

Unpaid Holidays for Reasons of Faith or Conscience

Purpose

This policy prescribes the parameters for requesting and granting unpaid holidays to employees for reasons of faith or conscience as allowed by state law.

Scope

This policy applies to the Superintendent, administrators, supervisors and district employees.

Policy

1. Each district employee may request up to two 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 or the employee's supervisor will grant the request(s) unless he or she determines that the employee's absence would impose an undue hardship on the district or the employee is necessary to maintain public safety.
2. **Employee Request Process**
 - 2.1. An employee seeking to take unpaid holidays for reasons of faith or conscience will submit a written request to their supervisor a minimum of ten (10) business days prior to the requested days off. The following information will be included in the request:
 - (a) Name.
 - (b) Position.
 - (c) Number of days or half days that the employee is requesting off.
 - (d) A sufficient description of the reason for the time off so that the supervisor can confirm that it involves a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church or religious organization.
 - (e) If the request is submitted in fewer than ten (10) business days prior to the requested time off, an explanation must be provided about why the request was not submitted in a timely manner.
3. **District Approval Process**
 - 3.1. Upon receipt of an employee request for unpaid holidays, the Superintendent or designee, or employee's supervisor, will determine whether:
 - (a) The request was submitted in a timely manner, or sufficient justification exists for it to be considered even if the request was not received prior to the established submission deadline.
 - (b) The employee has already exhausted his/her two unpaid holidays per calendar year as provided by law.

- (c) The 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. The time requested need not conform to a specific holiday or event.
 - (d) The employee's absence would impose an undue hardship on the district.
 - (e) The employee is necessary to maintain public safety.
- 3.2. Undue hardship is defined as action requiring significant difficulty or expense to the district. The supervisor will determine whether a request for unpaid leave constitutes an undue hardship for the district on a case-by-case basis, taking into account specific objective facts and circumstances present at the time of each request.
- 3.3. In determining whether an employee's request for unpaid leave would impose an undue hardship on the district, the following factors will be considered:
- (a) The number, composition and structure of the staff employed by the district or in the requesting employee's program.
 - (b) The financial resources of the district or the requesting employee's program.
 - (c) The number of employees requesting leave for each day subject to such a request.
 - (d) The financial impact on the district or requesting employee's program resulting from the employee's absence and whether that impact is greater than a de minimus cost (lacking significance) to the district or the requesting employee's program.
 - (e) Impact on the district, the requesting employee's program or public safety.
 - (f) Type of operations of the district or the requesting employee's program.
 - (g) Geographic location of the employee or geographic separation of the particular program to the operations of the district.
 - (h) Nature of the requesting employee's work.
 - (i) Deprivation of another employee's job preference or other benefit guaranteed by a collective bargaining agreement.
 - (j) Any other impact on district operations or the requesting employee's program.
- 3.4. The request may be denied for any of the following reasons:
- (a) The request was not based on a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church or religious organization. The requested time off need not conform to a specific holiday or event.
 - (b) The employee has already exhausted their two unpaid holidays per calendar year. Unpaid holidays are not cumulative from year to year.

- (c) Granting the request would impose an undue hardship, as defined above, on the district.
 - (d) The employee is necessary to maintain public safety.
- 3.5. 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) therefor.
- 3.6. 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 district policies and procedures.

Related Procedures

N/A

Policy Cross References

- 5401-Sick Leave
- 5404-Family, Maternity and Caregiver Leave
- 5412-Staff Vacations and Holidays
- 5413-Compensated Leave
- 5414-Inclement Weather Leave

Policy Legal References

- RCW 1.16.050 – “Legal holidays” and “legislatively recognized days”
- Chapter 43.41 RCW – Office of Financial Management
- Chapter 82-56 WAC – Undue Hardship

Management Resources

Policy & Legal News, June 2014 – New law states schools must grant two unpaid holidays for faith or conscience

Policy History

Action:	Date:
Approved by the Board	October 21, 2015
Revised	
Revised	
Revised	