

## **CHAPTER 5: TIME AWAY FROM WORK**

### **5.1 Unlimited Paid Time Off**

The City believes that taking time off from work is essential, both personally and professionally, for all full-time employees. Subject to the terms discussed in more detail below, the City does not limit the number of days Non-Represented employees may take during the year for time off work. PTO requests must be approved by a Department Head, and each team member is expected to balance their work and time off appropriately. Due to business or staffing needs, PTO requests are not guaranteed to be approved, partially or in whole.

Full-time employees, whether exempt or non-exempt, may request to use Paid Time Off (PTO) during their regularly scheduled work hours, subject to Department Head or designee approval. PTO can be taken for a variety of reasons, including planned vacations, personal days off, illness, bereavement, etc. PTO may not be used, however, by an employee to effectively realize an alternative work schedule or to pursue secondary employment.

Under this policy, there is no accrual of PTO beyond the approval process described below. The intent of this policy is that the employees will ensure that they manage their PTO to prioritize work responsibilities while balancing personal needs and/or commitments. Employees are expected to complete their productivity, deadlines, customer needs, and all job performance requirements. Except where a right to access leave is protected by law, failure to meet these performance requirements may require corrective action.

- A. Use for Planned Leave:** You must coordinate with your Department Head in advance of scheduling PTO. This will allow your Department Head to plan for your absence and schedule coverage, if needed. Submit all PTO requests to your manager. If you are unable to request your PTO in advance due to illness or an emergency, please notify your Department Head according to the Time and Attendance policy (**Section 4.1**).
- B. Use for Sick Leave:** To be eligible to use PTO for sick leave, employees must provide proper notification of absence prior to the start of your shift as discussed under the Time and Attendance policy. Employees must give this notification for each day they are absent unless the absence has been approved in advance. Employees may be required to submit, in writing, the reason or reasons for their continued sick leave, the estimated date of return and whether any supplemental income payments are being received or whether an application for them is pending. The City may also require, at any time, written verification from the employee's doctor. PTO may be used for an injury, illness or other unexpected situation up to a maximum of two weeks unless approved in advance. An illness or injury that requires additional leave will generally qualify for the City's Family Medical Leave Act (FMLA) program as described in **Section 5.5**.

- C. Use for Other Leave:** For military leave, personal or family medical leave (FMLA), victim's leave (VESSA), or other forms of leave mandated by law, an employee will be eligible to use up to a maximum of 12 weeks of PTO in any 12-month period, regardless of the number of qualifying occurrences or types of leave that may arise. For the purposes of this limitation, the City will use a "rolling" 12-month period measured backwards from the date of the most recent qualifying leave. This plan may affect wage replacement benefits such as workers' compensation or disability insurance.
- E. No Payment at Separation:** The PTO granted under this policy is like an income replacement insurance benefit and is not considered accrued time or considered vested wages. Employees will not be paid for PTO at separation.
- F. Entry Into Unlimited PTO:** Employees who are newly promoted or reclassified from an ineligible position to a position that is subject to the Unlimited PTO policy will immediately participate in the Unlimited PTO program and cease to accrue or expend any other form of accrued paid time off that may be available to City employees. These employees will be paid in a single lump sum for the cash value of all existing accrued vacation, sick (subject to the following rules), and compensatory time (collectively, "**Legacy Time**") within 45 days of the effective date of their promotion or reclassification. For sick leave payouts, the following rules apply:
- i. **"Tier 1" Employees:** For employees who hired on or before November 2, 2010, the full cash value of all sick leave will be available to the employee. The employee may determine the amount of sick time to be paid as cash and the amount to be contributed to the employee's RHS or PHEP account.
  - ii. **"Tier 2" Employees:** For employees hired after November 2, 2010 and who are not eligible to receive any cash value for their sick leave, any accrued sick leave balance will be retained. No new debits or credits will be applied to this balance. This provision is to allow the employee, if eligible, to preserve any ability to receive service time credits from their pension system for their unused sick time at retirement. (Eligibility and rules for these programs is determined by the employee's pension system, and not by the City.)

Legacy Time will be paid at the employee's current rate of wages at the time of payout. The payment of Legacy Time is final and irrevocable. In the event that an employee is returned to their previous classification and becomes ineligible for Unlimited PTO, the employee will resume any accrual of time starting from a zero balance.

- G. Exclusion of Represented Employees:** Represented Employees are specifically excluded from this Unlimited PTO policy.

## **5.2 Unlimited PTO Exclusions (Opt-Out)**

An employee who opted-out of the Unlimited PTO Program prior to January 1, 2025 is not subject to the City's Unlimited PTO Program and continues to accrue vacation, sick, holiday, and compensable time under the provisions of **Appendix B**. Employees who opted-out are ineligible to participate in the City's Unlimited PTO program including payments of Legacy Time prior to termination. Employees who are newly hired or who newly become Non-Represented Employees are automatically included in the City's Unlimited PTO program and cannot opt-out.