



## Paid Time Off Leave System

- I. All regular and probationary full-time and part-time employees hired on or after 10/1/2000, are automatically covered by the Paid Time Off (PTO) Leave System. In addition, any regular or probationary full-time and part-time employee hired prior to 10/1/2000, who made a one-time irrevocable election to select the Paid Time Off Leave System (PTO) is also covered by the Paid Time Off Leave System (PTO) rather than the Designated Leave System (Sick and Vacation).
- II. "Paid Time Off" is a single leave bank system that combines earned vacation time (annual leave), earned sick time and optional holidays. This system does not include City-designated holidays; nor does it include any event-based leave which may be additionally authorized based on the occurrence of specific events.
- III. Transition Plan for Employees Hired Prior to October 1, 2000:
  - A. Employees hired prior to October 1, 2000, will have the option of continuing under the terms of Policy L-4, Designated Leave System, or moving to this Paid Time Off Leave System.
  - B. An employee hired prior to October 1, 2000, may elect at any time to move to this PTO plan at the beginning of any pay period.
  - C. If an employee elects to move to this "PTO plan", the following conditions will apply:
    1. No transfer back to the Designated Leave System will be permitted.
    2. No loss of accrued leave will occur, meaning that all unused accrued sick leave will be transferred to the employee's Personal Critical Leave Bank (PCLB) account and a portion or all unused accrued vacation (annual leave) may be sold back at the employee's current rate of pay, or transferred to the employee's Paid Time Off (PTO) account, at the employee's option and subject to the limits described below. The amount of vacation (annual leave) to be applied to sell-back, if any, shall be determined by the employee, but shall be limited to no more than that which may be applied to pensionable *earnings*. Whether sold at the time of conversion, or at the time of separation or entry into the DROP, only payments made for vacation leave that was unused and accrued prior to October 1, 2012 shall be considered *earnings* for pension purposes. There shall be no option to sell back any portion of vacation leave after December 31, 2015.
    3. At the employee's first anniversary date (leave progression date) after election, he/she will be eligible to select any options available under the Paid Time Off Leave System provided the PCLB requirements are met.

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- 4. The PCLB requirements of the Paid Time Off Leave System will prevail beginning the date of election.

IV. \*Annual Accrual Rates:

Years of Continuous Service	Rate of Accrual Per Pay Period
0 to 5 years (1 mo. thru 59 mos.)	6 Hrs. 10 Mins.
5 to 10 years (60 mos. thru 119 mos.)	7 Hrs. 42 Mins.
10 to 15 years (120 mos. thru 179 mos.)	8 Hrs. 37 Mins.
15 to 20 years (180 mos. thru 239 mos.)	9 Hrs. 14 Mins.
20 to 25 years (240 mos. thru 299 mos.)	10 Hrs. 28 Mins.
25 years or more (300 mos. or more)	10 Hrs. 47 Mins.

\* Accruals are earned and available only at the conclusion of the pay period and are not pro-rated.

Regular part-time employees shall earn Paid Time Off in the proportion that their workweek bears to a full-time workweek. A part-time employee whose average workweek over a four-week period is greater or less than their normal scheduled workweek shall have his/her accrual rate changed to reflect the higher or lower average workweek until it returns to normal. Part-time employees are defined as those employees regularly working 30 hours per week or less.

- V. Scheduled Paid Time Off (PTO) may be used for any purpose an eligible employee deems necessary. PTO shall be taken in increments of not less than one (1) hour, except as otherwise provided in the Family and Medical Leave Act (FMLA) or permitted by departmental guidelines. Accrued time can be used as soon as it is accrued, but in no event can it be taken prior to actual accrual.
- VI. A. Each Department shall establish and may amend reasonable written guidelines defining scheduled and unscheduled leave, based on job function and according to operational needs. In general, the City policy for use of PTO will be in quantities of not less than one hour, except as otherwise provided in the Family and Medical Leave Act (FMLA) or permitted by departmental guidelines. PTO must begin or

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end at the start or close of the shift or work schedule unless an emergency arises or it is otherwise permitted by departmental guidelines. Department approval of scheduled leave will not be unreasonably withheld provided operational needs can be met, as determined by the City.

- B. Each Department may establish written guidelines for the minimum increment of leave and the time of leave use during the shift which are more flexible than those stated in Section VI.A. if operational needs so permit. The Department may amend these written guidelines at any time if operational needs so require, as long as they are not more restrictive than the requirements in Section VI.A.
  
- VII. The first sixteen hours of any absence will be deducted from the employee's PTO leave account except as otherwise provided in Policy L-2, (General Leave), or Policy L-5, (Leave of Absence With or Without Pay). Absences that do not meet the advance notice requirements of the department will be considered unscheduled leave. If an employee does not have sufficient accrued unused PTO to cover the period of absence, the employee will be put on leave without pay for the first sixteen (16) hours or that portion thereof.
  
- VIII. A. Whenever unscheduled leave is taken, employees will be required to notify their supervisor in accordance with departmental written guidelines. Generally, an employee will be allowed to take up to five (5) occurrences of unscheduled leave in a one-year period. After five (5) occurrences, the department head may require certification of absence for unexpected illness from a doctor or certified health professional.  
  
B. In the interest of keeping a healthy workforce, the employee's supervisor has the right to send an employee, who appears to be ill or who may be a health risk to co-workers, to Employee Health Services (EHS). If EHS determines that the employee should be sent home due to the illness, the time will be considered scheduled PTO leave for the first sixteen (16) hours. For after-hours and weekend shifts, the supervisor shall have the right to send the employee home due to illness, and the time will be considered scheduled PTO leave for the first 16 hours.
  
- IX. For purposes of overtime, scheduled PTO leave will be counted as hours worked and PCLB or unscheduled PTO leave will not be counted as hours worked.
  
- X. Maximum Accrual (Carryover Cap):  
  
Carryover of accrued PTO is permitted as follows:

Years of Continuous Service	Carryover Permitted
<b>0 to 5 years</b> (1 mo. thru 59 mos.)	160 Hours
<b>5 to 10 years</b> (60 mos. thru 119 mos.)	200 Hours
<b>10 to 15 years</b> (120 mos. thru 179 mos.)	224 Hours
<b>15 to 20 years</b> (180 mos. thru 239 mos.)	240 Hours

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Years of Continuous Service	Carryover Permitted
<b>20 to 25 years</b> (240 mos. thru 299 mos.)	272 Hours
<b>25 years or more</b> (300 mos. or more)	280 Hours

The maximum accrual shall be calculated as of the employee's anniversary date (leave progression date). All hours over the PTO accrual cap must be either used or allocated to the options outlined below at the employee's anniversary date (leave progression date) each year.

XI. Upon separation from the City, an employee shall be paid for accrued unused PTO leave hours up to the maximum carryover cap as listed above. Unused PTO leave hours paid at termination shall not be included in the calculation of final average earnings for pension purposes.

XII. Personal Critical Leave Bank (PCLB):

It is recommended that the employee establish a PCLB, on his/her leave progression date, by depositing some number of hours of his/her PTO into the PCLB. The PCLB is used for the seventeenth (17) consecutive hour and beyond of absence due to any injury/illness of the employee or when an employee is needed to care for a member of the employee's immediate family (defined as spouse, dependent child[ren], mother, father, or certified or registered domestic partner) who is ill or injured or for the birth, placement, adoption of a child, or bonding/well newborn care within 12 months of birth or placement and may require documentation by a certified physician, hospital or Employee Health Services as determined by his/her Manager/designee.

Employees may continue to use PCLB if returned to work on a reduced-schedule basis (as approved by their supervisor) or for intermittent leave used for the original qualifying FMLA leave event.

XIII. If an employee does not have sufficient PCLB to cover the absences, the employee's time will be charged to PTO prior to entering a "no pay" status.

XIV. There is unlimited accumulation of time in the PCLB.

XV. An employee may transfer any number of PTO leave hours (in one-hour increments) to a PCLB account at any time during the year.

XVI. A. In addition, provided the employee has accumulated a minimum of 40 hours of PTO and at least 220 hours in PTO and/or PCLB at ~~his/her leave progression date~~the time of election and the beginning of the pay period when payment is to be made, the employee will be permitted to convert up to forty (40) hours of PTO to cash, ~~on his/her anniversary date (leave progression date)~~at any time during the fiscal year, to be paid via payroll ~~check~~. For sworn law enforcement only, employees otherwise meeting the above criteria will be permitted to convert up to seventy (70) hours of PTO to cash, on his/her anniversary date (leave progression date) at any one time during the fiscal year, to be paid via payroll, provided that

such conversion does not bring the employee's total PTO balance below 80 hours. Hours converted to cash will not be included in the pension base nor used for final average earnings calculations. The election to convert PTO to cash may be made once per fiscal year.

B. In order to use the conversion to cash option, the employee must submit a written request to the timekeeper, on the form provided, at least fourteen (14) calendar days in advance of the beginning of the pay period when payment is to be made his/her leave progression date. ~~Failure to do so will result in the revocation of the conversion to cash option for that leave progression year.~~

XVII. Should an employee have more than the allowable carryover cap on his/her anniversary date (leave progression date) and fail to choose one of the above options, the number of hours over the allowable carryover cap will automatically default into the employee's PCLB. However, Charter Officers shall be allowed to waive this policy for short periods of time in necessary and unusual circumstances, which shall be adequately documented.

XVIII. Donations to other employees:

An employee may donate time from accrued PTO leave credits to another employee for whom a leave donation fund has been established in accordance with City policy. This option does not necessarily have to occur at the employee's anniversary date (leave progression date), but rather whenever an eligible leave account is established. No minimum PTO/PCLB balance is required for donations of PTO to a leave donation fund.