

## SECTION 16

### PAID TIME OFF (PTO) POLICY

#### 16.01 DEFINITION

Paid Time Off (PTO) is an all-inclusive flexible time off policy in place of traditional individual vacation, sick, and injury leave programs. It does not apply to Jury Duty or bereavement leave. PTO is an employee benefit. It is a program to allow employees an established amount of paid absence without regard to the reason, however subject to the requirements and restrictions set forth below.

#### 16.02 ELIGIBILITY

- A. All full time employees will be eligible to accrue PTO time.
- B. Part-time employees are not eligible.

#### 16.03 USAGE OF PTO LEAVE

PTO leave may be used for the following purposes (subject to approval in paragraph 16.05 below):

- A. Vacation leave
- B. Sick leave.
- C. Maternity Leave.
  - 1. Maternity leave is a period of approved absence for incapacitation related to pregnancy and follows the specified rules outlined in the Family/Medical Leave Act.
  - 2. The time when a pregnant woman should leave or return to work will be determined on an individual basis and will depend on the physical condition of the particular employee and the nature of the employee's job.
    - a). An employee will be permitted to continue to work as long as the conditions of the pregnancy do not adversely impair the employee's work performance or health. The judgment of the Department Director and the City Manager concerning the beginning of maternity leave shall be based on the written medical opinion of the employee's physician, the nature of the job and/or the employee's ability to perform essential tasks.
    - b). The date an employee shall return to work following maternity leave may be based on a medical statement from

a certified physician stating that the employee is able to perform the essential tasks of the employee's position. It shall be the responsibility of the employee to obtain and submit the physician's medical statement

D. Leave for any number of personal reasons, such as:

1. Medical and dental appointments and treatment which is necessary during working hours.
2. Absences for personal business which cannot be conducted during off duty hours.
3. Holidays other than those observed by the City as official holidays.
4. Maternity/paternity leave.
5. Caring for immediate family members who are ill.

E. To supplement FMLA leave, short term disability leave, or a workers compensation absence, only to the extent necessary to make up the difference in all compensation received from all source and the employee's straight time weekly earnings or salary whichever applies.

F. All unused vacation as defined in 16.10 below must be exhausted prior to usage of any PTO leave.

16.04 ACCRUAL

A. Full-time employees shall accrue PTO leave each payroll as follows:

B. New hires will be eligible to begin accruing as of their date of hire.  
Hours available may be used with no waiting period.

Completed Continuous Months of Service	Bi-weekly Accrual	Annual Accrual	Max Accrual End of FY
0 to 59 Months	4.923 hours	128 hours/16 days	240 hours
60 to 119 Months	6.461 hours	168 hours/21 days	280 hours
120 + Months	8.000 hours	208 hours/26 days	320 hours

C. Employees working twenty-four hour shifts shall accrue PTO as follows:

Completed Continuous Months of Service	Bi-weekly Accrual	Annual Accrual	Max Accrual End of FY
0 to 59 Months	6.923 hours	180 hours/16 days	336 hours
60 to 119 Months	9.038 hours	235 hours/21 days	392 hours
120 + Months	11.192 hours	291 hours/26 days	448 hours

16.05 APPROVAL

- A. In order to ensure effective operational scheduling, PTO time should be requested as far in advance as possible, but in no event less than one (1) work day before the leave is to commence unless the failure to make a timely request is determined by the employee's Department Director to be for reasons beyond the control of the employee.
- B. In the case of unforeseen sickness or injury of the employee or an immediate family member, the employee must advise his/her supervisor or Department Director as soon as possible, but not later than one hour before the employee's scheduled reporting time unless prohibited from doing so for reasons determined by management to be beyond the control of the employee.
- C. When a leave is for FMLA or an absence resulting in three (3) consecutive sick days the employee must provide a medical return to work approval from a medical doctor or other health care professional acceptable to management to return to work.

16.06 DEPARTMENT DIRECTORS

The City Manager shall be authorized to establish different terms for use and accrual of PTO for employees covered by Section 1.02(B).

16.07 CHARGING TIME

PTO will be charged for the time the employee is away from work in increments of not less than one (1) hour.

16.08 UNUSED PTO TIME

- A. Employees may carry over unused PTO hours from one fiscal year to the next to a maximum of 240 hours (for employees with less than 5 years of service), 280 hours (for employees with more than 5 years but less than 10 years), and 320 hours (for employees with more than 10 years of service). Hours in excess of these maximums at the end of the fiscal year will be forfeited. For example: An employee with 36 months (3 years) of

continuous service accrues 144 hours in a fiscal year. He/she may carry over their unused balance until they reach 240 hours, excess hours over 240 are forfeited.

- B. Employees working 24 hours shifts may carry over unused PTO hours from one fiscal year to the next to a maximum of 336 hours (for employees with less than 5 years of service), 392 hours (for employees with more than 5 years but less than 10 years), and 448 hours (for employees with more than 10 years of service). Hours in excess of these maximums at the end of the fiscal year will be forfeited. For example: An employee with 36 months (3 years) of continuous service accrues 202 hours in a fiscal year. He/she may carry over their unused balance until they reach 336 hours, excess hours over 336 are forfeited.

#### 16.09 PAYMENT OF UNUSED PTO

- A. Payment of unused PTO at time of separation:
  - 1. Full Time 40 hours employees: Subject to subparagraph D below, upon separation from City employment, employees are entitled to compensation for any balance of unused PTO hours to a maximum of 160 hours (for employees with less than 5 years of service), 200 hours (for employees with more than 5 years but less than 10 years), and 240 hours (for employees with more than 10 years of service).
  - 2. Employees working 24 hour shifts: Subject to subparagraph D below, upon separation from City employment, employees are entitled to compensation for any balance of unused PTO hours to a maximum of 224 hours (for employees with less than 5 years of service), 280 hours (for employees with more than 5 years but less than 10 years), and 336 hours (for employees with more than 10 years of service).
- B. Should an employee die while in service, any balance of unused PTO hours to a maximum of 160 hours (for employees with less than 5 years of service), 200 hours (for employees with more than 5 years but less than 10 years), and 240 hours (for employees with more than 10 years of service) will be paid to the designated beneficiary listed on the form for his/her employee's City life insurance. For employees working 24 hour shifts see 16.09 A2 above.
- C. Payment shall be at the employee's base hourly rate at time of employment termination.

- D. An employee terminated for any of the following reasons shall not be entitled to be paid unused PTO hours at the time of separation:
1. Use of official position for personal advantage.
  2. Making false claims or intentional misrepresentation in an attempt to obtain sickness or accident benefits, workers' compensation, or any other benefit.
  3. Concerted curtailment, restriction of production, or interference with work in or about the City's work stations including, but not limited to, instigating, leading, or participating in any walkout, strike, sit down, stand-in, slowdown, or refusal to return to work at the scheduled time for the scheduled shift.
  4. Possession, use, sale, attempt to sell, or procure illegal controlled substances at any time whether on or off City property or whether on or off duty; and possession, use, sale or attempt to sell or procure alcoholic beverages while on duty, or City property, while operating or riding in or on City equipment.
  5. Stealing from the City.
  6. Intentionally causing the City to be found in violation of Federal or State law.

#### 16.10 UNUSED VACATION LEAVE BALANCE AS OF AUGUST 19, 2013

- A. Employees with a vacation balance as of August 19, 2013 will retain that balance and will be able to use that time until the balance is exhausted. All vacation balances must be exhausted prior to using PTO.
- B. Should the employee separate from his/her employment, or die while in service, they or their beneficiary will be paid any remaining vacation leave balance in accordance with the Personnel Rules and Regulations, Section 16.09, in effect before August 19, 2013.

#### 16.11 UNUSED SICK LEAVE BALANCE AS OF AUGUST 19, 2013

Upon implementation of this policy, employees with a sick leave balance as of August 19, 2013 will retain that full balance of which the hours will only be available for use in a "catastrophic" situation. Catastrophic will be defined as any illness lasting longer than seven (7) consecutive working days. To receive payment, the employee will be required to submit forms the City requires to be completed and a medical excuse acceptable to the City. Upon separation of employment, or death while in service, those hours will be paid in a lump sum payment (less statutory deductions) as outlined below using the employees years of service at date of separation.

Years of Service	% of Sick Leave Payment
0-9 years	0%
10-14 years	30%
15-19 years	40%
20 + years	50%