

City of Winder Personnel Policy Manual

Title: Attendance And Leave

Date Issued: 3/2013

Policy: 065



Mayor



City Administrator

65.10 Purpose

The purpose of this policy is to ensure that employees are properly compensated for leave and that they follow the proper process when utilizing leave.

65.11 Hours of Work

- A. Standard hours of work shall be set by each Department Head, (with the approval of the City Administrator for administrative functions), and shall be dictated by the nature and volume of the work to be performed in order to provide satisfactory service to the public.
- B. Daily and weekly work schedules can be modified at the City's discretion to meet changing operational needs.

65.12 Attendance Records

- A. Maintaining good attendance is a condition of employment and an essential job function of every employee. An employee will refrain from unauthorized absences or tardiness; abusing sick leave; absences or tardiness that causes significant disruption of service, and excessive amount of time off the job, regardless of reason. An employee absent from the job without proper authorization for three consecutive workdays may be considered to have resigned their position, unless exigent circumstances are demonstrated upon review on a case-by-case basis.
- B. Each Department Head shall be responsible for the attendance of all persons in the department and shall assist the Human Resource Department in keeping complete attendance records including vacation, sick leave, overtime, etc.

65.13 Sick Leave Accrual

- A. Sick leave shall accrue from the date of employment, but no employee shall be entitled to sick leave until he has completed ninety (90) days of service.
- B. Eligible full-time employees accrue six (6) hours of sick leave following the completion of each month, seventy-two (72) hours per year. Sick leave balances may be carried forward year to year, and there is no maximum accrual limit for sick leave credit. Sick leave is not paid at termination.
- C. Eligible full-time employees working a standard 2,756 hour schedule shall be credited an additional two (2) hours of sick leave per month.

- D. Employees while out on workers compensation, sick leave, family medical leave, or unpaid leave for at least 50% of the scheduled work month shall not accumulate sick leave.

65.14 Granting of Sick Leave

- A. An employee eligible for sick leave with pay shall be granted this leave for the following reasons provided notice is provided:
 - 1. Personal illness or physical incapacity resulting from causes beyond the employee's control.
 - 2. Enforced quarantine of the employee in accordance with community health regulations.
 - 3. Doctor, dentist, or other medical appointments.
 - 4. Care of an immediate family member (spouse, parent, child, grandparent, or grandchild).
- B. Sick leave shall be taken on an hour for hour basis in accordance with the scheduled work period for which the leave is granted.

65.15 Reporting Sick Leave

- A. For unscheduled sick leave, all employees who are to be absent from work, must contact their immediate supervisor no later than one hour prior to commencement of that day's work or that shift. This procedure assures that an adequate number of replacement personnel will be present for duty on the succeeding shift as required. Failure to report as required herein, may be cause for denial of sick leave with pay for the period of absence.
- B. Department Heads shall contact the City Administrator and a member of their staff in order to designate who will be in charge of the department while out.

65.16 Physician's Certificate

A medical certificate signed by a licensed physician may be required by the department head to substantiate a request for sick leave for:

- 1. Any period of absence consisting of three or more consecutive days.
- 2. Sick leave of any duration, if absence from duty recurs frequently or habitually, provided the employee has been notified in writing that a certificate will be required.
- 3. To support the use of unscheduled annual leave when sick leave has been exhausted.

65.17 Sick Leave on Termination of Employment

An employee, upon separation from the City service, shall not receive payment for accumulated sick leave.

65.18 Donating Sick Leave

- A. The recipient may request to receive donated sick leave to provide care for their own or an immediate family member’s life threatening, terminal illness, or major surgery recovery up to 480 hours.
- B. The use of donated sick time may also be requested for complicated births, or for the death of an immediate family member up to 120 hours.
- C. The recipient must have a regular appointment that is eligible to accrue sick time and must have exhausted all paid leave balances before using donated sick. The recipient may not be receiving any paid benefit through the City (Short-Term or Long-Term Disability and/or Workers’ Compensation).
- D. The donor must have a minimum balance of 40 hours of sick leave remaining after donation.
- E. The recipient must have been employed for twelve consecutive months and off of probation to be eligible.
- F. The recipient must complete all necessary FMLA paperwork to be eligible.
- G. All requests shall be made in writing to the Personnel Officer and will be decided within ten (10) business days.

65.19 Holidays

Legal holidays observed by City employees, unless such employees are required to be on regular duty, shall include:

New Year’s Day	MLK Birthday	Labor Day
Independence Day	Memorial Day	Thanksgiving Day
Day after Thanksgiving	Christmas Eve	Christmas Day

- A. Full-time employees when not required to work on a designated holiday will receive these days off with pay (8 hours of pay per holiday). And such other days or parts of days as may be designated as paid holidays by the City Council.
- B. If a non-exempt employee is scheduled to work on a recognized City Holiday, the employee will be paid as follows:

Scheduled for Holiday	Holiday Time Received
Under 4 hours	8 hours holiday
4 – 12 hours	12 hours holiday
12 hours plus (FD only)	Hour for hour up to 24 hours holiday

C. When a holiday falls on a Sunday, it will be observed on the following Monday; holidays falling on Saturday will be observed the preceding Friday.

1) Annual Vacation Leave

- A. *Persons Entitled* – All permanent full-time employees, after twelve (12) months continuous employment are eligible to use vacation leave as outlined in this policy. Temporary and part-time employees are not eligible for vacation leave.
- B. *Accrual of Annual Leave* – Full-time, eligible employees are entitled to accrual in accordance to one of the following schedules:

Schedule A (2,080 Annual hours)	
Length of Service	Hours Per Year*
Less than 1 year	0 hours
1 year	40 hours
2 years	80 hours
10 years and over	120 hours

Schedule B (2,184 Annual hours)	
Length of Service	Hours Per Year*
Less than 1 year	0 hours
1 year	48 hours
2 years	96 hours
10 years and over	144 hours

Schedule C (2,756 Annual hours)	
Length of Service	Hours Per Year*
Less than 1 year	0 hours
1 year	72 hours
2 years	144 hours
10 years and over	216 hours

- C. *Accumulation Limitation* – Annual leave should be taken during the twelve (12) month period it was accrued. If the vacation leave is not taken, the accumulated vacation leave will not transfer to the next period.
1. Employees who earn two weeks of vacation or more per year are required to take a minimum of one week of vacation per year. The employee’s supervisor may designate this time if an employee has not scheduled time off within the first six (6) months after obtaining leave balance, by giving the employee 72 hours’ notice.
 2. Exceptions will be allowed at the discretion of the employee’s Department Head with the consent of the Personnel Officer.
- D. *Pay in lieu of Vacation Leave* – The City Council, based on the City’s financial condition may authorize the selling of vacation once per year.
- E. *Time for Using Vacation Leave* – Vacation leave assignments will be made in accordance with the preference of the employee where possible; however, leave must be taken at the convenience of the City. The immediate supervisor will approve all requested leave; however, the City Administrator if involved will have the final decision as to when leave may or may not be taken. Seniority and the amount of leave taken throughout the year will be a major factor when preparing leave schedules of multiple employees.
- F. Employees shall provide a minimum of fourteen (14) days notice when requesting vacation. It is the supervisor’s sole discretion to allow or deny request received less than fourteen (14) days in advance.
- G. Annual leave is specifically granted as a benefit so that employees may have time to schedule personal matters, and all absences outside of leave documented in this policy will be deducted from annual leave.
- H. An employee terminating their position within three (3) months of accruing their leave balance will be required to forfeit their annual leave on a prorated monthly basis. In the event the employee depleted their leave balance, the difference will be deducted from the final paycheck.

2) Maternity Leave

Maternity leave shall be granted to permanent employees upon request and shall be treated as any other temporary disability. The employee may take a combination of sick, annual, and leave without pay. Time for beginning of maternity leave shall be when the employee, with the approval of her doctor, deems she is no longer able to carry out the duties and responsibilities of her position. Time for termination of maternity leave shall be when the employee's doctor certifies that she is able to return to work.

3) Military Leave

- A. Full-time employees, who leave the service of the City to join the military forces of the United States during time of war or other national emergency or are inducted by Selective Services, shall be placed on military leave without pay, such leave to extend through a date 90 days after release from such service. Such employees shall be entitled to a restoration to vacated position provided application is made to the Director within 90 days of the date of honorable discharge or discharge under honorable conditions, and the veteran is still physically and mentally capable of performing the work of the position vacated.
- B. Full-time employees who are off probation and who are members of the National Guard or organized military reserves of the United States will be allowed leave of absence with pay, not to exceed one normal pay period during any calendar year, to attend mandatory training upon presentation of orders pursuant to such training. Such leave shall not be charged to annual leave. Pay will not be provided if the training or orders are voluntary.

4) Civil Leave

- A. Non-exempt employees shall be given time off with pay up to forty-eight (48) hours, when performing jury duty or when subpoenaed to appear before any government body, commission or court law. If such employee is in a duty status and receives payment for such service, such payment shall be endorsed over to the City. Those on a non-duty or in a leave status shall not be required to endorse such earnings to the City.
- B. Exempt employees shall be paid in accordance with the Fair Labor Standards Act.
- C. Notification of potential jury duty must be made to the employees' supervisor within 24 hours/one business day of receipt of summons or subpoena in order to be considered for time off with pay.
- D. Civil leave will not count towards overtime, and will not exceed the hours of a normal pay shift. In the event that the actual time in court is less than the employee's actual shift, the employee will only be paid for the number of hours in court.

- E. An employee who reports for jury duty and who is dismissed is expected to report for duty for the rest of the working day. An employee is also to report on any workday when the court is not scheduled or is cancelled.

5) Voting

On election days employees are encouraged to vote before or after the start of their business work day or during their lunch period. Employees are not permitted to vote while on City time.

6) Funeral Leave

- A. Employees must be off probation to be eligible.
- B. Funeral leave of up to three (3) consecutive working days per calendar year, with pay, shall be granted to employees in the event of death in the family which is defined as spouse, child, father, mother, father-in-law, mother-in-law, brother, sister, or any relative who is domiciled in the employee's household.
- C. This leave will not count against any accrued leave of the employee and will be paid at the regular employee rate.

7) Injury Leave/Workers Compensation Injury

- A. An employee who sustains an injury arising out of and in the course of employment shall receive benefits in accordance with workers compensation.
- B. Sick leave will not accrue while the employee is out on workers compensation.

8) Unauthorized Absence without Leave

Unauthorized absence of an employee from duty, including any absence for a single day or part of a day, under the provision of these regulations shall be deemed to be an absence without leave. Any such absence shall be without pay, and the employee shall be subject to disciplinary action upon return from such absence.

9) Discretionary/Personal Leave

At the discretion of the City Administrator, an exempt employee may be granted discretionary leave of less than one-half (1/2) day for personal reasons. Records of leave shall be maintained by the Human Resources Department.

10) Leave Of Absence Without Pay

- A. An employee may be granted a leave of absence without pay for sufficiently valid or necessary reasons. Requests for leave will be considered on the basis of the employee's length of service, performance, responsibility level, the reason for the request, and the expected impact of the leave on the City.
- B. Accrued vacation must be used prior to the start of a leave of absence without pay. It is understood that following a leave of absence without pay, except for military leave or family medical leave, there is no guarantee of any kind of re-employment offered to the employee by the City. Employees who return from leave without pay will receive first consideration for open jobs, but they do not have a "right" to their previously held position.

11) Benefits During a Leave of Absence Without Pay

- A. Holidays will not be paid while out without pay.
- B. Medical and other group insurance benefits normally lapse at the end of the month following the commencement of a leave of absence without pay. Major medical, dental and life insurance may be continued for one month while on leave without pay provided a statement is completed and signed prior to leaving and by the employee paying their portion of the cost of the coverage one month in advance and by the 5th of the month thereafter. Late payment will result in the termination of major medical, dental and life benefits.
- C. City of Winder will continue to pay the employer's portion of insurance premiums for those employees on approved Family and Medical Leave for up to 12 weeks. The employee will be responsible for their portion of the premiums on a monthly basis, paid in advance.
- D. Leave without pay will affect an employee's longevity, leave accrual rate, and length of experience requirements necessary for promotions and retirement.
- E. If an employee is on leave without pay for more than six (6) consecutive months, they will be placed on probation upon return.

12) Telecommuting

- A. Telecommuting is defined as working a specified period of time from home or an alternate work area instead of commuting to the city worksite where the employee would be required to work if they did not telecommute.
- B. Not all city jobs lend themselves to telecommuting. Employees may be considered on an individual basis for their telecommuting eligibility. A primary consideration for administering telecommuting in the City is that it does not interfere with services provided to the public during business hours. An employee's work must be of a nature that face-to-face interaction with other employees, external customers, or project workgroups is minimal and the employee's tasks can be performed successfully away from the office. Telecommuting agreements are entered into for the good of the City and the services provided.
- C. All telecommuting employees are required to maintain in-office periods, to attend staff meetings and interact as necessary with other staff, both within and outside of the department. Telecommuting employees shall not hold business meetings with citizens, vendors, or colleagues at their residence. Telecommuters shall be available to be called into the City work location at any time, without prior notice and for any reason, unless a medical condition would prohibit compliance at that time.
- D. The City Administrator will have the final authority in the applicability of telecommuting for each situation and shall have the right to terminate the telecommuting program or a telecommuting agreement at any time.