



# Leave and Holidays Policy

Policy No. C-04 (Non-Represented)<sup>1</sup>

The Scope of this policy includes the following individuals<sup>2</sup>:

- ✓ Employees (including Appointed Officials, Probationary Employees (non-represented), Full-Time At-Will Employees (excluding Battalion Chiefs),<sup>3</sup> Civil Service Employees)

## I. PURPOSE

To identify paid holidays, set forth the procedure for earning and utilizing paid time off, and outline the parameters of unpaid leaves of absence.

## II. POLICY APPLICATION

### A. Holidays

The City observes the following paid holidays:

New Year's Day, January 1;  
Martin Luther King Day, Third Monday in January;  
Presidents Day, Third Monday in February;  
Memorial Day, last Monday in May;  
Juneteenth, June 19;  
Independence Day, July 4;  
Labor Day, First Monday in September;  
Nevada Day, last Friday in October;  
Veteran's Day, November 11;

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<sup>1</sup> This policy is not to be construed as a contract or an implied contract concerning any employment-related decision or term or condition of employment. The City reserves the right to revise, delete or add to any and all policies, procedures, work rules or benefits stated in this policy at its sole discretion. See Introduction, Administrative Policy No. A-01.

<sup>2</sup> The relevant definitions for the individuals identified in the Scope of this policy are defined in Introduction, Administrative Policy No. A-01.

<sup>3</sup> For leave and holiday information pertaining to Battalion Chiefs, see Administrative Policy No. C-04 (Battalion Chiefs).

Thanksgiving Day, Fourth Thursday in November;  
Family Day, Day after Thanksgiving;  
Christmas Eve, December 24;  
Christmas Day, December 25.

When a designated holiday falls on a Saturday, the holiday will be observed on the preceding Friday. When a designated holiday falls on a Sunday, the holiday will be observed on the following Monday. If a holiday falls on a day an employee is not usually scheduled to work and the employee is not required to work, the employee will receive a banked holiday (e.g., this often occurs when holidays are observed on a Friday). Non-exempt employees scheduled to work in job classifications that require coverage seven (7) days of the week will observe the holiday on the actual holiday. If a holiday occurs on a regular workday during an approved PTO period, employees will receive holiday pay and will not be required to use PTO hours for that day. Employees may accumulate up to 152 hours of banked holiday hours. Any hours in excess of the maximum allowable accruals are forfeited at the end of the first pay period of the month following the month the overage occurred. Banked holiday hours may not be cashed out upon separation of employment, except in the case of the employee's death.

For pay practices for non-exempt employees required to work on a holiday, see Administrative Policy No. C-02.

Employees will be credited with two (2) floating holidays at the beginning of each calendar year. Employees beginning their employment with the City on or after January 1<sup>st</sup> but before July 1<sup>st</sup> will be credited with two (2) floating holidays. Employees beginning their employment on or after July 1<sup>st</sup> but before November 1<sup>st</sup> will be credited with one (1) floating holiday. Anyone hired on or after November 1<sup>st</sup>, through the end of the year is not eligible to receive a floating holiday in that calendar year. All floating holiday hours must be used by the end of each calendar year or be forfeited. Floating holiday hours may not be cashed out upon separation of employment, except in the case of the employee's death.

All public safety PERS employees will be provided the September 11<sup>th</sup> Memorial Holiday each calendar year in the form of a banked holiday. New hires beginning their employment before July 1<sup>st</sup> will receive the September 11th Memorial Holiday in the year of hire.

In the event of an employee's death, the CITY shall pay 100% of unused holiday banked leave and unused floating holiday leave to the beneficiary(ies) designated by the employee as their final paycheck beneficiary. If no such beneficiary exists, and the employee is legally married, the benefit would be paid to their spouse. If the employee is not legally married, the benefit would be paid to the beneficiary designated by the employee on their City-provided basic life insurance. If no basic life beneficiary exists, the benefit would be distributed per the provisions of NRS 281.155.

**B. Paid Time Off (“PTO”)**

Paid time off (“PTO”) is provided to employees for the purpose of vacation as well as absences due to the employee’s or a family member’s illness or injury, or for other personal needs.

1. Earning PTO Between January 1, 2024 – December 31, 2024

Employees on paid status prior to January 1, 2024, will be provided a lump sum annual allocation of PTO as follows:

<u><b>YEARS OF FULL-TIME SERVICE</b></u>	<u><b>ANNUAL PTO LEAVE</b></u>
Less than one (1) calendar year of full-time service	18 days
One (1) or more but less than six (6) calendar years of full-time service	22 days
Six (6) or more but less than thirteen (13) calendar years of full-time service	26 days
Thirteen (13) or more calendar years of full-time service	30 days
Management group 1 <sup>4</sup> : all calendar years of full-time service	30 days
Management group 2 <sup>5</sup> : less than eight (8) calendar years of full-time service	26 days
Management group 2: eight (8) or more calendar years of full-time service	30 days

When an employee is newly hired, they will be credited with the applicable days of PTO based on the above table. The employee will begin accruing PTO monthly in the month following their first anniversary. When an employee is rehired or transitioned from represented to non-represented, they will receive a prorated lump sum based on the above table. Proration will be based on the remaining months in the calendar year or remaining months to the employee’s one year service date. The employee will begin accruing PTO monthly beginning January 2025 or the month following their one-year service date, whichever is later. Non-represented employees promoting into a position with a higher annual PTO leave amount, will be credited with the prorated portion of the additional accrual for the year in calendar year 2024.

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<sup>4</sup> Management Group 1 positions consist of Department Director, Assistant Director, the Senior Assistant City Attorney, Assistant City Attorney III, or other positions that have been designated as a member of the Department Head Team by the City Manager.

<sup>5</sup> Management Group 2 positions consist of Division Head, Assistant City Attorney II, or other specific highly specialized positions (as determined by the Human Resources Director or designee).

2. Earning PTO as of January 1, 2025, and Thereafter

Commencing on January 1, 2025, all employees with more than one year of cumulative full-time service and in a paid status will receive a monthly accrual in lieu of a lump sum annual amount based on the table below. When an employee is rehired or transitioned from a represented or non-represented position to a different non-represented position with less than one year of cumulative full-time service, they will receive a prorated lump sum amount for the remaining months to their one-year service date based on the table below and then will begin monthly accruals the month following their one-year service date. When an employee is newly hired, they will be initially credited with eighteen (18) days of PTO, with the exception of Management group 1 who will receive 30 days of PTO and Management Group 2 who will receive 26 days of PTO. The employee will begin accruing PTO monthly in the month following their first anniversary.

<b><u>38 HOUR EMPLOYEES YEARS OF CUMULATIVE FULL-TIME SERVICE</u></b>	<b><u>MONTHLY HOURS ACCRUED</u></b>
One (1) or more but less than six (6) years of cumulative full-time service	17.42
Six (6) or more but less than thirteen (13) years of cumulative full-time service	20.59
Thirteen (13) or more years of cumulative full-time service	23.75
Management group 1 <sup>6</sup> : all years of full-time service	23.75
Management group 2 <sup>7</sup> : less than eight (8) years of cumulative full-time service	20.59
Management group 2: eight (8) or more years of cumulative full-time service	23.75

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<sup>6</sup> Management Group 1 positions consist of Department Director, Assistant Director, the Senior Assistant City Attorney, Assistant City Attorney III, or other positions that have been designated as a member of the Department Head Team by the City Manager.

<sup>7</sup> Management Group 2 positions consist of Division Head, Assistant City Attorney II, or other specific highly specialized positions (as determined by the Human Resources Director or designee).

<b><u>40 HOUR EMPLOYEES YEARS OF CUMULATIVE FULL-TIME SERVICE</u></b>	<b><u>MONTHLY HOURS ACCRUED</u></b>
One (1) or more but less than six (6) years of cumulative full-time service	18.33
Six (6) or more but less than thirteen (13) years of cumulative full-time service	21.67
Thirteen (13) or more years of cumulative full-time service	25.00
Management group 1 <sup>8</sup> : all years of full-time service	25.00
Management group 2 <sup>9</sup> : less than eight (8) years of cumulative full-time service	21.67
Management group 2: eight (8) or more years of cumulative full-time service	25.00

Increase in the monthly accruals, as a result of years of cumulative full-time service, will be effective the month following an employee's service date, where service date is determined by the employee's years of cumulative full-time service and may differ from the employee's hire/rehire date. The service date will be provided by Human Resources after the employee is rehired.

PTO is credited in the month after it was earned. If an employee's separation, retirement, or transition from represented to non-represented date occurs on or prior to the 15th of the month, no PTO monthly leave accrues for that month. If an employee's separation, retirement, or transition from represented to non-represented date occurs after the 15th of the month, an additional PTO monthly leave accrual will be credited to the employee for the month.

### 3. Applicable PTO Provisions for Rehires

Beginning January 1, 2024, the annual or monthly allocation of PTO for employees rehired by the City will be based upon the total of their current and prior years of full-time regular service (i.e., years of cumulative full-time service). However, employees will not receive credit for prior years' service when calculating their annual or monthly PTO allocation if rehired after having participated in a Voluntary Employee Separation Program (VESP) or similar program or received payment of PTO hours pursuant to any agreement between the City and the employee (e.g., a settlement or separation agreement). If an employee separates from the City and is rehired in the same calendar year, they will be eligible to receive the PTO hours they forfeited at time of their separation.

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<sup>8</sup> Management Group 1 positions consist of Department Director, Assistant Director, the Senior Assistant City Attorney, Assistant City Attorney III, or other positions that have been designated as a member of the Department Head Team by the City Manager.

<sup>9</sup> Management Group 2 positions consist of Division Head, Assistant City Attorney II, or other specific highly specialized positions (as determined by the Human Resources Director or designee).

4. PTO Maximum Accruals

Employees may accumulate and carry over up to a maximum of 988 PTO hours each calendar year. Any PTO hours in excess of the maximum allowable accruals are forfeited the last day of the pay period that includes December 31<sup>st</sup>.

5. Partial Day Absences for Exempt Employees

Exempt employees are generally not required to use PTO for approved partial day absences of four (4) hours or less. If a partial day absence exceeds four (4) hours, exempt employees must use PTO for the total hours of the partial day absence. If an exempt employee regularly schedules partial day absences whereby, they will be absent for less than four (4) hours each day on a regular basis, then the employee may be required to use their PTO for some or all of the partial day absences. Partial day absences must still be approved by the exempt employee's supervisor and/or department director.

6. PTO Payouts

Employees who were hired or rehired full-time on or after January 1, 2024, must have completed three (3) years of continuous full-time service to be eligible for PTO Payouts. For rehired employees, the three years of continuous full-time service requirement will be calculated based on employee's rehire date. Employees hired prior to January 1, 2024, may receive payment of any accrued and unused PTO as set forth below. Additionally, employees will be eligible for PTO payout, as long as (1) they voluntarily separate for non-disciplinary reasons; (2) they do not resign during an ongoing investigation into their conduct that may result in disciplinary action; and (3) must have completed their probationary period. Employees who are separated for disciplinary reasons or who resign pending an investigation into their conduct that may result in disciplinary action, are not eligible to receive payout of their PTO or Sick Leave balances.

<b><u>YEAR HIRED</u></b>	<b><u>PTO LEAVE PAYOUT</u></b>
Hired or rehired prior to July 1, 2014	100% unused PTO hours up to a maximum of 500 hours.
Hired or rehired on or after July 1, 2014, but before January 1, 2024	100% unused PTO hours up to a maximum of 250 hours.
Hired or rehired on or after January 1, 2024, who have three (3) or more years of continuous full-time service	100% unused PTO hours up to a maximum of 250 hours.
Effective January 1, 2025, employees who have completed ten (10) or more years of continuous full-time service	100% unused PTO hours up to a maximum of 500 hours.

Effective January 1, 2025, employees who have completed fifteen or more years of continuous full-time service, will be able to receive payout for additional hours based on the following three tiers. These payouts are in addition to the table above and employee must have more than 500 PTO hours in their bank in order to qualify for the additional payout.

Employees hired after July 1, 1995, are limited to a maximum payout of 1,400 hours, consisting of their combined PTO and Sick leave hours, with a maximum of 900 coming from Sick Leave hours. Any PTO hours (and Sick Leave hours) in excess of these limitations do not have a compensable value.

<b><u>YEARS OF CONTINUOUS FULL-TIME SERVICE</u></b>	<b><u>ADDITIONAL PTO LEAVE PAYOUT</u></b>
Fifteen (15) or more but less than twenty (20) years of continuous full-time service	50% unused PTO hours in excess of 500 hours up to a maximum of 100 hours.
Twenty (20) or more but less than twenty-five (25) years of continuous full-time service	50% unused PTO hours in excess of 500 hours up to a maximum of 150 hours.
Twenty-five (25) or more years of continuous full-time service	50% unused PTO hours in excess of 500 hours up to a maximum of 200 hours.

In the unfortunate event of an employee’s death, the CITY shall pay for 100% of unused PTO leave to the beneficiary(ies) designated by the employee as their final paycheck beneficiary. If no such beneficiary exists, and the employee is legally married, the benefit would be paid to their spouse. If employee is not legally married, the benefit would be paid to the beneficiary designated by the employee on their City-provided basic life insurance. If no basic life beneficiary exists, the benefit would be distributed per the provisions of NRS 281.155.

7. PTO Use Preceding Retirement or Separation

Employees retiring or separating on or before December 31, 2024, may use up to 20 consecutive working days of their PTO immediately preceding their separation date, with department head approval. Employees retiring or separating on or after January 1, 2025, may use up to 8 consecutive working days of their PTO immediately preceding their separation date, with department head approval. Exceptions to these provisions require department head and Assistant City Manager or Deputy City Manager approval and will be evaluated based on departmental operational needs. This does not include the use of PTO for an extended leave of absence approved for medical reasons pursuant to this policy and/or the City’s Reasonable Accommodation and/or FMLA policies (Administrative Policies Nos. A-04 and C-05) prior to the employee’s separation date.

## 8. Scheduled PTO, Unscheduled PTO, and Job Abandonment

**Scheduled PTO:** Scheduled PTO must be arranged in advance. Scheduled PTO may be used for any reason, including vacation time, to allow employees to rest, relax, and pursue special interests, for religious holidays, or ethnic days of significance to the employee, medical reasons, or legal or other personal business appointments which cannot be scheduled outside of normal business hours. Planned absences approved by the employee's supervisor in advance of the first day of leave shall be considered Scheduled PTO.

A supervisor (or designee) may deny an employee's request for Scheduled PTO dependent upon the department's operational needs. Additional Scheduled PTO rules and procedures shall be governed by each department and may vary by department.

Scheduled PTO shall include approved absences covered under the Family and Medical Leave Act (FMLA) or other approved leave as described in this policy and shall not be counted as an absence incident for purposes of potential disciplinary action.

**Unscheduled PTO:** Unscheduled PTO is an absence not approved by the employee's supervisor (or designee) 24 hours in advance of the absence. For example, an employee may need to use Unscheduled PTO if the employee unexpectedly becomes ill, is unable to report to work due to an emergency or must leave work unexpectedly.

For Unscheduled PTO taken as a result of an illness or other medical condition, the City may request the employee provide a statement from their healthcare provider concerning the justification for an unscheduled absence period lasting five (5) or more consecutive workdays or the employee may be subject to disciplinary action.

Employees with eight (8) or more incidents of Unscheduled PTO (unless taken pursuant to an approved ADA accommodation or FMLA leave) in a twelve (12) month period may be subject to disciplinary action. An "incident" is defined as any period of continuous absence for the same reason.

Unscheduled PTO that is taken pursuant to an ADA accommodation or FMLA leave must be consistent with the health care provider's documentation and the terms of the City's approval of the accommodation/FMLA leave, or the employee may be subject to disciplinary action.



Job Abandonment: An employee will be deemed to have abandoned their job if the employee fails to directly notify their supervisor of an absence from work for three (3) consecutive workdays. Job abandonment shall also occur when an employee fails to return to work for three (3) consecutive days after the employee's approved leave has expired without directly notifying their supervisor of the continuing absence and without satisfactory explanation.

Before the City determines that the employee has abandoned their job, the City shall attempt to contact the employee on two (2) separate days using either the employee's last known home telephone number, cell phone number or email address provided to the City by the employee. If the attempts to reach the employee are unsuccessful, the City can conclude that the employee has abandoned their job, and the employee shall be immediately terminated (with no appeal rights). If the termination is considered a disciplinary termination the employee will not be eligible to receive payment for their accrued and unused PTO hours.

#### 9. PTO Sell Back

PTO sell-back permits employees to sell-back a certain number of their PTO hours on an annual basis, subject to the limitations set forth below. PTO sell-back is a discretionary benefit, and the City reserves the right to suspend the PTO Sell-Back benefit if City management determines that funding is not available.

Unless City Management determines that funding is not available, the City's PTO Sell Back Program will be conducted in October of each year. Except for the City Manager, City Attorney, and City Clerk (which are governed by their employment contracts), employees' eligible PTO Sell-Back hours must be entered on the timecard the last Saturday in October and is paid during the regular payday for that pay period. The amount of PTO an employee is permitted to sell back is dependent on the employee's position and their years of continuous full-time service.

Employees hired, rehired, or transferred into a non-represented full-time position on or after January 1, 2024, must have worked three years of continuous full-time service and must be employed in a non-represented position prior to September 30th to be eligible for PTO sellback. Years of continuous full-time service are calculated as of September 30th of each year.

<b><u>Employee's Position</u></b>	<b><u>Eligible PTO Sell-Back Days</u></b>
City Manager, City Attorney, and City Clerk	May sell PTO pursuant to terms set forth in their employment contract with the City
Deputy City Managers, Assistant City Managers, and the Chief Financial Officer <sup>10</sup>	12 days
Senior Assistant City Attorneys, Assistant City Attorneys III, Directors, Assistant Directors, and other members of the Department Head Team as designated by the City Manager <sup>11</sup>	8 days
Employees hired full-time prior to July 1, 1995	8 days
All other employees with three (3) or more years of continuous full-time service OR those employees hired into full-time service before January 1, 2024, who have completed their probationary period	4 days

Beginning for the PTO Sellback that occurs in Calendar Year 2024, employees may be able to sell back additional days based on their years of continuous full-time service.

<b><u>Years of Continuous Full-Time Service</u></b>	<b><u>Incentive PTO Sell Back Days</u></b>
Less than five (5) years of continuous full-time service	0
Five (5) years or more but less than ten (10) years of continuous full-time service	1
Ten (10) or more but less than fifteen (15) years of continuous full-time service	2
Fifteen (15) or more but less than twenty (20) years of continuous full-time service	3
Twenty (20) or more years of continuous full-time service	4

<sup>10</sup> Employees in these positions are not required to have 3 years of continuous full-time service with the City to be eligible to participate in the PTO sell back program.

<sup>11</sup> Employees in these positions are not required to have 3 years of continuous full-time service with the City to be eligible to participate in the PTO sell back program.

### C. Sick Leave Bank

Employees hired prior to July 1, 2014, or who transition from a represented to a non-represented position may have a sick leave bank available to use from the previous leave structure. Employees may use accrued and unused hours in their Sick Leave Bank for qualifying Sick Leave absences as defined in this policy.

A qualifying Sick Leave absence is defined as an absence due to medical/dental appointments, personal illness, or the need to care for an immediate family member due to that family member's illness. For purposes of Sick Leave, an immediate family member includes a spouse, parent, child, foster child, in loco parentis (parent or child), stepchild, sibling, parent-in-law, half-sibling, sibling-in-law, child-in-law, grandchild, grandparent, spouse's grandparent, stepparent, or any person permanently living in the employee's household.

A qualifying Sick Leave absence may be approved as a reasonable accommodation under the Americans with Disabilities Act. Please see the Reasonable Accommodation Policy, Administrative Policy No. A-04, for more information. When a personal illness, family illness, care of a newborn child, or any other absence qualifies under the provisions of the FMLA, the employee must follow the procedures established in the Family and Medical Leave and Extended Leave Policy, Administrative Policy No. C-05.

It is the employee's responsibility to apply for any disability benefits for which they may be eligible as a result of illness or disability, including workers' compensation insurance and/or any other disability insurance or retirement benefits. Employees' Sick Leave benefits will be fully integrated with other benefits available to the employee such that at no time will an employee be paid more than their regular compensation.

Upon non-disciplinary (i.e., not for-cause) separations of employment, employees who have completed the required initial probationary period, and who do not resign during an ongoing investigation into their conduct that may result in disciplinary action, may receive payment of any accrued and unused Sick Leave as follows:

<b><u>Hire Date</u></b>	<b><u>Eligible Sick Leave Payout</u></b>
Hired prior to July 1, 1995	100% of unused Sick Leave hours
Hired on or after July 1, 1995 with five (5) years of continuous full-time service	100% of unused Sick Leave up to a maximum payout of 900 hours.
Hired prior to July 1, 1995 and transferred from represented to non-represented on or after January 1, 2024	100% of unused Sick Leave up to a maximum payout of 900 hours.
Hired or transferred from represented to non-represented on or after January 1, 2024 with ten (10) or more years of continuous full-time service	100% of unused Sick Leave up to a maximum payout of 900 hours.

In the unfortunate event of an employee's death, the CITY shall pay for 100% of unused sick leave to the beneficiary(ies) designated by the employee as their final paycheck beneficiary. If no such beneficiary exists, and the employee is legally married, the benefit would be paid to their spouse. If employee is not legally married, the benefit would be paid to the beneficiary designated by the employee on their City-provided basic life insurance. If no basic life beneficiary exists, the benefit would be distributed per the provisions of NRS 281.155.

**D. Bereavement Leave**

Upon the death of an immediate family member, an employee will be granted four (4) workdays of paid bereavement leave. Bereavement leave is independent of other types of leave and must be used within thirty (30) days of the death, unless there are exceptional circumstances, and the employee receives permission from their supervisor or designee. In no circumstance shall bereavement leave be extended more than twelve (12) months from the death for which the employee is bereaved. If bereavement leave is not timely used, then it will be forfeited. Bereavement leave has no cash value.

For the purposes of Bereavement Leave, an immediate family member includes a spouse, parent, child, foster child, in loco parentis (parent or child), stepchild, sibling, parent-in-law, half-sibling, sibling-in-law, child-in-law, grandchild, grandparent, spouse's grandparent, stepparent, or any person permanently living in the employee's household.

**E. Jury and Witness Duty Leave**

Employees, who are called to serve jury duty, including grand jury service, will be paid regular pay for the time they are serving on jury duty that occurs during their scheduled working hours. All jury duty pay will be retained by the employee. Employees are not required to work within eight (8) hours before the time they are scheduled to appear for jury duty. Additionally, if an employee's jury service has lasted for four (4) hours or more on the day of their appearance for jury duty (including travel time), then the individual is not required to work between 5:00 p.m. on the day of their appearance for jury duty and 3:00 a.m. the following day. Subject to the above limitations, employees will be required to report back to work if their jury service ends prior to the end of their scheduled work shift or contact their supervisor by telephone to arrange to take PTO for the rest of their scheduled work shift as long as such leave does not create an operational issue.

Employees who are summoned to serve as a witness, in a non-work-related case, may use available PTO to receive pay for any unpaid portion of time off due to witness service.

Employees must notify their supervisor of the need for time off for jury or witness duty as soon as a notice or summons from the court or a subpoena is received. Employees may be requested to provide written verification from the court clerk of having served. The

City prohibits retaliation against any employee taking or requesting time off to serve on a jury or as a witness.

#### **F. Military Leave**

Employees will be granted a leave of absence for military service in accordance with applicable laws. Employees are afforded reemployment rights and retain full seniority benefits for all prior service upon reemployment in accordance with the Uniformed Services Employment and Reemployment Rights Act and state law.

An employee having a reserve status in any of the regular branches or the Armed Services of the United States or National Guard who present orders for service will be compensated up to fifteen (15) working days or the hourly equivalent per twelve (12) month period (defined as January-December) as required by law. This compensation will not be a part of the employee's yearly PTO leave. Employees need to present their military service orders to the Director of Human Resources or designee, for review prior to commencement of the leave.

#### **G. Voting Time Off**

If based on work schedule, an employee does not have a reasonable amount of time to vote on Election Day outside of working hours in public elections, the employee will be allowed sufficient time off to go to the polls on Election Day. If the employee works within two (2) miles of their polling place, the City will pay the employee for one (1) hour of absence from regularly scheduled work which is necessary for the employee to vote. If the employee works more than two (2) miles, but less than ten (10) miles from their polling place, the City will pay for two (2) hours of absence from regularly scheduled work which is necessary for the employee to vote. If their polling place is more than ten (10) miles from the employee's regular place of work, the City will pay the employee for three (3) hours of absence from regularly scheduled work which is necessary to vote. Any additional time off will be without pay for non-exempt employees. Employees must give reasonable notice of the need to have time off to vote.

#### **H. Time-Off to Attend School Related Activities**

If an employee is a parent, guardian, or custodian of a child in kindergarten or grades 1-12, inclusive, the employee may take up to four (4) hours of unpaid leave each school year per child in order to attend certain school-related activities, as long as the day and time of the leave is agreed upon by both the employee and the employee's supervisor (or designee) and scheduled in advance (unless it is an emergency). Activities which qualify for leave under this policy include parent-teacher conferences, school-related activities during regular school hours, volunteering or involvement at school, or attendance at other school related-events. This leave must be taken in increments of one (1) hour. The department may require documentation from the school noting the date and time of the

employee's visit and its purpose. If a non-exempt employee wishes to be paid for this time, they may utilize their PTO hours.

If it is necessary for an employee who is the parent, guardian, or custodian of a child to attend a conference requested by a school administrator or respond to notice from the school of an emergency regarding their child, the employee should alert their supervisor as soon as possible so that alternative arrangements may be made. No discriminatory action will be taken against the employee for taking time off for this purpose. Such time off is unpaid if the non-exempt employee chooses not to use their PTO hours.

#### **I. Leave Without Pay, Paid Administrative Leave, and Suspensions**

Upon approval of the City Manager (for a non-medical reason) an employee may be granted an unpaid leave of absence for good and valid reasons.<sup>12</sup> Such unpaid leave may be granted only after all available paid leave banks have been exhausted. During such unpaid leave, the employee will not receive any form of paid or banked leave, including, but not limited to holiday pay, holiday bank earned, floating holidays, or PTO, until the employee returns to paid status. When the employee returns to paid status, the employee's PTO will be prorated similar to that of a new hire.

Employees on an unpaid leave of absence must promptly notify the City if:

1. they no longer intend to return to work at the expiration of the leave;
2. they may be unable to return to work at the expiration of leave;
3. they experience any significant change in circumstances upon which the leave of absence was granted.

Upon approval of the City Manager, an employee may be placed on paid administrative leave due to extenuating circumstances. During paid administrative leave, benefits will accrue as if the employee was actively at work.

For disciplinary reasons, employees may also be suspended, with or without pay, pending an investigation of a matter or as a means of issuing corrective action. Such suspensions must be approved by the City Manager or designee and/or the Director of Human Resources or designee. If placed on suspension without pay, the employee will not receive any form of paid leave, including holiday pay or PTO, until the employee returns to paid status.

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<sup>12</sup> Employees taking leave without pay for medical reasons should see Administrative Policy C-05, FMLA and Extended Leave Policy.

## **J. Workers' Compensation Leave**

Employees are required to immediately report any work-related injury to their supervisor in accordance with the City's Incident Reporting Policy, Administrative Policy No. B-11 and complete the Initial Injury Report/C-1. Employees should also seek medical treatment and follow up care if required at a preferred medical facility.

The City will pay salary continuation for all full-time employees with an accepted workers' compensation claim. Upon expiration of the appropriate salary continuation hours, the employee continues to receive the workers' compensation benefit and may elect to use available paid leave to receive a full salary.

Non-exempt full-time employees will be eligible for 855 hours (90 days) of salary continuation for accepted workers' compensation claims. Exempt employees will be eligible for 1,710 hours (180 days) of salary continuation for accepted workers' compensation claims.

Employees on workers' compensation leave must provide the necessary leave and treatment forms for all the hours they have been restricted from work by their medical provider, for time used to attend medical appointments, and any time they are assigned to modified duty (for record keeping purposes).

## **K. Employees Moving to Non-Represented Service**

For those employees moving from a position covered by a bargaining unit to a non-represented position, the employee's full-time hire date with the City will be used to determine their established date of continuous service for the purposes of PTO sellback, cash out, and accruals.

When an employee moves from represented to non-represented status, the employee's vacation leave balance will be credited to PTO and their sick leave balance will be set aside into a sick leave bank that will no longer accrue additional leave.

### **III. APPROVAL**

**APPROVED BY:**

Richard Derrick, City Manager/CEO

**REVIEWED BY:**

Nicholas Vaskov, City Attorney

Brooke Stream, Director of Human Resources

**Record of approved document can be obtained through the Human Resources Department.**

EFFECTIVE DATE: 2/16/2016  
REVISION DATE: 10/17/2016; 9/26/2017; 3/12/2020; 12/20/2023