Unpaid Holidays for Reason of Faith or Conscience

Each district employee may request up to two unpaid holidays per calendar year for a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church or religious organization. In compliance with state law, the Superintendent or designee or the employee's supervisor will grant the request(s) unless he or she determines that the employee's absence would impose an undue hardship on the district or the employee is necessary to maintain public safety.

Employee Request Process
An employee seeking to take unpaid holidays for reasons of faith or conscience will submit a written request to the Executive Director of Human Resources or designee a minimum of two weeks prior to the requested days off.

The following information will be included in the request:

1. Name;

2. Position;

3. Number of Day(s) or half day(s) that the employee is requesting off;

4. A sufficient description of the reason for the time off so that the Executive Director of Human Resources can determine whether it involves a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church or religious organization;

District Approval Process
Upon receipt of an employee request for unpaid holidays, the Executive Director of Human Resources or designee will determine whether:

1. The request was submitted on a timely basis or sufficient justification exists for it not being timely submitted;

2. The employee has already exhausted his/her two unpaid holidays per calendar year as provided by law;

3. The request for unpaid holidays is based on a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church or religious organization. (Note: The time requested need not conform to a specific holiday or event).

4. The employee's absence would impose an undue hardship on the district; or

5. The employee is necessary to maintain public safety.

Undue hardship is defined as action requiring significant difficulty or expense to the district. The Executive Director of Human Resources or designee will determine whether a

request for unpaid leave constitutes an undue hardship for the district on a case-by-case basis, taking into account specific objective facts and circumstances present at the time of each request.

In determining whether an employee's request for unpaid leave would impose an undue hardship on the district, the following factors will be considered:

1. The number, composition and structure of the staff employed by the district or in the requesting employee's program;

2. The financial resources of the district or the requesting employee's program;

3. The number of employees requesting leave for each day subject to such a request;

4. The financial impact on the district or requesting employee's program resulting from the employee's absence and whether that impact is greater than a de minimus cost to the district or the requesting employee's program;

5. Impact on the district, the requesting employee's program or public safety;

6. Type of operations of the district or the requesting employee's program;

7. Geographic location of the employee or geographic separation of the particular program to the operations of the district;

8. Nature of the requesting employee's work;

9. Deprivation of another employee's job preference or other benefit guaranteed by a collective bargaining agreement;

10. Any other impact on district operations or the requesting employee's program due to the employee's absence.

The request may be denied for any of the following reasons:

1. The request was not based on a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church or religious organization. (Note: The requested time off need not conform to a specific holiday or event).

2. The employee has already exhausted their two unpaid holidays per calendar year (Note: Unpaid holidays are not cumulative from year to year);

3. The employee is necessary to maintain public safety;

4. Granting the request would impose an undue hardship, as defined above, on the district.

A written response will be provided to the employee within seven (7) business days, if feasible, approving or denying the request. If the request is denied, the response will state the reason(s) therefor.

Approval of unpaid holiday time does not constitute approval for an employee to take compensated or other types of leave in conjunction with that time. An employee must seek separate approval for compensated and other types of personnel leave consistent with applicable district policies and procedures.

Cross References:	5400 - Personnel Leaves
	5401 - Sick Leave
	5403 - Emergency and Discretionary Leaves
	5404 - Family, Maternity and Military Caregiver Leave
	5406 - Leave Sharing
	5407 - Military Leave
	5408 - Jury Duty and Subpoena Leave
	5410 - Holidays
	5411 - Staff Vacations
Legal References:	RCW 1.16.050 - Legal holidays and legislatively recognized days
	RCW 43.41 - Office of Financial Management
	WAC 82-56-010 - Purpose
	WAC 82-56-020 - Definition of Undue Hardship
	WAC 82-56-030 - Application of definition of undue hardship to request