

	TOWN OF PARADISE VALLEY Administrative Policy	
	Title: MISCELLANEOUS LEAVES	Policy No. AP-10.5
Policy Owner: Gina Monger, Human Resources Director		
Approved By: Andrew Ching, Town Manager		
Authorized By: <i>Chapter 10: Holiday and Leave Benefits, Town Employee Handbook</i>		Revision History: None
		Effective Date: 06/23/2024

1. PURPOSE

This policy will provide further guidance for the administration of the provisions as authorized by *Chapter 10: Holiday and Leave Benefits* of the *Town of Paradise Valley* (hereinafter referred to as the “Town”) *Employee Handbook*.

2. POLICY

The Town strives to provide benefits of paid leave to address an employee’s need to be away from work. No monetary compensation will be paid to an employee who does not have applicable accrued paid leave to use during the approved period of absence.

3. BEREAVEMENT LEAVE

3.1. Eligible employees may be granted paid bereavement leave due to the death in the employee’s immediate family.

3.2. Unless specified otherwise in this policy, only probationary and regular status employees are eligible for paid leave benefits based upon their scheduled hours of work per week. Employees who work less than 20 hours per week are not eligible for the benefits described herein.

3.2.1. Tier 1: Employees scheduled to work 40 hours or more per week, or an alternate schedule that equals 80 hours or more in the pay period.

3.2.2. Tier 2: Employees scheduled to work 30 hours, but less than 40 hours per week.

3.2.3. Tier 3: Employees scheduled to work 20 hours, but less than 30 hours per week.

3.3. Immediate family member is defined as the employee’s:

3.3.1. Spouse/Domestic Partner

3.3.2. Child [step]

3.3.3. Mother [in-law, step]

3.3.4. Father [in-law, step]

3.3.5. Sister [in-law, step]

3.3.6. Brother [in-law, step]

3.3.7. Grandparent

3.3.8. Grandchild

3.4. Bereavement hours are available as follows:

Employee Group	Up To (Workdays)
Tier 1	5/8-hour shifts: 5 workdays 4/10-hour shifts: 4 workdays 4/9-hour shifts or 9/80s: 5 workdays 3/12-hour shifts and 8-hour shift: 4 workdays
Tier 2	2 workdays
Tier 3	1 workday

3.5. The Town Manager may authorize work time for employees to attend services for a co-worker. This authorization is exceptional, intended to be used in limited and specific circumstances, and may/not apply to all staff.

4. CIVIC LEAVE

4.1. Employees who are subpoenaed as a witness or summoned for jury duty during their regularly scheduled work hours are entitled to civic leave, which is equivalent to their regular compensation, exclusive of overtime, while serving, unless the employee is named plaintiff or defendant in litigation which does not arise out of employment with the Town. The Town will pay the difference between the employee's salary and any fee received, upon submission to the Human Resources of proof of service and amount of fee. The employee may retain any travel payment received.

4.2. Employees must notify their supervisors immediately of a subpoena or summons that will require absence during the workday and receive advance approval for court leave.

5. DONATED LEAVE

5.1. Provisions

5.1.1. Donated leave is compensation for an employee during qualifying periods of absence due to the employee's serious health condition. For the purposes of this policy, a serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves either inpatient care or continuing treatment by a healthcare provider, and generally involves a period of incapacity. Incapacity means an individual is unable to work, attend school, or perform other regular daily activities because of the serious health condition, due to treatment of it, or for recovery from the condition.

5.1.2. Employees using donated leave will retain their employment status and benefits as they would if using another form of paid leave. Donated leave hours will not count towards hours worked in the workweek for overtime purposes.

5.1.3. Only vacation and sick leave may be voluntarily donated in accordance with the provisions of this section. No other types of paid time off are authorized for donation.

5.1.4. The approval period to receive donated leave will not exceed 90 calendar days. The approval period may be extended for up to an additional 14 calendar days, exclusive of bereavement leave, due to the death of the family member that was the subject of the donated leave eligibility by the receiving employee.

5.1.5. The conversion of vacation leave to donated leave will be hour-for-hour (1 to 1), regardless of the employee's rate of pay, and credited to the receiving employee's sick leave bank. The conversion of sick leave will be two hours of sick leave equals one hour of donated leave (2 to 1), regardless of the employee's rate of pay, and credited to the receiving employee's sick leave bank.

- 5.1.6. Donated leave is not a loan. Employees may not solicit, offer, or receive monetary compensation for any other benefits in exchange for leave donations.

5.2. Recipient Eligibility

- 5.2.1. Leave may be donated to an active employee who:

- 5.2.1.1. Has exhausted or will exhaust all of their eligible paid leave accruals;

- 5.2.1.2. Will (need to) be absent from work for more than 14 calendar days due to the employee's medical condition as documented by the employee's medical provider.

- 5.2.2. Employees who are eligible for disability benefits are prohibited from receiving both disability benefits, time-loss/worker's compensation payments, or donated leave at the same time.

5.3. Donor Eligibility

- 5.3.1. The employee donating vacation time must have at least 80 hours remaining after the donation. The employee donating sick time must have at least 160 hours remaining after the donation.

- 5.3.2. If an employee wishes to donate hours, the employee will submit the following in writing to Human Resources: who the leave donation is for, what type of leave, and how many hours are to be donated. Human Resources will review the donation eligibility requirements and if eligible, will forward the donation to payroll for processing.

5.4. Procedure

- 5.4.1. Employees wishing to receive leave donations will notify Human Resources, in writing. The request will include the (anticipated) date they will exhaust their available paid leave accruals and also provide the required documentation from the healthcare provider of the employee's need to be absent from work due to their personal medical condition, that includes the anticipated duration of the absence.

- 5.4.2. Employees approved donated leave will be kept confidential unless the receiving employee authorizes Human Resources to announce their name and eligibility. The qualifying reason for the approval of donated leave will remain confidential.

- 5.4.3. The effective date of the donated leave approval will be the date the request was received by Human Resources or the first day of leave without pay, whichever is later. Retroactive requests for approval are prohibited. Employees may use donated leave up to, but not to exceed their regularly scheduled hours of work, excluding overtime or other additional compensatory hours.

- 5.4.4. Employees who wish to donate sick and/or vacation leave in accordance with this subsection will submit their request in writing to payroll and indicate the type and amount of leave to be donated, and who it is to be donated to.

- 5.4.5. Payroll will apply hours donated to the receiving employee's time in the order they are received. If any donated hours remain unused, they will be returned to the donating employees in reverse order of contribution (last in, first out) based on the approval date for the leave donations. In the event more than one employee donated leave on the same day, the hours will be split proportionately based on their amount of respective donations.

6. MILITARY LEAVE

- 6.1. An employee who requests absence with pay on military leave pursuant to *ARS 26-168, Absence from employment for military duty* and *26-171, National guard training*, or *38-610, Leaves of absence for certain military and disaster training; definition*; will submit a copy of the orders for duty to Human Resources. Human Resources will review the orders and confirm the leave period to the employee and supervisor/department director.
- 6.2. Employees will be granted paid military leave for annual training for a period not to exceed 30 workdays in any 24-month period.
- 6.3. For military duty in the armed services of the United States, the 24-month period will commence on the fiscal year of the United States (October 1).
- 6.4. For military duty in the national guard, the 24-month period will be 24 consecutive months back from the time of leave.
- 6.5. The Town will pay the employee's full salary for the time absent due to authorized military active duty training as set forth in *Subsection 6.2.* above. The amount received from the armed services for active duty will be retained by the employee. Military leave in excess of 30 workdays will be charged to accrued vacation or leave without pay.

7. PARENTAL LEAVE

- 7.1. Paid parental leave is paid time off that is awarded to qualifying employees for the following:
 - 7.1.1. The live birth of an employee's child; and/or
 - 7.1.2. The adoption of a child age 17 or younger, excluding the adoption of a spouse's child.
- 7.2. Paid leave benefits are based on the qualifying event in a rolling 12-month period, beginning on the date of the qualifying event for eligible employees, as follows:
 - 7.2.1. Tier 1 employees are eligible for 320 hours
 - 7.2.2. Tier 2 employees are eligible for 240 hours
 - 7.2.3. Tier 3 employees are eligible for 160 hours
- 7.3. To be eligible, the employee must have successfully completed their original probationary period and are scheduled to work at least 20 hours per week. If both parents of the live birth/adopted child work for the Town, each parent will be eligible for 320 hours of paid time.
- 7.4. Paid parental will run concurrently with approved FMLA Leave. Paid parental leave will not be used concurrently with any other approved paid leave or disability benefit.

8. VOTING LEAVE

- 8.1. Employees will have adequate time to vote. To comply with the statutory requirements for allowing work time to vote, the Town will allow employees a maximum of two hours of paid time away from work to vote, when the following conditions are met:
 - 8.1.1. The employee must declare an intention to vote at an election held within the State of Arizona on the day of election.

8.1.2. There are less than three consecutive hours between the opening of the polls and the beginning of the employee's regular work shift and less than three consecutive hours between the end of employee's work shift and the closing of the polls.

8.1.3. The employee obtains prior approval from their supervisor.

8.2. If requested, an employee must be able to show proof of status as a registered voter.

9. ADMINISTRATIVE LEAVE

9.1. An employee may be placed on administrative leave with pay if circumstances warrant such action, as follows:

9.1.1. An employee who is the subject of an investigation and doing so will preserve the integrity of the investigation.

9.1.2. To ensure the employee's and/or Town's safety and security.

9.1.3. Employees involved in work-related critical incidents.

9.1.4. As otherwise deemed necessary by the Town Manager/designee.

9.2. Human Resources will provide the affected employee with a written notice of their placement on administrative leave with pay and the conditions of the leave period.

9.3. Employees will (continue to) abide by all Town policies, rules, procedures, and expectations during their administrative leave period. Employees will be available during their scheduled hours of administrative leave as defined in their written notice and may be asked to report for duty with little to no advance notice.

9.4. Failure to adhere to any provision of the paid administrative leave will be considered insubordination and subject to disciplinary action, up to and including dismissal.

10. LEAVE WITHOUT PAY

10.1. Except for leave without pay due to unexpected sick leave reasons, as defined in the sick leave administrative policy, including worker's compensation illness/injury, leave without pay must be approved in advance by the Town Manager.

10.2. Leave without pay may be granted for the following reasons:

10.2.1. Educational leave

10.2.2. Governmental service leave may be granted for service in the public interest, including but not limited to search and rescue and community emergency response

10.2.3. Childcare and elder care emergency leave

10.2.4. Public Health Service and Peace Corps leave

10.2.5. Leave necessary to reasonably accommodate a disability as required by state or federal law

10.2.6. Conditions applicable for leave with pay

- 10.3.** To request leave without pay for any reason provided in *Subsection 10.2*, the employee will make the request in writing to Human Resources, explaining the need for unpaid leave and the anticipated duration of the requested absence without pay. The request must include the length of the absence, any anticipated benefit to the Town, and any other relevant information.
- 10.4.** Human Resources will review the request with the employee's department director for a recommendation and then provide the request, along with their recommendation, to the Town Manager for final consideration.
- 10.5.** The employee will receive a written response to their request for leave without pay. If approved, the response will include any conditions to be met by the employee during and/or upon their return to work.
- 10.6.** Any unpaid in excess of 30 calendar days will require the employee to pay 100% of the premiums for their healthcare benefits (employee and employer portions) to continue their benefits uninterrupted. Payments for healthcare benefits will be made directly to the Town no later than the first of each month.
- 10.7.** An employee who fails to return to work at the conclusion of their approved leave will deemed to have abandoned their position, placed on unauthorized leave without pay, and subject to formal discipline, up to and including dismissal.