

LEAVES OF ABSENCE
ATTORNEY & OTHER EXEMPT EMPLOYEES
Adopted: 09/18/2019

1. Attorney Leaves of Absence:

A. No leaves of absence may be granted to an attorney during a work assessment period. Their caseload must be in good standing and the attorney may not be on probation.

B. Whether a caseload is in "good" standing is dependent on many factors. As to whether a caseload is in sufficient shape to grant a leave shall be determined by the Director, with the advice of the Deputy Director from the office where the attorney works and one other Assistant Defender on staff.

2. Staff Leaves of Absence & Rehiring:

A. No leaves of absence can be granted for exempt employees longer than three (3) months with a guarantee of full employment upon return. Employees returning after three (3) months will not be guaranteed their former position and will be treated as a new hire. The rate of pay shall be determined by the administration and these policies.

B. Employees returning early/prior to the set date shall return in the discretion of the administration.

C. If the employee has not returned at the set date or according to the terms of the agreement, the employment terminates.

3. General Provisions:

A. No caseload "preserved" longer than 90 days.

B. All leaves must be in writing. No leaves are valid unless in writing and signed by the Director.

C. Waiver of any provisions relating to leaves for caseload Assistant Defenders will be only on good cause shown and on recommendation by a majority of those employees in a similar classification (only permanent staff) and in the sole discretion of the Director.

D. The office will make only one offer to return to fulfill its "next available" condition. Such offer will be sent to the employee's last known address in their personnel file. It is the responsibility of the employee to keep such address up to date.