

## SECTION XIX: LEAVE

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1. ABSENT WITHOUT LEAVE.
  - A. Any unauthorized absence of an employee from duty shall be grounds for disciplinary action, up to and including termination, by the Director, or designee.
  - B. Any employee who is absent for three (3) or more consecutive work days without authorized leave shall be deemed to have voluntarily resigned their position and employment without notice. Where extenuating circumstances are found to have existed, however, such absence may be covered by the Director, or designee, by subsequent grant of leave with or without pay as the circumstances dictate.
2. VACATION LEAVE.
  - A. Each non-seasonal, full-time employee shall receive vacation leave at the following rate:
    - (1) Hire date through the 5<sup>th</sup> year vacation leave shall accrue at the rate of 3.08 hours per pay period for a total of eighty (80) hours per payroll fiscal year.
    - (2) Hire date through the 10<sup>th</sup> year vacation leave shall accrue at the 4.62 hours per pay period for a total of one hundred and twenty (120) hours per payroll fiscal year.
    - (3) Beginning of the 11<sup>th</sup> year of service, vacation leave shall accrue at 6.15 hours per pay period for a total of one hundred and sixty (160) hours per payroll fiscal year.
  - B. Non-seasonal, full-time employees classified as 75% employees, working 30 hours per week shall receive vacation leave at the following rate:
    - (1) Hire date through the 5<sup>th</sup> year vacation leave shall accrue at the rate of 2.32 hours per pay period for a total of sixty (60) hours per payroll fiscal year.
    - (2) Hire date through the 10<sup>th</sup> year vacation leave shall accrue at the rate of 3.48 hours per pay period for a total of ninety (90) hours per payroll fiscal year.

- (3) Beginning of the 11<sup>th</sup> year of service, vacation leave shall accrue at the rate of 4.62 hours per pay period for a total of one hundred and twenty (120) hours per payroll fiscal year.
- C. New employees shall accrue annual vacation leave from the date of hire, but they shall not be eligible to use accrued leave until satisfactorily completing the probationary period. Unless otherwise specified, the minimum probationary period shall be six (6) months.
- D. Each department head will issue approval or disapproval on all annual vacation leave requests.
- E. The maximum vacation leave which can be accrued and carried forward from payroll fiscal year to payroll fiscal year is three hundred and twenty (320) hours. Any accrued annual vacation leave in excess of three hundred and twenty (320) hours shall be forfeited on the first day of the new payroll fiscal year.
  - (1) Employees who were benefitted in 2008 and had hours in excess of 320 hours on the last day of the 2008 payroll fiscal year will be allowed to bank excess hours over the maximum 320 hours on the last day of the payroll fiscal year of 2008. These hours will remain in the employee's banked account until termination of employment from the Service Area and will be paid with all other payable benefits at the rate of pay at termination.
    - a) Eligible benefitted employees may convert sick hours to vacation hours per the sick leave policy on the last day of the payroll fiscal year for 2008 and any excess hours over 320 will be banked in the vacation account as explained in E.1)
    - b) No additional hours may be added to the banked vacation hours after the last day of the payroll fiscal year 2008.
    - c) As approved by the Director or designee, an employee may request use of their banked vacation hours when all other accumulated vacation has been taken.
- F. A holiday which falls during an employee's vacation leave shall be counted as a paid holiday and not as vacation leave.
- G. *Non-seasonal, full time and 75% full time* employees who separate from employment will be compensated for all accrued vacation leave.

1. Former employees rehired in a full time position with re-instatement rights and which receive leave benefits, will be allowed to count the previous number of years of service towards current vacation accrual.
- H. *Probationary employees will not be compensated for any accrued vacation leave if they are terminated from employment during their probationary period.*
- I. All vacation leave requests should be submitted a reasonable time in advance of the desired time off to the Department Head and approved by the Director or designee. If an excessive number of employees request annual vacation leave for the same time period, vacation leave shall be granted in order of application (first-come-first-served) at the discretion of the Director, or designee.
- J. Official vacation leave records will be maintained and kept current by the Human Resource Manager and are available upon request by the individual employee.
- K. Vacation leave will not accrue during periods when an employee is on leave without pay.
- L. Vacation use will be reported to the Director by the Human Resource Manager.
- M. Persons hired on an emergency, part-time, seasonal, temporary or contract basis shall not accrue vacation leave but shall request leave in the following manner:
  - (1) All time off requests must be requested in writing to the appropriate Department Head and then approved by the Director or designee so that adequate staffing is maintained
  - (2) Days off will not be compensated.
3. HOLIDAY LEAVE.
  - A. The following holidays are dates recognized by Cottonwood Heights Parks & Recreation Service Area as holidays. A holiday noted with an \* is considered a premium holiday when the Service Area is open for a limited schedule to accommodate the public or not open at all (Christmas). Human Rights Day, Presidents Day, Veteran’s Day *and the Day after Thanksgiving Day* are considered to be “non-premium” holidays when the Service Area is open for a full normal schedule and treated as a normal working day.

- (1) \*New Year's Day .....January 1st
- (2) Human Rights Day.....3rd Monday in January
- (3) President's Birthday.....3rd Monday in February
- (4) \*Memorial Day.....Last Monday in May
- (5) \*Independence Day .....July 4th
- (6) \*Pioneer Day.....July 24th
- (7) \*Labor Day .....1st Monday in September
- (8) Veterans Day (Added 4/15/2003).....November 11<sup>th</sup>
- (9) \*Thanksgiving Day .....4th Thursday in November
- (10) Day After Thanksgiving Day.....4<sup>th</sup> Friday in November
- (11) \*Christmas Day .....December 25<sup>th</sup>

B. Non-Seasonal, Benefited Employees and Holiday Pay

- 1. Non-seasonal, benefited, employees receive the above mentioned premium and non-premium holidays as paid holidays at their normal rate of pay. Non-seasonal benefited employees will be compensated at time and one half for scheduled work hours on a premium or non-premium holiday. In addition, the employee will be compensated the difference in hours at regular pay if the premium holiday schedule is less than the employee's normal work day. A non-seasonal, full-time benefited employee, scheduled to work on a premium or non premium holiday will be allowed to take another day off during the work week in which the holiday falls.
- 2. Holiday pay will be paid to an eligible employee, who is on leave, only if that employee is on paid leave the workday preceding the holiday and the workday following the holiday. Paid leave includes but is not limited to approved vacation or sick leave, workers compensation, etc.

- C. Holiday pay for all other employee classifications. (Excluding non-seasonal, benefited employees)
    - 1. All other employees scheduled to work on a premium holiday will be paid at the rate of time and one half.
    - 2. All other employees scheduled to work on a non-premium holiday will be paid at their normal rate of pay for the hours worked.
  - D. When a premium paid holiday falls on a Saturday or Sunday, Cottonwood Heights Parks & Recreation Service Area will observe the holiday for purposes of taking a paid holiday on the day determined by the State of Utah to be the used for the holiday (generally, if the holiday falls on a Saturday the holiday will be taken on Friday. If it falls on a Sunday, the holiday will be taken on Monday). All employees scheduled to work on the official holiday (not the day designated by the State), will be paid at the rate of time and one half if the holiday is a premium holiday.
  - E. On the following four non-premium holidays, Human Rights Day, President's Day and Veterans Day, Day after Thanksgiving Day, Cottonwood Heights Parks and Recreation Service Area will be open for business with regularly scheduled hours. Christmas Day, all facilities will be closed. All remaining premium holidays will be scheduled for the minimum number of hours to accommodate the public as approved by the Board of Trustees.
  - F. The facility will be closed on Easter Sunday. Easter Sunday is not a paid holiday and no overtime will be paid if an employee is scheduled to work.
  - G. All non-seasonal, benefited employees are entitled to a personal preference day each year. This day can be used at any time with the supervisor's approval but is generally used as the first day of requested vacation leave unless the employee makes other arrangements approved by the Director or designee. This day cannot be used until the successful completion of a probationary period. If the personal preference day is not used by the last day of the calendar year, it will be forfeited.
4. SICK LEAVE.
- A. Purpose. Sick leave shall not be considered as a privilege which an employee may use at their discretion, but shall be allowed only in case of necessity and

actual sickness or disability of the employee or immediate family of the employee.

- B. Use of sick leave. Sick leave may be used at any time with approval of the Director or designee for any of the following reasons:
  - (1) When the employee is unable to perform their regular duties or other temporary work to which they may be assigned.
  - (2) Visits to hospitals, clinics, doctor's and dentists' offices for diagnosis or treatment of illness or injury or examination. The minimum time that may be taken by non-exempt employees is half an (1/2) hour.
- C. Eligibility. Sick leave shall be available to all non-seasonal, benefitted employees. Sick leave will be available for use as it is accumulated from date of hire.
- D. Accrual. Sick leave for benefitted, full time-employees (40 hours per week) is accrued at the rate of 4 hours per pay period for a total of one hundred and four (104) hours per payroll fiscal year. Sick leave for benefitted, 75% employees (30 hours per week) is accrued at 3 hours per pay period for a total of seventy eight (78) hours per payroll fiscal year. The employee will accrue sick leave immediately upon being hired by Cottonwood Heights Parks and Recreation Service Area. Sick leave shall not accrue if an employee is on a leave-without-pay status. Records will be kept by the Human Resource Manager.
- E. Non-seasonal, benefitted employees with one year of continuous service, may convert sick leave to vacation leave if they have taken less than 40 hours of sick leave by the last day of the payroll fiscal year. For every hour of sick leave taken, a deduction from the maximum of 40 hours (30 hours for 75% employees) will be taken to create the maximum amount of sick leave that may be moved to vacation time. Example: if during the payroll fiscal year 20 hours of sick time is taken, only 20 hours remain to be converted to vacation time for a 40 hour per week full time employee. If an employee works only 30 hours per week and has taken 20 hours of sick time during the payroll fiscal year, that employee can transfer a maximum of 10 hours. An employee may only convert sick leave to vacation leave if they meet the restrictions above and have a minimum of 40 hours (30 hours for 75% employees) remaining in their sick leave account and no more than 320 hours in their vacation account. (See exception for 2008 under Vacation Leave E.1.a.b.)

F. Termination: An employee who meets the age/years of employment guidelines as established by Utah Retirement Systems, shall be eligible for the following sick leave benefits:

- (1) Full time benefited employees who are not Board appointed will be paid 25% of the total number of accrued sick leave hours at the employee's pre-retirement hourly rate of pay. This amount will be paid in total at the time of retirement and considered as taxable income. Utah Retirement Systems' rules and regulations apply should an employee wish to contribute their payout into a contributory pension plan.
- (2) Board appointed exempt employees Sick Leave Payout
  - a. Board appointed exempt employees will be paid 30% of the total number of accrued sick leave hours at the employee's pre-retirement hourly rate of pay. This amount will be paid in total at the time of retirement and considered as taxable income. Utah Retirement Systems' rules and regulations apply should an employee wish to contribute their payout into a contributory pension plan.
  - b. Fifty percent (50%) of the remaining number of accrued sick leave hours may be used to buy health insurance for the employee and their immediate family. The amount is determined by multiplying the available number of hours times the pre-retirement hourly rate of pay. The fund balance will be held in a sick leave fund balance account. This benefit is available for the payment of health insurance until such time that the balance in the sick leave fund balance account reaches zero.
  - c. If the employee and spouse have reached the age eligible for Medicare and has a balance remaining in the sick leave account the employee may purchase Medicare supplemental insurance for the employee and their immediate family until such time as the balance in the sick leave fund balance account reaches zero.
  - d. Any supplemental health insurance policies purchased voluntarily by the employee during employment or after retirement are not eligible for payment from the sick leave fund balance account.

- e. Benefits of insurance, for the employee and their immediate family, will cease at the time of the employee's death.
- f. Upon retirement, a signed agreement between the Service Area and the retiring employee, detailing the terms of the payout and the sick leave fund balance shall be given to the employee/retiree and kept on file by the Human Resource Manager and the Accounting Department.

G. Sick Leave Notification

- (1) In order to qualify for sick leave, an employee must notify the Director, or designee, no later than one (1) hour after normal starting time on each day of absence unless the circumstances surrounding the absence make such notification impossible. The Director, or designee, should also be kept advised of the employee's progress and expected date of return to duty.
- (2) Any absence for illness beyond accrued sick leave will result in the employee being carried on annual leave status until all annual leave has expired, then be carried in a leave-without-pay status with approval of the Director or designee.

H. Certification of Illness. For sick leave in excess of three (3) consecutive working days, or if abuse of sick leave is indicated, the Director, or designee, may require a certificate from the attending physician stating that such illness prevented the employee from working.

5. SICK LEAVE ASSISTANCE

A. The Cottonwood Heights Parks and Recreation Service Area Sick Leave Bank program will be administered by the Human Resource Manager under the direction of the Director. Donations of sick leave will not be accepted. Donations of vacation leave will be accepted as follows:

- (1) Donations will be voluntary.
- (2) Donated leave is not retrievable.
- (3) Donations will be accepted only during the months of June and December for those donating leave to the bank in general.



- (4) Donations may be made to a specific employee at any time. Hours donated to a specific employee in excess of the amount the employee is allowed to use, shall be considered donations to the general sick leave bank.
  - (5) Donating employees must have a combined minimum leave balance of at least 80 hours (60 hours for 75% employees) of sick and vacation leave after the donation.
  - (6) Employees may donate excess vacation over the 320 hour maximum to the sick leave bank on the last day of the payroll fiscal year.
  - (7) Leave will be donated and awarded on an hour-per-hour basis.
- B. The General Sick Leave Bank may only be used by benefited employees for personal catastrophic illness or non-job related injury of an acute nature whom has been employed continuously for six months.
- (1) The General Sick Leave Bank shall not be used for dependent care.
  - (2) Sick Leave shall not be awarded in excess of the balance in reserve.
- C. Employees are not eligible to use the Sick Leave Bank unless they have exhausted their own vacation and sick leave.
- (1) All applicable benefits will continue during time off from the sick leave bank.
- D. Employees requesting leave from the Sick Leave Bank must complete the Sick Leave Bank Request Form and submit it to the Human Resource Manager within fifteen (15) days of the date when the employee could reasonably be presumed to have had knowledge of the need for additional sick leave.
- (1) The Human Resource Manager will be responsible for submitting the request form to the Director within five (5) working days of receipt.
  - (2) Sick Leave Request Forms may be submitted by the petitioning employee, a member of the petitioner's immediate family or by the employee's immediate supervisor.

- E. Employees who have received donations specifically in their name may use all donated hours as necessary when covered by a written statement of medical need. Donated hours will be credited on a pay period basis until the employee is returned to work or terminated.
- F. Employees who wish to donate leave must complete a Sick Leave Bank Donation form and submit it to the Human Resource Manager.
- G. Donated hours are not tax deductible.

6. MATERNITY LEAVE.

- A. An employee who becomes pregnant, or whose legal or common law spouse becomes pregnant, may continue working, prior to the birth of the child, until such time as the employee can no longer satisfactorily perform the essential functions of their duties. The Director, or designee, may grant an employee the use of annual vacation leave (if applicable), sick leave (if applicable), and/or leave without pay for an approved, agreed upon and reasonable amount of time. An eligible employee is also free to use Family and Medical Leave Act of 1993, which is defined as, twelve (12) weeks of unpaid-job protected leave in a twelve (12) month period, intermittent leave (subject to approval), reduced leave (subject to approval); or may choose to use any of the above previously mentioned applicable leaves. Regulations governing annual vacation leave, sick leave, and leave without pay will apply.
- B. Cottonwood Heights Parks and Recreation Service Area may fill vacancies created by maternity leave with temporary or provisional appointments. At the expiration of the maternity leave, the employee shall return to the same position, where feasible, or to a similar position. Failure of the employee to return to work at the expiration of maternity leave shall be considered a voluntary resignation of their position and employment without notice.

7. INJURY LEAVE. Any employee injured on the job, however slightly, must report the fact immediately to the Director, or designee. It shall be the duty of the Director, or designee, to obtain information regarding the accident or injury and to complete and submit such reports as are required. Compensation will first be provided through Workers Compensation if eligible. Unused sick leave or vacation leave may be granted in accordance with applicable rules and regulations. During unpaid injury leave periods, vacation leave, sick leave, or time toward yearly performance evaluation shall not accrue, unless an exception is granted by the Director, with approval of the Board. However, injury leave for periods greater than six (6) months shall in no case be granted. Furthermore, eligibility for such leaves requires conformance with all

workmen's compensation regulations.

8. **MILITARY LEAVE.** Leaves of absence for military service shall be granted to employees who are ordered to extended active duty with the armed forces of the United States. Military leaves of absence shall be granted only upon the filing of letters of appointment of official order issued by a verifiable military authority with the Human Resource Manager.
  - A. Military leave of absence shall be granted for the period of extended active duty as stated in the official orders plus an additional three (3) months. In cases where extended active duty is terminated at a date earlier than the date in the original orders, the additional three months of military leave shall begin on the date of release from active duty or honorable discharge.
  - B. Employees granted military leaves of absence shall receive the same credit for experience as has been approved for other employees who have had active military service. This credit is limited to a maximum of three (3) years experience.
  - C. Employees returning from military leave of absence shall be assigned to a position compensated at an amount comparable to the position held when they entered extended active duty. The Director may request a statement of medical history before reappointment.
  - D. Special requests for a military leave of absence for periods of active duty for training shall be considered on an individual basis.
  - E. Employees who are members of the United States Army, Navy, Coast Guard, Air Force, Marine Organized Reserve, or the National Guard, shall be allowed leave, not to exceed ten (10) working days per year, to attend mandatory annual encampment or active duty training in connection with requirements.
9. **JURY LEAVE.** All non-seasonal part time or full time employees may be granted leave with pay when performing jury duty or when required to serve as a witness in any Cottonwood Heights Parks and Recreation Service Area litigation in any municipal, county, state, or federal court, or before an administrative tribunal. Any compensation, including travel and expense allowance, received by the employee must be turned back to Cottonwood Heights Parks and Recreation Service Area for a full day pay from the Service Area as per the schedule. Paid leave will not be granted when the employee is serving as his own witness in financial and related suits which he has initiated.

10. FUNERAL LEAVE. The Director, or designee, shall grant a non-seasonal, benefited employee up to five (5) days of funeral leave with pay to attend the funeral of the employee's legal or common law spouse, child, step-child, daughter or son-in-law, parent, step-parent, grandchild, mother or father-in-law, sister or brother-in-law, grandparent, spouses' grandparent, brother or sister. Funeral leave shall not be charged against accrued annual vacation or sick leave.
  - A. Death of other relatives or friends will be allowed a maximum of five(5) hours to attend the funeral.
  - B. If additional time off is beyond what is permitted in this policy is necessary, an employee may request to use vacation or leave without pay as appropriate.
  - C. In the event of the death of a member of the immediate family while an employee is on vacation, the vacation will be extended by an amount of time determined by the Director or the Director's designate.
11. ADMINISTRATIVE LEAVE WITH PAY.
  - A. While performing authorized duties a full time benefited employee may be granted administrative leave with pay to perform authorized duties in connection with Cottonwood Heights Parks and Recreation Service Area business, attend trade or professional meetings which relate to official duties, participate in recognized and authorized training programs, or facilitate the needs of Cottonwood Heights Parks and Recreation Service Area.
  - B. Pending possible disciplinary action a full time benefited employee may be granted administrative leave with pay pending the outcome of an investigation undertaken to determine if disciplinary action against the employee is warranted.
12. LEAVE WITHOUT PAY.
  - A. The Director, or designee, may grant an employee leave without pay for a specified period of time, not to exceed one (1) year. At the expiration of the leave without pay, the employee shall return to the same position, where feasible, or to a similar position. Failure of the employee to return to work at the expiration of leave without pay shall be considered a voluntary resignation of their position and employment without notice.

- B. A leave without pay shall not constitute a break in service. However, during a leave without pay period in excess of fourteen (14) calendar days, an employee's annual vacation leave, sick leave, and time toward their performance evaluation, if applicable, shall not accrue. Benefit premiums charged to the employee must be paid by the employee during leave without pay.
- C. Leave without pay shall be granted:
- (1) For education purposes when the employee's course of study will be of direct benefit to Cottonwood Heights Parks and Recreation Service Area, their absence will not be a hardship for their department, and the employee agrees to return to work at the end of the leave without pay period.
  - (2) To attend funerals not covered by the funeral leave policy.
  - (3) To attend to an ill or injured member of the employee's immediate family when the absence is not covered by sick leave or vacation and in accordance with the Family Medical Leave Policy.
- D. Employees are expected to apply for leave without pay in advance and in writing, providing as much detail about the absence as possible so that the Director, or designee, may decide where the leave without pay is warranted.
- (1) **DOCUMENTATION OF LEAVE.** The above absences must be supported by a copy of the official paperwork causing the absence. Such paperwork must be submitted to the Director, or their designated representative, as soon as possible. In some cases where official paperwork is not available, the Director, or their designate representative, may request that the employee supply additional information in writing to support the absence.

APPROVED AND PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015

COTTONWOOD HEIGHTS  
PARKS AND RECREATION SERVICE AREA

By: \_\_\_\_\_

Ben Hill, Director

BOARD OF TRUSTEES

By: \_\_\_\_\_

Bart Hopkin, Chairman