

DIVISION 3. LEAVE POLICY

Sec. 2-61. Other leave.

- (a) *Military leave.* Leave for the purpose of responding to orders of the military services as a member of the active service, reserve units, national guard, or other official special units will be granted to all regular employees for a maximum of fifteen (15) calendar days paid leave per calendar year subject to the following conditions:
- (1) All requests for leave must be supported by a copy of the order, directive, notice, or other document requiring absence from scheduled work.
 - (2) Time required over and above the maximum allowed must be taken as annual leave or leave without pay.
 - (3) In the event an employee is called to active duty pursuant to an order of the president of the United States for an extended period of time (more than fifteen (15) calendar days) and for purposes other than determining physical fitness and/or for training, then that employee shall be allowed to draw on any compensatory time that they may have accumulated. Compensatory time shall be withdrawn in such a manner as to supplement the employee's base pay. Use or withdrawal of compensatory time shall be implemented in such a way as to ensure the cumulative base pay (military base pay + compensatory time) shall equal the earnings the employee would have received had he remained a full-time or part-time employee of the city. In no event however, shall the employee draw designated leave for more than ten-working-day increments per pay period.

This military differential pay program is not mandatory and employees who are not otherwise prevented by the terms of a collective bargaining agreement may participate at their election. Any eligible employee electing to participate in this program shall be responsible for providing any military orders and documentation (monthly leave earnings statements) that are required to determine military leave status and/or military base pay.

An exception from the requirement that the call to active duty be pursuant to an order of the president of the United States and from the disqualifying factor that the purpose for the active duty is not for training shall be made for employees called pursuant to an order of the governor of the state for an extended period of time (more than fifteen (15) calendar days) to state active duty in accordance with state law, or to active duty under Title 32 of the United States Code.

- (4) Upon exhausting all military leave and compensatory time, the city will supplement military base pay with the difference between the employee's military base pay and the employee's base pay with the city. The employee must use his/her military leave

and compensatory time leave balances not exceeding a normal work week (no more than ten (10) working days) until these leaves have been exhausted.

If the employee's military base pay is less than his/her current city base pay, the employee will use military leave and compensatory time balances to supplement the total difference between the military base pay and the city base pay during active duty. Once military leave and compensatory time (with the exception of sick leave and annual leave) have been exhausted, the employee's military base pay will be supplemented by the city as previously stated.

Employees who are not able to execute and file the necessary forms for receipt of supplemental pay with the human resources department will need to grant power of attorney to someone who will handle these matters for him/her.

Employees who are activated will coordinate with their payroll assistants to ensure that all documentation has been submitted. In order to use military leave and compensatory time balances, the employee must sign a "request for leave" form indicating the maximum amount of leave requested for each type of leave (military leave and compensatory time balances). The employee must provide the payroll assistant with his/her leave earnings statement (LES) each month to calculate the differential pay.

The department payroll assistant will process and submit the supplemental pay form to the human resources department, personnel division. The human resources department personnel division will then coordinate payment with finance department.

Automatic voluntary deductions will not be made for supplemental base pay. Therefore, it will be the employee's responsibility to make other arrangements with those organizations receiving these payments through the city's payroll system.

- (b) *Court/jury leave.* Employees called for jury service or who appear before or participate in any civil or criminal court proceeding by virtue of city employment shall be granted court leave with pay. ~~Any fees received shall be turned in to the human resources department.~~ Court leave is not charged to annual or sick leave, **and will be coded with its corresponding payroll code for payroll recordkeeping. Employees will be required to provide proof of jury summons and/or duration of attendance by the department director. Upon release of official jury duty, employee is mandated to return to regular work schedule/assignment.**
- (c) *Special leave.*
- (1) Employees may be granted up to two (2) hours voting leave in order to vote in an official election when their working schedules make it very difficult to get to the polls between 7:00 a.m. and 7:00 p.m.
 - (2) A department director may grant an employee up to two (2) hours of leave to donate blood.

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- (d) *Maternity leave.* When a pregnant employee is unable to work due to her pregnancy, she may request any sick, annual leave, comp time and/or serious illness pay hours accrued to her credit for maternity purposes. Once she has exhausted her leave she may request leave without pay to cover the remainder of her term of incapacity.
- (e) *Funeral leave.* A department director may grant a regular employee up to three (3) working days of absence with pay without charge to sick or annual leave in the case of a death in the employee's immediate family.
- (f) *Administrative leave.*
- (1) With the approval of the city manager, a department director may grant administrative leave in the event of severe inclement weather, or in the case of a disaster.
 - (2) With the approval of the city manager, a department director may grant administrative leave on a case by case basis on sensitive issues as determined by the city manager or on any other event that the city manager considers necessary.
 - (3) The city manager will have the discretion to approve administrative leave with pay or without pay.**
- (g) *Injury leave.* When a city employee is injured on the job and is unable to report for work, his absence will be charged as follows:
- (1) Work hours lost on the day of the injury will be charged as "injury with pay."
 - (2) Time lost as a result of the on-the-job injury beyond the date of the injury will be charged as follows:
 - a. An employee will be placed on "injury leave with pay" for the workdays in the first seven (7) calendar-day period after injury occurs.
 - b. After the seven (7) calendar-day period, the employee injured on the job will be placed on injury leave without pay and will receive worker's compensation from the insurance company carrying the city's worker's compensation program.
 - c. Compensation for on-the-job injuries begins to accrue on the eighth day after the first day off from work. If incapacity continues for four (4) weeks or more, the initial week of compensation is paid to the employee retroactively by the insurance company. Employees will be required to turn the check for that initial week paid retroactively back to the city since the employee was carried on "injury leave with pay" for that period.
 - d. Employees incapacitated for duty due to an on-the-job injury for more than one (1) year are required to furnish to the employee health nurse a doctor's current certification attesting to the probable length of the continued disability.
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