



CITY OF WASILLA

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Council Memorandum No. 95-94

FROM: Councilor Chase
DATE: November 22, 1995
SUBJECT: Personal Leave/Catastrophic Leave

Please consider the proposal below to replace both sick and annual leave within the Personnel Code.

CHAPTER 3.30

LEAVES

Sections:

3.30.010 Policy
3.30.020 Personal Leave
3.30.030 Catastrophic Leave Bank
3.30.040 Payment in Lieu of Leave in an Emergency
3.30.050 Administrative Leave
3.30.060 Maternity Leave/Family Leave
3.30.070 Leave without Pay
3.30.080 Unauthorized Absence

3.30.010 POLICY. Personal leave is provided to City employees. Employees in regular positions shall be entitled to leave accrual benefits. Temporary employees shall not accrue leave. Personal leave replaces annual leave and sick leave previously provided by the City. The City will transition to personal leave for two years. It is not the intent of the City for employees with sick leave accrued at the time this code is enacted to lose the value of that accrual. The City will promulgate a personnel policy and procedure which fully implements this section of the code. The current system of sick and annual leave will be continued until the policy and procedure is approved by City Council resolution.

3.30.020 PERSONAL LEAVE.

A. Regular employees of the City shall accumulate personal leave in accordance with the following transition schedule:

YEAR ONE

1. Ten hours per month for employees with less than three (3) years;
2. Fourteen hours per month for employees with three (3) years and less than eight (8) years;
3. Eighteen hours per month for employees with eight (8) years or more.
4. Personal leave for regular part-time and regular seasonal employees is pro-rated.

YEAR TWO

1. Eleven hours per month for employees with less than three (3) years;
2. Fifteen hours per month for employees with three (3) years and less than eight (8) years;
3. Nineteen hours per month for employees with eight (8) years or more.
4. Personal leave for regular part-time and regular seasonal employees is pro-rated.

YEAR THREE

1. Twelve hours per month for employees with less than three (3) years;
 2. Sixteen hours per month for employees with three (3) years and less than eight (8) years;
 3. Twenty hours per month for employees with eight (8) years or more.
 4. Personal leave for regular part-time and regular seasonal employees is pro-rated.
- B. There shall be no accrual of personal leave during any monthly pay period during which an employee is absent without authorization of the Department Head and approval of the Mayor or in non-paid status.
- C. Personal leave shall be earned only upon completion of each month.
- D. Upon regular appointment the employee shall be credited with accrued leave, as provided above, retroactive to the date of his/her original hire. Probationary employees will not be paid personal leave during their probationary period.
- E. Changes in the rate of accrual because of length of service shall take effect at the beginning of the pay period immediately following the date upon which such longevity indicates an accrual rate change.
- F. Personal leave accrued, but not used, shall accumulate to a maximum of not more than 480 hours on January 1st of any calendar year. Unused leave in excess of the maximum accumulation allowed on balance as of December 31st of any calendar year shall be canceled. Department Heads may approve carry over of a maximum of two additional weeks (80 hours) leave into the next calendar year if the employee was denied leave on at least three occasions during the year for operational purposes. The employee must have made genuine efforts to use the excess leave and been denied because of the City's needs. It is the responsibility of the Department Head to ensure this carry over leave is used during the first quarter of the new year. Carry over leave not used during the first quarter through no fault of the employee will be bought out. Carry over leave not taken during the first quarter at the choice of the employee will be canceled.
- G. Department Heads will maintain a leave schedule for employees in their sections to insure employees are granted fair opportunity to take leave. Each regular employee shall take at least five consecutive days personal leave each calendar year. It shall be the responsibility of the Department Head to assure that each employee is given the opportunity to use this leave, scheduled in accordance with department needs.
- H. **Unscheduled leave may be taken under the following conditions:**
1. When the Department Head is satisfied that the absent employee is actually sick or injured. Sick leave may be granted for medical or dental purposes in connection with an actual illness, or injury or medical condition. If the absence exceeds three consecutive

working days, the Department Head may require a doctor's certificate indicating the disability.

2. Illness or death in the employee's immediate family requiring the employee's personal attendance.
- I. An employee absent on unscheduled personal leave for illness or injury shall inform his/her immediate supervisor of the reason for such absence as soon as possible. Failure to do so shall be cause for disallowing the time off as personal leave.
- J. Employees may be required to take personal leave or leave without pay if, in the opinion of the Department Head, they are too ill to satisfactorily perform their duties or are a health hazard to other employees.
- K. Employees may donate personal leave to a fellow employee by prior approval of the Mayor. Requests for permission to donate leave shall be approved only in the most serious cases not covered by the Catastrophic Leave Bank.

3.30.030 CATASTROPHIC LEAVE BANK

- A. The City will establish a Catastrophic Leave Bank for use by all Regular Employees. The City will make deposits into the Catastrophic Leave Bank on the following schedule:
YEAR ONE: An amount equal to six hours per month per regular employee.
YEAR TWO: An amount equal to five hours per month per regular employee.
YEAR THREE: An amount equal to four hours per month per regular employee.
- B. The City may increase or decrease the amount deposited into the Leave Bank based on actual usage, actuarial analysis, or anticipated need. Adjustments to deposit amounts will be made with City Council approval
- C. Leave from the Catastrophic Leave Bank shall be granted by the Mayor only in the instances of long term illness, injury, or other medical condition of an employee or family member. Documentation from a reliable source such as a Medical Doctor will be required. Employees must use all accrued Personal Leave prior to receiving leave from the leave bank.

3.30.040 PAYMENT IN LIEU OF LEAVE IN AN EMERGENCY.

- A. Cash in lieu of accumulated personal leave may be obtained, under emergency conditions outlined in writing and approved by the Mayor, so long as the employee will retain at least eighty hours of leave in reserve following cash payment. Impending loss of accumulated leave does not constitute an emergency.
- B. The salary rate used in computing the cash payment to be made shall be that rate which is being received by the employee on the date the application for cash payment is approved by the Mayor.

3.30.050 ADMINISTRATIVE LEAVE.

- A. An employee of the City who is a member of a reserve component of the United States Armed Forces, National or Alaska Guard or Naval Militia, is entitled to a leave of absence without decrease in income, time or performance rating, on all days during which he/she is ordered to training duty, as distinguished from active duty. Prior to military leave being granted a copy of the employees military orders must be presented with the submission of the leave slip.

- B. Employees called for military duty shall be treated as being on approved leave without loss of longevity, leave or pay. Pay received from the military other than those hours outside the regularly scheduled work day, for travel, parking and subsistence allowances, shall be turned into the City.
- C. Employees called for jury duty shall be treated as being on approved leave without loss of longevity, leave or pay. Service in court when subpoenaed as a witness shall be treated the same as jury duty with the exception of Police officers who are subpoenaed as a result of their employment. Police officers will be compensated at the appropriate rate when they are required to appear in court off duty. Fees paid by the court, other than those for an employee's appearance at anytime outside the employee's regularly scheduled shift, for travel, parking and subsistence allowances, shall be turned into the City.
- D. Blood donation leave not to exceed one hour may be granted as administrative leave without loss of longevity, leave or pay by Department Heads. The Mayor may develop a policy governing Blood Donation Administrative Leave.
- E. The Mayor may authorize administrative leave for non-essential personnel where necessary for the convenience of the City, such as during extended loss of heat or power in the work place.

3.30.060 MATERNITY LEAVE/FAMILY LEAVE.

- A. The Mayor is responsible for developing a Personnel Policy and Procedure to be approved by council resolution in accordance with Alaska Statute 23.10.500, which states in part.
- B. An employee is eligible to take family leave if the employee has been employed by the employer for at least 35 hours a week for at least six consecutive months or for at least 17 1/2 hours a week for at least 12 consecutive months preceding the leave. The leave may be unpaid leave. However, the employee may choose to substitute, or the employer may require the employee to substitute, accrued paid leave to which the employee is entitled.
- C. An employer shall permit an eligible employee to take family leave because of a serious health condition for a total of 18 workweeks during any 24 month period. An employer shall permit an eligible employee to take family leave because of pregnancy and childbirth or adoption for a total of 18 workweeks within a 12 month period; the right to take leave for this reason expires on the date one year after the birth or placement of the child.

3.30.070 LEAVE WITHOUT PAY.

- A. Leave without pay may be granted to any employee by the Mayor upon recommendation of the Department Head. Each request for such leave will be considered in the light of the circumstances involved and in regard to the needs of the organization. Leave without pay for non-medical reasons may be granted by the employer to the employee after all personal leave earned by the employee has been exhausted. During leave without pay, the employee on leave shall be covered by the employer's group health, accident and life insurance policies for a period not to exceed six months, provided the premiums are paid by the employee to the employer in advance of the City's payroll date for premiums withholding.
- B. Normally not more than 480 hours of leave without pay per calendar year for personal reasons may be granted. Exceptions may be allowed by the Mayor under circumstances wherein the City may be expected to benefit by virtue of the employee's acquisition of advanced or specialized training.

3.30.080 UNAUTHORIZED ABSENCES. Any employee who is absent from duty shall report the reason therefore to his/her Department Head as soon as possible. Unauthorized or unreported absences shall be reported as absence without pay and may be cause for disciplinary action.