

City Of Taylor Personnel Policy Manual

5.00 LEAVE TIME

5.1 DEFINITIONS

Leave Time. Leave time is time during normal working hours in which an employee does not engage in the performance of job duties. Leave time may be either paid or unpaid.

Holidays. Holidays are days designated by the City when City offices are closed on what otherwise would be regular business days.

5.2 PERSONAL LEAVE (Vacation)

All regular full-time and regular part-time City employees who work at least twenty (20) hours per week are eligible to accrue paid personal leave for time off from the job for personal reasons. Personal leave is not sick leave. Sick leave cannot be used for personal leave purposes. Employees are encouraged to use personal leave at least annually. Paid personal leave is accrued bi-weekly at the following rates:

Length of Service	Personal Leave Earned
Regular, full-time, non-firefighting employees earn personal leave as follows:	
One year but less than 5 years	96 hours per year (3.70 hours bi-weekly)
Five years but less than 10 years	120 hours per year (4.62 bi-weekly)
Ten years of service and longer	160 hours per year (6.15 bi-weekly)
Regular Police Officers and Recruits earn personal (vacation) leave as follows:	
Probationary Period	96 hours per year (4.62 hours bi-weekly)
Civil Service	160 hours per year (6.15 hours bi-weekly)
Regular full-time firefighters earn personal (vacation) leave as follows:	
One month but less than 12 months	3.81 hours bi-weekly
One year but less than 5 years	180 hours per year (6.92 bi-weekly)
Five years but less than 10 years	204 hours per year (7.85 hours bi-weekly)
Ten years of service and longer	228 hours per year (8.77 hours bi-weekly)

Regular part-time employees with work schedules less than forty (40) but at least twenty (20) hours per week earn personal leave at one-half the regular, full-time accrual rate.

Temporary employees (full-time or part-time) and regular part-time employees who work fewer than twenty (20) hours per week do not earn personal leave.

A break in continuous service with the City of more than 30 days forfeits leave benefits accrued prior to the break, and accrual rates for leave purposes are the same as for new employees.

City Manager may grant additional personal leave for the recruitment, retention and hiring of executive level staff.

5.3 SICK LEAVE

Regular full-time and regular part-time employees who work at least twenty (20) hours per week are entitled to accrue paid sick leave. Full-time, non-civil service employees accrue 80 hours of sick leave each year. Full-time, non-civil service employees earn sick leave at the rate of 3.08 hours bi-weekly.

Part-time employees earn sick leave in an amount proportional to their regularly-scheduled hours.

Firefighters earn sick leave at the rate of 3.81 hours bi-weekly for the first eleven (11) months of service and 6.92 hours bi-weekly after twelve (12) months of service. Probationary Police Officer or Police Recruit employees accrue 3.08 hours bi-weekly. Civil Service Police employees accrue 4.62 hours bi-weekly.

An employee with accrued sick leave may use it if the employee is absent from work due to:

1. Personal illness or physical or mental incapacity;
2. Medical, dental, or optical examinations or treatments;
3. Medical quarantine resulting from exposure to a contagious disease; or
4. Illness of a member of the employee's immediate family who requires the employee's personal care and attention. For this purpose, immediate family is defined as the employee's spouse, child(ren), or any relative of the employee who resides in the employee's household.

Sick leave can be used only after its accrued. An employee who has exhausted accrued sick leave benefits may request to use accumulated vacation or other paid leave or must take a leave of absence without pay. No advance of unearned sick leave benefits will be made for any reason. Excessive use of sick leave without adequate justification may result in disciplinary action, including dismissal.

5.4 ACCUMULATION AND PAYOUT OF PERSONAL AND SICK LEAVE

Employees are encouraged to use their accrued personal leave (vacation) each fiscal year as it is earned.

Employees maximum accrual rates are as follows:

Employee Category	Personal Leave Maximum accumulation	Sick Leave - Maximum allowable accumulation
Non-Civil Service	Equivalent to 3 x annual earnings	240 hours / 30 days
Civil Service police and fire employees	Equivalent to 3 x annual earnings	In compliance with Chapter 143 of the Local Government Code
Probationary fire employees	Equivalent to 3 x annual earnings	240 hours / 30 days

Once an employee reaches the maximum accumulation, the employee will no longer accrue leave until the balance is reduced.

Payout of Personal and Sick Leave

Employees leaving the service of the City will be paid unused personal leave according to Section 7.10.6. The rate of pay will be determined by the salary in effect at the time of termination. Unused sick leave is canceled upon termination of employment without compensation to the employee, except Fire and Police civil service employees will be paid according to Chapter 143, Sections 143.045 and 143.046.

5.5 SICK LEAVE POOL

If an employee has used all of their available leave, the department head, with the approval of the City Manager, may establish a "Sick Leave Pool" whereby other employees may donate up to twenty-five (25%) of their available sick leave to be credited to the employee's sick leave account. This shall be a temporary pool that will be terminated when the employee returns to the job or after 90 calendar days of absence, whichever comes first. Any leave remaining in the pool will be returned to the employees who donated to the pool. Participation in this program is strictly voluntary and no employee or department head shall solicit donations to the pool.

5.6 COMPENSATORY LEAVE

Compensatory time in lieu of overtime pay is offered by the City. Compensatory time shall be granted at the discretion of the department head. The supervisor shall tell the employee if overtime will be paid in cash or compensatory time before the work is started for regular full time employees. Civil service fire and police personnel will be paid overtime unless the employee requests compensatory time. Approval of compensatory time in lieu of overtime must be approved by the department head or designee. Due to the need for around the clock availability for Fire and Police personnel the employee may request compensatory time after the work is complete.

Any compensatory time earned must be used or paid within the fiscal year in which the overtime was worked. As a general rule, no more than thirty-six (36) hours of compensatory time (representing twenty-four (24) overtime hours worked) should be allowed to accumulate for non-civil service employees and no more than sixty (60) hours (representing approximately forty (40) hours worked) for civil service employees.

If compensatory time is not used during the fiscal year in which it is earned, the compensatory time (which was entered and carried on the employee's records at one and

one-half times the number of hours worked) will be paid at the employee's regular, straight-time rate of pay for the total number of hours on the employee's compensatory time record at the end of the fiscal year.

5.7 PERFECT ATTENDANCE INCENTIVE LEAVE

For the purpose of this leave, each year is divided into two six-month segments: October 1 through March 31 and April 1 through September 30. An employee who works the entire six-month segment without using sick leave and without absence without leave earns eight (8) additional hours (12 hours for firefighters) of personal leave, which is accrued on October 1 and April 1. These hours must be taken within the current fiscal year and will not carry over if not taken.

5.8 MILITARY LEAVE

Employees who are members of the state military forces or members of any of the reserve components of the Armed Forces of the United States are entitled to 15 work days of paid leave of absence from their duties, without loss of time, seniority, or personal leave (vacation) on all days during which they are engaged in authorized training or duty ordered by proper authority. Military leave in excess of fifteen (15) work days will be charged to personal leave (vacation) or leave without pay. Employees ordered to active duty with the state or federal military forces are entitled to all of the reemployment rights and benefits provided by federal and state law upon their release from active duty. Requests for approval of military leave must have copies of the relevant military orders attached.

5.8.1 Military Leave Time Accounts

In accordance with Texas Local Government Code, Section 143.075, this policy establishes "Military Leave Time Accounts." The City shall maintain two separate military leave time accounts; one for eligible Civil Service fire department personnel and one account for eligible Civil Service police department personnel. Inter-departmental commingling of these two separate accounts in regards to donations and usage is not permitted.

Eligibility:

To be eligible to use leave hours from the military leave time account, a firefighter or police officer must meet the following criteria:

1. Must not be in a probationary period in the fire or police department as a firefighter, police officer or academy trainee;
2. Is a member of the Texas National Guard or the Armed Forces Reserves of the United States;
3. Was called to active federal military duty while serving as a firefighter or police officer for the City of Taylor;
4. Has served on active duty for a period of 3 continuous months or longer; and
5. Has exhausted the balance of the person's vacation, holiday, and compensatory leave time accumulations.

Guidelines:

Civil Service employees who would like to donate leave time hours (vacation, holiday, civil service sick or compensatory leave time) to the military leave time account must complete the "Authorization to Transfer Annual Leave/ Compensatory Time Form".

Hours must be donated in increments of not less than 15 minutes. Any combination of accumulated vacation, holiday, civil service sick or compensatory leave time may be donated to the military leave time account.

Probationary Fire and Police department employees are not eligible to donate hours to the military leave time accounts.

Leave time (vacation, holiday, civil service sick or compensatory leave time) donated to a military leave time account will not, under any circumstances, be returned to the donating employee.

Distribution of accumulated hours in the military leave time account will be divided equally among all eligible firefighters or police officer beneficiaries of that account at the end of the departments' regular scheduled pay period. Donations and disbursements to the military leave account are made on an hourly basis regardless of the cash value of the time donated or used.

The Human Resources Department is responsible for receiving requests for donations of hours, maintaining account balances and ensuring distribution of paid hours is in compliance with this policy.

5.8.2 Procedures:

A. Civil Service Fire Department Employees

1. Fire Civil Service employees may donate vacation, holiday, civil service sick, or compensatory leave time hours to the fire department military leave time account by completing the "Authorization to Transfer Annual Leave/Compensatory Time Form" and submitting the form to Human Resources.
2. Eligible Fire Civil Service employees may use the military leave time account only after they have exhausted all of their own vacation, holiday and compensatory leave time and been on continuous active military duty of 12 continuous months or longer. A "Request to Use Hours from the Military Leave Time Account form" must be completed. Hours will be used in increments of not less than 15 minutes.
3. At the end of each pay period, the Human Resources Department will divide the hours in the account equally among all eligible fire department employees; the maximum hours used to authorize pay to each eligible person is 96 or 120 hours per pay period depending upon which shift they would have worked.

B. Civil Service Police Department Employees

1. Police Civil Service employees may donate vacation, holiday, civil service sick, or compensatory leave time hours to the police department military leave time account by completing the "Authorization to Transfer Annual Leave/Compensatory Time form" and submitting the form to Human Resources.
2. Eligible Police Civil Service employees may use the military leave time account only after they have exhausted all of their own vacation, holiday and compensatory leave time and been on continuous active military duty of 12 continuous months or longer. A "Request to Use Hours from the Military Leave Time Account form" must be completed. Hours will be used in increments of not less than 15 minutes.
3. At the end of each pay period, the Human Resources Department will divide the hours in the account equally among all eligible police department employees; the maximum hours used to authorize pay to each eligible person is 80 hours per pay period.

5.8.3 Military Leave Account Forms

Authorization to Transfer Leave/ Compensatory Time to Military Leave Account

I, _____, Employee ID# _____, Department _____
Name (Please print)

Hereby voluntarily authorize the transfer of hours of my accumulated:

_____ vacation leave time _____ holiday leave time
_____ CS sick leave time _____ compensatory time

to the Military Leave Time Account for my department effective: _____
MM/DD/YYYY (Beginning date of pay period)

I understand and agree that I release all my rights to any monetary compensation or time off for hours transferred. I understand, under any circumstances, my donated leave time **will not** be returned back to me.

I have not been coerced, threatened, harassed, or compensated for authorizing the transfer and release of accumulated leave time hours. No excess paid leave transferred in this manner will be paid to the receiving employee upon termination.

Requested by:

Employee Signature Date

Approved by:

Department Head Date

Human Resources Director Date

Request to Use Hours from Military Leave Time Account

I, _____, Employee ID# _____, Department _____
Name (Please Print)

Hereby request to use leave hours from the military leave time account and meet all the following criteria:

1. Not a probationary firefighter, police officer or academy trainee;
2. Am a member of the Texas National Guard or the Armed Forces Reserves of the United States;
3. Called to active federal military duty while serving as a firefighter or police officer for the City of Taylor;
4. Served on active duty for a period of 3 continuous months or longer; and
5. Exhausted the balance of my vacation, holiday and compensatory leave time accumulations.

Employee Signature Date

Approved by:

Department Head Date

Human Resources Director Date

5.9 CIVIL LEAVE

Employees are entitled to civil leave with pay for jury duty, for serving as a subpoenaed witness in an official proceeding, and up to two (2) hours for the purpose of voting. When an employee has completed civil leave, they must report to the City for duty for the remainder of the workday. If the employee will be absent from work for more than one workday on civil leave, they must notify the appropriate supervisor daily at the beginning of the workday.

5.10 EMERGENCY LEAVE

No more than five (5) days per fiscal year of emergency leave with pay may be granted to regular employees by the City Manager or designee in the event of a death in an employee's family or serious illness of a family member. In the event of serious illness of a member of the employee's family, who requires the employee's personal care and attention, emergency leave may be granted if all other accrued paid leave is exhausted. The length of time granted (number of hours or days) for a specific emergency leave must be approved by the City Manager or designee in advance and will depend on the circumstances. The terms of, reasons, and length of leave time approved for the leave must be documented and filed with the employee's time card.

For purposes of emergency leave, "family" includes spouse, child, parent, brother, sister, grandparents, grandchild of an employee or employee's spouse, or any relative living in the employee's household.

5.11 ADMINISTRATIVE LEAVE

The City Manager may authorize administrative leave, with or without pay, when not otherwise provided for in these policies.

5.12 INJURY LEAVE

For information on occupational disability or injury leave for bona fide, on-the-job, work-related injuries, see section 6.0, Employee Health and Safety.

5.13 HOLIDAY LEAVE

The following are observed as paid holidays for regular full time and regular part-time employees who work at least twenty (20) hours per week: Personal Day (accrues on October 1st of each fiscal year except new hires shall accrue on the first day of employment) (Firefighter observed as September 11th Holiday).

New Year's Day

Martin Luther King, Jr. Day (third Monday in January)

Presidents' Day

Good Friday

Memorial Day

Juneteenth

Independence Day

Labor Day

Veterans Day

Thanksgiving Day

Friday following Thanksgiving

Christmas Eve

Christmas Day

Regular part-time employees who work at least twenty (20) hours per week are paid for holidays based on the number of hours they would have worked if the holiday had been a regular scheduled workday. Temporary employees (either full-time or part-time) or employees who work fewer than twenty (20) hours per week are not paid for holidays except for holiday hours actually worked.

It is not always feasible to grant holidays off at the scheduled time, especially for employees who are assigned shifts on an “around-the-clock” operation. With the approval of the City Manager, a department head may direct some or all employees of the department to work on a holiday. For nonexempt, regular, non-civil service employees, holiday time off counts as hours worked for the purposes of determining when overtime compensation is applicable. Employees required to work on a holiday may be granted an alternate day off within the same official work period without overtime compensation.

If a nonexempt, non-civil service employee is scheduled to work on a holiday and receive an alternate day off for the holiday, but the employee is sick on the holiday, they will be charged for sick leave for the number of hours that were scheduled to be worked on the holiday. The employee will then be granted holiday time on the alternate holiday off.

The City Manager may designate other holidays in accordance with directions from the City Council. Whenever an approved holiday falls on a Saturday or Sunday, it will be observed on the Friday preceding or the Monday following, as determined by the City Manager. An employee who is absent without written approved leave on the workday immediately preceding and/or following a holiday will not be paid for the holiday.

Holiday leave time for non-police and fire employees can be carried forward until September 30 of the current fiscal year. On October 1st, any holiday leave not taken is reduced to zero without compensation to the employee.

5.13.1 Holidays Falling On Non-Workdays

Whenever a holiday, on the current year’s list of approved holidays, falls on a regular, non-civil service employee’s regular day off and the employee does not work that day, the employee will receive an additional day off for the holiday (not to exceed eight hours and not to be taken within same pay period).

5.13.2 Holidays During Scheduled Vacation

If an official holiday falls within a regular, non-police, non-firefighting employee’s vacation, the employee will be granted the holiday and not charged for a day of vacation.

5.13.3 Holidays for Police Officers and Firefighters

Since police and fire protection must be provided around-the-clock and year-round, those City departments cannot close on holidays. To provide equivalent holiday leave time to these employees, the City has established policies for holiday leave accrual and usage for these departments much like the City’s personal leave (vacation) policy. Police officers earn holiday leave credits at the rate of 8.0 hours per holiday, the same amount of holiday time off as provided to other City employees. This leave can be used in one-day or multiple-day increments with the approval of the employee’s supervisor and department head. Firefighters earn holiday leave credits at the rate of 12.0 hours per holiday. Holiday time cannot be taken until it is accrued.

. Accrued holiday leave time for police, fire, and communication officers not used by September 30th of the fiscal year will be paid out at the employee’s hourly rate.