
**** CITY OF STEVENS POINT ****
ADMINISTRATIVE POLICY

Policy Title: Leave Policies

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Description: This policy explains the different types of leaves available to full-time employees.

Sick Leave

- A. Accumulation - Full time employees hired prior to July 1, 2016 receive eight (8) hours of sick leave for each month of employment with unlimited accumulation. Full time employees hired after July 1, 2016 receive 6 hours of sick leave for each month of employment with unlimited accumulation.
- B. Use – Sick Leave must be accumulated before it can be used. Sick leave shall be allowed to be taken when, due to sickness or temporary disability, the employee is unable to perform the regular duties of employment. The employee shall notify the department of his/her intent to take sick leave no later than 30 minutes after the beginning of the regular work day.

With departmental approval, sick leave may also be used for the employee's medical and dental appointments or to attend to a member of the employee's immediate family. (see Family Leave) The employee's supervisor may require verification of illness and/or the estimated time needed away from work due to an illness or injury.
- C. Abuse – Employees who abuse sick leave shall be subject to disciplinary action.
- D. Sick Leave Conversion

1. Employees who retire from City service at the retirement age based on their Wisconsin Retirement Fund category (55 for general employees and 50 for protective services), or retire due to disability and apply for a retirement annuity from the Wisconsin Retirement Fund, may have up to a maximum of 130 days (1040 hours) of unused sick leave converted to a monetary value. The value will be the number of days of accumulated sick leave multiplied by the normal daily rate of pay received immediately prior to retirement. This amount shall be available to the employee to pay the medical insurance premiums. Should an employee die while still employed by the City, the above benefit would apply to the employee's spouse. If the employee does not have a spouse, the above benefit will apply to the employee's qualified dependent(s), as defined in the IRS code.
2. Post Employment Health Plan
The City agrees to establish a Post Employment Health Plan (PEHP) in accordance with applicable sections of the Internal Revenue Service Code. Retiring employees who meet the requirements under Section D (1) will be required to "convert" accrued sick leave of 130 days (1040 hours) plus one (1) hour for each eight (8) hours over 130 days (1040 hours) and unused vacation into their individual "PEHP" account. NOTE: 1041 hours is based on a full-time equivalent.
3. The employee and/or surviving spouse may remain on the group health plan as long as the premium is paid in full by the employee or surviving spouse through deductions from their PEHP account or cash payment.

E. Bonus Days: If an employee does not utilize sick leave during the first six (6) months of the calendar year (January 1- June 30) the employee may convert two days of sick leave to vacation days. If an employee does not utilize sick leave during the second six (6) months of the calendar year (July 1 – December 31), the employee may convert two (2) days of sick leave to vacation days. For either of the aforementioned periods of time, if an employee only uses one (1) day of sick leave, the employee may convert one (1) day of sick leave to a vacation day.

In the event of a public health concern, the Mayor may declare a specific period of time as exempt for purposes of the Bonus Day policy. Any sick leave taken during this period of time will not count against the ability to convert sick leave under this policy.

Accrued sick days that are converted to vacation will follow the requirements and timelines as other accrued vacation with regard to rollovers, etc.

Annual Leave -Vacation

A. Employees hired before January 1, 2013 will accrue vacation according to the following schedule:

<u>Years Employed</u>	<u>Vacation</u>
After 1 year	6 days
After 7 years	16 days
After 13 years	21 days
After 20 years	26 days
After 25 years	27 days
After 26 years	2
8 days	
After 30 years	31 days

After 2

Employees hired on or after January 1, 2013 and before July 1, 2016 will accrue vacation according to the following schedule:

<u>Years Employed</u>	<u>Vacation</u>
After 1 Year	6 days
After 2 years	11 days
After 5 years	16 days
After 15 years	21 days
After 25 years	26 days

Employees hired on or after July 1, 2016 will receive vacation according to the following schedule:

<u>Time in Service</u>	<u>Vacation</u>
After 6 Months	6 days
After 1 Year	11 days
After 5 Years	16 days
After 15 Years	21 days
After 25 Years	26 days

B. Department heads hired on or after July 1, 2016 will receive 11 (eleven) days of vacation after completion of their probationary period and after one (1) year of employment they will receive 16 (sixteen) days of vacation. After seven (7) years' of service, department heads follow the applicable schedule in Section A

based on their date of hire.

With approval from their immediate supervisor, department heads may use up to five (5) days of vacation before completion of their probationary period. Such days will be deducted from the amount they receive after completion of their probationary period. In the event an employee does not complete the probationary period, the monetary value of the vacation days that were used will be subtracted from their final paycheck(s).

- C. Managers and Supervisors hired on or after July 1, 2016 will receive 11 (eleven) days of vacation after completion of their probationary period. After one (1) year of employment they will follow the applicable schedule in Section A based on their date of hire.

With approval from their immediate supervisor, managers and supervisors may use up to five (5) days of vacation before completion of their probationary period. Such days will be deducted from the amount they receive after completion of their probationary period. In the event an employee does not complete the probationary period, the monetary value of the vacation days that were used will be subtracted from their final paycheck(s).

- D. Employees eligible for the benefit and hired before July 1, 2016, will accrue vacation time from their anniversary date forward. For all employees, vacation will be posted to their payroll record on their anniversary date.
- E. Vacation must be requested in advance and will be granted insofar as the needs of the department will permit.
- F. An employee may carry over a total of one week of vacation into the following year. The one week limitation includes sick leave that was converted to vacation time. Due to Covid-19, employees will be permitted to carry over up to two weeks of vacation with supervisory/department head approval throughout 2021. As of January 1, 2022, this policy will revert to allowing one week of vacation carry over. For purposes of this section “week” shall be defined as the number of hours worked in a normal work week by an employee.
- G. Upon termination from City service, employees will be paid for any unused earned vacation. Retiring employees who qualify for a Post Employment Health Plan will have their unused vacation rolled into their Post Employment Health Plan.

Streets and Parks hourly:

Street Department Vacation Dates: Vacation will be scheduled within the following limitations:

Only 2 ea. mechanic at one time will be authorized vacation. This includes Head Mechanic and Fabricator/Welder positions, Mechanic(s) assigned to Parks.

Only 1 ea. solid waste/recycling position will be authorized vacation at one time. (Includes the drop-off position.)

Only 1 ea. street sweeper position will be authorized vacation at one time.

Only 1 ea. stock clerk or secretary will be authorized vacation at one time.

Only 1 ea. general service custodian will be authorized vacation at one time.

Only 3 ea. street positions will be authorized vacation at one time. (Includes snow blower/mounted loader/carpenter).

Only 1 ea. of the Traffic/Sign Lead person and painters positions will be authorized vacation at one time.

The Employer, in its discretion, may grant exceptions to the above.

*******FAMILY AND MEDICAL LEAVE ACT*******

Child rearing, family illness, employee medical leave, and military call-to-duty and military caregiver leave are available to employees as specified below. The intent of this policy is to comply with both the Wisconsin and Federal Family and Medical Leave Acts. Should this policy conflict in any way with the applicable federal and state statutes or regulations, the statutes, or regulations shall control.

Eligibility

Federal ~ To be eligible for the federal leave defined below, the employee must have worked for the City for twelve (12) months and worked at least one thousand two hundred fifty (1,250) hours in the last twelve (12) month period.

Wisconsin ~ Employees who have been employed by the City for one (1) year and who have worked one thousand (1,000) hours during the preceding fifty two (52) weeks are eligible for the leaves provided under Wisconsin law.

Length of Leave

The Federal Family and Medical Leave Law provides a total of twelve (12) weeks of family and medical leave for various purposes described below in a calendar year and an additional fourteen

(14) weeks of military caregiver leave as described below.

Wisconsin law provides six (6) weeks of child-rearing leave, two (2) weeks of family illness leave, and two (2) weeks of employee medical leave in a calendar year.

Wisconsin, Federal, and City leave provided for the same purposes run concurrently; that is, they are not “stacked”.

The City administers such leave on a calendar year basis.

<u>TYPE</u>	<u>ELIGIBILITY</u>	<u>MAXIMUM DURATION FOR STATE LEAVE</u>	<u>MAXIMUM DURATION FOR FEDERAL LEAVE</u>
Personal serious health condition; inpatient hospitalization or chronic condition	Unable to work because of serious health condition	Up to two (2) weeks per calendar year	Up to twelve (12) weeks per calendar year
Birth, adoption, foster care	Birth of a child, placement of child for adoption or as pre-condition to adoption, or foster care placement	Up to six (6) weeks per calendar year provided the leave begins within 16 weeks of the birth of the child	Up to twelve (12) weeks per rolling 12-month period to be concluded within twelve months of birth or placement of the child
Family serious health condition, inpatient hospitalization or chronic condition	Necessary to care for spouse, child, parent, parent-in-law or parent of domestic partner (WI FMLA only) with serious health condition	Up to two (2) weeks per calendar year Also covers care for qualifying domestic partners	Up to twelve (12) weeks per rolling 12-month period

<p>Leave to care for a seriously ill or injured military service member or covered veteran who is a spouse, son or daughter, parent, or next of kin.</p>	<p>Spouse, son, daughter, parent, or next of kin service member has been injured on active duty, and service member is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list for a serious injury or illness.</p>	<p>None</p>	<p>Up to twenty-six (26) weeks per rolling 12-month period going forward, per service member, per injury.</p>
<p>“Qualifying exigency” leave due to employee’s spouse, son, daughter or parent being on or called up for active duty in the Armed Forces.</p>	<p>Short-notice deployment, military events and related activities, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and additional activities where the employer and employee agree to the leave.</p>	<p>None</p>	<p>Up to twelve (12) weeks per rolling 12-month period which includes up to maximum of fifteen (15) calendar days for rest and recuperation.</p>

Definitions

“Child”

A child includes not only your biological, adopted, or foster child, but also a step child, legal ward, or child for whom you have day-to-day responsibilities to provide care and financial support. If older than age 18, the child must be incapable of self-care at the time leave is to commence because of a “physical or mental disability.” A “physical or mental disability” is a physical or mental impairment that substantially limits one or more of an individual’s major life activities.

For purposes of the Wisconsin FMLA, however, a child over 18 must be incapable of self-care because of a serious health condition (defined below).

“Spouse”

Is limited to your husband or wife and does not include an unmarried domestic partner. The Wisconsin FMLA also covers qualifying domestic partners for certain types of leaves.

“Domestic partner”

Under the Wisconsin FMLA, means either: (1) a same-sex partner registered with the Register of Deeds in your county of residence or (2) a same-sex or opposite-sex partner who is not registered but the following criteria are met: (a) both partners are at least 18 years old and able to consent to a domestic partnership, (b) neither individual in the domestic partnership is married to or in a domestic partnership with another individual, (c) the partners share a residence, (d) the partners are not related by blood in any way that would prohibit marriage under Wisconsin law, (e) the partners consider themselves members of each other’s immediate family, and (f) the partners agree to be responsible for each other’s basic living requirements.

“Parent”

A parent includes your biological parents or another individual who provided day-to-day care and financial support during your own childhood.

Your parent-in-law or parent of your domestic partner is not considered a parent for purposes of the federal FMLA but is considered a parent for purposes of the Wisconsin FMLA.

“Serious health condition”

For the purposes of Wisconsin FMLA leave, a “serious health condition” is a disabling physical or mental illness, injury, impairment or condition involving either:

Inpatient care i

Outpatient care

For the purposes of the Federal FMLA leave, a "serious health condition" is considered to be an illness, injury, impairment, or physical or mental condition involving either:

“Inpatient care” which is an overnight stay in a hospital, hospice, or residential medical facility, including any period of incapacity or subsequent treatment in connection with or consequent to such inpatient care; or “Continuing treatment by a health care provider” which includes any of the following:

: A period of incapacity – inability to work, attend school, or perform other regular daily activities due to a serious health condition – of more than three full consecutive calendar days, that also involves:

Treatment two or more times within 30 days of the first day of incapacity, by a health care provider or by another health care professional under orders of, or on referral by, a health care provider; or

Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider.

NOTE: “Treatment” must be an in-person visit to a health care provider for examination, evaluation or specific treatment. Whether additional treatment or a regimen of continuing treatment is necessary within the 30-day period shall be determined by the health care provider.

“Pregnancy”

Any period of incapacity due to pregnancy, or for prenatal care.

Chronic Conditions Requiring Treatment: Any period of incapacity or treatment for such incapacity due to a chronic serious health condition. A chronic serious health condition is one which:

Requires periodic visits (at least twice a year) for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider;

Continues over an extended period of time (including recurring episodes of a single underlying condition);

May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.)

Permanent/Long-Term Conditions Requiring Supervision: A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's, severe strokes, or the terminal stages of a disease.

Multiple Treatments (Non-Chronic Conditions): Any period of absence to receive multiple treatments (including any period of recovery) by a health care provider or by a

provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation), severe arthritis (physical therapy), kidney disease (dialysis).

“Health care provider”

Includes a physician, dentist, clinical psychologist, podiatrist, chiropractor, a nurse practitioner, physician assistant, a nurse mid-wife, a clinical social worker, and certain other health care professionals.

“To care for”

A child, spouse, domestic partner (under Wisconsin FMLA only), or parent with a serious health condition is defined as caring for a family member's physical and psychological needs, which may encompass basic medical, hygienic, nutritional needs, or safety.

“Week” of Leave

When leave is taken as a continuous block, one “week” of leave means seven consecutive calendar days of leave.

For the purposes of Wisconsin FMLA, when leave is taken intermittently or partially, one “week” of leave is five calendar days of leave which would otherwise be workdays for the requesting employee.

To determine the amount of Federal FMLA leave to which an employee is entitled, the City uses a rolling 12-month period, measured backward from the date an employee uses FMLA leave. Each time an employee takes FMLA leave the remaining leave entitlement would be any balance of the 12 weeks (or 26 weeks for military caregiver leave) which has not been used during the immediately preceding 12 months.

Pursuant to Wisconsin law, entitlement to State FMLA will be calculated based on the calendar year.

Federal and State Family Medical Leave run concurrently, not consecutively.

Substitution: An employee may elect to substitute accrued paid sick or other accrued leave for any Wisconsin FMLA leave, but will not be required to substitute such paid leave. After the Wisconsin leave has expired, and during any remaining Federal FMLA leave, the employee may choose or the City may require that any accrued paid vacation, sick, personal holiday, or compensatory time leave be substituted for part or all of the

remaining FMLA leave, provided the leave otherwise qualifies under the City's applicable paid leave policy.

Requesting and Scheduling Leave

- A. Except in situations where the employee is unable to provide a written request because of the need for emergency health care, the employee is to provide the City with a written application for family or medical leave prior to the requested commencement of the leave on the "FMLA Request Form," available from the Human Resources Manager.
- B. In cases where the need for the leave is foreseeable, the request is to be made at least 30 days prior to the anticipated leave. If the employee gives less than 30 days' notice of the need for leave, the City may require the employee to explain why it was not practicable to give the 30 days' notice. In cases where the need for the leave does not become known more than 30 days in advance, the request shall also indicate the date that the employee is expected to return to work.

In cases of emergency, verbal notice of the need for leave should be given as soon as possible, but in all cases in accordance with the City's call in policy for absences.

Calling in sick, without providing additional information is not sufficient notice of the need for Federal FMLA leave.

- C. The City requests that the employee provide notification if they intend to substitute paid leave and what type of accrued benefit the employee intends to substitute as provided under the law.
- D. The employee is to advise the supervisor if his or her return date changes. The employee who does not return from FMLA leave at the designated time will be considered to have voluntarily terminated unless the employee was unable, due to a health care emergency, to notify the employer.
- E. If an employee has been out for three or more days in a row, or if the City has information that the employee is out for an FMLA-qualifying reason but has not requested FMLA leave, the City may require the employee to complete an FMLA Request Form and Medical Certification so the leave will be properly designated. The City may also retroactively designate FMLA leave when it later learns that

Intermittent or Partial Leave

- A. When medically necessary, an employee may take leave to care for a parent, spouse, domestic partner and parent-in-law (under Wisconsin FMLA only), or

dependent child with a serious health condition or their own illness or for certain military-related leaves as an intermittent or as a partial absence from employment in increments of no less than one (1) hour.

- B. If the leave is for planned medical treatment, the employee is expected to schedule the intermittent or partial absence so it does not unduly disrupt the City's operations. To comply with this requirement, an employee must provide the City, in writing, with the employee's proposed schedule of partial absences with reasonable promptness after the employee learns of the probable necessity of such leave.
- C. During Wisconsin FMLA leave, an employee may take child rearing leave as an intermittent or as a partial absence from employment in increments of no less than one (1) hour. An employee who does so shall schedule the intermittent or partial absence so it does not unduly disrupt the City's operations. To comply with this requirement, an employee is to provide the City, in writing, with the employee's proposed schedule of intermittent or partial absences no less than 30 days before the schedule of absences is to commence. The schedule must be of a sufficient definiteness that the City is able to schedule replacement employees, if necessary, to cover the absences. Partial or intermittent leave must commence within sixteen (16) weeks prior to the birth and end no later than sixteen (16) weeks following the birth, adoption, or foster placement of a child.
- D. Where intermittent leave or reduced work schedules are requested under Federal FMLA benefit, that is foreseeable, the City may temporarily transfer the employee to an available equivalent position if the employee is qualified and the position better accommodates recurring leave.

Medical Certification

- A. If an employee requests a family illness leave, military care giver leave, or employee medical leave under this policy, the employee must obtain a Medical Certification Form from the Human Resource Manager. This form must be completed by the employee and the health care provider treating the family member or employee. This certification should be returned to the City within 15 calendar days. In the case of unforeseen leave, the certification should be furnished as soon as practical. When an employee fails to provide certification within 15 days of the City's request, the City may delay the start of FMLA leave, or, in the case of unforeseeable leave, if the employee fails to provide certification, the City may delay the continuation of the employee's leave.
- B. If an employee never produces the required certification, the leave is not FMLA leave. This means that if an employee fails to produce certification, no FMLA job

protection applies to that employee.

- C. The City may request a second health care provider opinion at the City's expense.

Insurance and Benefits

While an employee is on a FMLA leave:

1. The City will maintain group health insurance coverage under the conditions that applied before the leave began. If, prior to the leave, the employee was required to participate in the premium payments, the employee on leave is required to continue with his/her share of the premiums. The City's obligation to maintain health benefits will stop if and when an employee informs the City of an intent not to return to work at the end of the leave period, if the employee fails to return to work when leave entitlement is used up, or if the employee fails to make any required payments while on leave.
2. Employees have a 30 day period for payment of the employee's share of any premium to maintain group health coverage during FMLA leave. If the employee fails to pay, coverage will be dropped. The City must mail a written notice at least 15 days in advance of the date coverage is to cease, advising that coverage will be dropped on a specified date.
3. The City generally has the right to collect from an employee the health insurance premiums the City paid during a period of unpaid leave if the employee does not return to work after the leave entitlement has been exhausted or expired. An employee must return to work for at least 30 calendar days in order to be considered to have "returned" to work. The employee's liability to repay health insurance premiums does not apply if failure to return to work is due to a serious health condition or specific circumstances beyond the control of the employee, as defined in the Federal FMLA.
4. The employee will continue to earn accrued benefits during the period that City paid leave is substituted.

Return from Leave

- A. An employee returning from employee medical leave may be required to obtain medical certification from the health care provider that she/he is able to resume work.

- B. An employee returning from leave as provided under this policy can return to his or her old position if vacant at the time the employee returns to work. If the position is no longer vacant, the employee shall be offered an equivalent position with virtually identical pay, benefits, and working conditions, and the same or substantially similar duties and responsibilities unless the employee would have been terminated during the statutory leave for a legitimate business reason.
- C. Upon reasonable notice to the City, an employee may return to work prior to the scheduled end of his or her leave. An employee shall be returned to his or her old position or an equivalent position within a reasonable time after the request to return to work early is made.
- D. Unable to Return to Work: If following the expiration of an employee's FMLA leave entitlement, the employee remains unable to perform an essential function of the position, the employee has no right under the FMLA to restoration to the original position or another position and the person's FMLA rights end with the expiration of the FMLA leave period. The employee should contact the City to discuss the availability of any further leave to be determined on a case-by-case basis based on the employee's medical condition and any rights under other laws or policies.

Procedures and Forms

- A. When an employee requests leave under the Wisconsin or Federal Laws, the employee will be provided with the following (1) employee written request form; (2) an eligibility and notification of rights form setting forth the employee's obligations and the City's expectations while the employee is on leave; and, if applicable, (3) a physician's certification form and definition of serious health condition.
- B. Upon gaining sufficient information to determine if the leave in question qualifies as FMLA leave, the City will furnish the Employee with a Designation Notice specifying the amount of leave designated as FMLA leave.
- C. Employees who have any questions in regard to this policy or their rights under the Wisconsin and Federal Family and Medical Leave Law should contact the Human Resources Manager.

Civil Leave and Jury Duty

- A. An employee shall be given time off without loss of pay while performing jury duty, or when subpoenaed to appear before a court, public body or commission in connection with City business, or for the purpose of voting.

In the case of jury duty, the employee shall remit his jury fee to the City. If the

employee does not remit the fee, the employee shall be considered to be on a leave of absence without pay while performing jury duty.

- B. A leave of absence without pay shall be granted an employee, upon his/her request, to appear under subpoena or on his/her own behalf in litigation involving personal or appear under subpoena or on his/her own behalf in litigation involving personal or private matters.
- C. If an employee is unable to vote before or after normal work hours, he/she may take up to 3 hours of unpaid leave with supervisory approval to vote. The employee must notify his/her employer before Election Day of his intended absence. The employer may designate the time of day for the absence.

Funeral Leave

Funeral leave is approved by the appropriate division or department head. The following benefits apply.

- A. Upon request an employee shall be granted up to, but not to exceed, three (3) consecutive work days with pay for the purpose of arranging for and attending the funeral of an immediate family member. This shall include spouse, child, parent, sibling, stepparents and stepchildren, parents of spouse and children's spouses.
- B. One day with pay will be granted to attend the funeral of extended family. This shall include grandparents, a brother- in-law, sister-in-law, uncle, aunt, niece, nephew, and grandchildren.
- C. One-half day with pay will be granted to attend the funeral of a fellow employee provided scheduling can be arranged by the supervisor.

The City recognizes that “immediate family” and “extended family” may not recognize people within a family who are cared about deeply. In these instances, employees should contact their supervisor to discuss the use of other accrued benefits, e.g. vacation.

Military Leave

Notwithstanding anything to the contrary contained in this policy, the rights granted under this policy shall not exceed the basic rights granted under the Uniformed Services Employment and Reemployment Rights Act (USERRA) except that the City shall pay the employee as provided in Paragraph A “Short Term Military Leave” of the policy which provides as follows:

Short Term Military Leave

- A. An employee who is a member of a United States Military Reserve or National

Guard Unit who is ordered by appropriate authorities to attend training or encampment under the supervision of the United States Armed Forces, shall be granted a leave of absence from his/her position not to exceed ten (10) working days in any calendar year. It is intended that this be done without financial penalty to the employee. The City will, therefore, pay such employee for base wages lost in an amount equaling the difference between his/her military pay and his/her normal City wage, providing the City wages are greater. With respect to employee whose working day consists of a shift measured in hours, shifts of 12 hours or less shall equal 1 working day leave of absence; shifts in excess of 12 hours and up to 24 hours shall equal 2 working days leave of absence.

- B. City payment for ten work days shall not include overtime pay or pay for more than eighty hours.
- C. The employee is required to turn in a copy of his/her military pay vouchers upon return to work or as soon as practicable. City payment will be adjusted (reduced) according to the amount of military base pay received unless the military pay is greater. In this case, no City payment for the period will be received.
- D. Request for a leave of absence for training in excess of ten (10) work days per year, as outlined above will be treated as leave without pay. Upon written notification, the employee may charge such absences to accrued vacation, holiday time or accumulated compensatory time in lieu of leave without pay.
- E. Leave with pay for duly ordered school, field camps and exercises is granted for regular full and regular part-time employees only.
- F. An employee serving an original probationary period when ordered to attend schools, field camps, exercises or active duty will be granted a leave of absence without pay.

Long Term Military Leave

A regular full-time permanent employee who leaves the service of the City to join the military forces of the United States during time of war or other declared national emergency, or who is drafted into military service at any time, shall be granted a military leave without pay.

Employees who volunteer for call-up to active duty are excluded from these benefits. Such leave shall extend through a date ninety (90) calendar days after he/she is relieved from active service. Written documentation as proof must be filed with the City Personnel Department. Such employee shall be restored to the position which he/she vacated or to a comparable position with full rights and without loss of seniority or

benefits accrued and not taken while serving in the position he/she occupied at the time the military leave was granted, provided he/she makes application to the Personnel Department within ninety (90) days after the date of his/her honorable or general discharge. Failure of an employee to notify the City within ninety (90) days of his/her intention to return to work shall be considered a resignation of employment. Upon return to City employment, the employee must be able to perform all the essential functions of their position. Employees falling into this category will be eligible for continuation of health, life and disability insurance coverage by continuing to pay their portion of the premiums. This provision is only for those employees who have been given written order to report and will continue only for the duration of their orders. As it relates to these benefits not withstanding any union agreement to the contrary, this provision will cease on December 31, 2009.

Calculation of time in City Service

The time a City employee is on short term or long term Military Leave without pay is included in the calculation of his/her total length of time in City service.

Leave of Absence

Upon the recommendation of the department head, the Mayor and City Personnel Committee may grant a regular employee a leave of absence subject to the conditions set forth below.

1. Leave without pay shall be granted only when it is in the best interests of the City to return the employee to service at a future date. Requests for leave of absence shall be approved prior to the taking of such leave. If the leave is requested as an extension of sick leave, it must be accompanied by a physician's statement indicating the need for such leave.
2. At the end of a leave of absence, the employee shall be reinstated in the position he/she vacated, or in an equivalent vacant position, if the employee meets the stated qualifications. If there is not a suitable vacancy available, the employee's name shall be placed on a waiting list.
3. Credit toward vacation and sick leave shall not be earned while an employee is on leave of absence, but insurance benefits may be retained if the premium is paid in full by the employee.
4. If an employee is on leave of absence for more than ten (10) consecutive work days during a calendar year, it shall change the employee's anniversary date correspondingly.
5. A return to work earlier than the scheduled date may be arranged between the department head and the employee.

6. Employees on leave of absence will be subject to termination if actively employed elsewhere during the term of their leave.
7. If an employee is unable to return to work on the date stipulated, he/she may submit a written request to extend a leave of absence, to the Personnel Committee. If, on the date following the expiration of the leave of absence, an extension has not been requested and granted and the employee has not returned to his/her position, the employee shall be considered to have resigned from City employment.

An employee must exhaust all accrued vacation benefits before requesting a leave of absence.

Unauthorized Absence

An employee who is absent from duty without prior approval shall receive no pay for the duration of the absence, and shall be subject to disciplinary action which may include dismissal. It is recognized there may be extenuating circumstances for an unauthorized absence.