



RULE 15 – LEAVES OF ABSENCE

Section 1. Requesting Leaves of Absence

All requests for leaves of absence with or without pay shall be made to the Department Director responsible for approval on forms approved by the Human Resources Director. All requests shall be submitted in advance of the beginning date of leave (except requests for unanticipated sick leave or leave for emergency situations which shall be submitted for approval at the earliest possible time). The duration and type of leave shall be recorded on the payroll records. Paid leaves of absence are subject to available leave credits unless special or administrative leave is granted pursuant to this rule. Scheduling of vacations is subject to the approval of the Department Director. For purposes of public accountability, the City of Chandler makes deductions of leave with or without pay for partial and full-day absences of exempt employees as defined by the Fair Labor Standards Act. However, work hours of exempt employees may be adjusted as a result of extra hours worked by exempt employees. In addition, as specified in Personnel Rule 5, Section 4.A, exempt employees shall not be suspended without pay for periods of less than one workweek, except as provided under the FLSA for violations of significant workplace conduct or safety rules, regulations, and policies.

Section 2. Leave Authorization (Vacation)

- A. Vacation leave credits may be used in the pay period following accrual.
- B. In order to receive paid vacation leave, the employee must complete and submit a Leave of Absence Request Form for approval prior to the date of leave. If the request is denied by the Department Director, the reasons shall be stated on the Leave of Absence Request. A copy of the approved or denied leave of absence request shall be given to the employee. Failure to request vacation leave prior to the date of leave shall be sufficient reason to deny the leave. In a bona fide emergency, the Department Director may approve the vacation leave after the fact. The determination as to whether a bona fide emergency existed shall be at the sole discretion of the Department Director.
- C. Vacation Leave of more than two consecutive weeks immediately preceding an employee's retirement date or resignation date shall require the approval of the City Manager.

Section 3. Leave Authorization (Sick Leave)

- A. Sick leave may be used in the pay period immediately following accrual.
- B. Department Directors will establish written reporting and notification procedures that employees shall follow when the use of any sick leave is required.
- C. The Department Director may authorize the use of vacation credits for sick leave if the employee's sick leave credits have been exhausted and the employee is eligible to use vacation credits and has vacation credits available.
- D. The employee, or supervisor if the employee is not able, shall complete a Leave of Absence Request stating the reasons for the absence. If the Department Director or supervisor denies the request, the reason shall be stated on the Leave of Absence Request.
- E. The employee is responsible for notifying the supervisor of the intent to take leave for a pre-scheduled appointment in as timely a manner as possible.
- F. Eligible employees are entitled to Family and Medical Leave as established by the Family and Medical Leave Act (FMLA). Leave requested under FMLA will be administered by policy as established by the City Manager.

Section 4. Vacation Leave Accrual

- A. A full-time work schedule consists of 52 weeks a year and 80 hours of work during the pay period except for employees of the Fire Department who are assigned to an alternate FLSA 7(k) work period.
- B. Employees that are represented by a recognized employee organization pursuant to the requirements of the City of Chandler Code Section 2-13 shall be eligible for the vacation leave accrual schedule as agreed upon in the organization's current Memorandum of Understanding.
- C. Full-time, regular employees, except for those represented as provided under Section B of this Rule and those accruing vacation leave as provided in Section D of this Rule, shall be credited vacation leave as follows for every completed pay period:
 - 5.0** hours per pay period for the first 5 years of service.

- 5.9** hours per pay period for employees with 5 or more years of service but less than 10 years of service.
 - 6.6** hours per pay period for employees with 10 or more years of service but less than 15 years of service.
 - 7.4** hours per pay period for employees with 15 or more years of service, but less than 20 years of service.
 - 8.3** hours per pay period for employees with 20 or more years of service.
- D. Department Directors and regular, full-time exempt employees, who on September 7, 2014, are being credited with vacation leave in accordance with the accrual rate below continue to be credit vacation leave as follows for every completed pay period:
 - 5.6** hours per pay period for the first 5 years of service.
 - 6.5** hours per pay period for employees with 5 or more years of service but less than 10 years of service.
 - 7.4** hours per pay period for employees with 10 or more years of service, but less than 15 years of service.
 - 8.4** hours per pay period for employees with 15 or more years of service.
 - 9.3** hours per pay period for employees with 20 or more years of service.
- E. An employee who is credited with vacation leave as provided in Section D of this Rule shall no longer accrue that vacation leave if, a competitive recruitment, involuntary or voluntary demotion, transfer, or reclassification occurring on or after June 22, 2017, results in that employee no longer reporting to a Department Director. The employee shall then accrue credited vacation leave as provided under Section C of this Rule.
- F. Employees hired on or after September 7, 2014, who are not represented by a recognized employee organization pursuant to the requirements of the City of Chandler Code Section 2-13, shall be credited vacation leave as provided under Section C of this Rule.
- G. Regular employees who work less than full-time but 1,040 hours or more a year in a budgetarily approved position shall be credited vacation leave on a prorated basis. The prorated basis shall be established by dividing the number of hours scheduled per week by 40 and multiplying the accrual rate for full-time employee with the same

length of service.

- H. The accrual rate for employees of the Fire Department assigned to work shifts, which require more than 40 hours per week, shall be on a prorated basis. The prorated basis shall be established by dividing the number of hours scheduled per week by 40 and multiplying by the accrual rate for a full-time employee with the same length of service.
- I. Leaves of absence compensated under the Workers' Compensation statutes shall be considered as paid service for absences no longer than 2,080 hours (or the equivalent as computed under the Rule for Fire Department employees assigned to more than a 40- hour week, or the Rule for regular employee who work less than full-time but 1,040 hours or more per year in a part-time regular budgeted position) and the employee shall continue to accrue vacation leave.
- J. Temporary, full-time employees paid directly by the City of Chandler, who become or already have become regular employees, shall be allowed to credit toward their vacation accrual rate the time worked in a temporary position if the employee served in a temporary, full-time position for at least one year prior to becoming a probationary employee.

Section 5. Maximum Accrual of Vacation Credits

- A. Vacation credits shall not be allowed to accumulate in excess of 320 hours, or the equivalent as computed under: (1) the Rule for Fire Department employees assigned to more than a 40-hour week, or (2) the Rule for regular employees who work less than full time but 1,040 hours or more per year in a part-time regular budgeted position, as of the last full pay period with a pay day in January.
- B. Any vacation credits in excess of 320 hours, or the equivalent as computed under: (1) the Rule for Fire Department employees assigned to more than a 40-hour week, or (2) the Rule for regular employee who work less than a full time but 1,040 hour or more per year in a part-time regular budgeted position, shall automatically be moved to a vacation carryover accrual balance that must be used by June 30th of that same year. Any vacation carryover not used by June 30th, will be forfeited.
- C. Employees may elect to forfeit vacation credits in excess of 320 hours or the equivalent as computed under: (1) the Rule for Fire Department employees assigned to more than a 40-hour week, or (2) the Rule for regular employees who work less than full time but 1,040 hours or more per year in a part-time regular budgeted position, in lieu of having the hours moved to vacation carryover balance that must be used by June 30th of that same year.

Section 6. Charging Vacation Leave

- A. The Department Director is responsible for scheduling of employee vacation each year. Vacation is charged against the employee's credits on an hour-for-hour basis according to the number of hours the employee would have been scheduled to work during the period of absence.
- B. When less than an exact number of hours are used, vacation credits shall be charged to the nearest 15 minutes.
- C. The City Manager shall establish policies for the general, non-represented employee's option to receive payment for the cash value of up to a specified number of hours of their vacation accrual balance at the employee's base hourly rate. This option shall be exercised only once per fiscal year.

Section 7. Separation Pay for Vacation Credits

- A. Every employee who has regular status or has been granted the right to use vacation credits by the Department Director, and who has vacation credits and leaves the City service for any reason, shall have such credits paid on the last paycheck issued to the employee by the City. Payment shall be made based on the employee's base rate of pay. If the employee is on temporary detail at the time of separation from City Service, the detail salary shall not be used for payment of vacation leave.

Section 8. City Sick Leave Accrual

- A. A full-time work schedule consists of 52 weeks a year and 80 hours of work during the pay period except for employee of the Fire Department who are assigned to work shifts, which require more than 40 hours per week.
- B. Every full-time, regular employee who works a full-time schedule 52 weeks per year shall be credited 3.7 hours of sick leave accrual for each completed pay period. Sick leave shall accrue with no maximum.
- C. Regular employees who work less than full-time, but 1,040 hours or more a year in a budgetarily approved position, shall be credited sick leave benefits on a prorated basis. The prorated basis shall be computed according to the same formula as in Section 4G of this Rule.
- D. Sick leave accrual for employees of the Fire Department who work more than a 40-hour week shall be prorated according to the same formula as in Section 4H of this Rule.

- E. Leaves of absence compensated under Workers' Compensation statutes shall be considered as paid service for absences no longer than 2,080 hours (or the equivalent as computed under the Rule for Fire Department employees assigned to more than a 40-hour week, or under the Rule for regular employees who work less than full-time but 1,040 hours or more per year in a part-time regular budgeted position) and sick leave credits shall continue to accrue.
- F. Temporary employees are not eligible for City Sick Leave.

Section 9. Use of City Sick Leave

- A. City Sick Leave is not a benefit that employees may use at their discretion. Sick leave is a privilege and shall be allowed only for the following purposes:
 - 1. For recovery from personal illness or injury. Minor ailments, which do not affect the safety of employees, persons or property or endanger the health of other persons while performing job duties, do not qualify an employee for sick leave.
 - 2. For diagnosis, prevention and/or treatment of a personal illness or injury including medical, dental, and optical treatments.
 - 3. When the employee needs health care treatment and examination when prescribed or performed by a licensed health care practitioner.
 - 4. For an illness or injury of a family member (defined for purposes of City Sick Leave as spouse, any parent or a child, including adoptive or foster children, or any relative for whom the employee is responsible for providing regular day-to-day care). The supervisor, after consultation with the Human Resources Director, may request a medical certification from a health care provider to verify that it is necessary for the employee to provide physical or psychological care for a family member who is unable to care for his/her own basic medical, hygiene, or safety needs, or is unable to transport him or herself to the doctor or treatment facility. For FMLA-qualifying leave, "family member" means spouse; parent (including adoptive, foster, or stepparent, or individual who stood in *loco parentis* to employee), or child (including adoptive, foster, or stepchild, or child of employee standing in *loco parentis*).
 - 5. For an approved Family & Medical Leave for the birth of a child or for the placement of a child with the employee for adoption or foster care, the employee may use up to 80 hours of sick leave (or the equivalent as computed under the Rule for Fire employees assigned to more than a 40 hour week or the Rule for regular employees who work less than full- time but

1,040 hours or more a year in a part-time budgeted position) if supported by a birth certificate or legal documentation of the placement of the adoptive or foster child. A medical certification will be required for the use of sick leave in excess of 80 hours (or equivalent).

- B. Any absence of three (3) or more consecutive workdays due to a serious health condition of an employee or employee's family member as defined by the Family Medical Leave Police and Family Medical Leave Act of 1993 (FMLA) must be reported in accordance with the City's Family and Medical Leave Policy.
- C. The Department Director, after the consultation with the Human Resources Director, may require an employee to be medically evaluated by a health care provider when there is reason to believe the employee is unable to perform the requirements of his or her job safely or might pose a danger to the property or health and safety of other persons while performing job duties.
- D. Employees shall be responsible for the cost of any required medical examinations performed by their own health care provider using their personal health insurance. Medical examination required by the City is to be performed by an independent health care provider and will be at City expense.
- E. Should any employee fail to return to work or continue to use sick leave benefits after a determination has been made that the employee is able to return to work, the leave may be regarded as an unexcused absence. An employee who does not return to work under these circumstances may be dismissed.
- F. The City Manager or designee will establish policies for the certification of City Sick Leave usage.
- G. Nothing in these sections shall be construed to diminish the Department Director's authority to dismiss an employee in accordance with Rule 5, Section 5.
- H. When a laid off employee is re-employed from the register, the employee's sick leave balance at the time of lay-off shall be restored.
- I. All sick leave not designated by the employee as Statutory Sick Leave shall be subject to the rules, policies, and procedures applicable to City Sick Leave.

Section 10. Statutory Sick Leave (SSL)

- A. Regular and temporary employees may accrue and use up to a maximum of 40 hours of accrued sick leave per tax calendar year as Statutory Sick Leave (SSL). Up to the first 40 hours of City Sick Leave used by an employee each calendar tax year shall

be concurrently designated as Statutory Sick Leave.

B. Statutory Sick Leave may be used for the following purposes as provided by Arizona statute:

1. Absences related to an employee's mental or physical illness, injury, or health condition, including the need for medical diagnosis, care or treatment, and preventive medical care;
2. Absences to care for a family member with a mental or physical illness, injury or health condition including the need for medical diagnosis, care or treatment, and preventative medical care;
3. Absences related to a public health emergency affecting the employee or employee's family member such as the closure of the employee's place of business or employee's child's school or the need to care for a family member whose presence in the community may jeopardize the health of others because of exposure to a communicable disease; and
4. Absences related to domestic violence, sexual violence, abuse or stalking where the absence is necessary for the employee or employee's family member to:
 - a. Obtain medical attention to recover for related physical or psychological injury;
 - b. Obtain domestic violence, sexual violence, or victim services;
 - c. Obtain psychological or other counseling;
 - d. Relocate or take steps to secure an existing home; or
 - e. Obtain related legal services.

C. For purposes of the use of Statutory Sick Leave only, the term "family member" is defined as:

1. Regardless of age, a biological, adopted, or foster child, stepchild, or legal ward, a child of a domestic partner, a child to whom the employee stands in *loco parentis*, or an individual to whom the employee stood in *loco parentis* when the individual was a minor;
2. A biological, foster, step-, or adoptive parent or legal guardian of an employee

or an employee's spouse or domestic partner or a person who stood in loco parentis when the employee or employee's spouse or domestic partner was a minor child;

3. A person to whom the employee is legally married under the laws of any state, or domestic partner of an employee as registered under the laws of any state or political subdivision;
 4. A grandparent, grandchild, or sibling (whether of a biological, foster, adoptive or step relationship) of the employee or employee's spouse or domestic partner; or
 5. Any other individual by blood or affinity whose close association with the employee is the equivalent of a family relationship.
- D. Unless an absence is unforeseeable, employees must make a good faith effort to provide advance notice of any absence and must schedule absences in a manner that does not unduly disrupt operations. In cases where advance notice is not possible, employees shall follow their Department's notification and reporting procedures for the use of sick leave.
- E. When Statutory Sick Leave is used for an absence of three or more consecutive days, the Director, after consultation with the Human Resources Director, may require an employee to provide reasonable documentation that the Statutory Sick Leave was used for a permitted purpose under this Rule.
1. For health-related absences, documentation signed by a healthcare provider indicating the use of sick leave was necessary shall be considered reasonable documentation.
 2. For absences related to domestic violence, sexual violence, abuse or stalking, reasonable documentation includes:
 - a. A police report;
 - b. A protective order, injunction against harassment, general court order, or other evidence from a court or prosecuting attorney confirming a court appearance by the employee or employee's family member;
 - c. A signed statement from a domestic violence or sexual violence program or victim services organization confirming the receipt of service by the employee or employee's family member;

- d. A signed statement from an attorney, clergy member, or medical professional confirming the employee or employee's family member is a victim of domestic violence, sexual violence, abuse, or stalking; or
 - e. The employee's written statement confirming the employee or the employee's family member is a victim of domestic violence, sexual violence, abuse, or stalking.
- 3. All documentation received for purposes of documenting the need for Statutory Sick Leave must be treated and maintained in a confidential manner.
- 4. Statutory Sick Leave may only be used for the purposes provided under Arizona statute and this Rule. An employee may be required to provide additional information for absences of fewer than three (3) consecutive days only if there are factual circumstances which cause the supervisor to reasonably question whether the leave was used for a permitted purpose under this Rule and Arizona law. All such requests for additional information must be coordinated through Human Resources.
- F. The employee is responsible for designating leave as Statutory Sick Leave for payroll and reporting purposes.
- G. Statutory Sick Leave may only be used for an employee's absences from scheduled work. It may not be used to receive pay for time an employee is not scheduled to work.
- H. When applicable, the City's Family and Medical Leave Policy will apply to absences designated as Statutory Sick Leave. Up to the first 40 hours of Family and Medical Leave used in a tax calendar year shall be designated Statutory Sick Leave/Family and Medical until Statutory Sick Leave is exhausted.
- I. Because the use of City Sick Leave under Section 9 of these Rules meets the requirements for Statutory Sick Leave usage, up to the first 40 hours of Sick Leave used by an employee each tax calendar year shall be concurrently designated as Statutory Sick Leave. Any leave designated by an employee as either Sick Leave or Statutory Sick Leave shall be deducted from the employee's annual Statutory Sick Leave bank until exhausted.
- J. Statutory Sick Leave is a designated use of accrued sick leave. It does not accrue separately from, or in addition to, the accrual of City Sick Leave hours by regular employees.

- K. If an employee separates from City service and is rehired within nine (9) months of separation from City employment, any unused Statutory Sick Leave will be reinstated upon rehire.
- L. All accrued sick leave not designated by the employee as Statutory Sick Leave will be subject to the rules, policies, and regulations applicable to City Sick Leave including, but not limited to, Section 9 of this Rule.
- M. No employee shall be discriminated against or subjected to retaliation for: (1) requesting or using Statutory Sick Leave; (2) assisting any person in doing so; or (3) informing any person of their rights under this Rule of the Arizona Fair Wages and Healthy Families Act. An employee's use of Statutory Sick Leave in accordance with this Rule and Arizona law shall not be a factor in any disciplinary action.
- N. Statutory Sick leave accrual for employees of the Fire Department who work more than a 40-hour week shall be prorated according to the formula as in Section 4H of this Rule.
- O. The Human Resources Director shall establish rules and procedures specific to the accrual and use of Statutory Sick Time by temporary employees.

Section 11. Charging Sick Leave

- A. All sick leave (whether City Sick Leave or Statutory Sick Leave) is charged against the employee's sick leave credits on an hour-for-hour basis according to the number of hours the employee would have been scheduled to work during the period of absence. When less than an exact number of hours are used, sick leave credits shall be charged to the nearest 15 minutes.

Section 12. Workers' Compensation

- A. In accordance with Arizona's Workers' Compensation statutes, employees are insured by the City against job-related injuries and illnesses occurring while performing duties within their scope of employment. The law provides for payment of medical expenses and under certain circumstances, compensation for a portion of lost income. It is mandatory that every job-related injury or illness, regardless of severity, be reported immediately to the supervisor and reported to the City's third party claims administrator, and a written report prepared and submitted to the City's Workers' Compensation Coordinator within 24 hours from the date of injury or illness.

B. Compensation for Probationary and Regular Employees

1. An employee will use Sick/Industrial leave for absences from work which resulted from a work-related injury or illness. Pay for Sick/Industrial leave will be based on the employee's net take-home pay including voluntary payroll deductions and excluding overtime.
2. Sick/Industrial leave may be used when an employee is not released to return to work based on the injury, is on a modified work schedule based on the injury, and to attend appointments required as treatment for the work-related injury. This leave is over and above what is required by the workers' compensation statute.
3. If an employee is released to return to work, including light duty, but is absent beyond of the scope of any work restrictions, the employee shall use his/her own sick leave for the absence.
4. Employees will not be required to apply for Family Medical Leave (FML) while on Sick/Industrial leave until such time as the employee has been given permanent restrictions and is not able to return to the time-of-injury job.
5. If it has been determined that any injury or illness is not work-related, the employee shall be required to use his/her sick leave, if available, for any additional leave required. The employee will transition to a personal medical leave status and will be required to apply for FML, if applicable and follow other related leave policies.
6. The employee shall receive Sick/Industrial leave for up to a maximum of 2,080 hours (or the equivalent as computed under the Rule for Fire Department employees assigned to more than an 40-hour week or the Rule for regular employees who work less than full-time but 1,040 hours or more per year in a part-time regular budgeted position) for absences involving the same injury/illness.
7. When the employee's Sick/Industrial leave is exhausted, the employee may voluntarily supplement Statutory Workers' Compensation benefits with accrued sick leave if available. If all sick leave has been exhausted, an employee may then use, if available, vacation leave and/or compensatory leave for the hours absent. The amount that may be supplemented is the difference between the Workers' Compensation benefits and what will approximate the employee's net take home pay including voluntary payroll deductions and excluding overtime.

8. If Sick/Industrial leave is exhausted, and the employee cannot return to his or her position because the employee is unable to perform the essential functions of the job with or without reasonable accommodation, the employee will be evaluated for accommodation and may be resigned from the City in good standing for health reasons.
 9. If the injury/illness was due to the employee's reckless or intentional behavior, the City shall not provide Sick/Industrial leave. Instead, if the claim is not accepted, the employee may voluntarily supplement Workers' Compensation benefits with accrued sick leave. If all sick leave has been exhausted, an employee may then use, if available, vacation leave and/or compensatory leave for the hours absent. The amount that may be supplemented is the difference between the Workers' Compensation benefits and what will approximate the employee's net take home pay including voluntary payroll deductions and excluding overtime. If leave is not available or has been exhausted, the employee shall be placed on industrial leave without pay.
 10. Premiums for health, dental and life insurance paid by the City shall continue to be paid when the employee is on Sick/Industrial leave and is receiving workers compensation, not to exceed 2,080 hour (or equivalent).
- C. Temporary employees shall receive compensation in accordance with Arizona's Workers' Compensation statutes. The City shall not provide Sick/Industrial leave for temporary employees.
 - D. No employee shall receive sick leave or Sick/Industrial leave as a result of a job injury or disease incurred while employed by someone other than the City of Chandler.
 - E. The employee may be required to submit to a medical examination as provided by this rule in Section 9. Fitness to return to duty shall be determined by the appropriate medical practitioner associated with the City's Workers' Compensation plan. If determined necessary and appropriate by the City, the City may request an independent medical evaluation.

Section 13. Short-Term Disability Pay for Non-Job-Related Illness/Injury

- A. An employee may be eligible to receive short-term disability pay for a temporary, non-work-related illness or injury.
- B. If an employee is receiving disability pay for non-job-related injury or illness under any disability plan affiliated with City service, vacation leave or compensatory time may be used to supplement the disability benefit. This time may be used only to the

extent that total compensation does not exceed what will approximate the normal net take home pay including voluntary deductions and excluding overtime.

- C. Only regular and probationary employees normally scheduled to work in a budgetarily approved position for 20 hours or more per week shall be qualified for the City Paid Program. However, all participants in the Arizona State Retirement System shall be qualified for the State Retirement Disability Program. Either program may be used as appropriate under paragraphs A and B above.
- D. All accrued sick leave must be used before employees may receive benefits from any disability plan offered by or affiliated with the City except Workers' Compensation. Sick leave may not be used when receiving benefits from any disability plan affiliated with the City.
- E. If the short-term disability benefit is exhausted and the employee cannot return to his or her position because the employee is unable to perform the essential functions of the job with or without a reasonable accommodation, and a transfer to another position is not available as a reasonable accommodation, the employee may be resigned from City service in good standing for health reasons.

Section 14. Bereavement Leave

- A. Family Death: For the purposes of bereavement leave, an immediate family member is defined as mother, father, spouse or domestic partner, child, brother, sister, grandfather, grandmother, grandchild, uncle, aunt, first cousin, or person serving in loco parentis of either the employee or the employee's spouse. When a member of an employee's immediate family dies, the employee shall be granted a special leave with pay, not chargeable against any leave credits, based on the chart below.

| FAMILY MEMBER (Includes In-laws) | BEREAVEMENT LEAVE |
|---------------------------------------------|--------------------------|
| Spouse/Domestic Partner | Up to 5 days |
| Child | UP to 5 days |
| Parent/Loco Parentis | Up to 5 days |
| Grandparents/Grandchild | Up to 5 days |
| Sibling | Up to 5 days |
| Aunt/Uncle/First Cousin | 1 day |

If additional leave is needed, the employee must use vacation credits or take leave without pay.

- B. Exceptions for Special Circumstances. In the event of unique or exceptional circumstances related to family relationships not explicitly covered in the policy outlined above, directors have the discretion to make exceptions to the standard policy. Such exceptions may include, but are not limited to, situations involving individuals who, while not meeting the criteria of immediate family members as defined in Section A, have a significant and demonstrable impact on the employee's personal circumstances.

Directors may consider requests for additional bereavement leave or modifications to the existing leave duration on a case-by-case basis. Requests for exceptions should be submitted in writing and include a detailed explanation of the circumstances warranting the request. Any approved exceptions will be communicated to the employee and their supervisor in writing, specifying the duration and conditions of the modified bereavement leave.

It is understood that exceptions granted under this provision will be rare and based on compelling and justifiable reasons. The intent is to provide flexibility in situations not explicitly covered by the standard bereavement leave policy.

- C. Death of Co-Worker: Special leave of absence with pay may be granted by the City Manager to allow co-workers to attend memorial/funeral services, allowing sufficient local travel time to and from service site. Such leave is not to be charged to any of the employee's accrued leave or compensatory time.

Section 15. Military Special Leave

- A. An employee who is a member of the National Guard or a member of the Reserve Corps of the United States Armed Services shall be entitled to leave of absence from duties without loss of time, pay, vacation or other employment rights as provided by City policy consistent with State statutes and Federal law.
- B. Employees must utilize all existing applicable leave before leave without pay will be approved.
- C. Military orders or other documentation acceptable to the Human Resources Director, which shows the dates of the employee's required military duties, shall be attached to the leave of absence request form.

Section 16. Jury or Witness Special Leave

- A. When an employee is subpoenaed or summoned for jury duty, the employee must immediately, and in advance of the absence, notify the Department Director of the subpoena or summons. The City will continue

to pay the employee's salary, upon presentation of proof of having actually served, while absent for jury duty.

- B. When an employee is subpoenaed as a witness relating to a job related matter, the City will continue to pay the employee's salary, upon presentation of proof of having actually responded to the subpoena. The employee must notify the Department Director in advance of the absence.
- C. Special leave shall not be allowed when an employee is subpoenaed as a witness relating to a non-job related or a personal matter. Vacation leave or compensatory leave may be used if sufficient credits are available and the employee is eligible to use the leave.

When the jury or witness duty is complete, a leave of absence request form for special leave, approved by the Department Director, shall be submitted to the Human Resources Director with the documented proof of attendance attached.

Section 17. Special Leave Without Pay

- A. The Department Director may approve special leave without pay. This leave without pay is intended only for short periods of time and may not exceed 15 working days. Leave without pay will be approved only when all applicable leave time is exhausted.
- B. For absences longer than 15 days, upon written request, an employee may, with the approval of the Department Director and the City Manager, be granted special extended leaves of absence without pay for any of the following reasons:
 - 1. To run for elective office.
 - 2. To enable an employee to engage in a course of study which will increase the employee's usefulness to the City service.
 - 3. To enable any regular employee a leave of absence for equally good reasons. In the case of a conflict of interpretation, determination by the City Manager as to what constitutes "equally good reasons" will be final and the employee will have no right of appeal.
- C. A leave of absence request form approved by the Department Director and the City Manager, indicating the specific date when the leave of absence will end, shall be submitted to the Human Resources Director. An employee who fails to return to work on or before the ending date of the leave shall be absent without approved leave.

Section 18. Extended Special Leave with Pay

- A. An employee may be granted an extended special leave with pay when it is clearly in the best interests of the City and leave is recommended by the City Manager and subsequently approved by the City Council.

Section 19. Exempt Employee Special Leave

- B. The Department Director may approve special leave with pay not charged to any leave credit for exempt employees not to exceed four working days in any one year, which is defined as the period between the first pay period with a pay day in January and the last full pay period with a pay day in December.

Section 20. Doctor's Release

- A. A certificate from a health care provider releasing the employee to return to work may be required for any absence due to illness or injury of three (3) or more consecutive working days in duration. The certificate must be presented to the immediate supervisor before the employee resumes the performance of duties. The certificate must state that the individual has recovered from illness or injury and is able to perform the duties of the position.
- B. The Department Director, in coordination with Human Resources Director, may require the employee to submit a doctor's certificate for any length of absence due to illness or injury if in the Department Director's opinion, it is in the best interests of the City. No medical documentation shall be required for an absence of less than three (3) consecutive days for which Statutory Sick Leave was used.

Section 21. Payment of Sick Leave

- A. A regular full-time or part-time employee who retires from City employment through a City-affiliated retirement system or is approved for long-term disability benefits within 180 days of separation and is eligible to retire at separation shall be compensated for all accumulated sick leave at the rate of fifty percent (50%) of the accumulated sick leave at the employee's current rate to be deposited into the employee's City sponsored Post Employment Health Plan (PEHP).
- B. A regular full-time or part-time employee who retires from City employment through a City-affiliated retirement system or is approved for long-term disability benefits within 180 days of separation and is eligible to retire at separation shall be compensated for all accumulated sick leave at the rate of fifty percent (50%) of the accumulated sick leave at the employee's current rate to be deposited into the

employee's City sponsored Post Employment Health Plan (PEHP).

- C. The beneficiaries of an employee who dies prior to retirement shall receive compensation for all accumulated sick leave at the rate of fifty percent (50%) of the accumulated sick leave hours at the employee's current base rate and shall receive compensation for Years of Service Pay as established by the City Manager for each 12- month year of City of Chandler service prorated for any partial year.
- D. The beneficiaries of an employee who dies in the line of duty shall receive compensation for all accumulated sick leave at the rate of one hundred percent (100%) of the accumulated sick leave hours at the employee's base rate and shall receive compensation for Years of Service Pay as established by the City Manager for each twelve (12) month year of City of Chandler service prorated for any partial year.
- E. When an employee is laid off, no part of the sick leave balance shall be paid.
- F. An employee who terminates from City employment for any reason other than stated in Section 21 shall forfeit all accumulated City Sick Leave.

Section 22. Conversion of Sick Leave

- A. The City Manager may establish policies for the conversion of a portion of regular employees' sick leave balances to vacation credits as appropriate.

Section 23. Administrative Leave

- A. The Department Director may place an employee on administrative leave with pay at any time for the purpose of investigating allegations against the employee, which could result in disciplinary action. Such administrative leave shall not exceed 30 calendar days except with the approval of the City Manager, who may approve additional time if the investigation is so complex that it cannot be completed in 30 days. Administrative leave shall be ordered, in writing, after coordination with the Human Resources Director. Such administrative leave will not be considered a disciplinary action, and the employee shall not have any appeal rights. After the investigation has been completed, for which the employee was placed on administrative leave, the Department Director after coordination with the Human Resources Director, shall dismiss, demote, suspend without pay or reinstate the employee, without prejudice. If the employee is reinstated without prejudice, all reference to the administrative leave shall be removed from the employee's file.
- B. Administrative leave with pay may be granted by the City Manager in emergency situations to allow employees to attend to business resulting from serious accidents

involving employee's property, which has been damaged or lost, due to fire, flooding, devastating wind, vandalism, or by other means out of the employee's control to prevent. Administrative leave with pay may also be granted by the City Manager due to malfunction of publicly owned or controlled machinery or equipment; for the well-being of the employees; or when it is in the best interest of the City.

- C. Department Directors may grant annually one day of administrative leave with pay to employees who warrant such absence.
- D. Leave granted under this rule is not to be charged to any of the employee's accrued leave or compensatory time.

Revised January, 2002 – Resolution No. 3472
Revised June, 2008 – Resolution No. 4203
Revised May, 2009 – Resolution No. 4289
Revised September, 2010 – Resolution No. 463
Revised June, 2011 – Resolution No. 4519
Revised September, 2011 – Resolution No. 536
Revised November, 2013 – Resolution No. 728
Revised September, 2014 – Resolution No. 762
Revised May, 2015 – Resolution No. 4847
Revised June, 2017 – Resolution No. 5068
Revised June, 2022 – Resolution No. 5594
Revised June, 2024 - Resolution No. 5760