

**CITY OF GOODYEAR
COUNCIL ACTION REPORT**

SUBJECT: City Council to consider for possible action amending city “Policy 200 Employee Compensation” and “Policy 600 Attendance and Leave.”	STAFF PRESENTER: Jeanni Ruddy
	CASE NUMBER: None
	OTHER PRESENTER: None

PROPOSED ACTION:

ADOPT RESOLUTION NO. 17-1837 AMENDING “POLICY 200 EMPLOYEE COMPENSATION” AND “POLICY 600 ATTENDANCE AND LEAVE” AS AN AMENDMENT TO THE “CITY OF GOODYEAR POLICY AND ADMINISTRATIVE GUIDELINES MANUAL OF 02/01/2004.”

BACKGROUND AND PREVIOUS ACTIONS:

Human Resources continually reviews and revises policies and guidelines to reflect the most recent labor law changes, implement best practices, and to enhance wording or provide clarity to our manual. See details of the recommended policy changes below. (Jeanni Ruddy, Total Compensation and Organizational Development Manager)

STAFF ANALYSIS:**Policy 200 – Employee Compensation**

- Changed Call Out Pay to begin after the employee has left work for the day if called back to work and removed the “one (1) or more hour” requirement after the employee has left work to receive Call Out Pay.
- Bilingual Pay updated to include all languages including American Sign Language as long as the employee uses the language to interact with citizens to conduct city business for one or more times per week on average.

Policy 600 – Attendance and Leave

In November 2016, Proposition 206 was passed which increased the state’s minimum wage and required paid sick leave for all employees.

The new minimum wage piece went into effect on January 1, 2017. The required paid sick leave went into effect on July 1, 2017. The city is in compliance with both pieces of this legislation.

The paid sick leave piece of this legislation for all employees required a change to city policy. Per Proposition 206 the following is required:

- Under Prop 206 part-time and temporary workers are eligible for one hour of paid sick leave for every 30 hours worked, up to 40 hours a year.
- See Policy 600 for details on sick leave accrual, carryover, and usage.

The sick leave policy for full-time, regular status employees will remain the same except for the definition of family member. It has been revised to match the requirements of Prop 206.

FISCAL ANALYSIS:

The financial impacts of Prop 206, including the minimum wage adjustment and the provision of sick leave has been accounted for in the FY2018 budget in those departments which utilize part-time staff, mainly Parks & Recreation. The specific cost of the provision of sick leave will depend upon the actual use of this benefit.

The cost impact is minimal for the changes made to Call Out Pay and Bilingual Pay and can be absorbed within the department's personnel budget.

RECOMMENDATION:

Adopt Resolution No. 17-1837 amending Policy 200 to include the changes to Call Out Pay and Bilingual Pay and Policy 600 to include the new legislation from Proposition 206.

ATTACHMENTS:

Policy 200 with redline changes

Policy 600 with redline changes

Resolution 17-1837

Policy 200 Final

Policy 600 Final

Policy 200 and 600
(Strikethrough Version)

POLICY STATEMENT

Subject: Employee Compensation

Origination date: 04/01/01

Revision date: 42/08/14 [11/13/17](#)

Policy number: 200

Purpose

The purpose of the compensation plan is to attract, retain, and motivate employees through financial compensation commensurate with the employee's ability and responsibility. This plan is designed to recognize employee performance, achieve internal equity, and be externally competitive with market compensation.

Policy

A. Maintenance and Administration of the Compensation Plan

The Human Resource Director, or designee, shall be responsible for maintenance and administration of the Compensation Plan. This includes recommending to the City Manager any amendments or market changes to the Plan. The Compensation Plan shall establish salary ranges, including a minimum and maximum pay rate for an employee to progress through their range. The City will conduct salary surveys and propose recommendations to the City Council for market-based adjustments as needed to maintain a market competitive position. The City will establish pay periods and pay dates.

The City will strive to provide a total compensation package that is affordable, yet allows the City the opportunity to attract qualified applicants and retain excellent performing employees. Total compensation includes base pay, applicable assignment/specialty pay, and indirect pay (comprehensive benefits).

B. Adjustments to Salary

The overall amount allocated for all adjustments to salary will be determined based on the City's fiscal constraints. No individual's salary should be increased beyond the maximum of their salary range.

1. Annual Salary Increase

Annual salary increases for employees may be a percentage of base pay, or be withheld or postponed, depending on job performance and budgeted funds.

a. Salary Increase

If the Performance Appraisal Form for annual review reflects an overall rating of "Meets Expectations" an increase may be recommended based on budgeted funds.

b. Salary Increase Withheld or Postponed

If the Performance Appraisal Form for annual review reflects an overall rating of "Does Not Meet Expectations" then an employee may be provided a period of time, not to exceed ninety (90) calendar days, to bring the performance up to a satisfactory level. At the conclusion of this time period, a recommendation shall be forwarded to the City Manager, Deputy City Manager, or designee, indicating that the employee should receive a salary increase as approved and scheduled by City Council or continue employment with no increase; or that action should be taken to demote, reassign, or terminate the employee for performance problems.

c. Employees at the Maximum of their Range

If the Performance Appraisal Form for annual review reflects an overall rating of "Meets Expectations", a lump sum salary increase may be recommended for employees who are at the maximum of their range based on budgeted funds. Lump sum salary increases are not added to the employee's base pay and will be equal to the raise an employee would have received had they not been at the maximum of the range.

3. Promotion

When an employee is promoted to a position at a higher salary range, the employee will receive a five (5) percent increase or the entry of the new range, whichever is greater. However, if the employee exceeds the minimum relevant experience requirements for the job by two to five years, a starting salary within the first quartile of the salary range can be authorized by the Department Director. If the employee's relevant experience exceeds the minimum requirements by six to nine years or a special skill requirement is identified, a starting salary within the second quartile of the salary range can be authorized by the Department Director. If the employee has over ten years of relevant experience beyond the minimum qualifications, the employee has special skills or background, or there has been difficulty in recruiting for the position, the Deputy City Manager or City Manager may approve a starting salary above the second quartile. In all cases, documentation justifying the request must be received by Human Resources.

4. Reclassification

When an employee is reclassified to a higher salary range, the employee will receive a five (5) percent increase or the entry of the new range, whichever is greater. However, if the employee exceeds the minimum relevant experience requirements for the job by two to five years, a starting salary within the first quartile of the salary range can be authorized by the Department Director. If the employee's relevant experience exceeds the minimum requirements by six to nine years or a special skill requirement is identified, a starting salary within the second quartile of the salary range can be authorized by the Department Director. If the employee has over ten years of relevant experience beyond the minimum qualifications, and the employee has special skills or background, the Deputy City Manager or City Manager may approve a starting salary above the second quartile. In all cases, documentation justifying the request must be received by Human Resources.

When an employee's position is reclassified to a lower salary range, the employee's salary will not be decreased unless their salary is higher than the maximum step of the new range. If the employee's salary is above the maximum of the new range, the Department Director may recommend, and if the City Manager, Deputy City Manager, or designee approves, the employee's salary will remain the same and will be frozen until the salary in the new range reaches the employee's salary level, based on market adjustments.

When an employee's position is reclassified to a position in the same pay range, no adjustment in salary will be made.

5. Transfer at Same Salary Range

When an employee is transferred from one position to another having the same salary range, the employee's pay shall remain the same.

6. Demotion for Non-Disciplinary or Disciplinary Reasons

Demotion occurs whenever an employee is moved to a position with reduced pay. Employees will receive a minimum of a five (5) percent (or greater with City Manager or Deputy City Manager approval) reduction in pay and will not exceed the maximum of the new salary range, unless prior approval is received by the City Manager, Deputy City Manager, or designee. This should not place the employee's salary below the entry of the range or above the maximum of the range. Employees may appeal an involuntary demotion which results in the loss of pay through the City's appeal procedures as outlined in

Guideline 830. The demotion of an employee while in their trial period due to a promotion is not appealable.

7. Temporary Re-assignment to Higher Classification

The City Manager, Deputy City Manager, or designee, may authorize an employee to serve in an “acting” assignment to fill in for a higher position on a temporary basis. Such appointment shall be for a stated period not exceeding two (2) years. While on acting assignments, employees will receive performance reviews on their regular schedule. If the employee is eligible for a pay increase while in an acting assignment, their salary will be recalculated using their regular position salary, adding the pay increase and then acting assignment pay. If this recalculation would not change the salary in their acting assignment, they will not receive an increase at that time. Once the acting assignment is completed, the employee will be moved to the appropriate salary in their regular position to reflect the pay increases they were scheduled to receive during their acting assignment. Temporary assignments may be removed at any time by the City Manager, Deputy City Manager, or designee and it is not appealable.

For performing all of the essential functions of the position being filled:

1. Non-exempt Positions

Non-exempt employees who serve in an acting assignment for a minimum of 14 consecutive calendar days shall receive either the entry of the pay range of the acting position or a five (5) percent increase in pay, whichever is greater, for the duration of the assignment. The employee will maintain the non-exempt status if the employee continues to perform their non-exempt job functions while filling in for an exempt status job. If the employee is no longer performing the non-exempt job functions of their original position and is performing only the exempt job functions of the acting assignment position, the employee will be considered exempt status while serving in the acting assignment.

2. Exempt Positions

Exempt employees who serve in an acting assignment for a minimum of 30 consecutive calendar days shall receive either the entry of the pay range of the acting position or a five (5) percent increase in pay, whichever is greater, for the duration of the assignment.

8. Market Adjustment

When the salary structure is updated, all regular employees who are below the proposed minimum of their salary ranges will be brought up to the new minimum. If financially possible, all employees within the structure will be moved the same percentage as the structure movement, and remain at their respective position within the range to prevent compression.

9. Temporary Salary Adjustments

The City Manager may authorize temporary reductions to employee rates of pay due to budget constraints. Temporary reductions under this section shall be of general applicability to the city work force and are not subject to the discipline, grievance, and/or appeal process.

C. Rates of Pay

1. Starting Salary

Normally an employee will be appointed or reinstated at the minimum of the salary range for the job classification. However, if the employee exceeds the minimum relevant experience requirements for the job by two to five years, a starting salary within the first quartile of the salary range can be authorized by the Department Director. If the employee's relevant experience exceeds the minimum requirements by six to nine years or a special skill requirement is identified, a starting salary within the second quartile of the salary range can be authorized by the Department Director. If the employee has over ten years of relevant experience beyond the minimum qualifications, the employee has special skills or background, or there has been difficulty in recruiting for the position, the Deputy City Manager or City Manager may approve a starting salary above the second quartile. In all cases, documentation justifying the request must be received by Human Resources.

Lateral Police Officers will be hired in accordance with their years of service as determined by the Department hiring guidelines.

2. Overtime Compensation

Pursuant to the Fair Labor Standards Act (FLSA), the City will pay overtime to non-exempt employees who work in excess of forty (40) hours in their designated workweek. Exception: The Fire Department certified non-exempt personnel will receive overtime for hours worked above 106 hours in a 14-day period.

- a. Employees eligible for overtime shall be compensated at a rate of one and one-half times their regular rate of pay.
- b. For purposes of calculating overtime pay, vacation, sick leave, holiday and other leave shall not be considered time worked and shall be deducted from "hours worked" in the workweek.
- c. Positions which are exempt under FLSA will not receive overtime, but may be given time off for extensive "after hours" work on special projects or under extenuating circumstances as approved by the Department Director.
- d. Non-exempt employees must get approval from their supervisor prior to working overtime. Non-exempt employees who work overtime without prior approval from their supervisor may be subject to disciplinary action.

3. Compensatory Time

Pursuant to the FLSA, the City will provide compensatory time in lieu of overtime pay, at a rate of one and one-half hours for each hour of overtime worked, provided the employee and the immediate supervisor agree to the compensatory time accrual prior to the performance of the work.

4. Bilingual Pay (Spanish Language)

Employees who are required to speak, interpret, read and write in the Spanish a language other than English including American Sign Language (ASL) and pass the examination will receive \$0.75 per hour added to their regular rate of pay and employees who are required to speak and interpret in ~~the a language other than English including American Sign Language (ASL)~~ Spanish language and pass the examination will receive \$0.35 per hour added to their regular rate of pay. Bilingual pay is counted as wages for the purpose of calculating an employee's regular rate of pay for overtime purposes.

[Eligibility requirements for bilingual pay are found in guideline 210](#)

5. Holiday Compensation (See guideline 620)

6. Red Line Rates of Pay

Based upon classification studies, reclassification of a position or a voluntary demotion, the City Manager or Deputy City Manager may authorize "red line" rates of pay. A "red line" salary is in excess of the

maximum rate of pay assigned to the position classification. No salary adjustments to base pay shall be effective for an employee with a "red lined" salary.

7. Call Out Pay

Call out pay is intended to compensate non-exempt employees for actually working during a time an employee is not scheduled to work, i.e. in response to an emergency. Call out pay is not intended to compensate non-exempt employees who are called in to work to cover a shift. The criteria for call out pay is as follows:

- a. The employee is advised with less than twelve (12) hours notice that they need to come to work; and
- b. The notice is a minimum of two (2) or more hours prior to the employee's regular scheduled start time. If the employee is called to work less than two (2) hours prior to the employee's regular scheduled start time, the employee will be compensated at an hourly rate that complies with the FLSA; or
- c. The notice is ~~one (1) or more hours~~ after the employee has left work.

An employee who is called out shall be paid a minimum of two (2) hours call out pay (or up to the start of their regular start time), which includes 30 minutes travel time to/from work, at one and one-half times their regular rate of pay regardless of the hours actually worked that workweek.

8. Stand-by Pay

Stand-by pay for non-exempt employees will be paid at a rate of \$2.00 per hour for every hour of stand-by time served.

Stand-by duty is a specific period of time during non-scheduled work hours in which an employee remains available to respond to an emergency. Stand-by response times will be determined by the department.

- a. It is the employee's responsibility to advise their supervisor, or other person who would call them out, the phone number they can be reached at while on stand-by.
- b. Employees cannot receive stand-by pay concurrently with call out pay.
- c. Employees who become ill or experience a circumstance that would prevent them from responding to an emergency will immediately make the necessary notifications and will be

- removed from stand-by status.
- d. Employees on stand-by status who fail to respond to a direction to come to work, or are unable to respond may be subject to disciplinary action.

9. Longevity Pay Program

Regular full-time employees who have completed their eighth year of service, by December 1, shall be eligible for longevity pay. The longevity pay program is contingent on available budgeted funds. Employees subject to the UGFL 4005 MOU are not eligible for this program.

When budgeted funds are available, longevity will be paid on the first payroll beginning after December 1 of each year, and according to the following chart:

Completed Years of Service (Completed by Dec. 1)	Dollar Amount
8	\$400.00
9	\$500.00
10	\$600.00
11	\$700.00
12	\$800.00
13	\$900.00
14+	\$1,000.00

An employee MUST be actively employed at the time longevity checks are issued to be eligible. Payment of longevity pay is considered supplemental wages and is subject to I.R.S. guidelines requiring a 25% tax withholding in addition to all other applicable taxes.

10. Fire 40-hour Day Shift Assignment

To determine the 40-hour day shift assignment rate of pay for non-exempt shift personnel (Firefighters, Fire Engineers, and Fire Captains), the employee's current base pay and skill pay, as well as the employee's current scheduled shift annual hours (A, B, or C) and the corresponding scheduled overtime annual hours (FLSA) will be analyzed by the Human Resources Department. The adjusted pay will achieve the same annual pay for those employees on day shift as they would receive for scheduled hours on regular 56-hour shifts.

11. Paramedic Pay

Firefighters, Fire Engineers, and Fire Captains will be paid an additional \$2.00 per hour added to their regular rate of pay for Paramedic Pay.

12. Assignment Pay

Police Department Assignment Pay for non-exempt, sworn positions will be paid at 2.5% - 5% of the midpoint of the Police Officer salary range and is added to the employee's base rate of pay (a specific listing of assignment pays can be found in Guideline 210). Communication Training Operator/Supervisor (CTO) assignment pay will be paid at 5% of the midpoint of the Telecommunication Operator salary range. Non-exempt, sworn police employees may participate in as many assignments as determined by the Department, but may only collect assignment pay up to 10%. Assignment Pay may be removed at any time and is not appealable.

Assignment Pay for non-sworn positions will be paid to employees who, due to unique circumstances are assuming secondary work that is being performed on an ongoing basis and is distinctly separate from and unrelated to an employee's primary position; or are responsible for the management of specific budgeted projects. Employees approved for Assignment Pay will receive a 5% increase in base pay for the period of time the employee is performing the special assignment. If the employee is at the maximum of the salary range, the salary will be 5% above the maximum of the range during the special assignment. Department Directors, Deputy City Managers and Contract employees are excluded from receiving Assignment Pay. Assignment Pay will be recommended by the Department Director and approved by the City Manager. Employees serve in special assignments at the discretion of the Department Director and the removal of an Employee from a special assignment is not an adverse employment decision that is subject to grievance and/or appeal.

13. Uniform Allowance

Sworn Police and Fire employees will be paid a uniform allowance of \$506 four times a year. Non-sworn City positions approved by the City Manager are listed in Guideline 210 to receive a uniform allowance of \$253 four times a year. Uniform allowance is contingent on available budgeted funds.

14. Hazardous Materials Team Skill Pay

Firefighters, Fire Engineers, and Fire Captains may be eligible for Hazardous Materials Team Skill Pay as follows:

Tier I pay – \$0.86 per hour is added to their base rate of pay for all Firefighters, Engineers and Captains who possess and maintain their hazardous materials technician certification, and are assigned to the hazardous materials unit.

Tier II pay - \$0.22 per hour will be added to their base rate of pay for all Firefighters, Engineers and Captains who possess and maintain their hazardous material technician certification, but are not regularly assigned to the Hazardous materials unit. If a Firefighter, Engineer or Captain is not assigned to the Hazardous Materials station but is assigned to work there temporarily, they will be paid an additional \$0.64 per hour, while working at the station.

15. Shift Differential Pay

Shift differential shall be paid to non-exempt employees that do not work 24-hour shifts for scheduled hours actually worked on an assigned second or third shift of eight hours or more. Shift differential is added to the employee's base rate of pay and shall be included in the calculation of the overtime rate as required by the FLSA. For second shift beginning between 12:00 noon – 5:59 p.m., a shift differential of \$0.50 per hour will be paid. For third shift beginning between 6:00 p.m. and 4:00 a.m. a shift differential of \$1.00 per hour will be paid. Pay will be adjusted for an employee only after an employee has worked a minimum of four (4) consecutive days on the same shift (whether first, second or third shift) during a pay period.

POLICY STATEMENT

Subject: Attendance and Leave

Origination date: 04/01/01

Revision date: 07/01/13 [07/01/17](#)

Policy number: 600

Purpose

The purpose of this policy is to establish standard hours of work, holidays, vacation leave, and sick leave. In addition, this policy will establish the conditions under which City employees may be granted time off from work.

Policy

A. Hours of Work/Attendance

Department Directors are responsible for establishing a schedule of regular working hours for their respective departments to ensure optimum service delivery to the Citizens of Goodyear. Employees are responsible for being at their work site during their scheduled work hours.

B. Holidays

The following days shall be considered holidays for City employees:

New Year's Day
Martin Luther King Day
President's Day
Memorial Day
Independence Day
Labor Day
Veteran's Day
Thanksgiving Day
Friday after Thanksgiving Day
Christmas Day
Floating Holiday*

*One (1) floating holiday is available to all regular status employees each calendar year. Floating holidays must be scheduled with, and approved, by your supervisor at least three (3) days in advance of the requested date. Floating holidays may not be carried forward to be used in the following year.

C. Vacation Leave

Vacation is provided to employees to ensure the mental and physical health and well being of both the employee and the organization.

For employees entitled to vacation leave, accruals begin on the first day of employment. No employee shall take vacation leave in excess of the amount accrued. Full-time employees accrue vacation leave on the following basis:

Job Classification	Years of Service	Vacation Hours Earned per Pay Period Standard work week employees	Vacation Hours Earned per Pay Period 56 hour work week employees
Full-time Regular and Trial Employees	15 or more years	6.16	8.62
	10-14 years	5.54	7.76
	5-9 years	4.92	6.89
	3-4 Years	4.31	6.03
	0-2 Years	3.69	5.17

Regardless of years of services, the maximum accrual of vacation hours is 320 hours for 40 hour work week employees and 448 hours for 56 hour work week employees. Effective July 1, 2004, if an employee's current accrual rate is higher than indicated in the schedule above based on years of service, they will remain at their current accrual rate until such time as their years of service reaches an accrual rate above their current rate.

1. Vacation Accrual for Part-Time, Temporary & Seasonal Employees

Regular part-time employees shall receive a prorated accrual of vacation leave benefits based upon their normal work schedule. Seasonal and temporary employees shall not accrue vacation leave.

2. Maximum Accrual

Hours over the maximum accrual will be lost at the end of each calendar year, unless the City Manager provides written authorization for an employee to exceed their maximum accrual.

3. Vacation Cash-in

Employees shall be allowed to cash in up to 40 hours (based on availability of budgeted funds) of accrued vacation leave, one time a year as determined by the City, as long as they maintain a vacation balance of 80 hours after the vacation leave is paid out and have taken at least 40 hours of vacation leave prior to the cash in date. Payment of vacation cash-in is considered supplemental wages and is subject to I.R.S. guidelines requiring a 25% tax withholding in addition to all other applicable taxes.

4. Change of Employee Status

When an employee is promoted, demoted or transferred, they shall not lose accrued vacation leave. However, depending on the employee's job classification, the rate at which they accrue vacation leave may change.

5. Disciplinary Action

A Department Director may allow, with Deputy City Manager or City Manager approval, an employee to forfeit accrued vacation leave or compensatory time in lieu of suspension as a disciplinary action.

D. Sick Leave

Sick leave is provided as ~~income protection for regular and trial~~ [benefit for all](#) employees unable to report to work because of personal illness (to prevent infection of co-workers), or whose ~~immediate~~ family member becomes ill and the employee must care for the family member. Upon approval from the Department Director or designee, sick leave may be used to extend funeral leave (Guideline #690). It is not to be used for purposes other than those contained herein. ~~The City will monitor sick leave use, and when deemed appropriate, an employee may be counseled or disciplined for failure to maintain regular attendance.~~

Sick time accruals begin on the employees first day of employment. Full-time employees accrue sick leave on the following basis:

	Accrual per Pay Period	Maximum Accrual of Hours
Full-time Regular and Trial Employees	3.70 hours	Unlimited
56-hour Work Week Employees	5.18 hours	Unlimited

Part-time employees accrue sick leave on the following basis:

	Accrual per Pay Period Per hours worked	Maximum Accrual of Hours	Maximum Annual Usage
Part-time Employees	222.034	Unlimited	40 hours

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1. Sick Leave Payout upon Termination

~~An~~ A full-time regular employee vested in the Arizona State Retirement System with a minimum of five (5) years of continuous service with the City and hired prior to July 1, 2004, shall be compensated for 480 hours of accrued sick leave (if accrued) upon termination. Employees hired on or after July 1, 2004 with a minimum of ten (10) years of continuous service with the City shall be compensated for 480 hours of accrued sick leave (if accrued) upon termination.

~~An~~ A full-time regular employee vested in the Arizona Public Safety Personnel Retirement System with a minimum of ten (10) years of continuous service with the City shall be compensated for 480 hours (672 hours for 56-hour employees who work the majority of his/her last ten years of service in a 56-hour assignment) of accrued sick leave (if accrued) upon termination.

Employees who do not meet these eligibility requirements will not receive any sick leave payout at the time of termination, and they forfeit all unused sick time.

2. Discipline

Forfeiture of accrued sick leave as a disciplinary action shall not be authorized.

3. Advanced Sick Leave

The City Manager may grant no more than ten days of advanced sick leave to a full-time regular employee ~~an employee~~. The advanced sick leave will be repaid by the employee through the normal leave accrual process or through transfer of sick leave accrual. In order to qualify for advanced sick leave, employees must be full-time regular and have exhausted all forms of paid leave; i.e., vacation, sick, compensatory time, floating holiday.

4. Promotions/Demotion/Transfers

When an employee is promoted, demoted or transferred, the employee will not lose accrued sick leave.

5. Donation of Sick Leave

The purpose of sick leave donation is to permit an employee to donate paid sick leave to another employee. This policy permits such a donation to occur when an employee has a need for additional paid leave because they have exhausted all paid leave including, but not limited to sick, vacation, comp time, and floating holidays and have a serious medical hardship or catastrophic illness or injury. The employee's need may arise from their own serious medical hardship or catastrophic illness or from their need to care for a family member, ~~including a spouse, child or parent,~~ who has a serious medical hardship or catastrophic illness.

To qualify for donated sick leave, an employee must be in a full-time regular employee status, have a FMLA qualifying event (although it is not necessary for an employee to meet FMLA tenure requirements) and, if appropriate, apply for FMLA and Short Term Disability. Employees can request up to ten (10) days of donated sick leave. An employee can only make a request for donations once in a rolling calendar year.

E. Family and Medical Leave

The Family and Medical Leave (FMLA) Act of 1993 and the National Defense Authority Act (NDAA) of 2008 intends to balance the demands of the workplace with the needs of families, to promote the stability and economic security of families, and to promote national interests in preserving family integrity. To accomplish these purposes, the City will establish a process with respect to leave necessary for the medical care of employees and their families.

F. Other Leave Categories

The City shall provide a mechanism for the following types of additional leave to be available to employees.

1. Military Leave
2. Funeral or Bereavement Leave
3. Jury Duty Leave
4. Election Leave
5. Injury Leave
6. Administrative Leave
7. Crime Victims Leave

G. Unpaid Leave Categories

1. Personal Leave Without Pay

The City provides an opportunity for leave without pay for employees to deal with personal situations occurring for more than 10 days, but not exceeding 90 days. Such leave is granted at the discretion of the Department Director on a case-by-case basis. The leave is unpaid, unless the employee has available vacation, sick, or other time. This policy does not cover leaves for medical reasons, which would otherwise be covered by the Family and Medical Leave Act. Also, this policy does not cover medical leaves that may be covered by the Americans with Disabilities Act. Such leave will be covered by the City's policy regarding reasonable accommodations for employees with disabilities, which provides that in some cases an employee may be given an unpaid leave of absence as a reasonable accommodation, the length of which will be evaluated on a case-by-case basis, and may in some instances involve leave beyond 90 days.

2. Furloughs

If a budget shortfall is anticipated, the City Manager has the authority to require employees to take a specified number of hours off without pay which will be designated as furlough time off. Exempt employees are considered hourly during pay periods in which furlough time is taken and accurate payroll records must be maintained of actual hours worked. Furloughs authorized by the City Manager are not subject to the discipline, grievance and/or appeals process.

H. Workplace/Telecommuting

The Department Director may authorize employees to work at a centralized City location, or at other sites to possibly include telecommuting.