



# MONTANA STATE HOSPITAL POLICY AND PROCEDURE

## LEAVE POLICY

**Effective Date:** July 14, 2014

**Policy #:** HR-03

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- I. PURPOSE:** This policy provides uniform guidelines throughout Montana State Hospital (MSH) for administering leave requests.
- II. POLICY:** All leave requests and absences will be processed according to this policy and any applicable Montana Operations Manual (MOM) policy, Department of Public Health and Human Services policy, and applicable union contracts.

Core usage of leave time will be according to relevant MOM Policy and Montana Code Annotated (MCA) (as follows:

- Sick Leave Policy reference # 163
- Annual Vacation Leave Policy reference #145
- FMLA Leave Policy reference # 152
- Disaster and Emergency Leave reference # 149
- Military Leave MCA § 10-1-1009
- Jury Duty And Witness Leave Policy reference # 157
- Leave of Absence Without Pay Policy reference # 156

### III. DEFINITIONS:

- A. MCA – Montana Code Annotated ([http://www.leg.mt.gov/bills/mca\\_toc/index.htm](http://www.leg.mt.gov/bills/mca_toc/index.htm))
- B. MOM – Montana Operations Manual (<http://mom.mt.gov>)
- C. ARM – Administrative Rules of Montana (<http://mtrules.org>)
- D. DPHHS – Department of Public Health & Human Services

### IV. RESPONSIBILITIES:

- A. All employees will adhere to Attendance/Leave Policy as outlined.
- B. Designated Supervisors/Managers are responsible for granting or denying all leave requests.

- V. PROCEDURE:** Kronos leave requests are to be utilized for any scheduled hours not worked. This includes pre-approved leave and leave authorized over the phone such as

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sick leave, leave without pay, or vacation/holiday time. Accrued leave time may not be used in the same pay period in which it is earned (Comp-Time excepted). Leave request forms must be submitted to and approved by the immediate supervisor prior to the end of the pay period. (A leave request does not need to be used for flexed scheduled hours or time under 2 hours as approved.)

- A. SICK LEAVE: (Per MCA § 2-18-618) MOM policy reference # 163, [Sick Leave](#). (Control + Click to access link)
- B. ANNUAL LEAVE: (Per MCA § 2-18-103) MOM policy reference #145, [Annual Vacation Leave](#). (Control + Click to access link)

There is no guarantee that any annual leave request will be granted at any specific time. The needs of the hospital and unit will be given first consideration by supervisors.

- C. Family and Medical Leave Act (FMLA): MOM policy reference # 152, [FMLA](#). (Control +Click to access link)

Requests for family/medical leave will be governed by applicable department policy and current administration rules.

- D. DISASTER AND EMERGENCY LEAVE: MOM policy reference #149, [Disaster and Emergency Leave](#) (Control + Click to access link).
- E. MILITARY LEAVE: MCA § 10-1-1009, [Paid Military Leave for Public Employees](#) (Control + Click to access link).

Administrative Rules of Montana, any applicable DPHHS policy, and (MSH) policy.

- F. JURY DUTY AND WITNESS LEAVE: MOM policy reference #155, [Jury Duty and Witness Leave](#). (Control + Click to access link).
- G. LEAVE OF ABSENCE WITHOUT PAY: MOM policy reference #156, [Leave of Absence Without Pay](#) (Control + Click to access link).

**VI. REFERENCES:** Montana Codes Annotated, Montana Operations Manual Policies: Sick Leave Policy Reference # 163, FMLA Leave Policy Reference # 152, Leave of Absence Without Pay Policy # 156, Jury Duty And Witness Leave Policy # 157, Annual Vacation Leave Policy #145 and Disaster and Emergency Leave # 149; Administrative Rules of Montana, MSH & DPHHS Policies, & Union Contracts.

**VII. COLLABORATED WITH:** Director of Nursing and Hospital Administrator.

**VIII. RESCISSIONS:** #HR-03, *Leave Policy* dated October 26, 2009; #HR-03, *Leave Policy* dated August 28, 2006; #HR-03, *Leave Policy* dated September 1, 2002; #HR-03,

