

SECTION 4.2.12: ADMINISTRATIVE LEAVE.

- (a) Definition. Administrative leave is a non-disciplinary, paid absence from work imposed by the appointing authority under specified conditions.
- (b) Eligibility. Employees in classes designated AE, AM, AS, CC, CE, CEM, CL, CM, CR, CS, DA, DI, DS, DM, EM, FS, HS, MA, MM, NA, NE, NM, NS, PD, PM, PO, PR, PS, RN, SM, SO, SS, SW and UM are eligible for administrative leave.

(Amended 07/27/90, Ord. No. 7777)
(Amended 07/27/90, Ord. No. 7789)
(Amended 09/07/90, Ord. No. 7810)
(Amended 02/08/91, Ord. No. 7851)
(Amended 05/03/91, Ord. No. 7904)
(Amended 06/11/93, Ord. No. 8248)
(Amended 10/01/93, Ord. No. 8300)
(Amended 09/27/96, Ord. No. 8720)
(Amended 12/18/98, Ord. No. 8987)
(Amended 12/04/01, Ord. No. 9405)
(Amended 06/23/06, Ord. No. 9783)
(Amended 06/28/13, Ord. Nos. 10263, 10266)

(c) Conditions for Authorized Leave.

- (1) The appointing authority may direct an eligible employee to take administrative leave only if there is an occurrence, or the likelihood of an occurrence, of an emergency or extraordinary situation in which:

- (a) The immediate removal of the employee (this does not include employees in classes designated DI or DM) from the County work site is essential to avert harm or damage to the employee, to County property or records, to the public, or to other employees; and

(Amended 09/22/00, Ord. No. 9247)

- (b) The employee's involvement or potential for involvement in such circumstances is sufficiently unclear as to warrant an investigation; and/or

- (c) The immediate removal of the employee (this does not include employees in classes designated DI or DM) from the County work site is essential to insure

the conduct of a fair and complete investigation of such emergency or extraordinary circumstances.

- (d) Employees in classes designated DI or DM must be immediately removed from the County work site to avert harm or damage to the employee, to County property or records, to the public, or to other employees; and

(Added 09/22/00, Ord. No. 9247)

- (e) Employees in classes designated DI or DM must be removed from the County work site to insure the conduct of a fair and complete investigation of such emergency or extraordinary circumstances.

(Added 09/22/00, Ord. No. 9247)

- (2) Administrative leave shall not be authorized when:

- (a) The appointing authority is able to avert an emergency or extraordinary situation by reassigning the employee to other duties or to a different work site within the department; or
- (b) The employee agrees to take accumulated paid leave at the request of the appointing authority; or
- (c) The employee's conduct has clearly caused the emergency or extraordinary situation, and such conduct clearly constitutes grounds for immediate suspension or termination pursuant to Rule VII of the Rules of the Classified Service.

- (d) Duration. Administrative leave may be authorized for up to ten (10) work days for each occurrence. At the request of the appointing authority and when more time is needed to complete an investigation, up to twenty (20) additional work days may be authorized, and may be extended beyond a total of twenty (20) work days in cases of criminal investigations by law enforcement agencies or pending Skelly hearings, upon approval of the Director; provided, however, that the duration of administrative leave shall not continue beyond the day the appointing authority determines, through an investigation, that the employee's absence is no longer essential.

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Eligible Classes: Classes designated DS and SM.

- (2) Administrative leave may be authorized for up to ten (10) work days for each occurrence and may be extended for additional working days if more time is needed to complete the investigation, subject to the approval of the Director. The duration of administrative leave shall not continue beyond the day the appointing authority determines, through an investigation, that the employee's absence is no longer essential.

Eligible Classes: Classes designated AE, AM, AS, CC, CE, CEM, CL, CM, CR, CS, DA, DI, DM, EM, FS, HS, MA, MM, NA, NE, NM, NS, PD, PM, PO, PR, PS, RN, SO, SS, SW and UM.

(Amended 07/27/90, Ord. No. 7777)
(Amended 09/07/90, Ord. No. 7810)
(Amended 02/08/91, Ord. No. 7851)
(Amended 09/02/96, Ord. Nos.8720)
(Amended 07/03/98, Ord. Nos. 8930,9832)
(Amended 06/28/13, Ord. Nos. 10263, 10266)
(Amended 07/12/13, Ord. Nos. 10268, 10269)
(Amended 09/20/13, Ord. No. 10291)
(Amended 10/08/13, Ord. No. 10293)
(Amended 12/03/13, Ord. No. 10303)

(e) Notice.

- (1) The appointing authority shall provide to the employee written notice of the reasons for, the effective date and duration of the administrative leave. Copies of the notice

shall be forwarded by the appointing authority to the Director and to the Auditor and Controller.

- (2) If, prior to the expiration of administrative leave, the appointing authority has determined through an investigation that the employee's absence is not essential, the appointing authority shall provide notice to the employee that administrative leave is no longer authorized effective the next work day. Such notice may be given orally, but must be documented in writing and a copy provided to the employee, the Director and the Auditor and Controller.

- (f) Investigation. The appointing authority shall commence an investigation of the circumstances surrounding the emergency or extraordinary situation not later than one work day following the date of written notice to the employee, however, the appointing authority may commence such investigation prior to the date of written notice.

- (g) Expiration of Administrative Leave. If the employee has not been notified by the appointing authority to return to work prior to the expiration of administrative leave, upon the expiration of the leave, the employee shall:
 - (1) return to work;
 - (2) utilize other authorized leave approved by the appointing authority; or
 - (3) be notified that the appointing authority has implemented a final order of suspension or termination.

(Added 07/13/90, Ord. No. 7773)