

INTRODUCED BY: Commissioner Allan Angel  
DATE INTRODUCED: September 12, 2023  
PUBLIC HEARING DATE: September 26, 2023  
PUBLIC HEARING TIME: 7:00 PM  
ADOPTION DATE: September 26, 2023  
EFFECTIVE DATE: September 26, 2023

### **Ordinance 23-21**

#### **Extraordinary Leaves of Absence and Administrative Leave**

An Ordinance to amend Kent County Code, Vol. I, Administrative Legislation, Chapter 68, Personnel Policy, §68-26 Special Leaves of Absence, as amended, by repealing and replacing §68-26.E.

#### **THE LEVY COURT OF KENT COUNTY, DELAWARE, HEREBY ORDAINS:**

Section 1. That the Kent County Code, Vol. I, is hereby amended by deleting the bracketed language shown with strike-through marks, and replacing with new language as shown with underlined language as follows:

#### **§ 68-26 Special leaves of absence.**

E. ~~[A disability leave of absence without pay may be granted or assigned for up to nine months by the Personnel Director, if the employee's previous service warrants favorable consideration and medical statements indicate the employee is likely to return to work at the completion of the leave and the employee has some temporary disability, has suffered a work-related physical injury, is required to be absent because of physical or mental disability, or if such illness requires the intensive care of a member of his/her immediate family. Employee requests for a leave of absence shall be submitted to the department head for consideration by the Personnel Director.]~~

Upon the recommendation of the Department Head, the County Administrator may grant an unpaid leave of absence (with or without employee benefits) or paid Administrative Leave in response to extraordinary circumstances and when in the best interest of the Levy Court and of the employee.

Section 2. Severability.

The provisions of this Ordinance are severable and if any of its provisions or any sentence, clause, or paragraph or the application thereof to any person or circumstance shall be held unconstitutional or violative of the Laws of the State of Delaware by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions which can be given effect without the invalid provision or application.


Section 3. Effective Date.

This Ordinance shall be effective upon the date of adoption.

ADOPTED BY THE LEVY COURT OF  
KENT COUNTY, DELAWARE

  
\_\_\_\_\_  
President, Kent County Levy Court

This 26<sup>th</sup> day of September, 2023

ATTEST:   
\_\_\_\_\_  
Clerk of the Peace

Synopsis

Upon the recommendation of the Department Head, the County Administrator may grant an unpaid leave of absence (with or without employee benefits) or paid Administrative Leave in response to extraordinary circumstances and when in the best interest of the Levy Court and of the employee.