

UNPAID HOLIDAYS FOR REASON OF FAITH OR CONSCIENCE

Each NWESD 189 employee may request up to two (2) unpaid holidays 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. In compliance with state law, the Superintendent or designee will grant the request(s) unless he/she determines that the employee's absence would impose an undue hardship on the NWESD 189 or the employee is necessary to maintain public safety.

Employee Request Process

An employee seeking to take unpaid holidays for reasons of faith or conscience will submit a written request to his/her supervisor a minimum of two (2) weeks prior to the requested day(s) off.

The following information will be included in the request:

- 1) Name;
- 2) Position;
- 3) Number of day(s) that the employee is requesting off; and,
- 4) A sufficient description of the reason for the time off so that the supervisor can determine whether it involves a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization.

Consideration/Approval Process

Upon receipt of an employee request for unpaid holidays, the Superintendent or designee will determine whether the:

- 1) request was submitted on a timely basis or sufficient justification exists for it not being timely submitted;
- 2) employee has already exhausted his/her two (2) unpaid holidays per calendar year as provided by law;
- 3) request for unpaid holidays is based on a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization. (Note: The time requested need not conform to a specific holiday or event.)
- 4) employee's absence would impose an undue hardship on the NWESD 189; or
- 5) employee is necessary to maintain public safety.

For this purpose of this leave, undue hardship is defined as action requiring significant difficulty or expense to the NWESD 189. The Superintendent or designee will determine whether a request for unpaid leave constitutes an undue hardship for the NWESD 189 on a case-by-case basis, taking into account specific objective facts and circumstances present at the time of each request.

In determining whether an employee's request for unpaid leave would impose an undue hardship on the NWESD 189, the following factors will be considered:

- 1) The number, composition and structure of the staff employed in the requesting employee's program/department;
- 2) The financial resources of the NWESD 189 or the requesting employee's program/department;
- 3) The number of employees requesting leave for each day subject to such a request;
- 4) The financial impact on the NWESD 189 or requesting employee's program/department resulting from the employee's absence and whether that impact is greater than a de minimus cost to the NWESD 189 or the requesting employee's program/department;
- 5) Impact on the NWESD 189, the requesting employee's program/department or public safety;
- 6) Type of operations of the NWESD 189 or the requesting employee's program/department;
- 7) Geographic location of the employee or geographic separation of the particular program/department to the operations of the NWESD 189;
- 8) Nature of the requesting employee's work;
- 9) Deprivation of another employee's job preference or other benefit guaranteed by NWESD 189 policy and/or practice; and,
- 10) Any other impact on NWESD 189 operations or the requesting employee's program/department due to the employee's absence.

The request may be denied for any of the following reasons:

- 1) The request was not based on a reason of faith, conscience, or an organized activity conducted under the auspices of a religious denomination, church, or religious organization (note: the requested time off need not conform to a specific holiday or event);
- 2) The employee has already exhausted his/her two (2) unpaid holidays per calendar year (note: unpaid holidays are not cumulative from year to year);
- 3) The employee is necessary to maintain public safety; or,
- 4) Granting the request would impose an undue hardship, as defined above, on the NWESD 189.

A written response will be provided to the employee within five (5) business days, if feasible, approving or denying the request. If the request is denied, the response will state the reason(s).

Approval of unpaid holiday time does not constitute approval for an employee to take compensated or other types of leave in conjunction with that time. An employee must seek separate approval for compensated and other types of personnel leave consistent with applicable NWESD 189 policies and procedures.

First Reading: 08/27/14

Second Reading: 09/25/14

Reference:

RCW 1.16.050

RCW 43.41

WAC 82-56-010

WAC 82-56-020

WAC 82-56-030

Cross Reference:

Policy 5400

Policy 5401

Policy 5403

Policy 5404

Policy 5406

Policy 5407

Policy 5408

Policy 5410

Policy 5411

Policy 5412