

Amended Civil Service Rules 2-11 and 2-12 Disaster Response Leaves of Absence

Amendments approved October 3, 2006, effective immediately

[New sections added: **2-11.3** and **2-12.1(a)(3)**]

2-11 Leave of Absence with Pay

2-11.1 Authorization

An appointing authority may authorize salary payments to an employee to attend school, visit other governmental agencies, or undertake any other systematic improvement of the knowledge or skills required in the employee's work. Salary payments may be in whole or in part.

2-11.2 Administrative Leave

An appointing authority may grant administrative leave with pay for necessary absence from duty for which annual, sick, or other leave with pay is not applicable. Additionally, the appointing authority must grant administrative leave when specifically required by the civil service commission.

2-11.3 Disaster Response Leave with Pay *[New Section]*

An appointing authority may grant a leave of absence with pay for up to 10 workdays in a 12-month period to an employee to provide volunteer specialized disaster relief services within or outside this state, if the following conditions have been met:

- (a) The employee is skilled in emergency relief assistance and certified as a disaster services volunteer by the American Red Cross.
- (b) The president or governor has declared the disaster.
- (c) The American Red Cross has requested the services of the employee.
- (d) If the services are to be rendered outside the state by an employee of the executive branch, the governor has approved the paid leave of absence as provided in MCL 30.411a.

2-12 Leave of Absence without Pay

2-12.1 Authorization

(a) **Permissive leave.**

- (1) **Nonmedical leave of absence.** An appointing authority may grant an employee a nonmedical leave of absence without pay and without loss of employment status.
- (2) **Medical leave of absence.** An appointing authority may grant a medical leave of absence without pay for up to 6 months to an eligible employee whose sick leave is exhausted. An employee is eligible for a medical leave of absence only if the employee has the equivalent of at least 6 months full-time employment at the time the leave is granted. If an employee on medical leave requests an extension before the leave expires, an appointing authority is authorized to extend the leave to a maximum of one year. Any extension of a medical leave beyond one year requires the written approval of the state personnel director.
- (3) **Disaster response leave of absence.** An appointing authority may grant a leave of absence without pay to an employee who is skilled in emergency relief assistance and certified as a disaster services volunteer by the American Red Cross to provide disaster or emergency relief assistance in this state. *[New Section]*

- (b) **Mandatory leave.** An appointing authority must grant a leave of absence without pay when specifically required by the civil service commission.

2-12.2 Expiration

A leave of absence without pay expires on the date established by the appointing authority, unless extended by the appointing authority. If an employee on a leave of absence without pay does not return to work on or before the end of the leave, the employee is separated.

2-12.3 Restoration to Position

When an authorized leave of absence without pay expires or the appointing authority authorizes a return to work before the end of the leave, the employee is returned to work as follows:

- (a) Unless subsection (b) or (c) apply, the employee is returned to the position formerly occupied or an equivalent position.
- (b) If the appointing authority has demoted the employee since the beginning of the leave under rule 2-6 [Discipline] or rule 3-3 [Appointments and Job Changes], the employee is returned to a position at the classification level to which demoted and is compensated within the range of rates approved for that classification level.

- (c) If the employee's position was abolished during the leave, the employee is returned to the classified service in accordance with rule 2-5 [Employment Preference].
- (d) At the expiration of a medical leave of absence, if the employee is medically qualified to return to work, the employee is returned to a position as provided in subsection (a), (b), or (c), as appropriate. If the employee is not medically qualified to return to work, the employee is separated.

2-12.4 Annual Leave Balance

- (a) **Retention during leave.** An employee may choose to retain an annual leave balance during a leave of absence in accordance with the official compensation plan.
 - (b) **Limitation and exception.** Payment for annual leave due an employee who does not return from a leave of absence is at the employee's last rate of pay.
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