



Section Name: Employee Relations Effective Date: November 16, 2009
Section Number: 400 Date of Revision: March 18, 2019
Policy Number: 012
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Subject: Leaves of Absence

1. Purpose: The purpose of this policy is to establish procedures for leaves of absences for regular non-union employees and Appointed Officials who work an average of 25 or more hours per week.

2. Statement of Policy:

2.1 Sick Leave.

(a) Regular full-time employees accrue one day of paid sick leave per month. Employees will be credited with their first sick leave day on their first pay date and then will be credited with an additional day on the first pay date of each month, thereafter. In order to be eligible for sick leave credit, an employee must be on the payroll for at least ten (10) work days during the month in which the sick leave is credited. All paid leave days, except sick leave days, shall be considered as days worked for accumulation of sick leave credits. Each eligible employee will be allowed to accrue sick time up to a maximum of seven hundred and fifty (750) hours. Any time in excess of this amount shall be forfeited.

(b) Part-time employees who work an average of 25 or more hours per week accrue 1 hour of paid sick leave for every 35 hours worked. Each eligible employee will be allowed to accrue sick time up to a maximum of forty (40) hours. Any time in excess of this amount shall be forfeited.

(c) As used in this Section, the term "sick leave" refers to leave that can be used for any of the following reasons: for the mental or physical illness, injury, or health condition of themselves or a member of their family member (i.e., their children, spouse, parents, parents-in-law, foster parents, foster children, legal wards, step children, stepparents, siblings, grandparents, or grandchildren), including for medical diagnosis, care, treatment, and preventative medical care (e.g., medical or dental appointments). Sick leave may also be used for medical care, counseling, relocation, or legal appearances relating to domestic violence or sexual assault against an employee or employee's family member. In addition, sick leave may be used for leave caused by the closure of an employee's place of work or the employee's child's school due to a public health emergency, or due to a health authority's determination that the employee or family

member's presence in the community would jeopardize the health of others due to the employee or family member's exposure to a communicable disease.

A regular employee shall be allowed one (1) hour of regular pay for each hour off due to sick leave until the employee's sick leave credits are exhausted. The Employer may require the employee to provide documentation from a healthcare provider for any absence due to injury, illness, or medical care. For absences relating to domestic violence or sexual assault, the Employer may require the employee to provide any documentation permitted under the Paid Medical Leave Act.

(c) If the employee so elects, after all accrued sick leave is used, vacation leave may be used upon approval of the Department Head.

(d) Each employee is required to notify his/her supervisor or his/her designee no later than fifteen (15) minutes prior to the start of the shift if he/she will be absent or tardy, except for extreme cases of emergency and under circumstances beyond his/her control.

(e) A regular full-time employee who has exhausted his/her accrued sick leave benefits but is unable to return to work due to a continuing illness or injury will be eligible for up to twenty-six (26) weeks indemnity pay. Indemnity pay will be calculated at forty-percent (40%) of the employee's base pay with a minimum of One Hundred Fifty Dollars (\$150.00) per week. In order to be eligible for this benefit, the individual must be a regular full-time employee with one (1) year of service.

(f) In January of each calendar year, regular full-time employees shall receive a sick bonus payment for one-half ($\frac{1}{2}$) of the unused portion of sick leave earned the preceding calendar year. The remaining one-half shall be credited to the employee's sick leave bank. The sick leave bonus payment shall be determined by using the employee's rate of pay as of December 31. In no event shall the amount of the bonus be for more than forty-five (45) hours pay. In order to be eligible for this payment, the individual must be a full-time regular employee with a minimum of six (6) months of service as of December 31. When an employee terminates his/her employment, is discharged, retires or dies, the employee (or his/her estate) shall be entitled to a pro-rated sick leave bonus for all unused days during his/her last calendar year of employment up to the date of termination. Such payment shall be made payable to the employee or his/her estate at the employee's current rate of pay at the time of termination, discharge, retirement, or death.

2.2 Long Term Disability Benefits. The City shall provide and maintain group long-term disability benefits for full-time employees commencing on the employee's 90th day of regular employment. Benefits shall begin on the employee's 181st calendar day or the number of accumulated sick leave days (whichever is greater) of disability and shall be in an amount equal to 67% of the employee's regular monthly earnings, up to a maximum benefit of \$1,600 per month. The maximum benefit period shall be two (2) years.

Disability benefits are subject to reduction by any of the following other income benefits for which the employee may be eligible:

- Workers' Compensation Disability Benefits.
- Pension Disability Benefits.
- Disability Benefits under any "no-fault" automobile reparation insurance law.
- Indemnity pay.

To qualify for long-term disability benefits as described above, each employee must individually enroll and make proper application for such benefits at the Human Resources Department.

Except as otherwise provided in the City's Policies and Procedures, an employee's long-term disability benefits plan shall terminate on the date that the employee retires, is terminated, is laid off, the disability benefits plan terminates, or the employee goes on an unpaid leave of absence.

The benefits hereinabove provided shall be subject in all respects to the terms, conditions, exclusions, limitations and other provisions of the group insurance policy between the City and its carrier.

2.3 Personal Leave. Regular full-time non-union employees who have completed one (1) year of service shall be eligible for five (5) personal leave days off, with pay, each calendar year. (Employees who have completed one (1) year of service after January 1 shall receive prorated personal days during the first year of eligibility.) The City Manager may approve additional personal leave for Appointed Officials in consideration for hours worked well in excess of normal work hours. Any unused personal leave shall be forfeited at the end of the calendar year.

Regular full-time employees with six (6) months or more of service may also be granted an unpaid personal leave of absence for compelling reasons. Personal leaves may be approved by the Department Head and the City Manager for an initial period of up to thirty (30) days. Extensions may be approved for a maximum period of an additional thirty (30) days at the discretion of the Department Head and City Manager. Applications for personal leave shall be filed in writing with the Department Head and the Human Resources Director and shall provide a detailed explanation of the reason for the leave. Where possible, leave requests must be submitted not less than thirty (30) days prior to the desired commencement date of the leave, or any extensions of the leave. In all events, applications must be received prior to the commencement of a leave or the expiration of the original leave. Employees granted a personal leave shall be subject to the following provisions:

- (a) The employee may be required to submit to a physical and/or mental examination at the conclusion of the leave.

- (c) The employee must keep the Department Head informed of any change in status or any change in the conditions which caused the request for the leave.
- (d) The employee must not engage in any gainful employment during such a leave.
- (e) Vacation time, holiday pay, sick leave, longevity pay, length of service credit for retirement or compensation purposes, and other employee benefits shall not accumulate or be paid during a leave of absence, except that all City paid insurance's will be paid for a maximum of thirty (30) calendar days. The employee's benefit status shall be frozen as of the date the leave commences and those benefits shall be reinstated upon the employee's return to work following termination of the leave. However, employees desiring to continue their health care benefits, dental and/or life insurance coverage may do so at their own expense if the leave is granted for a period exceeding thirty (30) days. Time spent on personal leave shall not be included in an employee's length of service for pay grade increases.

2.4 Military Leave. Regular full-time employees who enter the armed forces of the United States while employed by the City shall be given all benefits accorded them by applicable state and federal law.

2.5 Bereavement Leave. A regular full-time employee may be granted a bereavement leave of absence, with pay, for a death in the immediate family.

The maximum duration of such bereavement leave shall be thirty-seven and one-half (37.5) hours for the death of the employee's spouse, child, or stepchild; twenty-two and one-half (22.5) hours for the death of the employee's parent, brother, sister, stepparent, father-in-law, mother-in-law, grandparent or grandchild; seven and one-half (7.5) hours for the death of the spouse's grandparent or spouse's brother or sister.

Should a death in his immediate family occur while an employee is on a scheduled vacation leave, he shall be eligible to receive these benefits provided he notifies the Employer prior to the date of the funeral.

2.6 Jury Duty Leave. If a regular full-time employee is summoned and reports for jury duty, such employee shall be granted time off without loss of pay or benefits. Any jury duty fee received by the employee shall be submitted to the City.

2.7 Court Leave. A regular full-time employee subpoenaed as a witness to testify in connection with any matters arising out of his employment shall be granted time off for such testimony without loss of pay or benefits status. Any witness fees received by the employee resulting from this leave shall be submitted to the City.

2.8 Emergency Leave. Effective October 19, 2009, non-union employees and Appointed Officials will no longer be eligible for emergency leave pay.

2.9. Duty Disability Leave. Regular full-time non-union employees and Appointed Officials who have completed one (1) year of service shall be eligible for duty disability. The terms and conditions governing such leaves shall as follows.

A “duty disability leave” shall mean a leave required as a result of the regular full-time employee incurring an illness or injury while in the employ of the Employer that is compensable under the Michigan Workers' Disability Compensation Act ("MWDC").

In order to be eligible for duty disability leave, an employee shall immediately report any illness or injury to his/her immediate supervisor and take such first-aid treatment as may be recommended, or waive such first-aid in writing.

Regular full-time employees on duty disability leave shall accrue all fringe benefits in the same manner as other employees for the first twelve (12) months on duty disability leave. Benefits will not be accrued or continued after the first twelve (12) months. Employees may elect to continue insurance coverage at their own expense on an individual basis after twelve (12) months, subject to the provisions of the respective insurance contracts and, if applicable, COBRA. The Human Resources Department will establish the policy for the collection of employee payments.

All regular full-time employees who are unable to work as a result of an illness or injury sustained in the course of employment with the Employer shall continue to receive their regular pay for the working days falling within the first seven (7) calendar days of disability. Employee's sick leave will not be charged for this time. (Note: After fourteen (14) days continuous absence, MWDC will reimburse the employee at the standard workers' compensation rate for the first week's absence previously paid by the Employer. The employee shall immediately reimburse the Employer upon receipt of such payment.)

After seven (7) calendar days, payment shall be governed by the regulations of the MWDC. In addition, for the first twelve (12) months of duty disability leave, an employee shall be paid bi-weekly the difference between the payment received under the MWDC and his normal bi-weekly pay. Thereafter, if the employee has sufficient accrued sick leave, he/she will be paid bi-weekly the difference between the payment received under the MWDC and his normal bi-weekly pay. Such supplemental payment shall not exceed the employee's accrued sick leave benefits.

A regular full-time employee who is continuing to work and being treated for a duty disability injury may be treated for such injury during regular working hours and will be compensated at his/her regular rate of pay. He/she shall report promptly to work once the appointment is completed.

If the Employer offers "favored work" to an individual on duty disability which the employee is capable of performing, the employee shall report as directed or forfeit all supplemental compensation and sick leave benefits provided by the Employer under this Section and such other benefits as may be terminated in accordance with the provisions of the MWDCA.

3. Definitions: None.
4. Application: This policy shall apply to all regular non-union employees and Appointed Officials of the City of Monroe who work an average of 25 hours or more per week, unless modified by an employment agreement and/or the written terms of appointment.
5. Responsibility: The Human Resources Director will have the responsibility of implementing and overseeing this policy.
6. Administrative Procedure: None.
7. Legislative History of Authority for Creation or Revision:

Adopted pursuant to action of the Monroe City Council, dated November 16, 2009.

Revised pursuant to action of the Monroe City Council, dated March 18, 2019.