LENAPE TECHNICAL SCHOOL

SECTION: ADMINISTRATIVE EMPLOYEES

TITLE: UNCOMPENSATED LEAVE

ADOPTED: August 2, 2007

REVISED: March 20, 2025

339. UNCOMPENSATED LEAVE

Authority

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

The Joint Operating Committee reserves the right to specify the conditions under which uncompensated leave may be taken. **Applications** for uncompensated leave require approval by the Joint Operating Committee, upon recommendation of the Administrative Director.[1][2]

The Administrative Director or designee shall notify the Joint Operating Committee of all uncompensated leave provided as a reasonable accommodation in accordance with applicable law and regulations.[3]

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

Guidelines

Uncompensated leave may be taken **in accordance with applicable law and regulations, and** for the following purposes:[1][2]

- Childrearing/Parental.
- **Medical condition of immediate family member.**
- **Religious observance**.
- Special work assignment.
- Restoration of health.
- Elected public office.[4]

Application

Requests for uncompensated leave shall be made **on the school's form or in writing to the Administrative Director**.

Special consideration will be given to emergencies.

All applications are subject to final approval by the Joint Operating Committee.

Period of Leave

An uncompensated leave may be granted for a period of up to one (1) school year.

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 Joint Operating Committee policy.[3][5]

Uncompensated leave requested by a school 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 school for at least five (5) years prior to being elected as a county official.[4]

Commitment of Employee

The employee granted an uncompensated leave of absence shall inform the Joint Operating Committee of **the employee's** intentions within 30 days of the scheduled return date.

If notification is not received **within the designated time period prior to the scheduled return date,** it shall be assumed that the employee has terminated employment with the school.

Commitment of Employer

At the expiration of uncompensated leave, the employee shall be offered a like position to that previously held.

Time on uncompensated leave shall not count as time on the job, and fringe benefits shall not be provided **except in accordance with the terms of an applicable collective bargaining agreement.**

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Legal References

1. 24 P.S. 1154

	2. 24 P.S. 1850.1 3. Pol. 104 4. 24 P.S. 1182 5. 29 CFR 1636.4 20 U.S.C. 1681 et seq 42 U.S.C. 12101 et seq 34 CFR Part 106 29 CFR Part 1636