



CITY OF WATAUGA – PERSONNEL, ADMINISTRATION AND FINANCIAL POLICIES AND PROCEDURES MANUAL

POLICY TITLE	Other Types of Leave
INITIAL EFFECTIVE DATE	February 22, 2016
LAST REVISION DATE	October 1, 2021
POLICY NUMBER	8.06

OBJECTIVE This policy seeks to create uniformity in the manner in which bereavement leave, Jury Duty, Witness Duty, Voting Leave, Leave of Absence with Pay, and Authorized Leave without Pay is administered and managed for eligible employees.

SCOPE This policy applies to all employees regular full-time and part-time employees of the City of Watauga.

POLICY

A. Bereavement

Bereavement leave may be provided to regular full-time and regular part-time employees to allow the employee to attend the funeral and make any necessary arrangements associated with the death of an immediate family member. After ascertaining the exact circumstances, the Department Director may approve between one (1) to three (3) working days of paid leave per calendar year. Immediate family member is defined as: spouse, domestic partner, grandparents, parents, children, siblings, grandchildren and spouse’s immediate family as listed. Extenuating circumstances will be evaluated on a case by case basis. An employee who wishes to take bereavement leave must notify their supervisor as soon as possible so that arrangements can be made to accommodate the employee’s absence. Employees may, with their supervisor’s approval, use any available paid vacation leave and/or other accrued leave time for additional time off as necessary. The City may require proof of death/funeral in support of bereavement leave. Bereavement leave pay is paid at the employee’s base rate at the time of absence. It does not include overtime. Paid time off for bereavement leave is not counted as hours worked for purposes of determining overtime.

B. Jury Duty

The City encourages employees to fulfill their civic responsibilities by serving on jury duty when required. Regular full-time and part-time employees will be paid their normal earnings for time spent serving on a jury during regularly scheduled work hours. Jury duty leave is paid at the employee’s base pay rate at the time of jury duty and does not include overtime. Paid time off for jury duty is not counted as hours worked for purposes of determining overtime. Employees must show their jury duty summons to their supervisor as soon as possible so that arrangements can be made to accommodate their absence. The employee may keep any jury

fees paid for jury duty. Employees are expected to report to work whenever the court's schedule permits.

C. Witness Duty

The City encourages employees to appear in court for witness duty when subpoenaed. If employees have been subpoenaed or otherwise requested to testify as witnesses by the City, it will be considered part of their role accountabilities and treated as hours worked. When employees are requested or subpoenaed to testify in court by a party other than the City, they may use any available paid vacation, or other accrued leave for this absence. If the employee has no available leave time, any time off for witness duty will be unpaid. If Police Officers are required to appear in court for a case involving a former law enforcement employer it will be considered part of their role accountabilities and treated as hours worked. A subpoena for witness duty must be shown to the employee's supervisor immediately after it is received so that employee staffing can be adjusted, where necessary, to accommodate the employee's absence. The employee is expected to report for work whenever the court's schedule permits.

D. Voting Leave

Employees are encouraged to exercise their right and responsibility to vote in national, state, or municipal elections; however, employees are expected to vote during their non-working hours. If an employee needs additional time to vote, up to two (2) hours paid leave may be authorized at the beginning or end of the work day. An employee must submit the request for time off to vote in writing to their supervisor at least two (2) working days prior to Election Day. Any employee requesting paid time off for this purpose must show evidence of eligibility to vote, (a current voter registration card) when making the request.

E. Authorized Leave of Absence with Pay

1. An employee's request for a leave of absence must be submitted through department channels to the Department Director thirty (30) days prior to commencement of the leave period, or as soon as is practicable. All requests for a leave of absence must be coordinated with the Human Resources Department. Approval of the request is at the discretion of the Department Director. This decision may not be appealed. A Department Director may approve a leave of absence of up to ten (10) business days. The City Manager must approve leaves in excess of ten (10) business days.
2. A Department Director may grant administrative leave with pay for reasons including, but not limited to:
 - a. Examinations: To take an examination required by the City. This would include a physical or mental evaluation.
 - b. Investigations: During an investigation which may result in disciplinary action, if placing the employee on paid administrative leave is in the best interest of the City;
 - c. Miscellaneous: In special situations where such leave is in the best interest of the City after consultation and concurrence with the Director of Human Resources.

F. Authorized Leave without Pay

In circumstances not falling within other leave policies, the City Manager may, upon the recommendation of the Department Director and in their sole discretion, authorize leave without

pay. Example of factors considered by the City in granting leave without pay include the reason for the leave, departmental work requirements, and the employee's work performance and disciplinary history. Such leave will normally be granted up to a maximum period of 30 days. The Employee may seek extensions of leave up to a maximum of three (3) months. This policy will be administered consistent with the City's obligations under the Americans with Disabilities Act and Family Medical Leave Act. The City Manager may revoke "Authorized Leave Without Pay" at any time.

1. Documentation

Requests for leave without pay must be made in writing and submitted through department channels as far in advance as possible prior to the requested leave date. Requests for an extension of leave must also be in writing. The need for a medical leave of absence must be supported by documentation as required by law and these policies. Before returning to work from a medical leave of absence, the employee will be required to submit a letter from his or her treating physician stating that the employee is able to resume normal role tasks and accountabilities, as outlined in the employee's job description.

Prior to requesting a leave of absence, an employee is required to exhaust all applicable leave. Accrual of all benefits and service time will discontinue while an employee is on leave of absence except where otherwise provided by federal or state law.

2. Other Employment

Under no circumstances may an employee on an authorized leave without pay work another job, whether for pay, as a volunteer, or as self-employment, unless expressly authorized in writing by the Department Head and the City Manager.

3. Reinstatement

Employees returning from "Authorized Leave Without Pay" will be reinstated to their same position or one of similar pay and status provided the City's circumstances have not changed to the extent that it would be impossible or unreasonable to provide reinstatement. If the same role or one of similar pay and status is not available, reinstatement may, at the City's discretion, be deferred until a position is available.

4. Payment of Insurance Premiums

Any insurance premiums, or partial premiums, normally paid on behalf of the employee by the City will not be paid by the City beginning the first day of the month following the starting date of an unpaid leave of absence. (Note: The City will continue to pay its portion, if any, of group health insurance premiums for any family medical leave.) Employees who have group health or any other kind of insurance through the City will continue to be responsible for paying their portion of the premiums while on a leave of absence. An employee's failure to pay insurance premiums due during a leave of absence may result in cancellation of coverage.

G. Failure to Return to Work

An employee who fails to return to work at the conclusion of an approved leave of absence will be considered to have voluntarily resigned their employment with the City.