

# Leaves 5.01



Absenteeism & Inclement Weather		
<i>Scope:</i>	All city Employees.	<i>Effective Date:</i> 07/01/88

**General Policy**

On occasion, weather conditions may be so severe as to affect an employee's ability to report for work at the regular starting time. Maintaining city services during periods of emergency is essential and all employees must make reasonable efforts to report to their assigned work places. However, the city recognized that on an individual basis weather conditions may effectively immobilize an employee to the extent that the employee is tardy or absent. This policy shall be used in those isolated cases.

- Provisions:**
- 1) Absenteeism or tardiness due to inclement weather conditions shall be considered on an individual basis by the department head.
  - 2) Employees shall call in and inform their supervisors if weather conditions are such that they will be late or absent. The call shall be made as early as possible before the start of the working day or by departmental reporting standards. The employee shall inform the supervisor whether he/she will be late or absent and when they expect to report.
  - 3) When the department head has determined that the absence or tardiness was justifiable, the employee may elect to use vacation time for the time absent, leave without pay or other appropriate leave.
  - 4) If the absence or tardiness is not judged justifiable by the department head, the employee shall not be paid for the time absent or tardy and such lost time shall be considered as unexcused.
  - 5) In the event that weather conditions are of the severity that health and safety of city employees may be jeopardized, the city manager or he/her designee may curtail city operations on an essential services basis. Employees so informed, shall be paid their regular wage for the time off.

## Leaves 5.02



Holidays			
<i>Scope:</i>	All full-time permanent, permanent part-time, non-bargaining employees, except library employees.	<i>Effective Date:</i>	07/01/88

General Policy	
The following will be recognized as paid holidays for city employees:	
New Year's Day	Thanksgiving Day
Good Friday	Day after Thanksgiving
Memorial Day	Christmas Eve Day
Independence Day	Christmas Day
Labor Day	New Year's Eve Day
Veteran's Day	Two (2) Personal Days

Provisions:
<p>1) Whenever any of the holidays listed fall on Saturday, the preceding Friday shall be observed as the holiday. Whenever any of the holidays fall on Sunday, the following Monday shall be observed as the holiday.</p> <p>2) Personal days shall accrue each July 1 and must be used during that fiscal year, except for probationary employees. Probationary employees hired prior to January 1st of the fiscal year shall receive two (2) personal holidays. However, any employee hired after January 1st of the fiscal year will receive one (1) personal holiday. Probationary employees shall not be eligible to use their personal days until completion of their six (6) month probationary period but shall use all their accrued personal days within twelve (12) months after the end of their probationary period. All employees shall be eligible for pay for any holiday falling within a pay period for which they received compensation. Permanent part-time employees' personal time will be prorated.</p> <p>3) Eligible employees who perform no work on a holiday shall be paid for one (1) day's work at their regular rate of pay. Permanent part-time employees' holiday time will be prorated.</p> <p>4) Any employee eligible for overtime under Section 2.1, who works by request of the employer on his/her holiday shall be paid the holiday pay plus overtime rate of one and one-half (1 1/2) times his/her regular rate for hours worked.</p> <p>5) An employee shall forfeit his/her right to payment for any such holiday if he or she has an unexcused absence on the last regular working day preceding such holiday or on the next regular working day following such holiday.</p> <p>6) For religious holidays not listed above, an employee must use vacation or personal days.</p>

## Leaves 5.03

Holidays - Library			
<i>Scope:</i>	All full-time permanent and permanent part-time library employees.	<i>Effective Date:</i>	07/01/18

General Policy	
The following will be recognized as paid holidays for library employees:	
New Year's Day	Thanksgiving Eve (Library closes at 5:30pm)
Memorial Day	Thanksgiving Day
Independence Day	Day after Thanksgiving
Labor Day	Christmas Eve Day
Birthday	Christmas
Three (3) Personal Days	New Year's Eve (library closes at 2:00pm)

Provisions:
<ol style="list-style-type: none"><li>1) Whenever any of the holidays fall on Sunday, the following Monday shall be observed as the holiday.</li><li>2) Employees shall be eligible for pay for any holiday falling within a pay period for which they receive compensation.</li><li>3) Eligible employees who perform no work on a holiday shall be paid for one (1) day's work at their regular rate of pay.</li><li>4) An employee shall forfeit his right to payment for any such holiday if she or he has an unexcused absence on the last regular working day preceding such holiday or on the next regular working day following such holiday.</li><li>5) Personal days shall accrue each July 1 and must be used during that fiscal year, except for probationary employees. Probationary employees hired prior to January 1st of the fiscal year shall receive twenty-four (24) personal hours (3 days). However, any employee hired after January 1st of the fiscal year will receive twelve (12) personal hours (1.5 days). Probationary employees shall not be eligible to use their personal days until completion of their six (6) month probationary period but shall use all their accrued personal days within twelve (12) months after the end of their probationary period. All employees shall be eligible for pay for any holiday falling within a pay period for which they received compensation.</li></ol>

## Leaves 5.04

Vacations		
<i>Scope:</i>	All full-time permanent, permanent part-time, non-bargaining employees, except library employees.	<i>Effective Date:</i> 07/01/88

General Policy
It is the policy of the City of Marion to grant its employees paid vacation time to accrue based on years of service. Use of accrued vacation time is to be granted, with due consideration to departmental staffing needs.

Provisions:																											
<p>1) Every employee shall be eligible for a vacation with pay after six months with the employer. Employees shall start to earn vacation allowance as of their first day of employment and shall accrue vacation time monthly. Permanent part-time employees' vacation will be prorated.</p> <p>2) Vacation allowance shall be earned annually and shall be based on the employee's anniversary date as follows, unless otherwise stipulated by an employment agreement with that employee:</p> <p>a. Exempt employees not eligible for overtime (time and half) rates:</p> <table border="0" style="margin-left: 40px;"> <thead> <tr> <th style="text-align: left;"><b>Years of Service</b></th> <th style="text-align: left;"><b>Vacation Period</b></th> <th style="text-align: left;"><b>Vacation Accrual</b></th> </tr> </thead> <tbody> <tr> <td>1st Year</td> <td>80 hours</td> <td>6.66 hrs./month</td> </tr> <tr> <td>1st Anniversary</td> <td>120 hours</td> <td>10.00 hrs./month</td> </tr> <tr> <td>8th Anniversary</td> <td>160 hours</td> <td>13.33 hrs./month</td> </tr> <tr> <td>14th Anniversary</td> <td>200 hours</td> <td>16.66 hrs./month</td> </tr> </tbody> </table> <p>b. All Other Employees:</p> <table border="0" style="margin-left: 40px;"> <tbody> <tr> <td>0 through 5 years</td> <td>80 hours</td> <td>6.66 hrs./month</td> </tr> <tr> <td>5th Anniversary</td> <td>120 hours</td> <td>10.00 hrs./month</td> </tr> <tr> <td>10th Anniversary</td> <td>160 hours</td> <td>13.33 hrs./month</td> </tr> <tr> <td>16th Anniversary</td> <td>200 hours</td> <td>16.66 hrs./month</td> </tr> </tbody> </table> <p>Upon retirement, death, or any other type of termination, vacation credit shall be given based on the accrual reflected in 2.a and 2.b.</p> <p>3) Vacation requests shall be made in the following manner:</p> <p>a. All vacation requests shall be turned in to department heads or the city manager. All vacation requests must be approved by the department head or city manager before vacation may be taken. Scheduling of vacation time shall be the responsibility of department heads, subject to staffing needs.</p> <p>b. Vacation periods may be changed after they are approved only with the approval of the department head or city manager.</p> <p>4) If a holiday occurs during the calendar week in which a vacation is taken by an employee, the employee's vacation period shall be extended by one additional work day.</p> <p>5) Accrued vacation will be limited to an amount equal to two (2) years of vacation time. Employees covered under the scope of this policy shall use up excess vacation accrued by March 31 of each year or excess vacation will be forfeited.</p> <p>a. Exceptions to the carryover policy will be subject to the City Manager's discretion</p>	<b>Years of Service</b>	<b>Vacation Period</b>	<b>Vacation Accrual</b>	1st Year	80 hours	6.66 hrs./month	1st Anniversary	120 hours	10.00 hrs./month	8th Anniversary	160 hours	13.33 hrs./month	14th Anniversary	200 hours	16.66 hrs./month	0 through 5 years	80 hours	6.66 hrs./month	5th Anniversary	120 hours	10.00 hrs./month	10th Anniversary	160 hours	13.33 hrs./month	16th Anniversary	200 hours	16.66 hrs./month
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## Leaves 5.05

Sick Leave			
<i>Scope:</i>	All permanent full-time and permanent part-time non-bargaining employees.	<i>Effective Date:</i>	07/01/88

General Policy
It is the policy of the City of Marion to grant its employees paid sick leave to be used during times of incapacitation for work.

Provisions:
<ol style="list-style-type: none"><li>1) Any eligible employee contracting or incurring any non-work connected sickness or disability which renders such employee unable to perform the duties of his/her employment may use sick leave with pay, subject to the provisions of this policy. If an employee is exposed to contagious disease and a doctor certifies the employee would endanger the health of others by attendance at duty, sick leave may be used. An illness or injury to spouse or minor child which requires an employee's immediate attention will cause time to be used from sick leave to make arrangements for medical and other needs up to a maximum of five (5) days per fiscal year. Employee doctor and dentist appointments may also be charged to sick leave when they cannot be scheduled outside the employee's regular work hours. Non-permanent part-time employees (employees working 25 hours or less per week), temporary employees and seasonal employees are not eligible for sick leave.</li><li>2) Full-time eligible employees shall earn and accrue sick leave at the rate of twelve hours per month for the first four years of employment and eight hours per month thereafter. In return, non-bargaining employees would receive long-term disability insurance coverage. Permanent part-time employees shall earn and accrue pro-rated sick leave based on actual hours worked.</li><li>3) Sick leave may be accumulated to a maximum limit of 960 hours per individual.</li><li>4) Sick leave shall be considered upon application before or within a reasonable time after the absence depending on the circumstances of each case.</li><li>5) An employee, on leave because of an occupational disability related to his/her employment, may take such sick leave allowance to which he/she is entitled and the prorated amount will be added to the amount of disability worker's compensation which will result in an equivalent payment to the employee of full salary for any particular period.</li><li>6) Sick leave may be used for absence caused by sickness, injury or pregnancy.</li><li>7) Sick leave will not be used for employees on vacation, holidays or leave of absence.</li><li>8) At the discretion of the department head or the city manager, use of sick leave may be required to be supported by a doctor's statement. An employee returning to work following serious illness or incapacitation may be required to present a written release from his/her physician.</li><li>9) Employees shall at all times submit to examination by such medical examiner as may be designated by the city, when required by the appropriate department head or city manager. In cases of extended sick leave, the employee may be required to appear for a physical examination to determine whether such sick leave is necessary.</li><li>10) Employees shall report to their immediate supervisors within the time set by the department head that they are unable to work because of illness or injury. Department heads shall report to their</li></ol>

## Leaves 5.05

departments if they are unable to work. Employees reporting shall inform their supervisors of the anticipated duration of the recuperation period.

- 11) Department heads and/or immediate supervisors shall report all employee absences lasting 3 consecutive days to the Human Resource Department. Notifications of absences shall be reported the same day the department head and/or immediate supervisor was made aware of the employee absence.
- 12) If a non-bargaining employee (except Police and Fire personnel) does not use any sick leave during a payroll quarter, the employee will receive fifty dollars (\$50.00) which will be paid the following month after the three (3) month period. If no sick leave is used for two consecutive three (3) month periods, the employee will receive an additional twenty-five dollars (\$25.00).

## Leaves 5.06



Family Medical Leave (FMLA)		
<i>Scope:</i>	All eligible employees under the provisions of FMLA.	<i>Effective Date:</i> 04/07/16

General Policy
It is the policy of the City of Marion to comply with the provisions of the Family and Medical Leave Act of 1993 (FLMA).

Provisions:
<ol style="list-style-type: none"><li>1) All eligible employees are eligible for twelve (12) weeks of unpaid leave in accordance with the provisions of FMLA. However, allowed/available paid leaves must be utilized prior to and counted as part of said twelve (12) weeks in leave.</li><li>2) The City's 12-month period shall be calculated on a "rolling" 12 month period measured backward from the date of any FMLA leave usage.</li><li>3) Intermittent leave and reduced work week are permitted subject to department head approval or medical necessity.</li><li>4) Employees shall provide thirty (30) days advance notice of their desire to use FMLA leave when its use is foreseeable.</li><li>5) Employees shall provide medical certification within fifteen (15) calendar days of a request for medical certification by the City.</li><li>6) Employees on unpaid FMLA leave which extends into the next calendar month shall pay their health insurance premiums at the same time same would be due if paid by payroll deduction unless an alternate voluntary agreement has been agreed to between the City and the employee.</li><li>7) Military caregiver leave under the FMLA will be for up to 26 weeks and is for use in a single 12-month period.</li></ol>

## Leaves 5.07

Leave of Absence		
<i>Scope:</i>	All non-bargaining city employees.	<i>Effective Date:</i> 04/07/16

### General Policy

On occasion, circumstances may arise which necessitate an employee's request for a leave of absence from work. Taking departmental staffing needs into consideration, it is the policy of the City of Marion to make every effort to comply with requests for leaves of absence which are based on good and sufficient reasons.

### Provisions:

- 1) Employees, including regular permanent part-time employees, shall be eligible for leaves of absence after thirty (30) days service with the employer.
- 2) Any request for a leave of absence shall be submitted in writing by the employee to his/her immediate supervisor. The request shall state the reason the leave is being requested and the length of time off the employee desires.
- 3) Written authorization for a leave of absence shall be furnished to the employee by his/her immediate supervisor. Any request for a leave of absence shall be answered promptly. Requests for immediate leaves (for example, family sickness or death) shall be answered before the end of the shift on which the request is submitted. Whenever possible, the request shall be submitted in writing. A request for a short leave of absence (a leave not exceeding one (1) month) shall be answered within five (5) days. A request for a leave of absence exceeding one (1) month shall be answered within ten (10) days.
- 4) Approved leaves may be extended or reduced with the employer's approval.
- 5) In addition to accruing seniority while on leave of absence, employees shall be returned to the position they held and the same step within the pay range that they were on at the time the leave of absence was requested.
- 6) **Family Death** – In the event of death in the family of an employee, including permanent part-time employees, the employee shall be granted an adequate leave of absence up to three (3) days with full pay to make household adjustments or to attend funeral service. For the purpose of this article, the employee's family shall include the following relatives of the employee and his/her spouse: child, stepchild, spouse, mother, stepmother, father, stepfather, sister, stepsister, brother, stepbrother, grandparent, step grandparent, grandchildren, step grandchildren, and legal dependents of the employee and those of the employee's spouse.

This leave also applies only to the employee's aunt, uncle, first cousin, legal dependents and anyone residing in the house of the employee but not those of the employee's spouse. The terms brother and sister shall include a brother and sister of the half-blood relationship.

- 7) Employees shall be granted a leave of absence with pay for the time they are required to report for jury duty. Employees shall retain daily pay for services. The employee will pay to the city any remuneration for lost time paid by the court.
- 8) Employees may be granted a leave to vote on any election day with full pay, providing prior approval has been obtained from the department head. Time of leave for voting shall be the time needed to travel to polls, vote and return to duty station.



## Leaves 5.07

- 9) Employees required or subpoenaed to appear before a court or other public body on any matter not related to their work in which they are not personally involved (as a plaintiff or a defendant) and employees elected or appointed to any local city political or legislative position who request a leave of absence for the period necessary to fulfill their civic responsibilities shall be granted an unpaid leave of absence necessary to fulfill their public responsibilities contingent upon receiving approval at least one (1) day in advance from the department head.
- 10) The provisions of the Code of Iowa shall apply to military leaves for employees who are members of the National Guard, organized reserves or any component part of the military, naval or any forces or nurse corps of Iowa or the United States.
- 11) Unpaid leaves of absence for up to six (6) months may be granted for any reasonable purpose with the consent of the department head or city manager.
- 12) Employees who have completed one (1) year of service may, with the employer's approval, be granted an unpaid leave of absence for educational purposes. Such leaves shall be limited to no more than one (1) employee from a single department at any given time. The leave of absence shall not exceed one (1) year unless extended with the employer's approval. Such leaves (including extensions) shall not be allowed more often than once every three years.
- 13) Employees will be eligible for leaves of absence for in-service training upon request by the employee and approval from the department head. These leaves are not to exceed one (1) month in any calendar year to attend conference, seminars, briefing sessions, or other function of a similar nature that are intended to improve or upgrade the individual's skill or professional ability.
- 14) During a leave of absence without pay, the employee:
  - a. Does not receive pay from the city
  - b. Does not earn vacation or sick leave.
  - c. Has the option to utilize accumulated vacation time until it expires.
  - d. Cannot pay retirement contributions if the leave exceeds one (1) month in duration.
  - e. Must pay group hospitalization premiums falling due during any month the employee is not on the payroll subject to the approval of the insurance carrier.
  - f. Must pay premiums for coverage under the group life insurance plan subject to the approval of the insurance carrier.
  - g. Shall not receive any other benefits during the period of absence.
- 15) Failure to return from a leave of absence shall be grounds for dismissal.
- 16) A leave of absence will not be granted for the purpose of allowing the employee to enter the primary employment of another employer.

## Leaves 5.08

Parental Leave		
<i>Scope:</i>	All non-bargaining city employees.	<i>Effective Date:</i> 04/07/16

### General Policy

It is the policy of the City of Marion to grant parental leave upon the request of the employee for the birth of a child, or placement of a child with the employee for adoption or foster care. Verification by a physician that the employee is temporarily disabled may be required. Employees may be granted a parental leave of absence without pay under certain circumstances.

### Provisions:

- 1) Employees who are disabled, as determined by the employee's physician, due to pregnancy, miscarriage, abortion, and recovery from these are, for all job related purposes, temporarily disabled and are allowed to use sick leave for the period of disability.
- 2) Employees are allowed usage of sick leave for two weeks for the birth of a child, or placement of a child with the employee for adoption or foster care. Use of sick leave is not to exceed 80 hours for full time employees and 40 hours for part time employees.
  - a. Mothers may use two weeks of sick leave beyond the period of disability.
- 3) Employees may be granted a parental leave of absence without pay as follows:
  - a. The employee shall, whenever possible, submit written notification to the immediate supervisor at least four (4) weeks prior to the anticipated departure, stating the probable duration of the leave.
  - b. Such leave shall be granted upon the exhaustion of all available sick leave, vacation, personal days, holidays and comp time
  - c. Upon the request of the employee, accompanied by a doctor's statement, parental leaves without pay may be extended for increments of thirty (30) days, not to exceed an additional six (6) months.
- 4) In the case of maternity leave, no employee shall be required to leave before childbirth unless she is no longer able to satisfactorily perform the duties of her position. The employer is absolved of any liability pertaining to the pregnancy wherein the employee, counter to her physician's recommendation, continues to work.

Military Leave		
<i>Scope:</i>	All city employees.	<i>Effective Date:</i> 11/06/03

General Policy
It is the policy of the City of Marion to provide military leave for its employees in compliance with Section 29.A of the Code of Iowa and the Universal Military Training and Service Act.

Provisions:
<p>1) Eligible Employees:</p> <ul style="list-style-type: none"> <li>a. Employees, other than those temporarily employed for six months or less, who are members of the National Guard, Organized Reserves, or Nurse Corps of the State of Iowa or the United States, or who are or may be otherwise inducted in the military service of the State of Iowa or the United States, when ordered by proper authority to state or federal services, will be entitled to a leave of absence from City employment for the period of such active state or federal services, without loss of status, efficiency rating or seniority; and without loss of pay during the first 30 days of such leave of absence.</li> <li>b. Non-regular employees are not eligible for military leave benefits. However, all employees regardless of status will be afforded unpaid military leave upon request.</li> </ul> <p>2) Days Allowed:</p> <ul style="list-style-type: none"> <li>a. The first 30 days of absence as stated in the State Code are defined as 30 calendar days per fiscal year unless defined otherwise by legislation.             <ul style="list-style-type: none"> <li>i. All days that the employee would normally perform services for the city will be counted.</li> <li>ii. Any portion of a day is counted as one day.</li> <li>iii. Necessary travel time is considered duty and counted as military leave.</li> </ul> </li> <li>b. Employees will receive paid military leave for any work days falling within the 30 calendar days. Regular part-time employees will receive paid leave for the number of hours normally scheduled to work on the days absent.</li> <li>c. Any leave required beyond the 30 days will be reported as unpaid military leave. However, with department head approval, an employee may use vacation, personal days or compensatory time in lieu of unpaid military leave.</li> </ul> <p>3) Notification Process:</p> <ul style="list-style-type: none"> <li>a. Annual Training:             <ul style="list-style-type: none"> <li>i. All members of Reserve and National Guard units are requested to submit their schedule for annual training for the following military fiscal year (October 1 to October 1) at the earliest possible date, (preferably by September 1 of each year).</li> <li>ii. A request for a military leave of absence shall be submitted to the department head at the earliest possible date, preferably not less than forty-five (45) days prior to annual training. Orders for annual training from appropriate military authority shall be submitted to the Department Head at the earliest possible date.</li> </ul> </li> </ul>

- iii. Members required to attend annual training for a period long than two (2) weeks must submit orders from appropriate military authority.
- b. Monthly Training:
  - i. All members of Reserve and National Guard units are requested to submit their schedule of monthly drill dates from the unit assigned at the earliest possible date, preferably by September 1st of each year to their department head. The drill dates should be for the entire military fiscal year (October 1 to October 1). Any changes in possible date preferably not less than 30 calendar dates prior to the actual drill.
  - ii. Specific duty orders and/or drill dates schedule from the unit are requested to be submitted to the department head prior to the monthly training dates.
- c. Additional Training:
  - i. Members ordered to attend additional military training shall submit a request for a military leave of absence to the Department Head at the earliest possible date, preferably not less than 45 days prior to such training.
  - ii.
  - iii. Members ordered to attend additional military training must submit orders from appropriate military authority at the earliest possible date to the Department Head.
- d. Activation:
  - i. Employees ordered to active military duty shall submit a request for military leave of absence to the Department Head at the earliest possible date.

4) Reemployment Rights:

- a. An employee returning to the employment of the city from military service will have re-employment rights provided discharge is not dishonorable, as follows:
  - i. Military service of at least 181 days but less than five years, provided such employee returns to work within 90 days after being given a discharge.
  - ii.
  - iii. Military service of more than 30 days but less than 181 days, provided such employee returns to work within 14 days of discharge.
  - iv.
  - v. Military service of less than 31 days, provided such employee returns to work the next regularly scheduled work period.
- b. The individual will be returned to the position held prior to the leave of absence, or to a similar position (like seniority, status and pay). However, the individual shall give evidence to the city of satisfactory completion of the training or duty, and that the person is still qualified to perform the duties of the position. The City will make reasonable efforts to provide training or retraining to returning service members. In a situation where a returning employee cannot perform the exact duties as prior to military service, alternative position(s) shall be offered if available.

5) Seniority: An employee on military leave will accumulate seniority during the period of absence.

6) Vacation:

- a. Vacation will not accrue after 30 days of unpaid leave.
- b. Vacation credits earned but not taken will be honored upon return. The schedule will be authorized by the department head.

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- c. As applicable, pro-rated vacation will be posted on the next scheduled vacation posting date following long-term unpaid military leaves.
- 7) Sick Leave: Sick leave will not accumulate during the unpaid period of absence of the employee; however, credits recorded as of the date of leaving for military leave will be maintained.
- 8) 24-Hour Shifts: For Fire Department employees working 24-hour shifts, paid military leave is not determined under paragraph 2 above, but shall be determined based on an hourly basis with 240 hours available for said leave per fiscal year.