

Book: Luzerne Intermediate Unit
Section: 300 Administrative Employees
Title: Uncompensated Leave
Code: 339
Status: Active
First Adopted: November 20, 2024
Last Revised: October 23, 2024



Authority

The Board recognizes that in certain situations an administrative, professional or support employee may request extended leave for personal reasons, and the Intermediate Unit could benefit from the return of the employee. This policy establishes parameters for granting uncompensated leaves of absence.

The Board reserves the right to specify the conditions under which uncompensated leave may be taken. Applications for uncompensated leave require approval by the Board, upon recommendation of the Executive Director.[\[1\]](#)[\[2\]](#)[\[3\]](#)

The Executive Director or designee shall notify the Board of all uncompensated leave provided as a reasonable accommodation in accordance with applicable law and regulations.[\[4\]](#)

Uncompensated leave shall be granted in accordance with provisions of the administrative compensation plan, individual contract, collective bargaining agreement or Board resolution.

Guidelines

Uncompensated leave may be taken in accordance with applicable law and regulations and for the following purposes:[\[4\]](#)

Childrearing/Parental.

Medical condition of immediate family member.

Religious observance.

Special work assignment.

Restoration of health.

Elected public office.[\[5\]](#)

Emergency.

Application

Requests for uncompensated leave shall be made on the Intermediate Unit's Unpaid Leave form to the Director of Human Resources. The Director of Human resources shall process the form, ensure eligibility of the employee for the leave, and draft a board motion, with approval of the Executive Director. The Board shall vote at the regular monthly meeting on whether the leave shall be approved.

Special consideration will be given to emergencies. In the event of an emergency the Board shall vote whether the leave is approved in the next meeting, following the emergency leave.

Uncompensated leave provided as a reasonable accommodation, based on the needs of a qualified employee, shall be granted in accordance with applicable law, regulations and Board policy.[4][6]

Uncompensated leave requested by an Intermediate Unit employee who has been elected to public office as a county official in any Pennsylvania county shall be granted for the first four (4) years of the elected period of service, in accordance with applicable law. Upon conclusion of the leave, the employee shall be entitled to a position similar to the position held prior to the leave of absence. To qualify for uncompensated leave, such employee shall have been employed by the Intermediate Unit for at least five (5) years prior to being elected as a county official.[5]

Commitment of Employee

The employee granted an uncompensated leave of absence in excess of one (1) calendar month shall inform the Intermediate Unit of the employee's intentions to return within 2 weeks of the scheduled return date.

Time on uncompensated leave shall not count as time on the job, and fringe benefits shall not be provided. Employees shall be given the option of continued participation in insurance programs at their own cost.

Legal

1. 24 P.S. 913-A

2. 24 P.S. 914-A

3. 24 P.S. 1154

4. Pol. 104

5. 24 P.S. 1182

6. 29 CFR 1636.4

20 U.S.C. 1681 et seq

42 U.S.C. 12101 et seq

29 CFR Part 1636

34 CFR Part 106