


POLICY TITLE: ADMINISTRATIVE LEAVE		PAGE 1 OF 3
POLICY NUMBER: 3.16		
CHAPTER 3: PERSONNEL		
	STATE of MAINE DEPARTMENT OF CORRECTIONS	PROFESSIONAL STANDARDS: See Section VII
	Approved by: <i>Martin Magnusson</i> Signature of Commissioner	
EFFECTIVE DATE: August 15, 2003	LATEST REVISION: September 10, 2010	CHECK ONLY IF APA []

I. AUTHORITY

The Commissioner of Corrections adopts this policy pursuant to the authority contained in 34-A M.R.S.A. Section 1403.

II. APPLICABILITY

Entire Maine Department of Corrections

III. POLICY

It is the policy of the Department of Corrections that Administrative Leave, other than that authorized by the Governor in an emergency, shall be given only when it would not be detrimental to the Department.

IV. CONTENTS

- Procedure A: Employee Requested Administrative Leave
- Procedure B: Department Initiated Administrative Leave
- Procedure C: Administrative Leave – Collective Bargaining

V. ATTACHMENTS

None

VI. PROCEDURES

Procedure A: Employee Requested Administrative Leave

1. An application from an employee for Administrative Leave shall be made in sufficient time to permit the employee’s supervisor to make the necessary plans to cover such absence. In general, the request shall be made at least five (5) working days prior to the anticipated date of taking such leave. Such an application must be made to the Chief Administrative Officer of the facility,

Regional Correctional Administrator of the community corrections region, or, in the case of Central Office employees, to the Commissioner of the Department of Corrections, or designee.

2. Administrative leave may be granted to an employee participating in a meeting, conference, or other activity related to their work; participating in the functions of a state government committee; participating in an activity beneficial to the state or a local community; or taking an examination for a state government position.
3. The granting of this administrative leave is discretionary and shall only be considered when it would not be detrimental to Departmental needs. When such leave is authorized, it shall be without prejudice and without loss of vacation or other type leave or compensation for the period of time required.

Procedure B: Department Initiated Administrative Leave

1. The Chief Administrative Officer of a facility, the Regional Correctional Administrator of a community corrections region, or the Commissioner of Corrections may place an employee on administrative leave when determined to be beneficial to the Department, including, but not limited to, situations in which:
 - a. there has been an allegation that the employee has engaged in conduct warranting disciplinary action and administrative leave is determined necessary to preserve the integrity of the investigation or the safety of the employee or another person, or
 - b. there is a concern that the employee is suffering an emotional, physical, or other problem impairing or likely to impair the performance of their duties
2. The need for placement on administrative leave and the length of such leave shall be determined by the Chief Administrative Officer, Regional Correctional Administrator, or Commissioner of Corrections. Any placement by the Chief Administrative Officer or Regional Correctional Administrator is subject to review by the Commissioner.

Procedure C: Administrative Leave – Collective Bargaining

1. Administrative leave provided for in collective bargaining agreement shall be granted in accordance with the terms of the agreement and may not be denied, unless an emergency or severe staffing shortage, as determined by the Commissioner, requires denial.

VII. PROFESSIONAL STANDARDS

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ACA:

ACI - 4-4094 The institution encourages and provides administrative leave and/or reimbursement for employees attending approved professional meetings, seminars, and similar work-related activities.

4-ACRS-7B-19 Employees are encouraged to continue their education and training. Continuing staff development is encouraged by providing administrative leave and/or reimbursement for attending approved educational programs, professional meetings, seminars, or similar work-related activities.

4-JCF-6E-14 Employees are encouraged to continue their education and training. Providing administrative leave and/or reimbursement for attending educational programs, professional meetings, seminars, or similar work related activities encourages staff development.

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