

**CITY OF BEAUMONT
POLICIES AND PROCEDURES MANUAL**

Policy Number: 2.0

Subject: Employee Leave

Effective: May 29, 2019

Approved by: Kyle Hayes | 5/29/19
City Manager/Date

Chris Catalina | 5/29/19
Personnel Director |Date

I. PURPOSE

The purpose of this policy is to provide guidelines for management and regular, full-time civilian employees regarding an excused or non-excused absence, leave without pay, and returning from an absence in order to maintain an adequate staffing line to meet the needs of the City. *FMLA is covered under policy 2.4 and Workers' Compensation is covered under policy 3.6. Also, refer to the Compensation policy for reference to "comp" time earned.*

II. PROCEDURES

- A. All leave begins to accrue immediately upon employment.
- B. Each regular, full-time civilian employee shall earn paid time off (PTO) leave only when he/she is paid for forty (40) hours (average of 56 for EMT/ Paramedic employees) each week of the pay period.
- C. Leave is transferable between employees in accordance with City Policy 2.11 Leave Donation Program.
- D. An employee who is regularly assigned to work more than 40 hours per week shall earn PTO and short-term disability based on the percentage of time that their extended schedule exceeds 40 hours per week.
- E. Exceptions to this policy may be granted for unusual circumstances and/or when in the best interest of the City subject to the approval of the City Manager.

III. NOTIFICATION OF ABSENCE

- A. Employees shall ensure that their supervisors are notified prior to their scheduled work time if they are unable to report as scheduled.
- B. Depending upon circumstances, the department director or division manager may direct that such unscheduled absences be charged to PTO or leave of absence without pay.
- C. Absence or tardiness without proper notification, authorization, or excuse may result in disciplinary action.

- D. Absence without proper notification or authorization for two (2) consecutive working days in an employee's schedule shall constitute abandonment of duties which shall ordinarily result in discharge.
- E. RETURN FROM ABSENCE
Employees returning to work following any leave of absence shall provide forms or certificates as may be required by management.

IV. Paid Time Off (PTO) Leave

In an effort to ensure sufficient rest and relaxation each year, full-time civilian employees regularly assigned to work 40 hours (average 56 hours for EMT/Paramedic employees) per week shall earn PTO in accordance with the following schedule (per Ordinance 05-013, Section 1:

Full Years of Service	Hours per Pay Period (per Year)	EMT/Paramedics Hours per Pay Period (per Year)	Weeks Per Year All Employees
0 - 5	4.62 (120)	6.47 (168)	3
5 - 10	6.16 (160)	8.61 (224)	4
10 - 20	7.69 (200)	10.77 (280)	5
20+	9.23 (240)	12.92 (336)	6

- A. PTO leave begins to accrue upon employment. The use of PTO leave is subject to approval by the employee's supervisor.
- B. Prior full-time years of service with the City of Beaumont will be considered in determining hours earned for PTO leave purposes.
- C. An employee may not carry more than 1,280 hours (or 1,792 hours - EMT/Paramedic employees) of PTO leave into the next calendar year. Each department director/division manager should make every effort to ensure that earned leave is taken on a current year basis in order to provide City employees with proper rest and relaxation.
- D. Employees who leave the City for any reason after completion of twelve months of consecutive service with the City will receive pay for all PTO hours accrued at the time of termination. However, if the accumulated PTO leave exceeds 1,280 hours, the employee will not be paid for any short term disability (sick leave) accumulated prior to October 1, 1991.
- E. An employee who becomes ill or injured while on PTO leave may request that the PTO leave be terminated and the time of illness or injury be charged to personal or short term disability as appropriate. When this occurs, the employee shall notify his/her supervisor immediately. Management may require proof of injury or illness from the employee via submission of a statement from the attending physician.

V. EXCUSED ABSENCE FOR ANNUAL CANCER SCREENING

All employees are granted up to two hours off with pay annually to use for cancer screenings.

Employees must request leave in advance and provide proof of screening upon return to work.

VI. EXCUSED ABSENCE TO VOTE

When reasonably required, a department director shall allow an employee a sufficient amount of time off with pay in order to vote in an official election. The employee shall return to work immediately after voting.

VII. BEREAVEMENT LEAVE

Regular full-time civilian employees may be granted leave with pay for a period not to exceed three days in case of death in the immediate family. This leave shall not be charged against PTO leave.

- A. Immediate family (including “step”-family) for the purpose of this sub-section shall include spouse, son or son-in-law, daughter or daughter-in-law, parent or guardian, brother or brother-in-law, sister or sister-in-law, parent, guardian, grandparents and grandchildren of the employee or of the employee’s spouse.
- B. Employees who wish to attend the funeral of someone other than a member of the immediate family may be given time off at the discretion of the department director. The time may be charged to PTO leave, or be granted as leave without pay in accordance with this policy.

VIII. MILITARY

All regular employees who are members of a Reserve Component of the Armed Forces or State Military Forces who are ordered by military authorities to perform any of the following shall be allotted a maximum of fifteen (15) days per year of military leave without loss of time, vacation, or salary (*this policy applies to employee’s normal work hours only [V.R.C.S. Article 5765 Section 7a]*): Note: vacation as cited above will be equivalent to Paid Time Off (PTO).

- Weekly drills
 - Weekend drills
 - Summer encampment
 - Similar types of training duty
- A. Reemployment rights are available to any regular employee who voluntarily or involuntarily leaves the City for the purpose of entering the Armed Forces.
 - B. Employees who are called to active duty shall return to the same employment they held at the time they were ordered to active duty. The active duty may be a result of a call to duty with the armed forces via the selective service process or due to membership in a reserve component of the armed services (*V.R.C.S. Article 5765 Section 7a*).
 - C. A veteran must apply for reemployment with the prior service employer within 90 days after separation from active duty (unless disabled while in the performance of duty or service).
 - D. The employer must re-employ the veteran within a reasonable time after he/she makes the proper application. The employee shall return to his/her old position if it is available and if he/she is qualified for the job.

- E. The veteran is entitled to full restoration of all seniority, pay status, etc., that he/she would have earned had he/she remained on the job.
- F. Each regular employee who voluntarily or involuntarily enlists in the Armed Forces shall be informed of his/her reemployment rights by the Personnel Department. The employee is responsible for notifying the Personnel Department of his/her decision prior to the effective date of such action.
- G. Refer to Military Leave During National Emergency policy for those guidelines.

X. LEAVE WITHOUT PAY

A department director may grant an employee a leave of absence without pay request after employee has utilized all available PTO leave and short-term disability (if available).

- A. After an employee has exhausted the 12-week FMLA entitlement (refer to FMLA policy for guidelines) and has utilized all available paid leave, upon written request, the department director may grant a Leave-of-Absence Without Pay for a period not to exceed four additional weeks.
- B. Leave without pay in excess of three months, or extension of previously authorized leave, must be approved by the City Manager.
- C. Extended leaves that impede the work program of the City may be denied.
- D. When an employee is on leave without pay, the City will not provide insurance coverage for his/her dependents. The employee may purchase insurance for his/her dependents at the City's group rate.
 - 1. Exceptions may be granted due to extenuating circumstances, such as life threatening illnesses, only upon approval by the City Manager. Such requests shall be submitted to the City Manager by the department director.

XI. HOLIDAYS

The following days shall be declared official paid holidays for regular full-time civilian City employees to be observed with regulations established by the City Manager per City Ordinance 01-091:

- New Year's Day
- Martin Luther King's Birthday (3rd Monday in January)
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving Day
- Day after Thanksgiving Day
- Christmas Day
- Floating Holiday (*unless otherwise designated by City Manager, employees may take day of choice with supervisory approval after six months of continuous*)

employment with the City. Employees who leave the City prior to taking this holiday will not be paid for it).

- A. Official holidays shall be observed in accordance with the following provisions:
1. Department directors shall ensure that eligible shift workers and other employees working unusual schedules receive benefit of the full number of official holidays. Should a holiday fall on an employee's normal day off, the employee shall be given equivalent time off.
 2. Official Holidays falling within an employee's PTO leave or short term disability leave shall not be charged as or counted against PTO leave, or short term disability leave.
 3. Holidays which occur on a Saturday will be observed on the preceding Friday. Holidays which occur on a Sunday will be observed on the following Monday.
 4. Regular employees who are not regularly scheduled to work on a holiday but who are required to work on a holiday shall be paid twice his/her base rate (including shift differential) for hours actually worked in addition to holiday pay.
 5. Regular employees who are regularly scheduled to work on a holiday and work on that holiday shall be paid 1-1/2 times his/her base rate (including shift differential) for hours actually worked in addition to holiday pay.
 - a. Holidays earned by EMT/Paramedic employees may be accrued as additional leave or the employee may be paid for such leave.
 - b. Scheduling of holiday or PTO leave for all EMT/ Paramedic personnel shall at the discretion of the Fire Chief or his/her designee.
 6. Employees desiring to observe religious holidays which do not coincide with official holidays may be given time off in accordance with policy.
 8. An employee on leave without pay for more than two hours the day before or after a holiday shall not be paid for the holiday.
 9. Any employee who is out on worker's compensation will not be paid for any holiday which occurs while he/she is out on such leave.

XII. SHORT-TERM DISABILITY (STD)

Time earned and granted an employee for non-work related illness or injury.

- A. The following guidelines apply to the accrual of short-term disability leave:
1. Each regular full-time employee shall earn a maximum of 96 hours per year of short term disability leave.

2. Each regular full-time employee may accumulate up to 720 hours of short term disability leave (1,008 hours - EMT/Paramedic employees).
 3. Information relative to termination is located in the Resignation/Separation Policy.
- B. The following guidelines shall be followed when utilizing short-term disability leave:
1. Short-term disability accruals may be used by an employee after being absent for 40 (average 56 hours - EMT/Paramedic employees) hours for the same non-job related illness, injury or disability.
 2. An employee may use his/her accrued PTO, comp time, and/or leave without pay in accordance with policy to satisfy the 40-hours (average 56 hours- EMT/Paramedic employees) leave requirement.
 3. If, after returning to work, an employee remains under a doctor's care for treatment of the same illness or disability, any absence attributed to that illness or disability shall be charged to the employee's short-term disability.
 4. Once the employee is no longer under the doctor's care, the employee's time cannot be charged to short-term disability.
 5. The employee shall submit a certification from the physician verifying the required leave upon request to the department director. The City reserves the right to require an employee to be examined by a physician selected by the City.
 6. An employee shall not be eligible to be paid worker's compensation and short-term disability benefits simultaneously.
 7. Employees who are on FMLA may use short-term disability for any reason in accordance with the FMLA Policy.

XIII. DISCRETIONARY TIME

Department directors and division managers who consistently work long hours based on business needs (i.e., special projects or reports) will be allowed to take discretionary time off.

- A. Discretionary time for division managers may be approved or authorized by the department director, when appropriate.
- B. Reporting, scheduling or keeping track of such time will not be required. Under no circumstances will accrual of discretionary time/hours be allowed nor will an employee receive pay for discretionary time/hours not used.
- C. Discretionary time will not be allowed on an hour-for-hour basis or compensated at time and one-half under any circumstance.