

ARTICLE 19
LEAVE WITHOUT PAY

19.1 Leave without pay will be granted for the following reasons:

- A. Family and medical leave (in accordance with [Article 16](#), Family and Medical Leave);
- B. Compensable work-related injury or illness leave (in accordance with [Article 22](#), Work-Related Injury or Illness);
- C. Military leave;
- D. Cyclic employment;
- E. Suspended operations (in accordance with [Article 17](#), Suspended Operations);
- F. Pregnancy disability leave (in accordance with [Article 18](#), Miscellaneous Leave);
- G. Parental leave (in accordance with [Article 18](#));
- H. Temporary disability leave (in accordance with [Article 18](#));
- I. Volunteer firefighting leave;
- J. Military family leave; and/or
- K. Domestic violence leave.

19.2 Unpaid Holidays for a Reason of Faith or Conscience

- A. Leave without pay will be granted for up to two (2) workdays 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. Leave without pay may only be denied if the employee's

absence would impose an undue hardship on the Employer as defined by
[WAC 82-56](#) or the employee is necessary to maintain public safety.

B. The Employer will allow an employee to use compensatory time, personal holiday, [personal leave](#) or vacation leave in lieu of leave without pay. All requests to use compensatory time, personal holiday [and personal leave](#) or vacation leave requests must indicate the leave is being used in lieu of leave without pay for a reason of faith or conscience. An employee's personal [leave and personal](#) holiday must be used in full workday increments.

C. An employee's seniority date, probationary period or trial service period will not be affected by leave without pay taken for a reason of faith or conscience.

D. Employees will only be required to identify that the request for leave is for a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization.

19.3 Leave without pay may be granted for the following reasons:

- A. Educational leave;
- B. Child or elder care emergencies;
- C. Governmental service leave;
- D. Citizen volunteer or community service leave;
- E. Conditions applicable for leave with pay;
- F. Union activities (in accordance with [Article 39](#), Union Activities); and/or
- G. As otherwise provided for in this Agreement.

19.4 Limitations

A. Leave without pay will be no more than twelve (12) months in any consecutive five (5) year period, except for:

- 1. Compensable work-related injury or illness leave;

2. Educational leave;
3. Governmental service leave;
4. Military leave;
5. Cyclic employment leave;
6. Leave for serious health condition taken under the provisions of the Family and Medical Leave ([Article 16](#));
7. Leave taken voluntarily to reduce the effect of a layoff;
8. Leave authorized in advance by an appointing authority as part of a plan to reasonably accommodate a person of disability;
9. Leave to participate in union activities;
10. Volunteer firefighting leave; and/or
11. Domestic violence leave.

B. Leave of absence without pay may be extended for an additional twelve (12) months upon signed request of the employee and signed approval of the appointing authority.

19.5 Returning Employee Rights

Employees returning from authorized leave without pay will be employed in the same position or in another position in the same job classification, as determined by the Employer, provided that such reemployment is not in conflict with other articles in this Agreement. Prior to the commencement of the leave, the Employer will notify the employee in writing regarding return rights.

19.6 Military Leave

In addition to twenty-one (21) working days of paid leave granted to employees for required military duty, training or drills including those in the National Guard, or state active status, unpaid military leave granted under Article 19.1, above, will be in accordance with [RCW 38.40.060](#) and applicable federal law. Employees on military leave will be reinstated as provided in [RCW 73.16](#) and applicable federal law.

19.7 Educational Leave

Leave without pay may be granted for educational leave for the duration of actual attendance in an educational program.

19.8 Child or Elder Care Emergencies

Leave without pay, compensatory time or paid leave, may be granted for child or elder care emergencies.

19.9 Cyclic Employment Leave

Leave without pay will be granted to cyclic employees during their off-season.

19.10 Governmental Service Leave

Leave without pay may be granted for government service in the public interest, including, but not limited to, the U.S. Public Health Service or Peace Corps leave.

19.11 Citizen Volunteer or Community Service Leave

Leave without pay may be granted for community volunteerism or service.

19.12 Volunteer Firefighting Leave

Leave without pay will be granted when an employee who is a volunteer firefighter is called to duty to respond to a fire, natural disaster or medical emergency.

19.13 Military Family Leave

In accordance with the Military Family Leave Act, [RCW 49.77](#), leave without pay will be granted to an employee whose spouse or state registered domestic partner

as defined by [RCWs 26.60.020](#) and [26.60.030](#) is on leave from deployment or before and up to deployment, during a period of military conflict. Use of leave without pay, compensatory time, vacation leave, sick leave, personal leave, and all or part of a personal holiday is limited to a combined maximum of fifteen (15) working days per deployment. Employees must provide the Employer with five (5) business days' notice after receipt of official notice that the employee's spouse or state registered domestic partner as defined by [RCWs 26.60.020](#) and [26.60.030](#) will be on leave or of an impending call to active duty.

19.14 Domestic Violence Leave

In accordance with the Domestic Violence Leave Act, [RCW 49.76](#), leave without pay, including intermittent leave, will be granted to an employee who is a victim of domestic violence, sexual assault, or stalking. Family members of a victim of domestic violence, sexual assault or stalking will be granted leave without pay to help the victim obtain treatment or seek help. Family member for the purpose of domestic violence leave includes child, spouse, state registered domestic partner as defined by [RCWs 26.60.020](#) and [26.60.030](#), parent, parent in law, grandparent or a person the employee is dating. The Employer may require verification from the employee requesting leave.

19.15 Requests for leave without pay will be submitted in writing. The Employer will approve or deny leave without pay requests, in writing, within fourteen (14) calendar days when practicable and will include the reason for denial. If leave without pay is granted, annual plans and expectations may be adjusted as needed.

TENTATIVE AGREEMENT REACHED

An electronic signature to this Agreement shall be given effect as if it were an original signature.

For the Employer

For the Union

Inti Tapia, Labor Negotiator
OFM/SHR Labor Relations &
Compensation Policy Section

Steve Sloniker,
Executive Director, WPEA