

**VIRGINIA DEPARTMENT FOR THE AGING
TITLE V PARTICIPANT LEAVE OF ABSENCE POLICY
REVISED**

EFFECTIVE DATE: January 1, 2012

Scope:

This policy is applicable to area agencies on aging (AAAs) and any other organizations (Title V contractors) which contract with the Virginia Department for the Aging (VDA) to deliver Senior Community Service Employment Program (SCSEP) services, under Title V of the Older Americans Act (OAA), in designated jurisdictions within the Commonwealth.

Purpose:

To establish VDA's Title V Participant Leave of Absence policy and direction for its Title V contractors and to comply with DOL's requirement for grantees to have a written leave of absence policy.

Background:

There are no SCSEP regulations or bulletins governing SCSEP participant leaves without pay for medical or personal reasons. DOL has indicated that grantees are free to adopt their own policies on this issue. DOL stipulates that the policy should be in writing and should clearly describe the consequences if a participant violates the policy and that violation of the policy would be grounds for termination. DOL requires that participants acknowledge in writing their receipt of the policy and stipulates that the policy be subject to grievance procedures.

DOL emphasizes that participants must not be placed on leaves of absence and left in suspension indefinitely. Room must be made for other applicants who need and can take advantage of SCSEP services.

Participant leave data are entered into DOL's database system as an "approved break in participation". Time spent on approved leave is excluded when calculating durational time limits for projects or participants. This works to the advantage of the grantee and for that reason, it is important to capture leave of absence data in the SCSEP database system.

Participant leaves of absence affect eligibility and performance (community service measure). For this reason, they are part of DOL's Title V Data Validation process. "Reason for Approved Break in Participation" is a data element which must be validated. Validation of this element requires verification of the existence of a written grantee policy regarding breaks in participation. Without such a policy, no break in participation will pass validation.

Policy:

This policy applies to all Title V participants enrolled in SCSEP programs contracted by VDA. All VDA Title V contractor organizations must adhere to the policy and must apply this policy fairly and equitably.

Participants may be granted a leave of absence without pay (LWOP) for up to thirty (30) calendar days and under extenuating circumstances leave may be extended to a maximum of ninety (90) calendar days.

An unpaid leave of absence may be granted for medical or personal reasons. This may include illness or hospitalization of the participant, illness or hospitalization of an immediate family member who requires assistance from the participant, vacation leave, and jury duty. These are not all inclusive and are provided as examples only.

Participants must submit requests for LWOP in writing to the SCSEP Coordinator. Requests are subject to approval by the SCSEP Coordinator and must include an agreed upon date of return to the host agency. The participant must inform the host agency supervisor of the approved leave of absence. When a participant knows in advance that he or she needs to take LWOP, for example, for a planned surgery or a planned vacation, the participant must make the request at least two weeks prior to the proposed leave date.

The participant remains enrolled in SCSEP while on approved leave. It is the participant's responsibility to keep the SCSEP Coordinator informed of any change of plans and to contact the Coordinator as soon as possible when circumstances warrant a request for an extension of LWOP (not to exceed total allowed leave time of 90 calendar days). An extension is subject to approval by the Coordinator. A revised return date must be established and the host agency must be informed of the revised return date.

Should the participant be unwilling or unable to return to work on the agreed upon date of return, either the original date or revised date, and the participant has not contacted the Coordinator to negotiate an extension, he or she will be exited from the program.

Total LWOP shall not exceed 90 calendar days. Participants requiring more than 90 calendar days of leave must be exited from the program to make room for other applicants. Participants may re-apply to the program at a later date.