

RESOLUTION 2013-06

A RESOLUTION OF THE CITY OF STANWOOD, WASHINGTON AMENDING THE CITY'S PERSONNEL POLICY, SECTION 902 – SICK LEAVE

WHEREAS, on May 28, 2009, the City Council approved by motion a Personnel Policy Manual: and

WHEREAS, In 2002, the State of Washington enacted the Family Care Act, which allows workers with available paid sick leave or other paid time off to care for a sick child with a routine illness; a spouse, registered domestic partner, parent, parent-in-law, or grandparent with a serious or emergency health condition; and an adult child with a disability; and

WHEREAS, the City's personnel policy, in its current form, does not reflect the specific provisions related to the use of paid sick leave or other paid time off to care for a sick child with a routine illness; a spouse, registered domestic partner, parent, parent-in-law, or grandparent with a serious or emergency health condition; and an adult child with a disability; and

WHEREAS, it is the City Council's intention to amend Section 902 – Sick Leave, to conform with the Family Care Act (RCW 49.12.265 and WAC 296.130) pertaining to use of sick leave and other paid time off; and

WHEREAS, it is the City Council's intention to amend Section 901 – Vacation Leave, to limit employees' accrued vacation balances to two hundred and forty (hours) at the end of each calendar year, to conform with current practice; and

WHEREAS, it is the City Council's intention to add Section 604.1 – Payroll Draws, to allow mid-month payroll draws, to conform with current practice.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STANWOOD AS FOLLOWS:

Section 901 – Vacation Leave Section 901 – Sick Leave, of the City's Personnel Policy Manual, is hereby amended to read as follows:

901 Vacation Leave

Annual vacations are provided each year on the basis of years of service from the last date of hire. Vacation will be accrued on an earned basis and awarded by no later than the last day of the month.

Regular full-time employees are eligible for vacation leave accrual as outlined below:

1 st - 4 th year	96 hours (12 days)
5 th - 9 th year	128 hours (16 days)
10 th - 14 th years	152 hours (19 days)
15 th - 19 th years	184 hours (23 days)

20th year and beyond

200 hours (25 days)

All employees who were employed before January 1st, 2009 will have their current vacation accrual rate grandfathered and will receive their next increase per the above table. All employees hired after January 1st, 2009 will accrue vacation per the table above.

For the purpose of recruiting the highest qualified candidates for vacant positions, the City, with approval from the City Administrator, may allow a new employee to use all or a portion of their years of service with a previous employer in order to receive an accrual rate higher than the first year, but no higher than the 10th year. Previous years of service with another employer can only count for the purposes of accruing vacation and for no other reason. The new employee shall then receive their next accrual increase per the above table.

Regular part-time employees are eligible for vacation leave accrual on a pro-rated basis. Pro-rated means the ratio between the number of hours in the employee's normal work schedule and forty (40) hours per week.

Temporary employees are not eligible for any vacation benefits.

Employees do not accrue vacation benefits during a leave without pay.

Accrual Limits

Maximum accrual is two hundred and forty (240) hours (30 Days) at the end of every ~~calendar year pay period~~. Vacation leave balances in excess of two hundred and forty (240) hours at the end of any ~~calendar year pay period~~ will be forfeited without pay. In cases where City operations have made it impractical for an employee to use vacation time, the Department Head or designee, or the City Administrator, may authorize additional leave above the two hundred and forty (240) hour limit with approval from the City Administrator.

Scheduling of Vacation Time

Leave requests must be completed and submitted in advance, preferably at least ten (10) business days prior to the desired vacation date(s). Each Department Head or designee is responsible for scheduling its employee's vacation without undue disruption to City operations. Employees may be denied permission to take vacation if it unduly disrupts operations. No vacation leave will be granted in excess of amount accrued.

Utilization of vacation time by exempt employees is allowed only in daily increments. Utilizations of vacation time by non-exempt employees are allowed in hourly increments.

Cash-out of Vacation Leave upon Separation of Employment

An employee will receive a cash payment of accrued vacation leave up to a maximum of two hundred and forty (240) hours (30 Days) upon separation of employment, by no later than the last day of the month they separated.

Section 902 – Sick Leave Section 902 – Sick Leave, of the City's Personnel Policy Manual, is hereby amended to read as follows:

902 Sick Leave

All full-time regular employees accrue sick leave benefits at the rate of one workday for each calendar month of continuous employment. Regular part-time employees may accrue sick leave benefits on a pro-rata basis according to hours worked. Temporary employees do not earn sick leave benefits. Employees do not accrue sick leave benefits during a leave without pay. Sick leave shall not be accrued above a six hundred and forty (640) hour (80 day) maximum.

Allowable Uses of Sick Leave

Sick leave covers those situations in which an employee is absent from work due to:

1. Employee's own health condition (illness, injury, physical or mental disability, including disability due to pregnancy or childbirth);
2. The need to care for a dependent child whose condition requires treatment or supervision.
3. The need to care for a spouse, parent, parent-in-law, or grandparent with a serious medical condition or an emergency condition.

Medical or dental appointments for the employee or dependent child provided that the employee must make a reasonable effort to schedule such appointments at times which have the least interference with the work day;

4. Exposure to a contagious disease where on the job presence of the employee would jeopardize the health of others;
5. Use of a prescription drug which impairs job performance or safety;
6. Pursuant to the Washington Family Care Act, in addition to vacation leave, holiday leave and compensatory time, an employee may use sick leave for the short term care of a pregnant spouse or registered domestic partner for the period of disability during or after childbirth as determined by a healthcare provider based on the spouse's/domestic partner's medical condition.

A doctor's certificate may be required when an employee requests sick leave or returns to work.

Employees may be sent home and be required to use sick leave if a Department Head or designee, or the City Administrator, determines that an employee's performance is negatively affected by their health conditions.

Employees will be paid thirty-three percent (33%) for unused sick leave only upon their retirement from the City, or death.

604.1 Payroll Draws

With the exception of temporary employees, employees may, upon written request, be allowed a draw, which will be paid on the fifteenth (15th) day of each month. If the fifteenth (15th) day of the month falls on Saturday, Sunday or city-recognized paid holiday, payroll draws will be issued on the previous scheduled working day.

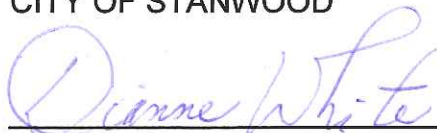
The draw amount shall not exceed 50% of the monthly net amount due the employee.

BE IT FURTHER RESOLVED:

Except as provided above, all other sections of the Personnel Policy Manual remain in full force and effect as originally adopted.

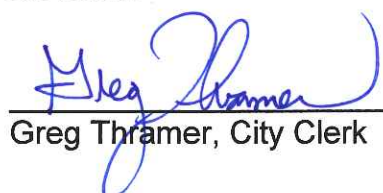
PASSED AND APPROVED by the City Council of the City of Stanwood this 13th day of June, 2013.

CITY OF STANWOOD



Dianne White, Mayor

ATTEST:



Greg Thramer, City Clerk