

<u>Section G:</u> Human Resources	Knox County Board of Education Policy		
	Descriptor Term: Long-Term Leaves of Absence	Descriptor Code:	Issued:
		G-463	7/95
		Reviewed:	Revised:
	5/25	8/17	

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Employees in regular, temporary, or interim positions shall be granted leave without pay for military service, legislative service, maternity, adoption, recuperation of health or visitation of a spouse, child or parent deployed for military duty out of the country who has been granted rest and recuperation leave and educational improvements or other sufficient reason without loss of accumulated leave credits, tenure status, or other fringe benefits. Leave to visit a spouse, child or parent deployed for military duty out of the country, who has been granted rest and recuperation leave, shall be granted for no longer than ten (10) days. All leaves shall be requested in writing at least thirty (30) days in advance on forms provided by the Director of Schools. The 30-day notice may be waived or reduced by the Director of Schools upon submission of a certified statement by a physician. The application for leave forms shall require:

1. A description of the type of leave requested;
2. The requested dates for beginning and ending the leave; and
3. A statement of intent to return to the position from which leave is granted.

Each request must be acted upon by the Director of Schools. Each applicant shall be notified in writing of the Director of Schools' action. All leaves, except military leave, shall be from a specific date to a specific date. However, any leave may be extended by the Director of Schools upon written request from the employee. The maximum period for a leave of absence is two continuous years. At the conclusion of two continuous years of leave, employee must immediately report back to work for a period of no less than one term to be eligible for an additional two continuous years under the leave without pay category. If you do not immediately return to work upon the expiration of two continuous years of leave, coverage is terminated and COBRA eligibility will not apply. The procedure and condition for extending a leave are the same as those used when originally requesting and granting the leave. However, military leave shall be granted for whatever period may be required.

Positions vacated for less than twelve (12) months by employees on leave shall be filled with an interim employee while the employee is on leave. If the employee returns from leave within 12 months, the interim employee shall relinquish the position. If the leave exceeds twelve (12) months, the employee shall be placed in the same or a comparable position upon return.

Any employee on leave shall notify the Director of Schools at least thirty (30) days prior to the date of return if the employee does not intend to return to the position from which he is on leave. Failure to give such notice shall be considered breach of contract.¹

PAY AND BENEFITS

All leave granted in conformance with this policy shall be without pay. If the individual qualifies for Family and Medical Leave (FMLA), this leave may run concurrently with FMLA leave for up to a maximum of twelve weeks. During the period of FMLA Knox County will pay the Board share of the

1 insurance premium(s). After FMLA is exhausted or if the individual is not eligible for FMLA, the
2 employee is responsible for the total premiums in order to continue life, health-dental benefits; otherwise,
3 benefits cease to exist.

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5 If the employee participates in a supplemental policy, the employee must make arrangements with the
6 company to continue the benefit. FMLA leave is not available to individuals taking leave without pay for
7 military service, legislative service or educational leave.

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Legal References:

- 1. T.C.A. § 49-5-702 through T.C.A. § 49-5-709.

Approved as to Legal Form
By Knox County Law Director 6/19/2017
/Gary T. Dupler/Deputy Law Director