the Commission. Payment shall be made
 238 at the employee's current hourly rate including shift differential when applicable.
- 239 c A part-time employee who is regularly engaged on a biweekly basis in employment of 40 hours or
 240 more and who is in the traditional time off plan may qualify and be compensated for the sick leave
 241 recognition award on a pro rated basis in direct proportion to the employee's regular work hours.

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242 d An employee in the paid time off plan shall not be eligible for the sick leave recognition award.

243 7 Conversion of sick leave balance at employee's retirement

244 a No employee shall be reimbursed for accrued sick leave at the time of the employee's termination
245 of County employment, except that employees retiring under the provisions of the County
246 retirement plan immediately upon their termination of County employment shall have one-half of
247 their total sick leave accumulation credited as paid leave immediately prior to retirement or at the
248 discretion of the Appointing Authority be paid in cash upon retirement.

249 b If an employee, eligible for retirement benefits under the provisions of the County retirement plan,
250 dies prior to receiving the sick leave benefits described in subparagraph a. above, such sick leave
251 benefits shall be paid to the employee's estate unless the employee previously had directed the
252 Chief Accounting Officer in writing to make the payment in a different manner.

253 c Any cash payment under these provisions shall be computed on the basis of the employee's basic
254 hourly rate at time of retirement or death, not including shift differential pay.

255 8 Sick leave and other personnel transactions

256 a An employee who is returned to duty from a leave of absence or transferred, promoted, demoted,
257 appointed from a layoff list or rehired without an interruption of service as defined by Rule IX,
258 Seniority, shall at the time of such action have their accrued sick leave reinstated by the employing
259 department.

260 b An employee who returns to active County service and who had received upon retirement an
261 additional benefit based upon the employee's sick leave accrual shall return with a zero sick leave
262 balance.

263 9 Workers compensation leave

264 a Any merit system employee in pay status who shall suffer from an accident or illness arising out of
265 and in the course of County employment shall be compensated in accordance with the provisions
266 of the Workers Compensation Laws of the State of Missouri and County ordinances.

267 b Accrued compensatory time, sick, paid time off or vacation leave shall be used as a supplement to
268 Workers Compensation Temporary Total Disability benefits to retain full pay following the salary
269 extension period provided by County Ordinance for a job-related condition.

270 c Any merit system employee who is absent from work for more than 40 hours in a pay period due
271 to an accident or injury covered under Worker's Compensation shall not be eligible for the sick
272 leave recognition award for that eligibility period.

273 10 Catastrophic sick leave

274 The Civil Service Commission may establish a catastrophic leave policy. Details of such a policy are to
275 be included in a separate document.

276 Section D. Military leave

277 1 Active duty in reserve corps

278 In addition to leaves of absence otherwise authorized in these rules, employees who are required to
279 participate in periods of training as members of organized units of the Reserve Corps of the Army,
280 Navy, Air Force, Marines Corps, Coast Guard, and the National Guard and who are ordered to active
281 duty shall be granted leave with full pay for up to a total of one hundred twenty hours in any federal
282 fiscal year, upon submission of evidence of receipt of competent orders. Employees engaged in the
283 performance of duty or training in the service of the State of Missouri at the call of the governor shall

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- 284 be granted a military leave for the entire period of service without loss of time, pay, regular leave or
285 any other rights or benefits.
- 286 2 Physical examinations
- 287 An employee shall be allowed time off with pay not to exceed one work day when required to take a
288 pre-induction physical examination by a Selective Service Board having jurisdiction over the employee,
289 provided that advance notice is given by the employee to the Appointing Authority.
- 290 3 Military service
- 291 A permanent or probationary employee who leaves the merit system to enter the armed services of
292 the United States shall be granted a leave of absence without pay to extend for 90 days beyond the
293 date of termination of such military service or release from treatment in a veteran's hospital if such
294 hospitalization immediately follows termination of military service.
- 295 a Prior to the expiration of such leave of absence the employee shall be reinstated to the job class
296 occupied at the time military leave was granted, if still qualified to perform the duties of such
297 position, or to a position of like seniority, status and pay.
- 298 b If not qualified to perform the duties of their former position by reason of service incurred
299 disability, but qualified to perform the duties of another position in the County service, the
300 employee shall be reinstated to another position that will provide like seniority, status and pay, or
301 the nearest approximation thereof, consistent with the circumstances.
- 302 c If a job class to which the employee has reinstatement rights has, during the period of military
303 leave, been in any way divided, altered, combined with other job classes, or abolished, the
304 employee shall be reinstated to a position in a comparable job class, the duties of which the
305 employee is capable of performing, which will provide like seniority, status and pay. If no such
306 vacant position exists, a vacancy shall be created, if necessary, by demotion or layoff of another
307 employee in accordance with these rules.
- 308 d An Appointing Authority, with the approval of the Commission, may grant an employee returning
309 from a leave of absence for service in the armed forces of the United States additional leave for the
310 purpose of receiving further training under federal or state laws applying thereto whenever such
311 leave is considered to be in the best interest of the County service. Such leave shall not exceed a
312 period of 12 months. Upon the expiration of the additional leave of absence, the employee shall
313 be reinstated to the job class occupied at the time the leave was granted or a comparable job class.
314 Failure of an employee to report for duty promptly at the expiration of the leave of absence shall
315 result in termination of reinstatement rights.
- 316 e An employee on military leave receiving a dishonorable discharge from the armed forces shall not
317 be entitled to reinstatement in the County service.
- 318 4 Active duty pay supplement
- 319 a Employees committing to return to County service from Military leave for active duty occasioned
320 by call-up of reservists or the National Guard in connection with enforcement of a United Nations
321 Resolution or North Atlantic Treaty Organization (NATO) Obligation shall receive a salary
322 supplement in an amount equal to their County salary less (a) their military pay and (b) salary paid
323 under paragraph 1. above. Such persons shall continue to accrue vacation time or paid time off up
324 to the maximum allowed by these rules and shall continue to accrue sick leave, if the employee is
325 in the traditional time off plan, and shall be entitled to all other rights and benefits of County
326 employees not inconsistent with active military duty.

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- 327 b The employee shall evidence commitment to return to County service by letter addressed to the
 328 employee's Appointing Authority. The letter shall state the employee's intent to return to County
 329 service, shall promise to provide notice of any change of rank or status affecting the employee's
 330 military compensation, and shall authorize the County to have access to any military records
 331 necessary to implement this program. The employee shall also forward a copy of the employee's
 332 most recent military Leave and Earnings statement or other proof of military pay.
- 333 c An employee's County salary shall be calculated as the salary attributable to the range and rate of
 334 pay occupied by the employee at the time leave commences. For full-time employees, the salary
 335 will be based on a 40-hour workweek. For part-time employees, the salary will be based on the
 336 average hours worked during the preceding five pay periods. Salary shall not include overtime,
 337 shift or weekend and holiday differentials, pay increases for which the employee would be eligible
 338 during the employee's military leave, auto allowance, incentive payments, nor maintenance
 339 allowances.
- 340 d Military compensation shall be calculated as the employee's base pay plus other recurring sums,
 341 such as flight pay and hazardous duty pay, not intended as reimbursement of expenses, but
 342 excluding quarters allowances or other sums designated as reimbursements.
- 343 e Any employee who does not return to County employment at the expiration of this military leave,
 344 if able to do so, shall refund all amounts received. Return to County employment shall be
 345 governed by paragraph 3. above.

346 Section E. Leave of absence without pay

347 1 Reasons for leave of absence without pay

348 A permanent or probationary employee, upon application in writing to and upon written approval of
 349 the Appointing Authority may obtain a leave of absence without pay, whenever such leave is
 350 considered to be in the best interest of the County service or for other reasons, including but not
 351 limited to:

- 352 a physical or mental disability of the employee;
- 353 b pregnancy and/or maternity;
- 354 c the employee has expressed the intent to become a partisan candidate for elective office, or to
 355 take part in the management of a political party or partisan political campaign, or has been
 356 appointed to public office;
- 357 d the employee is entering upon a course of training for the purpose of improving the quality of
 358 service to the County or preparing for promotion;
- 359 e the employee in accordance with any agreement by St. Louis County with a recognized employee
 360 organization is assuming the duties of a regular full-time position with the organization, such leave
 361 of absence being governed by the conditions and limitations specified in the agreement consistent
 362 with Section D of this Rule.
- 363 f because of extraordinary reasons, sufficient in the opinion of the Appointing Authority to warrant
 364 such leave of absence.

365 2 Conditions for granting leaves of absence without pay

366 Leaves of absence without pay for any of the above reasons shall be subject to the following
 367 regulations:

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- 368 a A copy of the written request for a leave of absence must be filed by the Appointing Authority with
369 the Personnel Director and sent with the payroll form granting the leave.
- 370 b Such leaves shall not be granted for more than 12 months, but upon written application prior to
371 the expiration of such leave, the Appointing Authority with the approval of the Personnel Director,
372 may grant an extension of leave not to exceed 12 months at a time and subject to a total
373 continuous leave of 48 months if such leave appears to be in the best interest of the County and/or
374 the employee.
- 375 c The individual may, upon making written application and with the approval of the Appointing
376 Authority, be returned to active duty prior to the expiration of a leave of absence, provided a
377 vacancy exists in a job classification which is the same as or comparable to the position held by the
378 employee prior to the leave or provided the employee's position has been held vacant or filled on a
379 temporary basis only as recommended in writing by the Appointing Authority and approved by the
380 Personnel Director.
- 381 d At the expiration of a leave of absence, the employee upon written request shall be returned to
382 active duty provided a vacancy exists in a job classification which is the same as or comparable to
383 the position held by the employee prior to the leave or provided the employee's position has been
384 held vacant or filled on a temporary basis only as recommended in writing by the Appointing
385 Authority and approved by the Personnel Director. Upon restoration after a leave of absence
386 without pay, the employee shall be granted the seniority possessed on the date of leave. If a
387 position in a job classification which is the same as or comparable to the position held by the
388 employee prior to the leave is not available upon an employee's return from a leave of absence,
389 the leave of absence shall automatically be extended for an additional 90 calendar days. If after
390 the conclusion of this extended period a position still is not available in a job classification which is
391 the same as or comparable to the position held by the employee prior to the leave the employee
392 shall be terminated.
- 393 e If an appropriate vacancy exists, failure on the part of an individual to report for work within three
394 consecutive workdays after the expiration of a leave of absence or an extension, except for valid
395 reasons submitted in writing in advance, shall be considered a resignation without notice.
- 396 f Information regarding the impact of a leave of absence on an employee's benefits is available from
397 the Division of Personnel.
- 398 3 Family and medical leave (added July 23, 1993)
- 399 a Any permanent employee is entitled to a total of 12 workweeks of leave during any 12-month
400 period provided that the employee has at least 1,040 hours in pay status in the 12-month period
401 immediately preceding the requested leave, and the leave is taken for one or more of the following
402 reasons:
- 403 (1) an employee is unable to perform the functions of the employee's position because of the
404 employee's own serious health condition;
- 405 (2) the birth of a son or daughter of an employee and to care for the child;
- 406 (3) the placement of a son or daughter with an employee for adoption or foster care; and/or,
- 407 (4) to care for the spouse, domestic partner, son, daughter, domestic partner's son or daughter, or
408 parent of an employee, if the family member has a serious health condition.
- 409 b An employee who requests a family and medical leave and whose request is approved will
410 continue to receive their County paid medical benefits during the leave and will be guaranteed to

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- 411 return to their position or an equivalent position at the conclusion of the leave. It is the Appointing
 412 Authority's responsibility to designate family and medical leave.
- 413 c Employees will be required to substitute accrued paid leave for any part of the 12 weeks granted
 414 under the law as follows:
- 415 (1) Employees who request leave under the Family and Medical Leave Act (FMLA) for their own
 416 serious health condition including giving birth to a child will be required to substitute accrued
 417 sick leave, any accrued vacation, any accrued paid time off, and then compensatory time
 418 before receiving unpaid leave;
- 419 (2) Employees who request leave under the FMLA for the serious health condition of others will be
 420 required to substitute accrued sick leave, accrued vacation, accrued paid time off, and then
 421 compensatory time before receiving unpaid leave;
- 422 (3) Employees who request leave under the FMLA for the care of a child after birth or the
 423 placement of a child with the employee for adoption or foster care will be required to
 424 substitute accrued vacation, accrued paid time off, and then compensatory time before
 425 receiving unpaid leave.
- 426 (4) When an employee substitutes paid leave for unpaid leave, and the substituted paid leave is
 427 less than 12 weeks in duration, the Appointing Authority will provide an additional period of
 428 unpaid leave so that the total of paid and unpaid leave provided equals not more than 12
 429 weeks during any 12-month period.
- 430 (5) A husband and wife, or domestic partners who are both employed by St. Louis County and are
 431 both eligible for leave under FMLA are permitted to take only a combined total of 12 weeks of
 432 leave during any 12-month period for birth or placement for adoption or foster care of a child.
- 433 (3) Any compensatory time used for family leave purposes will not count toward the 12 weeks of
 434 time in a 12-month time period.
- 435 d An employee requesting FMLA will do so using the forms provided by the Director of Personnel.
- 436 e Employees will be required to provide appropriate certification to support a request for leave
 437 under the FMLA.
- 438 f If an employee requests and is denied a family and medical leave, the employee may file a
 439 grievance directly to the Appointing Authority.

440 Section F. Absence without leave

441 Any absence of an employee from duty that is not authorized by the employee's Appointing Authority
 442 under the provisions of these rules shall be deemed to be an absence without leave. Any such absence
 443 shall be without pay and may constitute grounds for disciplinary action up to and including discharge.
 444 An employee who is absent from duty for three consecutive scheduled work days without
 445 authorization shall be deemed to have resigned without notice from the County service.

446 Section G. Time off with pay

447 An employee shall be granted time off with pay by the Appointing Authority for any of the following
 448 reasons:

- 449 1 For absence due to a death in the employee's immediate family, not to exceed three work days at any
 450 one time, except that time off for death in the family may be extended at the discretion of the
 451 Appointing Authority upon presentation of good and sufficient reason by the employee. "Immediate
 452 family" includes spouse, domestic partner, parents, stepparents, grandparents, grandchildren,

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- 453 brothers, sisters, children, stepchildren, father-in-law, mother-in-law, daughter-in-law, son-in-law,
 454 brother-in-law, sister-in-law, or domestic partner's parents, stepparents, grandchildren, brothers,
 455 sisters, children, stepchildren, father-in-law, mother-in-law, daughter-in-law, son-in-law, brother-in-
 456 law, sister-in-law, or a relative living in the same household.
- 457 2 For appearance before a court, legislative committee, or other judicial or quasi-judicial body as a
 458 witness in their capacity as a County employee.
- 459 3 For service on a jury, but the employee shall only be paid the difference between regular pay and pay
 460 as a juror.
- 461 4 For participation in promotional examinations held by the Division of Personnel or the Commission or
 462 in other examinations which the employee may be required to take by the ordinance or these rules.
- 463 5 Upon request by the Appointing Authority or employee, the Personnel Director may authorize time off
 464 with pay under other unusual circumstances, in which the grant of the leave would comport with the
 465 intent of this provision.
- 466 Section H. Administrative time off
- 467 With the prior approval of the Appointing Authority an employee may be granted time off with pay for
 468 any of the following reasons:
- 469 1 attendance at professional conferences, institutes, or meetings when such attendance in the opinion of
 470 the Appointing Authority may be expected to contribute to the betterment of the County service
 471 and/or the employee's professional development.
- 472 2 attendance at in-service training and other courses designed to improve the employee's performance.
- 473 Section I. Cancellation of leaves of absence
- 474 If necessary for the efficient operation of the business of the County, an employee on leave, other than
 475 sick or military leave, may be notified by the Appointing Authority of an early termination of leave and
 476 to return to duty within a reasonable period of time. Failure to return to duty within a reasonable time
 477 after receipt of such notice may result in disciplinary action. Any disciplinary action taken pursuant to
 478 this section may be appealed to the Commission.
- 479 Section J. Enforcement of leave regulations and records maintenance
- 480 The Appointing Authority is responsible for the enforcement and effective administration of paid time
 481 off, vacation, sick, military and other leave regulations in that department or organizational unit. The
 482 Personnel Director is responsible for prescribing the form and manner of recording and reporting leave
 483 accumulations and absences and for records maintenance.