

SECTION XVIII: LEAVES OF ABSENCE

1. PAID HOLIDAY LEAVE

A. Full-time.

- (1) Purpose. Paid holiday leave is granted to allow eligible employees paid time off for holidays and special occasions to celebrate or observe events surrounding these significant days.
- (2) Eligibility. Paid holiday leave shall be available to all Full-time employees.
- (3) Accrual. Full-time employees shall accrue paid holiday leave on the day of the holiday, which are as follows:

(1)	New Year's Day	January 1 st
(2)	Human Rights Day	3 rd Monday in January
(3)	President's Birthday	3 rd Monday in February
(4)	Memorial Day	Last Monday in May
(5)	Juneteenth	June 19 th
(6)	Independence Day	July 4 th
(7)	Pioneer Day	July 24 th
(8)	Labor Day	1 st Monday in September
(9)	Columbus Day	2 nd Monday in October
(10)	Veteran's Day	November 11 th
(11)	Thanksgiving Day	4 th Thursday in November
(12)	The day after Thanksgiving	4 th Friday in November
(13)	Christmas Eve	½ day - December 24 th
(14)	Christmas Day	December 25 th

- (4) Use of Paid Holiday Leave. Eligible employees shall use paid holiday leave on the day that the holiday is accrued. Full-time Employees that work on a holiday because of an emergency situation as required by a Department Head shall be compensated in accordance with Section XII Employment Terms.
- (5) Paid Holiday Leave Records. Official paid holiday leave records shall be maintained and kept current and reported on individual pay stubs. Employees that use paid holiday leave shall record the time used on their time sheets in accordance with Section XII Employment Terms.

B. Full-time Police Shift Officers and Full-time Firefighter/EMT Employees.

- (1) Purpose. Recognizing that the City requires Police Shift Officers and Firefighter/EMT employees to provide public safety on holidays, the City grants paid holiday time to be used as work schedules permit.

- (2) Eligibility. Paid holiday leave shall be available to all Full-time Police Shift Officers and Firefighter/EMT employees.
- (3) Advancement of Accrual. Full-time Police Shift Officers shall receive an advance of holiday leave accrual at the end of the first pay period in January and the end of the first pay period in August of each year. The basis for the advance of holiday leave accrual for Police Shift Officers is based on their regularly scheduled workday, and thirteen and a half (13 ½) paid holidays per year. Employees hired between accruals shall be advanced a pro-rated holiday leave accrual proportional to the amount of time remaining until the next accrual date.
- (4) Advancement of Accrual. Full-time Firefighter/EMT employees who work a 48/96 schedule shall receive an advance of eighty-four (84) hours of holiday leave accrual at the end of the first pay period in January and seventy-eight (78) hours at the end of the first pay period in August of each year. The basis for the advance of holiday leave accrual for Firefighter/EMT employees is based on thirteen and a half (13 ½) paid holidays at twelve (12) hours per holiday, or one hundred sixty-two (162) hours, per year. Employees hired between accruals shall be advanced a pro-rated holiday leave accrual proportional to the amount of time remaining until the next accrual date.
- (5) Use of Paid Holiday Leave. All paid holiday leave requests shall be submitted a reasonable time in advance of the desired time off to the Police or Fire Chief. If excessive amounts of Police Shift Officers or Firefighter/EMT employees (being the number of requests, if granted, shall render the department ineffective) request leave for the same time period, it shall be granted in order of application (first-come-first-serve) or at the discretion of the Police or Fire Chief.
- (6) Paid Holiday Leave Records. Official paid holiday leave records shall be maintained and kept current and reported on individual pay stubs. Police Shift Officers and Firefighter/EMT employees that use paid holiday leave shall record the time used on their timesheets in accordance with Section XII Employment Terms.
- (7) Payout. Police Shift Officers and Firefighter/EMT employees shall not be allowed to carry forward any paid holiday leave. Unused paid holiday leave balances not used prior to the end of the first pay period in January and the end of the first pay period in August of each year shall be paid to the Police Shift Officers and Firefighter/EMT employees at straight time.
- (8) Termination. Police Shift Officers and Firefighter/EMT employees who terminate shall payback (shall be deducted from their last check) used holiday leave not yet earned based on the holidays which apply to Full-time non Police Shift Officers or Firefighter/EMT employees.

2. PAID ANNUAL LEAVE

- A. Purpose. The City provides paid annual leave to allow employees periods for rest, relaxation, and renewal away from work with no loss in compensation. Additionally, the City provides paid annual leave to allow employees leave to address other personal needs.
- B. Eligibility. Paid annual leave shall be available to all Full-time Employees.
- C. Use of Paid Annual Leave. Paid annual leave may be used at any time with the approval of the Department Head for any reason determined by the employee.
- D. Accrual. New, Full-time Employees shall accrue paid annual leave from the date of hire and are allowed to use the leave time as it is accrued. Five (5) days of paid annual leave time may be used in advance of accrual with approval from the Department Head. Paid annual leave shall accrue based upon employee classification and years of eligible service in the Utah State Retirement System (URS) or equivalent State Retirement System according to the following rate schedules:

- (1) Full-time employees shall accrue annual leave at the following rate:

Years of Service in State Retirement Annual Leave

Eligibility date but less than 5 years	80 hours(3.08 hours per pay period)
5 years but less than 10 years	120 hours(4.62 hours per pay period)
10 years and over	160 hours(6.15 hours per pay period)

- (2) Full-time Firefighter/EMT employees who work a 48/96 schedule shall accrue leave at the following rate:

Years of Service in State Retirement Annual Leave

Eligibility date but less than 5 years	100 hours(3.86 hours per pay period)
5 years but less than 10 years	150 hours(5.79 hours per pay period)
10 years and over	200 hours(7.70 hours per pay period)

- E. Request for Paid Annual Leave Use. All paid annual leave requests shall be submitted a reasonable time in advance of the desired time off to the Department Head. If excessive amounts of employees (being the number of requests, if granted, shall render the department or organization ineffective) request leave for the same time period, it shall be granted in order of application (first-come-first-serve) or at the discretion of the Department Head.
- F. Carry Forward Balances. The maximum paid annual leave, which can be carried forward from calendar year to calendar year, is one-half (1/2) an employee's annual accrual. Any accrued annual leave in excess of this amount shall be

forfeited on January 1, except that there shall be no deduction for less than eight (8) hours carry over. The Mayor or City Manager may approve more than one half (1/2) an employee's annual accrual to be carried over in unusual circumstances.

- G. Paid Annual Leave Records. Official paid annual leave records shall be maintained and kept current and reported on individual pay stubs. Employees that use paid annual leave shall record the time used on their timesheets in accordance with Section XII Employment Terms. A holiday that falls during an employee's paid annual leave shall be counted as a paid holiday and not as annual leave.
- H. Donation of Paid Annual Leave. Full-time employees may donate unused paid annual leave to other eligible employees in accordance with Section XII Employment Terms.
- I. Exempt Employees. Exempt employees shall use paid annual leave time hours in increments consistent with their regularly scheduled workday.
- J. Termination. An employee whose employment is terminated shall be compensated for all accrued paid annual leave. Employees who terminate shall payback (shall be deducted from their last check) used annual leave not yet accrued.

3. PAID SICK LEAVE

- A. Purpose. The City provides paid sick leave to allow employees leave to take care of medical-related issues.
- B. Eligibility. Paid sick leave shall be available to all Full-time employees.
- C. Use of Paid Sick Leave. Paid sick leave may be used at any time with the approval of the Department Head for the employee to use for themselves, their family, persons under their care, or residing within the employee's household for any of the following reasons:
 - (1) When the employee is unable to perform their regular duties or other temporary work to which they may be assigned.
 - (2) Visits to hospitals, clinics, doctor's and dentist's offices for diagnosis or treatment of illness or injury or examination.
 - (3) For any use that is allowed by the Family Medical Leave Act (see Section XVII Family and Medical Leave Act).
- D. Accrual. Full-time Employees shall accrue sick leave at the rate of eighty hours (80) per year. Full-time Firefighter/EMT employees who work a 48/96 schedule shall accrue sick leave at the rate of one hundred hours (100) per year. The employee shall begin to accrue sick leave immediately upon being hired by

Tremonton City and shall be eligible to use sick leave as it is accrued. Five (5) days of paid sick leave time may be used in advance of accrual with approval from the Department Head. Sick leave shall accrue to a maximum of ninety (90) days (720 hours).

- E. Request for Paid Sick Leave Use. An employee shall notify the Department Head no later than one (1) hour after the normal starting time on each day of a request to use paid sick leave unless the circumstances surrounding the absence make such notification impossible. The Department Head shall also be kept advised of the employee's progress and expected date of return to duty.
 - F. Carry Forward Balances. The maximum paid sick leave which can be accrued is seven hundred and twenty (720) hours. Once the employee has accrued seven hundred and twenty (720) hours of paid sick leave, the employee may request (see Appendix 41) that the City purchase three hundred and sixty (360) hours of the seven hundred and twenty (720) hours at one half (1/2) of the employee's current rate of pay, allowing the employee to again accrue sick leave at the same rate as other employees.
 - G. Paid Sick Leave Records. Official paid sick leave records shall be maintained, kept current, and reported on individual pay stubs. Employees who use paid sick leave shall record the time used on their timesheets according to Section XII Employment Terms.
 - H. Donation of Paid Sick Leave. Full-time employees may donate unused paid sick leave to other eligible employees in accordance with Section XII Employment Terms.
 - I. Exempt Employees. Exempt employees shall use paid sick leave time hours in increments consistent with their regularly scheduled workday.
 - J. Termination. An employee who is terminated for cause associated with an employee's misconduct shall not be compensated for unused accrued sick leave. Up to one-half (1/2) of the accrued sick leave hours shall be paid, at the employee's current rate of pay, to employees who voluntarily resign and to those retiring with seven hundred and twenty (720) accrued hours or less. Employees who terminate shall payback (shall be deducted from their last check) used paid sick leave not yet accrued.
 - K. Certification of illness. For sick leave in excess of five (5) consecutive working days, or if abuse of sick leave is suspected, the Department Head may require a physician's certificate stating that such illness prevented the employee from working. Please see Section XVII: Family and Medical Leave Act when an employee is expected to be unable to work for an extended period of time.
4. PAID EMERGENCY LEAVE. A Department Head may authorize Full-time employees' reasonable time off, not to exceed three (3) working days with pay, in case of an emergency. Time shall be deducted from their paid sick leave balance. Upon the

recommendation of a Department Head, the Mayor or City Manager shall have the authority to grant longer paid leave, deducted from their paid sick leave balance, in unusual circumstances in which an emergency exists. During emergency leave periods in excess of thirty (30) calendar days, paid annual leave and paid sick leave shall not accrue.

5. PAID MILITARY LEAVE

A. Annual Encampment or Rifle Competition. Full-time employees who are members of the organized reserve of the United States armed forces, including the National Guard of the State of Utah, shall receive full pay for all time, not in excess of fifteen (15) days per year, spent on duty at an annual encampment or rifle competition or other duties in connection with the reserve training and instruction requirements of the armed forces of the United States, including the National Guard of the State of Utah, as suggested in Utah Code 39-3-2 (2). Paid military leave may be used in advance with approval from the employees' Department Head.

B. Active Service. Any employee who enters active service in any branch of the armed forces of the State of Utah or the United States shall be granted a leave of absence without pay during that time of active service. The City shall follow the requirements of Utah Code 39-3-1 associated with the employee's active service in any branch of the armed forces.

6. PAID JURY OR WITNESS LEAVE. Full-time employees may be granted leave with full pay when performing jury duty or when required to serve as a witness in any municipal, county, state, or federal court or before an administrative tribunal. Paid leave shall not be granted when the employee is serving as their own witness in financial and related suits which they have initiated.

7. PAID ADMINISTRATIVE LEAVE. Full-time employees may be granted paid administrative leave during investigations regarding the conduct of an employee.

8. PAID FUNERAL LEAVE. A Department Head may grant Full-time employees up to three (3) days of funeral leave with pay to attend the funeral of the employee's spouse, child, step-child, daughter or son-in-law, parent, step-parent, grandchild, mother or father-in-law, sister or brother-in-law, grandparent, spouses' grandparent, brother or sister. Such leave shall not be charged against accrued paid sick leave or paid annual leave. Extended funeral leave for out-of-town travel shall be considered on an individual basis, with the supervisor having the authority to decide. A Department Head may grant Full-time employees one (1) day of funeral leave with pay to attend the funeral of the employee's aunt, uncle, niece, or nephew.

9. POLITICAL ACTIVITY LEAVE.

A. As per Utah Code Annotated 10-3-1108(3) a municipal employee who has filed a declaration of candidacy may:

(1) Be given a leave of absence for the period between the primary election

and the general election; and

(2) Use accrued annual leave to engage in campaign activities.

B. If a municipal officer or employee is elected to a public office, the employee may:

(1) Be given a leave of absence without pay for the time during which the employee receives compensation for service in the public office; and

(2) Use accrued annual leave to serve in the public office.

10. **LEAVE WITHOUT PAY.** The City recognizes that circumstances may occur in which employees may need leave, but there is no provision for leave with pay to be granted. Upon recommendation of a Department Head, the Mayor or City Manager shall have the authority to grant leave without pay when unusual circumstances occur. Employees are expected to apply for absences in advance and in writing, giving as much detail about the absence as is necessary so that the Mayor or City Manager may decide whether the leave without pay is warranted. A leave without pay shall not constitute a break in service. During leave without pay, paid annual leave and paid sick leave shall not accrue. Circumstances that may warrant leave without pay include, but are not limited to, the following:

A. Leave without pay may be granted to attend funerals not covered by the funeral leave policy.

B. Leave without pay may be granted to attend to an ill or injured member of the employee's immediate family when such absence is not covered by paid sick leave.

C. Leave without pay may be granted to employees that have filed a declaration of candidacy or are elected to a public office as suggested by UCA 10-3-1108.

D. Part-time, Part-time Recreation, Temporary/Emergency, and Firefighter/EMT Employees are not eligible for paid leaves of absences including, but not limited to: paid annual leave, paid sick leave, paid jury or witness, etc.

11. **DOCUMENTATION OF LEAVE.** Some of the above absences shall be supported by a copy of the official paperwork causing the absence. Such paperwork shall be submitted to the Department Head or as appropriate, the Mayor or City Manager as soon as possible. In some cases where official paperwork is not available, the Department Head, or as appropriate, the Mayor or City Manager, may request that the employee supply additional information in writing to support the absence.

Notes: