



## Personnel Policies and Procedures

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**Personnel Policies and Procedures****SECTION 300 LEAVE****301. Leave Policy**

- .1 For this policy, leave is the absence from work during regularly scheduled work hours that has been authorized by proper authority. Leave may be authorized with or without pay as allowed by policy. Absence without permission is considered unauthorized absence. Information regarding pay for leave can be found in Section 200.
- .2 Each employee is responsible for the accurate completion and submission of his or her own leave requests. Expenditures of leave for each employee must be reported to and approved by the employee's supervisor.
- .3 It is an employee's responsibility to monitor and manage all leave accruals. Any leave lost due to inaction by an employee will not be reinstated.
- .4 Human Resources will review the status of employees who are absent on unpaid leave during their initial probationary period for more than 40 consecutive hours, and employees who are absent for more than 60 consecutive calendar days, or 320 hours intermittently, within the previous six months.
- .5 During any leave over 160 consecutive working hours, the following applies:
  - .51 Whether such leave is paid or unpaid, no Vacation or Sick Leave will accrue during the entire period of the leave.
  - .52 Upon return, full-time employees must complete at least twenty (20) hours of actual work within a workweek to be eligible for accruals to recommence after an extended absence.
  - .53 The employee's department must initiate the appropriate leave correction to adjust the leave accrual. The adjustment should be prorated to the nearest week.
  - .54 Such leave will not be used in computing time in grade for Step Pay Increases or for completion of probationary period.
  - .55 The employee will be placed in an Inactive Status in the payroll system (Section 309 will apply to employees on Military Leave). Inactive Status under this policy refers to an administrative process whereby current employees are placed into an unpaid category in the payroll system. The employee's supervisor will be responsible for ensuring that the Inactive Status is initiated and that such status is reported to the Human Resources Department.

.56 While on Inactive Status in the payroll system, the employee is entitled to the continuation of benefits elected during the fiscal year. Any applicable premiums for coverage will be required from the employee for continuation during the entire period of Leave Without Pay. Nonpayment of premiums will result in cancellation of benefits.

.6 Regardless of whether the leave is paid or unpaid, employees on leave for personal medical reasons, (as opposed to job-related injuries or illnesses covered by workers' compensation), must return to work full duty within the 12-Month Period, (as defined by Section 600 of the Personnel Policies and Procedures Manual), from the last date they worked full duty or may be considered for possible separation by the Medical Review Committee.

### 302. Types of Leave

The following types of leave have been established for City employees:

Vacation Leave

Voting Leave

Holiday Leave

Sick Leave

Compensatory Leave

Leave Without Pay

Military Leave

Court and Jury Leave

Injury Leave

Funeral Leave

Family and Medical Leave

Floating Holiday Leave

Administrative Leave

Authorized Personal Leave

### 303. Vacation Leave

.1 All regular and part-time employees are encouraged to take Vacation Leave of two (2) consecutive weeks each year. Department heads will grant leave in accordance with this Section on the basis of the work requirements of the department and, whenever possible, considering the personal wishes of the employees.

.2 Expenditure of Vacation Leave will be granted to regular and part-time employees in accordance with the following provisions. Employees covered under the terms of a collective bargaining agreement will be governed by the vacation provision of the agreement:

.21 An employee must have completed three (3) months of employment before being eligible to expend Vacation Leave.

.211 If an employee becomes ill while on vacation, Sick Leave should be used and should be verified by a doctor's statement. The doctor's statement must include length of the illness.

.22 It is the department head's responsibility to schedule vacations accordingly to ensure the efficient operation of the department and to provide annual Vacation Leave for employees.

- .23 Vacation Leave will not be used during a period of suspension unless it is used as part of a vacation in lieu of suspension agreement reached in a

disciplinary hearing and approved by Human Resources and the employee's department head or designee.

- .24 The amount of vacation expended should not exceed the exact number of hours an employee is scheduled to work during the period in which leave is to be taken. Vacation Leave will not exceed the amount accrued at the time the leave expenditure begins.
  - .241 Vacation Leave may only be requested in one (1) hour increments. It is not the intention of this policy for employees to routinely use vacation in one (1) hour increments. Use of emergency Vacation Leave in other increments may be approved by the employee's supervisor.
- .25 Holidays or other days not scheduled for work will be excluded in computing Vacation Leave expenditure.
- .26 Service as a temporary employee will not be used to determine Vacation Leave accrual.
- .27 Any Vacation Leave accrued to a regular or part-time employee at the time of transfer from one department to another will be recorded on the personnel action form and will be transferred to the new department.
- .28 Upon separation, an employee is paid for the unused portion of Vacation Leave provided the employee has completed six (6) months of employment. Notwithstanding the foregoing, any employee who is separated or resigns in lieu of discipline, for embezzlement of City funds, fraud, falsification, theft of City property or resources (including theft of time), or deliberate destruction of City property, or inappropriate use of City property or P-Card will be ineligible for payment of accrued Vacation Leave. Vacation Leave payout at the end of employment may be withheld if the employee owes any type of repayment to the City, including for overpayment of wages.
- .29 Vacation should be scheduled in advance, based upon departmental procedures. Normally, an employee should submit a written request to schedule vacation at least two (2) weeks in advance. However, work unit supervisors at their discretion may approve an employee's request for Vacation Leave upon shorter notice or in view of employee emergencies. The employee should notify his/her supervisor of the need to request such vacation at the earliest possible time. Approval of requests for Vacation Leave with less than seventy-two (72) hours notice should be limited to no more than six (6) occurrences per calendar year.
- .30 All Vacation Leave requests over one hundred twenty (120) continuous hours must be approved by the department head and Personnel Director, except when Vacation Leave is taken as Family Medical Leave under Section 314.

.3 Use of Vacation Leave Preceding Retirement

- .31 The maximum amount of Vacation Leave time which can be approved for use by an employee immediately preceding retirement is one hundred twenty (120) hours.

.4 Accrual of Vacation Leave

- .41 Vacation Leave will be accrued to each regular and part-time employee on the first day of the month following completion of thirty (30) days of continuous service.
- .42 To determine the appropriate accrual rate for a part-time employee, an average of the hours worked per week within the preceding twelve (12) months should be calculated. If a part-time employee has been not been employed for twelve (12) months, a weekly average should be calculated of all available hours. The average should be rounded to the nearest whole number and should be calculated from the day the leave is accrued ... (Example, an employee that works an average of 18 hours per week would accrue 45% of the accrual based on years of service). The percentage will be applied to the accruals established within Section 303.43.
- .43 The amount of vacation time to be accrued upon completion of each calendar month of service by regular employees is as follows:

<u>Years of Continuous Service</u>	<u>Monthly Accrual</u>	<u>Yearly Accrual</u>
Date of employment to completion of fifth year	9 hours 20 minutes	112 hours
5 years but less than 10 years	10 hours 40 minutes	128 hours
10 years but less than 15 years	14 hours	168 hours
15 years but less than 20 years	15 hours 20 minutes	184 hours
20 years but less than 25 years	16 hours 40 minutes	200 hours
25 years or more	17 hours 20 minutes	208 hours

- .44 The maximum amount of Vacation Leave that may be accrued by an employee is twice the amount which the employee may accrue in one calendar year. No additional Vacation Leave will be credited to an employee who has reached the maximum amount. For part time employees, the maximum Vacation Leave that may be accrued should be based on a twenty-five (25) hour work week.
- .5 Any Vacation Leave accruals lost due to inaction by an employee will not be reinstated.

### 304. Voting Leave

The City of Tulsa believes that it is the responsibility and duty of employees to exercise the privilege of voting in elections. In accordance with this philosophy and state law, the City may grant employees paid time off, so they have enough time to vote when poll operating hours conflict with assigned work schedules as explained below.

- .1 Paid voting leave may be granted specifically for any city, county, state, or federal election.
  - a. Additionally, dues-paying members of a Union may also be granted paid leave for Union contract ratification elections in accordance with this policy section.
  - b. For any other type of election, employees may use either comp time, vacation leave, or floating holiday as applicable.
- .2 In most cases, employees should be able to vote either before or after their regularly assigned work hours on election day or by using absentee voting.

However, when this is not possible due to work schedules, managers are authorized to grant a reasonable period, up to two (2) hours during the workday to vote.

  - a. Time off for voting should be reported and coded appropriately on timekeeping records.
- .3 If it is necessary for an employee to vote during working hours, they should inform their supervisor at least three (3) days prior to the election or the day of in-person voting.

The process for use of Voting Leave is as follows:

- a. With proper notification described above, the supervisor will select the time that the employee may vote based on operations and staffing needs.
  - b. The department head may temporarily change the working hours of an employee requesting Voting Leave on election day or on the day of in-person voting to allow an employee to either start their shift later or end their shift earlier.
  - c. If two (2) hours of paid leave does not allow enough time for an employee to vote during the period when the polls are open, for example, if an employee lives a considerable distance away from their worksite, the department head may extend Voting Leave on a case-by-case basis.
  - d. If the supervisor has reason to believe the employee did not use their time off for voting as approved, they may require proof that the employee voted during the designated absence before authorizing paid Voting Leave.
- .4 Employees who are dues-paying members of the Union and who wish to vote in a contract ratification vote may be granted one (1) hour of voting leave.

- a. Such leave will be granted in accordance with guidelines established in this policy or the appropriate section of the Collective Bargaining Agreement.
  - b. Employees shall communicate the request to their supervisor as defined in this policy and such voting leave will be scheduled at times which have the least impact on department operations.
- .5 All polls are open from 7:00 AM to 7:00 PM. Voting Leave will not be granted to an employee in the following circumstances:
  - a. If the employee's workday begins three (3) hours or more after the opening of the polls.
  - b. If the employee's workday ends three (3) hours or more prior to the closing of the polls.
  - c. If the employee fails to notify their supervisor as required.
  - d. For an election not approved by this policy or a collective bargaining agreement, including for Union elections other than contract ratification elections.

### 305. Holiday Leave

- .1 The following holidays are observed by the City and will be granted to employees with pay and to temporary employees without pay unless such temporary employees are required to be on duty:
  - New Year's Day (January 1<sup>st</sup>)
  - Martin Luther King Day (third Monday in January)
  - Good Friday (Friday before Easter)
  - Memorial Day (last Monday in May)
  - Juneteenth (June 19<sup>th</sup>)
  - Independence Day (July 4<sup>th</sup>)
  - Labor Day (first Monday in September)
  - Veteran's Day (November 11<sup>th</sup>)
  - Thanksgiving Day (fourth Thursday in November)
  - Friday after Thanksgiving
  - Christmas Eve (December 24<sup>th</sup>)
  - Christmas Day (December 25<sup>th</sup>)
- .11 Part-time employees will be granted Holiday Leave using the same guidelines established within Section 303.42 above. However, in no case will an employee be granted Holiday Leave that exceeds the number of hours they are normally scheduled to work on the holiday. The twelve



(12) month average will be calculated from the date the holiday is officially observed by the City of Tulsa.

- .2 Holidays are provided as a shift-based benefit for full-time Employees determined by the length of the workday designated as a holiday.
- .3 Employees covered under the terms of a collective bargaining agreement should refer to the agreement for controlling language if the agreement is at variance with this section.
- .4 The granting of holidays observed by the City will be subject to the following provisions:
  - .41 Employees who are regularly assigned to work Monday through Friday with Saturday and Sunday as normal days off will observe a holiday falling on Saturday on the preceding Friday and a holiday falling on Sunday on the following Monday. Employees whose regular shift is other than Monday through Friday will observe holidays on the actual day defined in .1 above except when a holiday occurs on the employee's normal day off, either the workday preceding the holiday or the employee's next scheduled workday shall be observed as the holiday as determined in advance by the employee's supervisor based on the operational needs of the department. Employees shall be given at least 30 days advance notice of their designated holiday.
  - .42 Employees who are required to work on a holiday will be compensated in accordance with provisions of Section 220.
  - .43 Holidays or other non-scheduled workdays will not be included in computing Vacation Leave. However, when an employee is absent on a holiday that is a regularly scheduled work day for the employee, the holiday is forfeited and time will be deducted from his or her Sick Leave or charged to Leave Without Pay whichever is applicable. Employees on Leave Without Pay before, after or during a holiday will not be paid for the holiday.
  - .44 When a holiday falls within a period of Leave Without Pay or Sick Leave not verified by a Doctor's slip immediately preceding or immediately after Holiday Leave, the employee will receive no pay for the holiday.
- .45 The appointment of an employee will not be effective on a holiday.
- .46 The separation of an employee should not be effective on a holiday except when the employee works on the specified holiday.

- .47 Vacation Leave, Compensatory Leave, or Authorized Personal Leave may be granted to an employee for observance of religious holidays or holidays other than those listed. Employees desiring such leave should make a request to their supervisor and/or Human Resources.
- .48 Employees working an alternate work schedule must submit appropriate Holiday Leave requests in accordance with Section 221.5.

306. Sick Leave

- .1 Sick Leave will be granted to regular and part-time employees in accordance with the provisions set forth in this Section (Employees covered under the terms of a collective bargaining agreement will be governed by the Sick Leave provisions of the agreement). Sick Leave is provided as a benefit to the employee. Employees have no vested right to Sick Leave except as set forth below. Sick Leave use may be used in determining qualifications for promotions and/or progressions.
- .2 Sick Leave for City is used in the following situations:
  - .21 When employees are (1) incapacitated by their own sickness or non-job-related injury, or (2) absent for medical treatment or appointments. Sick leave is not available for job-related injuries, whether incurred while working for the City or another employer entity.
  - .22 For necessary care and attendance of a member of the employee's immediate family who is (1) incapacitated by illness or injury or (2) for their medical treatment or appointments.
    - .221 For the purpose of this section, "Immediate Family" will be defined as an employee's parent, spouse, child, or "step" or "adoptive" situations within these relationships or any other individual who stood in loco parentis to the employee when the employee was a child. A child is defined as under eighteen (18) years of age, or eighteen (18) years or older if the child is incapable of self-care because of a mental or physical disability. This also includes individuals for whom the employee is the current legal guardian.
  - .23 After exposure to a contagious disease when attendance on the job, in the opinion of the City Physician, jeopardizes the health of others.
- .3 Sick Leave with pay will be granted to regular and part-time employees in accordance with the following provisions:
  - .31 Sick Leave used will not exceed the total amount accrued to the employee at the time of his absence.
  - .32 Leave Without Pay may be granted for sickness extending beyond the amount of accrued Sick Leave. After each thirty (30) days during such Leave Without Pay, the employee should present to Human Resources a

doctor's statement of his continued inability to perform his normal duties (see "Leave Without Pay").

- .33 After three (3) months' service, accrued Vacation Leave may be used for Sick Leave when accrued Sick Leave has been exhausted.

.4 Sick Leave will be accrued for regular and part-time employees as follows:

- .41 Sick Leave will be accrued to each regular and part-time employee on the first day of the month following completion of thirty (30) days of continuous service. Sick Leave may not be expended until after completion of one full calendar month of employment.
- .42 Unless provided differently within a collective bargaining agreement, eight (8) hours will be accrued for each full calendar month of service.
- .43 An employee may accrue a maximum of twelve hundred (1200) hours of Sick Leave.
- .44 See Section 303.42 regarding guidelines for leave accrual for part-time employees except that the resulting percentage will be applied to the leave amount established within 306.42.

.5 Sick Leave should be computed as follows:

- .51 Sick Leave should be requested in one (1) hour increments. The amount of Sick Leave expended should not exceed the exact number of hours an employee is scheduled to work during the period leave is taken. It is not the intention of this policy for employees to routinely use Sick Leave in one (1) hour increments.)
- .52 Holidays and other days not scheduled for work are excluded in computing Sick Leave expenditures.
- .53 Unless provided differently within a collective bargaining agreement, employees may convert accrued Sick Leave in excess of nine hundred sixty (960) hours to Vacation Leave, provided the total accrued Vacation Leave may not exceed the maximum allowed under "Vacation Leave" provisions. Conversion will be at a ratio of one (1) hour of vacation for one (1) hour of Sick Leave.

.6 It is the responsibility of the employee to initiate a request for conversion of Sick Leave to Vacation Leave and to monitor and manage all leave accruals. Any Sick Leave accruals lost due to inaction by the employee will not be reinstated.

.7 Change of appointment, transfer or separation will affect accrued Sick Leave as follows:

- .71 Service as a temporary employee will not be used to determine Sick Leave accrual.

.72 A regular or part-time employee transferring from one department to another should have his total accrued Sick Leave transferred to the new department. The accrued Sick Leave should be recorded on the Personnel Action form.

.73 Upon retirement (at age 55 or older or upon reaching Rule of 80 or Rule of 90) vested deferred or death, employees with at least nine hundred and sixty (960) hours of accrued Sick Leave will receive payment for accrued Sick Leave at a rate of one (1) hour of pay for every three (3) hours of Sick Leave up to a maximum of three hundred twenty (320) hours of pay. An employee who is separated, or resigns in lieu of discipline (regardless of eligibility for retirement benefits) for embezzlement of City funds, fraud, falsification, theft of City property or resources (including theft of time), or deliberate destruction of City property or inappropriate use of City property or P-card is ineligible for payment of accrued Sick Leave.

.731 Employees who lack the necessary sick leave accrual bank to qualify for the sick leave retirement buyout (960 hours), shall provide evidence of and receive credit for major illness or non-job-related injury leave periods of at least forty (40) consecutive work hours to reach qualification levels. In such cases, approved sick leave periods extending at least forty (40) hours shall be added back to the accrual bank for calculation purposes only. Any buyout would then occur only on the current actual, available sick leave balance.

.74 A regular or part-time employee who leaves the classified service to enlist in active military service other than a reserve unit and who applies for re-employment within fifteen (15) days after having been rejected or ninety (90) days after an honorable discharge will have the former unused Sick Leave credits reinstated (see provisions for Military Leave).

.75 A regular or part-time employee who is laid off and returns to City employment within one (1) year from the date of layoff will have the former unused accrued Sick Leave reinstated.

.8 Other factors relative to Sick Leave include:

.81 Sick Leave should not be used during periods of suspension.

.82 An employee who is absent from duty for reasons which entitle him to Sick Leave should notify his supervisor within a reasonable time prior to the beginning of the work shift if physically able to do so.

.83 When an absence due to illness exceeds five (5) days, the employee will present to the City Physician a medical statement from a doctor describing the illness. The employee will only return to work if given a medical release from the City Physician. Until an employee is released to return to work by the City Physician, they will continue to use Sick Leave.

- .84 When an absence exceeds thirty (30) calendar days, the employee should present to Human Resources, each thirty (30) calendar days, a doctor's statement of continued inability to perform normal duties.
- .85 Management may, when the absence is five (5) days or less, require an employee to present a doctor's statement before authorizing Sick Leave expenditure if abuse of Sick Leave is suspected, regardless of the length of the absence. An employee should be notified at the earliest possible time if management requires such a statement upon return to work. Without a doctor's statement, the employee will be charged leave without pay for the absence. Management may have a standing request for a doctor's statement or may do so on a case by case basis. If an employee is on FMLA, management should consult with Human Resources prior to requiring a doctor's statement.
- .86 Management may request an investigation of the alleged illness of an employee absent on Sick Leave. Such investigation should be conducted by Human Resources.
- .87 False or fraudulent use of Sick Leave by an employee will be grounds for disciplinary action up to and including dismissal.
- .88 The department head may request at any time a doctor's statement or medical opinion from the City Physician regarding the employee's physical ability to perform the duties of the job. The Personnel Director should be copied on all requests.
- .89 When an employee has established a pattern of possible Sick Leave abuse by using Sick Leave on work days immediately preceding or immediately after their regularly scheduled days off, the employee may be required to provide a Doctor's statement. An employee should be notified at the earliest possible time if management requires such a statement upon return to work. Without a Doctor's statement verifying the illness, the employee will be charged Leave Without Pay for the absence(s).

.9 Step Pay Increase Increases (SPI) and Special Merit Increases (SMI)

Any employee who has used in excess of eighty (80) hours of Sick Leave or unauthorized Leave Without Pay per calendar year (for non FMLA absences) will not be eligible for any Step Pay Increases (SPI) or Special Merit Increases (SMI) given that calendar year. Any absence of forty (40) continuous hours or more will count as a one (1) day absence.

- .10 If an employee uses more than forty (40) hours of Sick Leave or unauthorized Leave Without Pay (for non FMLA absences) within any six (6) month time frame, they will be given a written counseling. The written counseling will inform the employee that should the employee exceed the usage outlined in .9 above, they will not be eligible for a Step Pay Increase (SPI) or Special Merit Increase.

(SMI). The written counseling should also inform the employee that continued absences may result in progressive discipline, up to and including termination.

- .11 In .9 and .10 above, any absence of forty (40) or more continuous hours will count as a one (1) day absence. The one (1) day absence should be counted as the number of hours (8, 10 or 12), the employee is normally scheduled to work.

### 307. Compensatory Leave

Unless provided differently within a collective bargaining agreement, Compensatory Leave may be accrued and used to compensate non-exempt employees for overtime worked in accordance with the provisions of "Hours of Work and FLSA Overtime" in Section 219.

- .1 Compensatory Leave will be granted at the discretion of the department head and should be used as soon as possible after the leave has been earned.
- .2 Compensatory Leave will not be used during a period of suspension.
- .3 Employees will first use accrued Compensatory Leave before using Vacation Leave.
- .4 During a period which qualifies for the use of Sick Leave and in which an employee has exhausted accrued Sick Leave, the employee will next use any accrued Compensatory Leave before using accrued Vacation Leave.
- .5 Non-sworn employees should not accrue over 80 (eighty) hours of Compensatory Leave time.

### 308 Leave of Absence Without Pay

- .1 Department heads may grant a Leave of Absence Without Pay for a specified period of time. If such leave is for more than thirty (30) consecutive calendar days, it should be recorded on a Personnel Action form for approval by Human Resources.
- .2 Unauthorized absence from duty will be without pay. Upon returning, the employee may be subject to disciplinary action up to and including dismissal.
- .3 Before Leave Without Pay may be granted to extend a period of leave beyond the amount of accrued Sick Leave, the employee should present to the City Physician a doctor's statement of their continued inability to perform their normal duties and an estimation of the number of days the employee expects to be absent from work (see "Sick Leave").
- .4 Non-medical or non-FMLA related absences which are prescheduled at least twenty-four (24) hours in advance and approved by the employee's department head or supervisor will be coded as unpaid Authorized Personal Leave and will not be considered negatively or held against the employee with regard to

performance reviews, promotional consideration, or any other employment factors.

- .5 For employees within their initial probationary period, Department Heads may grant a Leave of Absence Without Pay for up to forty (40) total hours with the approval of the Personnel Director. Any absences not so approved or in excess of forty (40) total hours may be grounds for dismissal. It is the responsibility of the employee's supervisor to report all such probationary absences to the Personnel Director immediately.
- .6 Any employee who has used in excess of eighty (80) hours of Sick Leave or unauthorized Leave Without Pay per calendar year (for non FMLA absences) will not be eligible for any Step Pay Increases (SPI) or Special Merit Increases (SMI) given that calendar year. Any absence of forty (40) or more continuous hours will count as a one (1) day absence. The one (1) day absence should be counted as the number of hours (8, 10 or 12), the employee is normally scheduled to work.

### 309. Military Leave

An employee who temporarily leaves his or her job as a result of voluntary or involuntary service in the United States uniformed services is guaranteed certain reemployment rights and other job protections under the Uniformed Services Employment and Reemployment Rights Act (USERRA) and state law. Notice of any such absence (oral or written) is required unless the employee is unable to provide such notice because of "military necessity".

- .1 Leave with Pay for Military Physical Examination
  - .11 Classified employees will be granted time off with pay, not to normally exceed one (1) day inclusive of travel, for the physical examination prior to induction or entry into active military service or for veterans' re- evaluation physical examinations.
  - .12 In order to be granted such leave with pay, the employee will provide to his or her department head or designee an official notice to report for physical examination. Leave for this purpose will be classified as Military Leave.
- .2 Military Leave for Training in a Reserve Unit or National Guard
  - .21 Classified employees will be granted no more than three hundred (300) hours of paid leave per federal fiscal year (October 1 through September 30), travel time inclusive, when ordered for training as part of a reserve unit or any component of the Armed Forces or National Guard.
  - .22 Whenever possible, the employee will present to the department head or designee a copy of the orders to report for Reserve or National Guard training prior to departure on leave. A copy of the orders will be forwarded to the Human Resources Department. A Personnel Action will

be completed when Military Leave extends beyond four (4) consecutive workweeks to take the employee out of active status and stop leave accruals.

.3 Military Leave for Active Duty

.31 Classified employees will be granted no more than three hundred (300) hours of paid leave per federal fiscal year travel time inclusive, when initially ordered to active duty other than training as part of a reserve unit or any component of the Armed Forces or National Guard. If an employee's active duty call up date is late in the federal fiscal year and therefore does not allow the employee to receive the full 300 hours within the initial federal fiscal year, it is understood the 300 hours of paid leave may extend into the next federal fiscal year. Paid Military Leave for active duty will be in addition to any Military Leave for training provided in 309.21. Military Leave will not be considered initiated until any expenditure of Vacation Leave and/or Compensatory Leave has been completed. The use of Vacation or Compensatory Leave in this manner is voluntary and will extend the employee's normal employment status and benefits except as provided in 309.42.

.32 Any classified employee who enters the U.S. Armed Services (other than the National Guard or a reserve unit) directly from City employment will be placed on Military Leave. Whenever possible, the employee will present a copy of his or her orders to report for duty to his/her department head or designee, and these orders will be forwarded to the Human Resources Department. The Personnel Action will indicate "other leave" and under "remarks" will state "Military Leave of Absence."

.33 Based on this policy, departments will discuss with Human Resources the appropriateness of filling vacancies caused by military duty.

.4 Benefits and Pension Provisions Regarding Military Leave in Excess of Thirty (30) Days

.41 Health and Dental Insurance – An employee may elect to continue his/her own health and dental insurance coverages for up to twenty-four (24) months after such absence begins, or the period of service, whichever is shorter at 102% of the full premium rate (employee plus City contributions) for employee coverage. An employee may elect to continue dependent coverage at the current dependent premium rate (employee contribution) for twelve (12) months after such absence begins. After the twelve (12) month period, dependent coverage will continue at 102% of the full premium (employee plus City contributions) rate for up to twelve (12) additional months.

.42 Basic Life, Accidental Death and Dismemberment, and Long Term Disability - Coverages cease on the last day of the month in which such active duty begins.



- .43 Dependent and Dependent Supplemental Life – An employee may elect to continue such coverage for twelve (12) months after such absence begins at full premium rate (employee plus City contributions).
- .44 Deferred Compensation – An employee may elect to continue contributions into his/her account and the City's contributions will also continue during such absences. The employee may not, however, withdraw the account balance.
- .45 Municipal Employees Retirement Plan (MERP) – Upon return to work, an employee will receive full credited service for periods of Military Leave absence subject to prescribed USERRA return to work timeframe limitations.
- .46 Vacation and Compensatory Leave – In lieu of the expenditure option provided in 309.31 above, an employee may elect to be paid in lump sum for any accrued Vacation and/or Compensatory Leave or maintain his or her current accrual balance(s). However, accruals cease during the period of Military Leave absence.
- .47 Sick Leave – Accruals cease and an employee may not use any accrued Sick Leave during the period of Military Leave absence. No Sick Leave (retiree) conversion pay will be available due to Military Leave.
- .48 Flex Plan – An employee on Military Leave may continue participation in the flex plan up to the amount of income he or she has deferred during the City's current fiscal year (and no later than September 30<sup>th</sup> of the preceding year). Additionally, an employee can elect to continue flex plan participation including contribution and expenditure subject to the limitation of expenditure of fund balance only.

.5 Return from Military Leave for Active Duty

- .51 An employee returning from Military Leave should request reemployment and report for duty per the following guidelines:

Service less than 31 days – Employees must report at the beginning of the first regularly scheduled workday after release from service, allowing eight (8) hours for travel or rest.

Service from 31-180 days – Employees must report no later than fourteen (14) days following completion of service.

Service over 180 days – Employees must report no later than ninety (90) days after completion of military service.

An employee is generally allowed up to five (5) years total (cumulative) of Military Leave and may not be eligible for reemployment thereafter.

- .52 An employee returning from Military Leave from the uniformed services with a dishonorable or bad conduct discharge will not be eligible for reemployment.
- .53 An employee returning from Military Leave will be reemployed in his/her former position or classification, if still qualified to perform the duties of the position or classification, at the step or the rate in the pay range the employee would have occupied without the Military Leave, and with full seniority. If the employee is not qualified to perform the duties of the former position or classification by reason of disability, the employee will be restored to a position of like seniority, status and pay or to its nearest approximation for which the employee is qualified.
- .54 Vacation Leave and Sick Leave do not accrue while an employee is on Military Leave four (4) consecutive workweeks (Section 301). However, time spent on Military Leave will be used in determining accrual rates for leave benefit purposes as well the employee's eligibility as concerns seniority standing and longevity pay rate (as applicable).

### 310 Court and Jury Leave

- .1 Court and Jury Leave with pay will be granted for the following purposes:
  - .11 An employee serving on jury duty or required by the City to testify as a witness for the City will receive his/her regular salary for such time spent in court. In all other instances, an employee may use Compensatory Leave, Vacation Leave or be granted a Leave of Absence Without Pay for the length of such service.
- .2 The employee must present to their supervisor the original summons or subpoena from the court and, at the conclusion of the duty, a signed statement from the clerk of the court showing the actual dates of attendance at court. Jury Leave will only be granted for the workdays employees are engaged by the court. Employees should immediately return to work once released by the court.
- .3 Any fees received for federal or state witness or jury service may be retained by the employee.

### 311. Leave for Work Related Injury

- .1 General Policy

It is the policy of the City of Tulsa to pay benefits to qualified employees who incur temporary disabilities resulting from accidental injuries arising out of and in the course of their employment pursuant to the Workers' Compensation Act (The Act) 85 O.S. §1-et seq. and 85A O.S. §1-et seq.
- .2 Eligibility

.21 All non-sworn regular and part-time employees are eligible for Injury Leave benefits described in this section.

.22 Sworn Fire and Police employees who incur an injury or occupational illness that arises out of and in the course of City employment if such employment was the major cause of the specific injury or illness will be paid Injury Leave as required by the Oklahoma Firefighters Pension and Retirement System (11 O.S. §100.1-et seq.), and the Oklahoma Police Pension and Retirement System (11 O.S. §101-et seq.), as those laws may be amended from time to time.

.3 Compensation for Injury Leave

.31 Compensation for Injury Leave will be provided pursuant to the Oklahoma Workers' Compensation Code as it may be amended from time to time. The employee will receive their regular pay for the day of the injury.

.32 While on Injury Leave, the employee will be paid in accordance with the Code, as may be amended from time to time. An employee has the option of supplementing Injury Leave compensation or any applicable waiting period under the Code with accrued Vacation or Compensatory Leave up to the employee's full regular wages during the temporary absence from work. In no event should an employee receive more than full regular wages.

.33 Employees on Injury Leave for more than one hundred and sixty continuous working hours will cease accruing other leave benefits and/or credit for computing time in grade (see also "Leave Policy" in this Section).

.34 If an employee chooses not to supplement or exhausts all applicable leave and Injury Leave extends beyond one hundred and sixty continuous working hours, the department head will complete and forward to the Human Resources Department a Personnel Action form to place the employee in the proper payroll status.

.4 Employee's Responsibilities Upon Occurrence of Injury

.41 An employee who sustains a job-related injury, regardless of the extent, must immediately report the injury to his/her exempt supervisor.

.42 An employee who sustains lost work time as a result of a job-related injury should notify the Workers' Compensation Section of Human Resources as soon as possible.

.43 An employee returning to work after incurring a job-related injury must first obtain a release to return to work from the City Physician.

.44 An employee obtaining emergency medical treatment which does not result in hospitalization as authorized by City policy must report to the City

Physician for examination on the first working day after the injury is sustained. In the event the employee is physically unable to appear in the City Physician's Office, a report of the employee's medical condition must be given to the City Physician by the employee or his representative.

.45 While on Injury Leave an employee must report in person to the City Physician every thirty (30) calendar days and/or as directed by the City Physician.

.46 While on Injury Leave, employees will be responsible for maintaining their employee insurance contributions and other routine payroll deductions.

.5 Departmental/Supervisory Responsibilities Upon Occurrence of Injury

.51 An employee on Injury Leave should return to duty at the earliest practical date. The department head may provide light duty to employees incurring a job related injury consistent with instructions or restrictions which are compatible with the employee's physical condition as determined by the City Physician. Such assignments will be made without regard to the employee's job classification or normal work assignment. If an employee is on Light Duty, the employee is not eligible for Injury Leave.

.6 Limitations Upon Employee Eligibility for Injury Leave Benefits

.61 If an employee seeks medical consultation and/or treatment which is not approved or prescribed by the City Physician, the employee may be subject to disciplinary action up to and including dismissal. The cost for unauthorized medical treatment may be the employee's.

.62 An employee who performs work, either for compensation or otherwise, while on Injury Leave will be disqualified from receiving further Injury Leave compensation and will be subject to disciplinary action up to and including dismissal as well as possible civil or criminal penalties. This provision will also apply to employees who are self-employed or perform work in their private occupations.

.63 An employee desiring to travel out-of-state while on Injury Leave must have approval of the City Physician. Failure to gain approval for travel may result in disciplinary action up to and including dismissal.

312. Funeral Leave

.1 In the event of the death of a parent, spouse, child, sister, brother, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandparent of the employee or spouse, grandchild of the employee or "foster" or "step" situations within these relationships, the employee may be granted a leave of absence of two (2) consecutive workdays. In the event of the death of a member of a part-time employee's immediate family, the employee may be granted a

leave of absence with pay which will not exceed the number of hours the part-time employee normally works on one (1) regularly scheduled work day.

- .2 In the event of the death of a brother-in-law, or sister-in-law or the employee's aunt or uncle, the employee will be granted one (1) regular workday.
- .3 The department head may require verification of death and relationship to the employee.
- .4 An employee may request to use other applicable leave for any additional time off needed beyond the time provided in .1 or .2 above.
- .5 In the event of the death of a current employee, an employee within the same work unit (reporting to the same exempt supervisor) may be granted up to four (4) hours of funeral leave to attend the service. Employees must have supervisory approval and customer service levels cannot be adversely impacted.
- .6 Funeral leave is provided as a shift-based benefit for full-time Employees determined by the length of the workday designated as a funeral leave.

### 313. Keeping of Leave Records

It is the responsibility of department payroll staff to keep full and accurate leave records consistent with the rules on leave and to report leave to the Finance Department. The department leave records will be the official records of the City. The Finance Department will provide a Leave Report to departments monthly and each department will reconcile the reports to departmental records at least quarterly.

### 314. Family and Medical Leave

- .1 Family and Medical Leave and all other rights provided under the Family and Medical Leave Act of 1993 (FMLA or the Act), as amended, will be granted to regular and part-time employees in accordance with the provisions set forth in this policy. In the event this policy conflicts with any provision of the Act, the Act shall govern.
- .2 Employees must meet the following criteria to be eligible for FMLA:
  - .21 An employee must have worked for the City for at least twelve (12) months, and have provided at least 1250 hours of service during the previous twelve (12) months at the time the leave is requested.
- .3 Definitions: The following words and phrases, as used in the application and interpretation of the FMLA policy will have the meanings ascribed below:
  - .31 "*Child,*" "*Son,*" or "*Daughter*" means a biological, adopted, or foster child, a step child, a legal ward, or a child of a person standing in loco parentis (i.e. in the place of a parent) who is under eighteen (18) years of age, or eighteen (18) years or older if the child is incapable of self-care because of a mental or physical disability at the time that FMLA leave is to commence.
  - .32 "*Parent*" means a biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the employee when the

employee was a child. This term does not include “in laws”.

- .33 “Spouse” means a husband or wife as defined or recognized by state law for purposes of marriage, including common law marriage.
  - .34 “*Serious Health Condition*” means an illness, injury, impairment, or physical or mental condition involving either inpatient care at a hospital, hospice, or residential medical care facility, or continuing outpatient treatment by a health care provider (i.e. a doctor of medicine or osteopathy, or other person determined by the Secretary of Labor to be capable of providing health care services).
- .4 FMLA for eligible employees may be used in the following situations:
- .41 For the birth or adoption of a child, or the placement of a child for adoption or foster care.
  - .42 For the serious health condition of a spouse, child, or the employee’s parent.
  - .43 For the employee’s own serious health condition.
  - .44 For any qualifying exigency arising out of the fact that the employee’s spouse, son or daughter (of any age) or parent is a covered military member on active duty (or has been notified of an impending call or order to active duty) in support of a contingency operation as defined in the Act.
  - .45 For military caregiver leave to care for a covered servicemember with a serious injury or illness if the eligible employee is the servicemember’s spouse, son, daughter, parent or next of kin of the servicemember as defined in the Act.
- .5 FMLA will be granted in accordance with the following provisions:
- .51 Employees who are eligible for FMLA are entitled to up to twelve (12) weeks of leave during any twelve (12) month period. The rolling twelve (12) months is measured backward from the date any FMLA begins.
  - .52 An eligible employee may also take up to 26 work weeks of leave during a “single 12-month period” to care for a covered service member with a serious injury or illness as defined in the Act. The “single 12-month period” for military caregiver leave is different from the 12-month period used for other FMLA leave reasons.
  - .53 Employees must first take any applicable paid leave, (refer to leave policies and/or the applicable collective bargaining agreement) to which the employee may be entitled. Employees should use any Compensatory Leave accumulated. If an employee’s absence is designated as FMLA and the employee has elected disability insurance coverage offered as a City benefit, the employee may begin receiving those benefits upon exhaustion of all available Sick Leave. The expenditure of all other types of leave is not required only in this instance.

- .531 An Employee recovering from the birth of a child or caring for a newborn or adopted child shall be provided paid parental leave for a period of six (6) weeks after the birth or adoption of the child in accordance with Section 319 below – Parental Leave.
- .532 When FMLA is for the adoption of a child or children with the employee, the employee will be allowed up to three (3) consecutive weeks of Sick Leave after placement for bonding. After three (3) weeks, continued use of Sick Leave will require related medical certification of eligibility, if applicable.
- .533 When FMLA is for a foster child placed with the employee, the employee must use Vacation Leave, Compensatory Leave, or Leave Without Pay, as applicable.
- .54 Such paid leave as referenced in Section 314.53 above will apply towards the FMLA benefit. Any remaining FMLA beyond applicable Injury Leave, Paid Parental Leave, Sick Leave, Vacation Leave, Compensatory Leave, or annual leave accruals will be without pay.
- .55 Employees are required to notify their immediate supervisor at least thirty (30) calendar days before the leave begins when the leave is foreseeable, such as in the case of the birth or adoption of a child, or when not foreseeable, as soon as it is apparent the employee needs leave that may qualify for FMLA regardless of whether the employee requests or wants the leave designated as FMLA. The supervisor will immediately notify Human Resources to determine FMLA eligibility. Human Resources will notify the employee whether the employee is eligible for FMLA within five (5) business days, absent extenuating circumstances.
- .56 When FMLA is for a serious health condition, the employee must provide related medical certification of that serious health condition of the employee or that of a family member to Human Resources for approval. Unless otherwise advised by Human Resources, employees should provide the medical certification within 15 calendar days after requested. Employees who fail or refuse to timely provide the requested medical certification may be denied FMLA leave and/or subject to disciplinary action. When Human Resources has sufficient information to determine whether the leave qualifies for FMLA, it will notify the employee whether the leave will be designated as such and counted as FMLA leave within five (5) business days, absent extenuating circumstances. The City can designate qualifying leave as FMLA regardless of whether the employee requests or wants FMLA.
- .57 During FMLA, the employee must provide subsequent medical re-certification of a serious health condition of the employee or that of a family member upon (1) expiration of the initial certification period if additional time is needed or (2) as requested by the Human Resources Department.



- .58 Employees are required to make a reasonable effort to schedule any planned medical treatment for the employee or that of a family member in order to not disrupt the operations of the City.
- .59 FMLA may be taken on an intermittent or reduced schedule basis when medically necessary. Medical certification must be provided and must state the dates on which medical treatment is to be given and the duration of the treatment. Intermittent leave or a reduced schedule after the birth, adoption, or placement of a child for the purpose of bonding with the child may only be taken when approved by the department head and Personnel Director or designee.
- .510 For FMLA taken for the employee's own serious health condition, a department head may request at any time a doctor's statement or medical opinion from the City Physician regarding the employee's physical ability to perform the duties of the job.
- .511 Employees may be temporarily transferred to an assignment more suitable for recurring periods of absence or have duties slightly altered to better accommodate intermittent or reduced schedule FMLA.
- .512 When FMLA extends beyond one hundred sixty consecutive work hours and all paid leave is exhausted, a Personnel Action form must be submitted to place the employee in the proper payroll status.
- .513 The amount of FMLA taken should be tracked by the employee's department.
- .6 If an employee and the employee's spouse are both employed by the City, the following provisions apply:
  - .61 If the leave is taken for birth, adoption, or placement into foster care of a child, the employee and spouse cannot take more than twelve (12) weeks combined FMLA during any given twelve (12) month period.
  - .62 If the leave is taken for adoption of a child, the employee and spouse can take a combined three (3) weeks of Sick Leave during the twelve (12) week benefit period. The remaining FMLA benefit must be taken using Vacation Leave, Compensatory Leave, or Leave Without Pay. (See Section 314.531).
  - .63 If the leave is taken for the care of a child or spouse with a serious health condition, each spouse is entitled to twelve (12) weeks of FMLA during a twelve (12) month period.
- .7 For an eligible employee who takes an approved leave as defined in this policy, the following provisions apply:
  - .71 The use of FMLA will not be considered negatively or held against the employee in reference to performance evaluations, promotional

consideration, or any other employment factors. Supervisors will not interfere with, restrain, or deny employees their rights under this policy. Nor will a supervisor discharge or discriminate against an employee based on the employee's exercise of rights under this policy or the filing of a grievance or charge related to this policy and the Act.

- .72 An employee returning from FMLA is entitled to reinstatement either to the same assignment or to an assignment equivalent in pay, benefits and other terms and conditions of employment.
- .73 If an employee returning from FMLA for the employee's own serious health condition must first obtain the City Physician's approval of their ability to return to work.
- .74 During FMLA, the employee is entitled to the continuation of health benefits. Any applicable premiums for coverage will be required from the employee for continuation. Nonpayment of premiums will result in cancellation of elected benefits.
- .75 Refer to Personnel Policy Section 301.5 regarding the accrual of Vacation and Sick Leave during a period of extended leave.
- .8 If an employee takes FMLA for the employee's own serious health condition, the employee may be required, at the City's expense, to provide a second opinion obtained by a health care provider chosen by the City. If the two (2) health care providers disagree about any information in the certification, the parties may mutually select a third medical provider at the City's expense. The decision of the third provider will be final and binding.

### 315. Floating Holiday Leave

- .1 Non-probationary employees may take two (2) Floating Holidays during the calendar year.
- .2 Initial hire probationary employees will receive a prorated number of Floating Holidays during their first calendar year of employment as follows:
  - If hired January 1 through April 30 = 16 hrs.
  - If hired May 1 through August 31 = 8 hrs.
  - If hired September 1 through December 31 = 0 hours

Additionally, initial hire probationary employees are not eligible to use a Floating Holiday until the first working day following sixty (60) calendar days of service.
- .3 Employees must schedule a Floating Holiday at least twenty-four (24) hours in advance. The department head or designee must approve the holiday.

- .4 An employee will not be compensated for any Floating Holiday if it is not used during the calendar year.
- .5 Employees who terminate from the City and have not used a Floating Holiday will not receive compensation for the holiday.
- .6 For purposes of Holiday pay, a Floating Holiday shall be treated like Vacation Leave.
- .7 Floating Holidays should be used only in full day increments and are provided as a shift-based benefit for full-time Employees determined by the length of the workday designated as a floating holiday.

### 316. Administrative Leave

The City may place an employee on Administrative Leave, with or without pay, upon approval by the Mayor or designee, or Personnel Director or designee, whenever it is in the best interest of the City, or the employee, or co-workers, or the public. Placement on Administrative Leave does not constitute an adverse employment action or disciplinary action against the employee but simply denotes the work status of the employee. Some examples of appropriate circumstances for Administrative Leave are:

- .1 To investigate and/or evaluate the circumstances of a pending action or issue.
- .2 When an employee has been involved in a potential criminal offense, the employee may be placed on unpaid Administrative Leave pending review of the matter and decision regarding disciplinary action or other legal action. The timeframes for investigation and the pay status determination will be solely at management's discretion.
  - .21 The employee should be coded as Leave Without Pay for payroll purposes and all time should be reported to City Payroll as it occurs rather than following the normal payroll schedule.
  - .22 An employee on unpaid Administrative Leave must continue to pay the employee portion of any elected benefits for continuation of benefits.
- .3 To conduct or complete an internal investigation/review.
  - .31 Administrative Leave for investigative/review purposes will be paid and will not be given for a predetermined length of time, but will be in effect long enough to conclude the investigation/review. In all cases, the investigation/review will be completed as quickly as possible given the specifics of the case.
- .4 When necessary to immediately remove an employee from the work site, such as for a threat or for the safety of the employee and/or co-workers.
  - .41 Administrative Leave in this instance will be paid. In some instances, a temporary reassignment to another work area or reassignment to another work shift may be used instead of paid Administrative Leave.

- .5 City Security will be notified by the employee's department head before an employee is placed on Administrative Leave. Employees will surrender their City ID and any keys to City facilities or vehicles to a member of City Security.
- .6 The employee will be notified in writing of their Administrative Leave status and be provided with a copy of the Administrative Leave policy.
- .7 During any period of paid or unpaid Administrative Leave the employee should adhere to the following guidelines.
  - .71 The employee should refrain from entering non-public areas of City facilities and City property and attending City functions in any official capacity. Should the employee need to return to any City facility in a non- public area, permission should be obtained in advance from Human Resources or the department head.
  - .72 The employee should notify the department head or their designee and Human Resources if any personal contact information changes. The employee is to be ready, willing and available to be contacted and report to work within normal business hours in order to provide information or respond to the investigation.
  - .73 Any previously approved leave requests are negated for the employee while on Administrative Leave. If an employee will be unavailable at any period while on Administrative Leave, they must request Sick or Vacation Leave from the department head or designee. If the employee has no accrued leave and will be unavailable while on Administrative Leave, they must inform the department head or designee and they will be charged Leave Without Pay or Approved Personal Leave as appropriate.
  - .74 While on Administrative Leave, the employee should not perform work for another employer during the hours the employee is normally scheduled to work for the City.
  - .75 The employee should not have any communication (telephone, email, text or other) with any internal or external City clients or customers or City employees relating to the employee's work for the City or the issue under review, except for the City staff conducting the investigation. After the City's investigation is complete, the employee is free to contact City clients, customers or employees.
  - .76 Any documents, emails or other communications created regarding City business, regardless of whether it is created on a City or personal device, are subject to the Open Records Act.
  - .77 The violation of any part of the Administrative Leave policy is grounds for disciplinary action up to and including termination.

317. Authorized Personal Leave

- .1 Authorized Personal Leave may be granted to employees as a paid or unpaid benefit.
- .2 Employees covered under the terms of a collective bargaining agreement should refer to the agreement for controlling language if the agreement is at variance with this section.
- .3 Unpaid Authorized Personal Leave may be utilized by non-exempt employees for non-medical or non-FMLA related absences which are prescheduled at least twenty-four (24) hours in advance and approved by the employee's department head or supervisor. Authorized Personal Leave will not be considered negatively or held against the employee with regard to performance reviews, promotional consideration, or any other employment factors.
- .4 Unpaid Authorized Personal Leave should be granted only when it is in the best interest of the City to do so. Any unpaid Authorized Personal Leave in excess of thirty (30) calendar days must be approved by the Personnel Director prior to the granting of the leave. Any unpaid Authorized Personal Leave in excess of six (6) months must be approved by the Mayor or designee.
- .5 Failure of an employee to report promptly at the expiration of a leave of absence will be cause for disciplinary action up to and including dismissal.
- .6 If an employee's time worked for a workweek occasionally falls short of a total of 40 hours, Unpaid Authorized Personal Leave should be coded for the remaining time if the Department Head has not authorized the use of other applicable paid leave. This use of Unpaid Authorized Personal Leave would not be considered negatively or held against the Employee.  
  
The use of Unpaid Authorized Personal Leave for this purpose should be on a non recurring, infrequent basis. If an employee does not work the required work hours on a regular basis, the use of Unpaid Authorized Personal Leave should be discontinued and Leave Without Pay should be coded. Leave Without Pay may affect the employee negatively with regard to evaluations, promotional consideration or other employment factors.
- .7 Paid Authorized Personal Leave may be utilized to compensate exempt employees for time worked only when such time meets the criteria contained within Section 220.23 and 220.24.
- .8 Upon hire, an employee may be given a limited amount of paid Authorized Personal Leave to be utilized within the first year of employment. This leave must be approved by the Personnel Director or designee and included within the employment offer letter which is signed by the employee and the hiring representative from Human Resources. Any such leave not utilized within the first year of employment will be forfeited. Authorized Personal Leave granted upon employment will not be paid out to an employee either during or upon separation of employment from the City.

### 318. Paid Volunteer Leave

Giving back to the community is important to establish and maintain relationships with the citizens of the City of Tulsa and to promote the continued prosperity of the City we serve. The use of Paid Volunteer Leave for any program described within this section is subject to Mayoral approval and the conditions outlined for each program.

- .1 The Mayor and City Council affirm that public education is a public, municipal purpose for the City of Tulsa. Therefore, the Mayor has issued Executive Order No. 2017-02 which creates the City of Tulsa Reading Partner Tutoring Initiative. The purpose of the Initiative is to encourage City employees to volunteer as reading tutors. The use of Paid Volunteer Leave for this Initiative will be governed by the following:
  - .11 Volunteers will serve as a reading tutor for first through third grade students in select Tulsa Public Schools approved by the Mayor.
  - .12 Paid Volunteer Leave is available to full-time, non probationary employees who participate in the Reading Partners Initiative. Employees must initially gain the approval of their Department Head prior to participation by submitting a Paid Volunteer Leave Request form to their immediate supervisor. Approval to participate may be revoked at any time by the Department Head. An employee that moves to another position and/or department is not guaranteed continued approval and must submit a new request.
  - .13 Departments are encouraged to permit employees to participate in the Initiative whenever operationally feasible. Department Heads should ensure City operations are not adversely impacted and City services are not disrupted due to employees' participation in the Initiative.
  - .14 Employees in positions funded, wholly or partially, by grants to the City may participate in the Initiative on grant funded time only if the grant agency has approved such participation.
  - .15 Employee volunteers may be granted up to two (2) hours of leave per week. This time is to be used for serving as a tutor and travel directly to and from the TPS site. Employees may use City vehicles and equipment during their Paid Volunteer Leave for the Initiative with the approval of their Department Head and/or their designee.
  - .16 Paid Volunteer Leave will not count toward hours worked for purposes of calculating overtime for non-exempt employees unless it is determined by Human Resources that such payment is required under the Fair Labor Standards Act. All Paid Volunteer Leave should occur during the normal work hours of the employee volunteer. All employees, exempt and non-exempt, that utilize Paid Volunteer Leave will request such leave through the City's official time and attendance system prior to the use of such leave.

319. Paid Parental Leave

Effective Date: 07/01/2022

Paid Parental Leave provides an eligible employee up to six (6) weeks of paid, continuous leave to bond with and care for their newborn or adopted child and will be:

- .1 Taken immediately following the birth or adoption of the child.
- .2 Designated as Family Medical Leave Act (FMLA) leave for eligible employees; *see section 314 for more information.*
  - .21 If FMLA leave has been previously exhausted for reasons other than Paid Parental leave, the employee will remain eligible for up to six (6) weeks of paid parental leave.
- .3 Available for an employee who meets the eligibility criteria below:
  - .31 Employee must have worked for the City for at least twelve (12) months; **and**,
  - .32 Employees must have worked at least 1,250 hours in the twelve (12) months prior to the expected leave date; **and**,
  - .33 Employee has not used Paid Parental Leave within the previous twelve (12) month period.
    - .331 The twelve (12) month period will be measured beginning with the commencement of the employee's leave; **and**,
  - .34 Employee represents they would use this time to bond and care for their newborn or adopted child.
- .4 When the need for leave is foreseeable, employees should provide at least thirty (30) days written notice to their direct supervisor and FMLA personnel ([FMLA@cityoftulsa.org](mailto:FMLA@cityoftulsa.org)) before Paid Parental Leave benefits begin.

## 320. Sick Leave Donation Program

### **.1 Purpose**

- .11 The City has authorized the establishment of the Sick Leave Donation Program, SLDP, to assist employees who have exhausted paid leave during a medical emergency to avoid substantial loss of pay or unpaid leave.
- .12 The SLDP allows eligible employees to donate sick leave ("Donors") to a shared sick leave bank available for use by eligible employees ("Recipients") to care for themselves or a family member during a medical emergency when they have exhausted all other forms of paid leave. The recipient's identity will not be disclosed to the donating employees.
- .13 All medical information received for purposes of administering the SLDP will be kept confidential consistent with FMLA and other sick leave usage.
- .14 The City may change or eliminate the SLDP at its sole discretion and decisions made related to the applicability of this policy are not subject to the grievance process.

### **.2 Definitions & Application**

#### **.21 Donor:**

Donor is defined as an employee who donates accrued sick leave to the shared bank in the SLDP.

- .211 To be eligible to donate sick leave, the Donor must have in excess of 960 hours of paid sick leave accrued at the time they elect to make the donation by submitting the Sick Leave Donation form described below.
- .212 A Donor can donate up to a maximum of 240 hours in a calendar year and donations must be made in shift-based increments. Shifts are defined as either 8, 10, 12, or 24 hours, based upon the employees assigned work hours/shift length, as determined by management.
- .213 The donation cannot bring the Donor's sick leave bank below 960 hours.
- .214 The Donor should submit the completed Sick Leave Donation form located on the City website to Central Payroll.
- .216 Donation of sick leave is strictly voluntary and anonymous. Donor may not claim value of donation as an expense, tax deduction or charitable contribution.
- .217 At retirement, the maximum donation cannot exceed 240 hours and cannot reduce the accrual below 960 hours of sick leave.



.22 Recipient:

Recipient is defined as an employee who receives paid sick leave from the shared donation bank.

.221 To be eligible to receive donated leave, the Recipient must:

1. Be experiencing a Medical Emergency as defined herein, and;
2. Have been employed by the City for a minimum of 1 year, and;
3. Have been approved to be absent from work, and;
4. Have exhausted all other available City paid leave benefits

.222 To request SLDP, an employee must submit the Sick Leave Donation form to [FMLA@cityoftulsa.org](mailto:FMLA@cityoftulsa.org). If the employee is unable to complete the form due to incapacitation, the form can be submitted by a family member or power of attorney.

.223 A Recipient's eligibility to receive SLDP ends when the medical emergency ends as indicated when the employee returns to work at least 40 consecutive hours in either light or full duty capacity or separates employment for any reason.

.224 If the shared leave bank has fewer accrued hours than requested at any given point, the Disability Review Committee will determine application of available hours among recipients. Final determination of application of paid leave in the SLDP shall be at the discretion of the Disability Review Committee.

.225 The maximum amount of donated leave a Recipient may receive is 240 hours in a rolling 12-month period.

.226 Recipient will receive payment for donated leave at their regular base pay, which is considered wages and will be taxed accordingly. There will be no cash payment in lieu of leave,

.23 Medical Emergency:

.231 Medical Emergency is defined as a medical event that is severe, catastrophic, life-threatening, and/or terminal that would require the prolonged absence of the employee from duty and would result in substantial loss of income to the employee because the employee would have exhausted all paid leave available.

.24 Immediate Family Member:

.241 Recipients may be paid from available leave from the shared bank for a medical emergency affecting either themselves or an immediate family member. For purposes of the SLDP, immediate

Family Member is defined as an employee's parent, spouse, child, or "step" or "adoptive" situations within these relationships or any other individual who stood in loco parentis to the employee when the employee was a child.