



Personnel Policies and Procedures

SECTION 300
LEAVE
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Personnel Policies and Procedures

SECTION 300 LEAVE

301. Leave Policy

- .1 By definition, leave is absence from work during regularly scheduled work hours that has been authorized by proper authority. Leave may be authorized with or without pay as allowed by policy. Absence without permission is considered unauthorized absence. Information regarding pay for leave can be found in Section 200.
- .2 Each employee is responsible for the accurate completion and submission of his or her own leave requests. Expenditures of leave for each employee must be reported to and approved by the employee's supervisor.
- .3 It is an employee's responsibility to monitor and manage all leave accruals. Any leave lost due to inaction by an employee will not be reinstated.
- .4 Departments must report unpaid leave in excess of forty (40) consecutive hours to the Human Resources Department for any employee serving their initial probationary period.
- .5 During any leave in excess of one hundred sixty (160) consecutive working hours, the following applies:
 - .51 Whether such leave is paid or unpaid, no Vacation or Sick Leave will accrue during the entire period of the leave.
 - .52 Upon return, full-time employees must complete in excess of twenty (20) hours of actual work within a workweek to be eligible for accruals to recommence after an extended absence.
 - .53 The employee's department must initiate the appropriate leave correction to adjust the leave accrual. The adjustment should be prorated to the nearest week.
 - .54 Such leave will not be used in computing time in grade for Satisfactory Performance Increases or for completion of probationary period.
 - .55 The employee will be placed in an Inactive Status in the payroll system (Section 309 will apply to employees on Military Leave). Inactive Status under this policy refers to an administrative process whereby current employees are placed into an unpaid category in the payroll system. The employee's supervisor will be responsible for ensuring that the Inactive Status is initiated and that such status is reported to the Human Resources Department.

- .56 While on Inactive Status in the payroll system, the employee is entitled to the continuation of benefits elected during the fiscal year. Any applicable premiums for coverage will be required from the employee for continuation during the entire period of Leave Without Pay. Nonpayment of premiums will result in cancellation of benefits.

302. Types of Leave

The following types of leave have been established for City employees:

Vacation Leave
Voting Leave
Holiday Leave
Sick Leave
Compensatory Leave
Leave Without Pay
Military Leave
Court and Jury Leave
Injury Leave
Funeral Leave
Family and Medical Leave
Floating Holiday Leave
Administrative Leave
Authorized Personal Leave

303. Vacation Leave

- .1 All regular and part-time employees are encouraged to take Vacation Leave of two (2) consecutive weeks each year. Department heads will grant leave in accordance with this Section on the basis of the work requirements of the department and, whenever possible, considering the personal wishes of the employees.
- .2 Expenditure of Vacation Leave will be granted to regular and part-time employees in accordance with the following provisions. Employees covered under the terms of a collective bargaining agreement will be governed by the vacation provision of the agreement:
 - .21 An employee must have completed three (3) months of employment before being eligible to expend Vacation Leave.
 - .211 If an employee becomes ill while on vacation, Sick Leave should be used and should be verified by a doctor's statement. The doctor's statement must include length of the illness.
 - .22 It is the department head's responsibility to schedule vacations accordingly to ensure the efficient operation of the department and to provide annual Vacation Leave for employees.
 - .23 Vacation Leave will not be used during a period of suspension unless it is used as part of a vacation in lieu of suspension agreement reached in a

disciplinary hearing and approved by Human Resources and the employee's department head or designee.

.24 The amount of vacation expended should not exceed the exact number of hours an employee is scheduled to work during the period in which leave is to be taken. Vacation Leave will not exceed the amount accrued at the time the leave expenditure begins.

.241 Vacation Leave may only be requested in one (1) hour increments. It is not the intention of this policy for employees to routinely use vacation in one (1) hour increments. Use of emergency Vacation Leave in other increments may be approved by the employee's supervisor.

.25 Holidays or other days not scheduled for work will be excluded in computing Vacation Leave expenditure.

.26 Service as a temporary employee will not be used to determine Vacation Leave accrual.

.27 Any Vacation Leave accrued to a regular or part-time employee at the time of transfer from one department to another will be recorded on the personnel action form and will be transferred to the new department.

.28 Upon separation, an employee should be paid for the unused portion of their Vacation Leave provided the employee has completed six (6) months of employment; Any employee dismissed for embezzlement of City funds, theft of City time, theft, or deliberate destruction of City property will be ineligible for payment of accrued Vacation Leave. Pay for Vacation Leave may be withheld upon separation if the employee owes any type of repayment to the City for overpayment of wages.

.29 Vacation should be scheduled in advance, based upon departmental procedures. Normally, an employee should submit a written request to schedule vacation at least two (2) weeks in advance. However, work unit supervisors at their discretion may approve an employee's request for Vacation Leave upon shorter notice or in view of employee emergencies. The employee should notify his/her supervisor of the need to request such vacation at the earliest possible time. Approval of requests for Vacation Leave with less than seventy-two (72) hours notice should be limited to no more than six (6) occurrences per calendar year.

.30 All Vacation Leave requests over one hundred twenty (120) continuous hours must be approved by the department head and Personnel Director, except when Vacation Leave is taken as Family Medical Leave under Section 314.

.3 Use of Vacation Leave Preceding Retirement

.31 The maximum amount of Vacation Leave time which can be approved for an employee immediately preceding retirement is one hundred twenty (120) hours.

.4 Accrual of Vacation Leave

.41 Vacation Leave will be accrued to each regular and part-time employee on the first day of the month following completion of thirty (30) days of continuous service.

.42 To determine the appropriate accrual rate for a part-time employee, an average of the hours worked per week within the preceding twelve (12) months should be calculated. If a part-time employee has been not been employed for twelve (12) months, a weekly average should be calculated of all available hours. The average should be rounded to the nearest whole number and should be calculated from the day the leave is accrued (Example, an employee that works an average of 18 hours per week would accrue 45% of the accrual based on years of service). The percentage will be applied to the accruals established within Section 303.43.

.43 The amount of vacation time to be accrued upon completion of each calendar month of service by regular employees is as follows:

<u>Years of Completed Service</u>	<u>Vacation Leave Accrued</u>	
Date of employment to completion of fifth year	9.33 hours/month	112 hours
5 years but less than 10 years	10.67 hours/month	128 hours
10 years but less than 15 years	14.00 hours/month	168 hours
15 years but less than 20 years	15.33 hours/month	184 hours
20 years but less than 25 years	16.67 hours/month	200 hours
25 years or more	17.33 hours/month	208 hours

.44 The maximum amount of Vacation Leave that may be accrued by an employee is twice the amount which the employee may accrue in one calendar year. No additional Vacation Leave will be credited to an employee who has reached the maximum amount. For part time employees, the maximum Vacation Leave that may be accrued should be based on a twenty-five (25) hour work week.

.5 Any Vacation Leave lost due to inaction by an employee will not be reinstated.

304. Voting Leave

It is the policy of the City of Tulsa to encourage all eligible employees, regardless of their employment status, to vote in all city, county, state or federal elections. Should employees need time off during working hours to vote, leave should be granted in accordance with the provisions of this section as governed by state law. Voting Leave will not be granted for school board or bond elections.

- .1 Any employee eligible to vote in an election may be granted up to two (2) hours leave from work with pay between the hours of 7:00 a.m. and 7:00 p.m. on an election day, provided the employee cannot utilize other than working hours for this purpose.
- .2 If it is necessary for an employee to vote during working hours, he should inform his supervisor of his intentions prior to the day of the election. The supervisor will then select the time that the employee may vote based on operational concerns. The supervisor may also seek proof that the employee voted during the designated absence before authorizing payment for Voting Leave.
- .3 Voting Leave should not be granted to an employee whose work day begins three (3) hours or more after the opening of the polls or which ends three (3) hours or more prior to the closing of the polls. (All polls are open from 7:00 a.m. to 7:00 p.m..)
- .4 The department head may alter the working hours of an employee requesting Voting Leave on election day to allow the three (3) hours subsequent to the opening of the polls or three (3) hours prior to the closing of the polls.
- .5 The department head may extend Voting Leave if two (2) hours of paid leave is not sufficient for an employee to vote during the period when the polls are open.

305. Holiday Leave

- .1 The following holidays are observed by the City and will be granted to employees with pay and to temporary employees without pay unless such temporary employees are required to be on duty:

New Year's Day (January 1st)
Martin Luther King Day (third Monday in January)
Good Friday (Friday before Easter)
Memorial Day (last Monday in May)
Independence Day (July 4th)
Labor Day (first Monday in September)
Veteran's Day (November 11th)
Thanksgiving Day (fourth Thursday in November)
Friday after Thanksgiving
Christmas Eve (December 24th)
Christmas Day (December 25th)

- .11 Part-time employees will be granted Holiday Leave using the same guidelines established within Section 303.42 above. However, in no case will an employee be granted Holiday Leave that exceeds the number of hours they are normally scheduled to work on the holiday. The twelve (12) month average will be calculated from the date the holiday is officially observed by the City of Tulsa.
- .2 Unless provided differently within a collective bargaining agreement, holidays are provided as an eight (8) hour benefit. Therefore, employees working an

approved Alternate Work Schedule will have to supplement any Holiday Leave with additional leave taken from their vacation or compensatory time accruals. Holiday Example: An employee working the 410 schedule would be required to submit a leave slip for two (2) hours of vacation or comp time for each holiday that falls on a regularly scheduled workday.

- .3 Employees covered under the terms of a collective bargaining agreement should refer to the agreement for controlling language if the agreement is at variance with this section.
- .4 The granting of holidays observed by the City will be subject to the following provisions:
 - .41 Employees who are regularly assigned to work Monday through Friday with Saturday and Sunday as normal days off will observe a holiday falling on Saturday on the preceding Friday and a holiday falling on Sunday on the following Monday. Employees whose regular shift is other than Monday through Friday will observe holidays that occur on the employee's normal day off on the next scheduled workday.
 - .42 Employees who are required to work on a holiday will be compensated in accordance with provisions of Section 220.
 - .43 Holidays or other non-scheduled workdays will not be included in computing Vacation Leave. However, when an employee is absent on a holiday for which he or she is scheduled to work, the holiday is forfeited and time will be deducted from his or her Sick Leave or charged to Leave Without Pay whichever is applicable. Vacation Leave will only be allowed based on a verified emergency.
 - .44 When a holiday falls within a period of Leave Without Pay or Sick Leave not verified by a Doctor's slip immediately preceding or immediately after Holiday Leave, the employee should receive no pay for the holiday.
 - .45 The appointment of an employee will not be effective on a holiday.
 - .46 The separation of an employee should not be effective on a holiday except when the employee works on the specified holiday.
 - .47 Vacation Leave, Compensatory Leave, or Authorized Personal Leave may be granted to an employee for observance of religious holidays or holidays other than those listed.
 - .48 Employees working an alternate work schedule must submit appropriate Holiday Leave requests in accordance with Section 221.5.

306. Sick Leave

- .1 Sick Leave will be granted to regular and part-time employees in accordance with the provisions set forth in this Section (Employees covered under the terms of a

collective bargaining agreement will be governed by the Sick Leave provisions of the agreement). Sick Leave accruals are provided as a benefit to the employee and should be used only as described in this section. Sick Leave may be used in determining qualifications for promotions and/or progressions.

- .2 Sick Leave for City employees may be used in the following situations:
 - .21 When employees are incapacitated by sickness or non-job-related injury or for medical treatment.
 - .22 For necessary care and attendance of a member of the employee's immediate family who is incapacitated by illness or injury.
 - .221 For the purpose of this section, "Immediate Family" will be defined as an employee's parent, spouse, child, or "step" or "adoptive" situations within these relationships. This also includes individuals for whom the employee is the current legal guardian.
 - .23 After exposure to a contagious disease when attendance on the job, in the opinion of the City Physician, jeopardizes the health of others.
- .3 Sick Leave with pay will be granted to regular and part-time employees in accordance with the following provisions:
 - .31 Sick Leave used will not exceed the total amount accrued to the employee at the time of his absence.
 - .32 Leave Without Pay may be granted for sickness extending beyond the amount of accrued Sick Leave. After each thirty (30) days during such Leave Without Pay, the employee should present to Human Resources a doctor's statement of his continued inability to perform his normal duties (see "Leave Without Pay").
 - .33 After three (3) months' service, accrued Vacation Leave may be used for Sick Leave when accrued Sick Leave has been expended.
- .4 Sick Leave will be accrued for regular and part-time employees as follows:
 - .41 Sick Leave will be accrued to each regular and part-time employee on the first day of the month following completion of thirty (30) days of continuous service. Sick Leave may not be expended until after completion of one full calendar month.
 - .42 Unless provided differently within a collective bargaining agreement, eight (8) hours will be accrued for each full calendar month of service.
 - .43 An employee may accrue a maximum of twelve hundred (1200) hours of Sick Leave.

- .44 See Section 303.42 regarding guidelines for leave accrual for part-time employees except that the resulting percentage will be applied to the leave amount established within 306.42.
- .5 Sick Leave should be computed as follows:
 - .51 The amount of Sick Leave expended should not exceed the exact number of hours an employee is scheduled to work during the period leave is taken. (Minimum Sick Leave expended should be one (1) hour. It is not the intention of this policy for employees to routinely use Sick Leave in one (1) hour increments.)
 - .52 Holidays and other days not scheduled for work will be excluded in computing Sick Leave expenditures.
 - .53 Unless provided differently within a collective bargaining agreement, employees may convert accrued Sick Leave in excess of nine hundred sixty (960) hours to Vacation Leave, provided the total accrued Vacation Leave may not exceed the maximum allowed under "Vacation Leave" provisions. Conversion will be at a ratio of one (1) hour of vacation for one (1) hour of Sick Leave.
- .6 It is the responsibility of the employee to initiate a request for conversion of Sick Leave to Vacation Leave and to monitor and manage all leave accruals. Any leave lost due to inaction by the employee will not be reinstated.
- .7 Change of appointment, transfer or separation will affect accrued Sick Leave as follows:
 - .71 Service as a temporary employee will not be used to determine Sick Leave accrual.
 - .72 A regular or part-time employee transferring from one department to another should have his total accrued Sick Leave transferred to the new department. The accrued Sick Leave should be recorded on the Personnel Action form.
 - .73 Upon retirement (age 55 or older) or death, employees with at least nine hundred and sixty (960) hours of accrued Sick Leave will receive payment for accrued Sick Leave at a rate of one (1) hour of pay for every three (3) hours of Sick Leave up to a maximum of three hundred twenty (320) hours of pay.
 - .74 A regular or part-time employee who leaves the classified service to enlist in active military service other than a reserve unit and who applies for re-employment within fifteen (15) days after having been rejected or ninety (90) days after an honorable discharge will have the former unused Sick Leave credits reinstated (see provisions for Military Leave).

.75 A regular or part-time employee who is laid off and returns to City employment within one (1) year from the date of layoff will have the former unused accrued Sick Leave reinstated.

.8 Other factors relative to Sick Leave include:

.81 Sick Leave should not be used during periods of suspension.

.82 An employee who is absent from duty for reasons which entitle him to Sick Leave should notify his supervisor within a reasonable time prior to the beginning of the work shift if physically able to do so.

.83 When an absence due to illness exceeds five (5) days, the employee will present to the City Physician a medical statement from a doctor describing the illness and return to work only if given a medical release from the City Physician. Until an employee is released to return to work by the City Physician, they will continue to use Sick Leave.

.84 When an absence exceeds thirty (30) calendar days, the employee should present to Human Resources, each thirty (30) calendar days, a doctor's statement of continued inability to perform normal duties.

.85 Management may, when the absence is five (5) days or less, require an employee to present a doctor's statement before authorizing Sick Leave expenditure.

.86 Management may investigate the alleged illness of an employee absent on Sick Leave. Such investigation should be conducted by Human Resources.

.87 False or fraudulent use of Sick Leave by an employee will be grounds for disciplinary action up to and including dismissal.

.88 The department head may request at any time a doctor's statement or medical opinion from the City Physician regarding the employee's physical ability to perform the duties of the job. The Personnel Director should be copied on all requests.

307. Compensatory Leave

Unless provided differently within a collective bargaining agreement, Compensatory Leave may be accrued and used to compensate non-exempt employees for overtime worked in accordance with the provisions of "Hours of Work and FLSA Overtime" in Section 219.

.1 Compensatory Leave will be granted at the discretion of the department head and should be used as soon as possible after the leave has been earned.

.2 Compensatory Leave will not be used during a period of suspension.

- .3 Employees will first use accrued Compensatory Leave before using Vacation Leave.
- .4 During a period which qualifies for the use of Sick Leave and in which an employee has exhausted accrued Sick Leave, the employee will next use any accrued Compensatory Leave before using accrued Vacation Leave.
- .5 Non-sworn employees should not accrue over 80 (eighty) hours of Compensatory Leave time.

308 Leave of Absence Without Pay

- .1 Department heads may grant a Leave of Absence Without Pay for a specified period of time. If such leave is for more than thirty (30) calendar days, it should be recorded on a Personnel Action form for review by Human Resources.
- .2 Unauthorized absence from duty will be without pay. Upon returning, the employee may be subject to disciplinary action up to and including dismissal.
- .3 Before Leave Without Pay may be granted to extend a period of leave beyond the amount of accrued Sick Leave, the employee should present to the City Physician a doctor's statement of their continued inability to perform their normal duties and an estimation of the number of days the employee expects to be absent from work (see "Sick Leave").
- .4 Non-illness related absences which are prescheduled at least twenty-four (24) hours in advance and approved by the employee's department head or supervisor will be coded as unpaid Authorized Personal Leave and will not be considered negatively or held against the employee with regard to performance reviews, promotional consideration, or any other employment factors.
- .5 For employees within their initial probationary period, Leave of Absence Without Pay in excess of forty (40) total hours may be grounds for dismissal. It is the responsibility of the employee's supervisor to report all such probationary absences to the Personnel Director immediately.

309. Military Leave

An employee who temporarily leaves his or her job as a result of voluntary or involuntary service in the United States uniformed services is guaranteed certain reemployment rights and other job protections under the Uniformed Services Employment and Reemployment Rights Act (USERRA) and state law. Notice of any such absence (oral or written) is required unless the employee is unable to provide such notice because of "military necessity".

- .1 Leave with Pay for Military Physical Examination
 - .11 Classified employees will be granted time off with pay, not to normally exceed one (1) day inclusive of travel, for the physical examination prior

to induction or entry into active military service or for veterans' re-evaluation physical examinations.

.12 In order to be granted such leave with pay, the employee will provide to his or her department head or designee an official notice to report for physical examination. Leave for this purpose will be classified as Military Leave.

.2 Military Leave for Training in a Reserve Unit or National Guard

.21 Classified employees will be granted no more than three hundred (300) hours of paid leave per federal fiscal year (October 1 through September 30), travel time inclusive, when ordered for training as part of a reserve unit or any component of the Armed Forces or National Guard.

.22 Whenever possible, the employee will present to the department head or designee a copy of the orders to report for Reserve or National Guard training prior to departure on leave. A copy of the orders will be forwarded to the Human Resources Department. A Personnel Action will be completed when Military Leave extends beyond four (4) consecutive workweeks to take the employee out of active status and stop leave accruals.

.3 Military Leave for Active Duty

.31 Classified employees will be granted no more than three hundred (300) hours of paid leave per federal fiscal year travel time inclusive, when initially ordered to active duty other than training as part of a reserve unit or any component of the Armed Forces or National Guard. If an employee's active duty call up date is late in the federal fiscal year and therefore does not allow the employee to receive the full 300 hours within the initial federal fiscal year, it is understood the 300 hours of paid leave may extend into the next federal fiscal year. Paid Military Leave for active duty will be in addition to any Military Leave for training provided in 309.21. Military Leave will not be considered initiated until any expenditure of Vacation Leave and/or Compensatory Leave has been completed. The use of Vacation or Compensatory Leave in this manner is voluntary and will extend the employee's normal employment status and benefits except as provided in 309.42.

.32 Any classified employee who enters the U.S. Armed Services (other than the National Guard or a reserve unit) directly from City employment will be placed on Military Leave. Whenever possible, the employee will present a copy of his or her orders to report for duty to his/her department head or designee, and these orders will be forwarded to the Human Resources Department. The Personnel Action will indicate "other leave" and under "remarks" will state "Military Leave of Absence."

.33 Based on this policy, departments will discuss with Human Resources the appropriateness of filling vacancies caused by military duty.

- .4 Benefits and Pension Provisions Regarding Military Leave in Excess of Thirty (30) Days
- .41 Health and Dental Insurance – An employee may elect to continue his/her own health and dental insurance coverages for up to twenty-four (24) months after such absence begins, or the period of service, whichever is shorter at 102% of the full premium rate (employee plus City contributions) for employee coverage. An employee may elect to continue dependent coverage at the current dependent premium rate (employee contribution) for twelve (12) months after such absence begins. After the twelve (12) month period, dependent coverage will continue at 102% of the full premium (employee plus City contributions) rate for up to twelve (12) additional months.
 - .42 Basic Life, Accidental Death and Dismemberment, and Long Term Disability - Coverages cease on the last day of the month in which such active duty begins.
 - .43 Dependent and Dependent Supplemental Life – An employee may elect to continue such coverage for twelve (12) months after such absence begins at full premium rate (employee plus City contributions).
 - .44 Deferred Compensation – An employee may elect to continue contributions into his/her account and the City's contributions will also continue during such absences. The employee may not, however, withdraw the account balance.
 - .45 Municipal Employees Retirement Plan (MERP) – Upon return to work, an employee will receive full credited service for periods of Military Leave absence subject to prescribed USERRA return to work timeframe limitations.
 - .46 Vacation and Compensatory Leave – In lieu of the expenditure option provided in 309.31 above, an employee may elect to be paid in lump sum for any accrued Vacation and/or Compensatory Leave or maintain his or her current accrual balance(s). However, accruals cease during the period of Military Leave absence.
 - .47 Sick Leave – Accruals cease and an employee may not use any accrued Sick Leave during the period of Military Leave absence. No Sick Leave (retiree) conversion pay will be available due to Military Leave.
 - .48 Flex Plan – An employee on Military Leave may continue participation in the flex plan up to the amount of income he or she has deferred during the City's current fiscal year (and no later than September 30th of the preceding year). Additionally, an employee can elect to continue flex plan participation including contribution and expenditure subject to the limitation of expenditure of fund balance only.

.5 Return from Military Leave for Active Duty

- .51 An employee returning from Military Leave should request reemployment and report for duty per the following guidelines:

Service less than 31 days – Employees must report at the beginning of the first regularly scheduled workday after release from service, allowing eight (8) hours for travel or rest.

Service from 31-180 days – Employees must report no later than fourteen (14) days following completion of service.

Service over 180 days – Employees must report no later than ninety (90) days after completion of military service.

An employee is generally allowed up to five (5) years total (cumulative) of Military Leave and may not be eligible for reemployment thereafter.

- .52 An employee returning from Military Leave from the uniformed services with a dishonorable or bad conduct discharge will not be eligible for reemployment.

- .53 An employee returning from Military Leave will be reemployed in his/her former position or classification, if still qualified to perform the duties of the position or classification, at the step or the rate in the pay range the employee would have occupied without the Military Leave, and with full seniority. If the employee is not qualified to perform the duties of the former position or classification by reason of disability, the employee will be restored to a position of like seniority, status and pay or to its nearest approximation for which the employee is qualified.

- .54 Vacation Leave and Sick Leave do not accrue while an employee is on Military Leave four (4) consecutive workweeks (Section 301). However, time spent on Military Leave will be used in determining accrual rates for leave benefit purposes as well the employee's eligibility as concerns seniority standing and longevity pay rate (as applicable).

310 Court and Jury Leave

- .1 Court and Jury Leave with pay will be granted for the following purposes:

.11 An employee serving on jury duty or required by the City to testify as a witness for the City will receive his/her regular salary for such time spent in court. In all other instances, an employee may use Compensatory Leave, Vacation Leave or be granted a Leave of Absence Without Pay for the length of such service.

- .2 The employee must present to their supervisor the original summons or subpoena from the court and, at the conclusion of the duty, a signed statement from the clerk of the court showing the actual dates of attendance at court. Jury

Leave will only be granted for the workdays employees are engaged by the court. Employees should immediately return to work once released by the court.

- .3 Any fees received for federal or state witness or jury service may be retained by the employee.

311. Leave for Work Related Injury

.1 General Policy

It is the policy of the City of Tulsa to pay benefits to qualified employees who incur temporary disabilities resulting from accidental injuries arising out of and in the course of their employment pursuant to the Workers' Compensation Act (The Act) 85 O.S. §1-et seq. and 85A O.S. §1-et seq.

.2 Eligibility

- .21 All non-sworn regular and part-time employees are eligible for Injury Leave benefits described in this section.

- .22 Sworn Fire and Police employees who incur an injury or occupational illness that arises out of and in the course of City employment if such employment was the major cause of the specific injury or illness will be paid Injury Leave as required by the Oklahoma Firefighters Pension and Retirement System (11 O.S. §100.1-et seq.), and the Oklahoma Police Pension and Retirement System (11 O.S. §101-et seq.), as those laws may be amended from time to time.

.3 Compensation for Injury Leave

- .31 Compensation for Injury Leave will be provided pursuant to the Oklahoma Workers' Compensation Code as it may be amended from time to time. The employee will receive their regular pay for the day of the injury.

- .32 While on Injury Leave, the employee will be paid in accordance with the Code, as may be amended from time to time. An employee has the option of supplementing Injury Leave compensation or any applicable waiting period under the Code with accrued Vacation or Compensatory Leave up to the employee's full regular wages during the temporary absence from work. In no event should an employee receive more than full regular wages.

- .33 Employees on Injury Leave for more than one hundred and sixty continuous working hours will cease accruing other leave benefits and/or credit for computing time in grade (see also "Leave Policy" in this Section).

- .34 If an employee chooses not to supplement or exhausts all applicable leave and Injury Leave extends beyond one hundred and sixty continuous working hours, the department head will complete and forward to the

Human Resources Department a Personnel Action form to place the employee in the proper payroll status.

.4 Employee's Responsibilities Upon Occurrence of Injury

- .41 An employee who sustains a job-related injury, regardless of the extent, must immediately report the injury to his/her exempt supervisor.
- .42 An employee who sustains lost work time as a result of a job-related injury should notify the Workers' Compensation Section of Human Resources as soon as possible.
- .43 An employee returning to work after incurring a job-related injury must first obtain a release to return to work from the City Physician.
- .44 An employee obtaining emergency medical treatment which does not result in hospitalization as authorized by City policy must report to the City Physician for examination on the first working day after the injury is sustained. In the event the employee is physically unable to appear in the City Physician's Office, a report of the employee's medical condition must be given to the City Physician by the employee or his representative.
- .45 While on Injury Leave an employee must report in person to the City Physician every thirty (30) calendar days and/or as directed by the City Physician.
- .46 While on Injury Leave, employees will be responsible for maintaining their employee insurance contributions and other routine payroll deductions.

.5 Departmental/Supervisory Responsibilities Upon Occurrence of Injury

- .51 An employee on Injury Leave should return to duty at the earliest practical date. The department head will provide light duty to employees incurring a job related injury consistent with instructions or restrictions which are compatible with the employee's physical condition as determined by the City Physician. Such assignments will be made without regard to the employee's job classification or normal work assignment. If an employee is on Light Duty, the employee is not eligible for Injury Leave.

.6 Limitations Upon Employee Eligibility for Injury Leave Benefits

- .61 If an employee seeks medical consultation and/or treatment which is not approved or prescribed by the City Physician, the employee may be subject to disciplinary action up to and including dismissal. The cost for unauthorized medical treatment may fall upon the responsibility of the employee.
- .62 An employee who performs work, either for compensation or otherwise, while on Injury Leave will be disqualified from receiving further Injury

Leave compensation and will be subject to disciplinary action up to and including dismissal as well as possible civil or criminal penalties. This provision will also apply to employees who are self-employed or perform work in their private occupations.

- .63 An employee desiring to travel out-of-state while on Injury Leave must have approval of the City Physician. Failure to gain approval for travel may result in disciplinary action up to and including dismissal.

312. Funeral Leave

- .1 In the event of the death of a member of a full-time employee's immediate family, the employee may be granted a leave of absence with pay up to a maximum of three (3) consecutive working days, one of which will be utilized to attend the funeral of the deceased. The department head or designee, after consulting with Human Resources, will determine the amount of leave to be granted as the circumstances warrant. In the event of the death of a member of a part-time employee's immediate family, the employee may be granted a leave of absence with pay which will not exceed the number of hours the part-time employee normally works on one (1) regularly scheduled work day.
- .2 Such leave will be in addition to other types of leave.
- .3 For the purposes of this Section, an employee's immediate family is defined as a parent, spouse, child, sister, brother, aunt, uncle, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandparent of the employee or spouse, grandchild of the employee, or "foster" or "step" situations within these relationships.
- .4 In the event of the death of a brother-in-law, or sister-in-law, the employee will be granted one (1) workday for the purpose of attending the funeral of the deceased.
- .5 The department head may require verification of death and relationship to the employee.

313. Keeping of Leave Records

It is the responsibility of department payroll staff to keep full and accurate leave records consistent with the rules on leave and to report leave to the Finance Department. The department leave records will be the official records of the City. The Finance Department will provide a Leave Report to departments monthly and each department will reconcile the reports to departmental records at least quarterly.

314. Family and Medical Leave

- .1 Family and Medical Leave and all other rights provided under the Family and Medical Leave Act of 1993, as amended, will be granted to regular and part-time employees in accordance with the provisions set forth in this policy.

- .2 Employees must meet the following criteria in order to be considered eligible for Family and Medical Leave:
 - .21 An employee must have worked for the City for at least twelve (12) months, and have provided at least 1250 hours of service during the previous twelve (12) months at the time the leave is requested.
- .3 Definitions: The following words and phrases, as used in the application and interpretation of the Family and Medical Leave policy will have the meanings ascribed below:
 - .31 “*Child,*” “*Son,*” or “*Daughter*” means a biological, adopted, or foster child, a step child, a legal ward, or a child of a person standing in loco parentis (i.e. in the place of a parent) who is under eighteen (18) years of age, or eighteen (18) years or older if the child is incapable of self-care because of a mental or physical disability at the time that FMLA leave is to commence.
 - .32 “*Parent*” means a biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the employee when the employee was a child. This term does not include “in laws”.
 - .33 “*Spouse*” means a husband or wife as defined or recognized by state law for purposes of marriage, including common law marriage.
 - .34 “*Serious Health Condition*” means an illness, injury, impairment, or physical or mental condition involving either inpatient care at a hospital, hospice, or residential medical care facility, or continuing outpatient treatment by a health care provider (i.e. a doctor of medicine or osteopathy, or other person determined by the Secretary of Labor to be capable of providing health care services).
- .4 Family and Medical Leave for eligible City employees may be used in the following situations:
 - .41 For the birth or adoption of a child, or the placement of a child for adoption or foster care.
 - .42 For the serious health condition of a spouse, child, or the employee’s parent.
 - .43 For the employee’s own serious health condition.
 - .44 For any qualifying exigency arising out of the fact that the employee’s spouse, son or daughter (of any age) or parent is a covered military member on active duty (or has been notified of an impending call or order to active duty) in support of a contingency operation as defined in the Act.
 - .45 For military caregiver leave to care for a covered servicemember with a serious injury or illness if the eligible employee is the servicemember’s

spouse, son, daughter, parent or next of the servicemember as defined in the Act.

- .5 Family and Medical Leave will be granted in accordance with the following provisions:
- .51 Employees who are eligible for Family and Medical Leave are entitled to up to twelve (12) weeks of leave during any twelve (12) month period. The rolling twelve (12) months is measured backward from the date any Family and Medical Leave begins.
 - .52 An eligible employee may also take up to 26 work weeks of leave during a "single 12-month period" to care for a covered service member with a serious injury or illness as defined in the Act. The "single 12-month period" for military caregiver leave is different from the 12-month period used for other FMLA leave reasons.
 - .53 Employees must first take any applicable paid leave, (refer to leave policies and/or the applicable collective bargaining agreement) to which the employee may be entitled. Employees are encouraged to use any Compensatory Leave accumulated.
 - .531 When Family and Medical Leave is requested for the adoption of a child or children with the employee, the employee will be allowed up to three (3) consecutive weeks of Sick Leave after placement for bonding. After three (3) weeks, continued use of Sick Leave will require related medical certification of eligibility, if applicable.
 - .532 When Family and Medical Leave is requested for a foster child placed with the employee, the employee must use Vacation Leave, Compensatory Leave, or Leave Without Pay, as applicable.
 - .54 Such paid leave as mentioned in Section 314.53 above will apply towards the Family and Medical Leave benefit. Any remaining Family and Medical leave beyond applicable Injury Leave, Sick Leave, Vacation Leave, Compensatory Leave, or annual leave accruals will be without pay.
 - .55 Employees are required to notify their immediate supervisor as soon as it is determined that Family Medical Leave may be necessary. The supervisor will refer the employee to Human Resources for approval and determination of FMLA eligibility.
 - .56 When the Family and Medical Leave is requested for a serious health condition, the employee must provide related medical certification of that serious health condition of the employee or that of a family member to Human Resources Department approval.
 - .57 During Family Medical Leave, the employee must provide subsequent medical re-certification of a serious health condition of the employee or

that of a family member upon expiration of the initial certification period if additional time is needed or as requested by the Human Resources Department.

- .58 Employees are required to provide a minimum of thirty (30) calendar days advance notice to their immediate supervisor of their intent to take Family and Medical Leave when the leave is foreseeable, such as in the case of the birth or adoption of a child. When thirty (30) days notice is not possible, notice should be provided as soon as reasonable and practical.
 - .59 Employees are required to make a reasonable effort to schedule any planned medical treatment for the employee or that of a family member in order to not disrupt the operations of the City.
 - .510 Family and Medical Leave may be taken on an intermittent or reduced schedule basis when medically necessary. Medical certification must be provided and must state the dates on which medical treatment is to be given and the duration of the treatment. Intermittent leave or a reduced schedule after the birth, adoption, or placement of a child for the purpose of bonding with the child may only be taken when approved by the department head and Personnel Director or designee.
 - .511 For Family and Medical Leave taken for the employee's own serious medical condition, a department head may request at any time a doctor's statement or medical opinion from the City Physician regarding the employee's physical ability to perform the duties of the job.
 - .512 Employees may be temporarily transferred to an assignment more suitable for recurring periods of absence or have duties slightly altered to better accommodate intermittent or reduced schedule Family and Medical Leave.
 - .513 When Family and Medical Leave extends beyond one hundred sixty consecutive work hours and all paid leave is exhausted, a Personnel Action form must be submitted.
 - .514 The amount of Family and Medical Leave taken should be tracked by the employee's department.
- .6 If an employee and the employee's spouse are both employed by the city, the following provisions apply:
- .61 If the leave is taken for birth, adoption, or placement into foster care of a child, the employee and spouse can not take more than twelve (12) weeks combined Family and Medical Leave during any given twelve (12) month period.
 - .62 If the leave is taken for adoption, the employee and spouse can take a combined three (3) weeks of Sick Leave during the twelve (12) week benefit period. The remaining Family and Medical Leave benefit must be

taken using Vacation Leave, Compensatory Leave, or Leave Without Pay. (See Section 314.531).

- .63 If the leave is taken for the care of a sick child or because of the illness of the other spouse, each spouse is entitled to twelve (12) weeks of Family and Medical Leave during a twelve (12) month period.
- .7 For an eligible employee who takes an approved leave as defined in this policy, the following provisions apply:
 - .71 The use of Family and Medical Leave will not be considered negatively or held against the employee in reference to performance evaluations, promotional consideration, or any other employment factors. Supervisors will not interfere with, restrain, or deny employees their rights under this policy. Nor will a supervisor discharge or discriminate against an employee based on the employee's exercise of rights under this policy or the filing of a grievance or charge related to this policy and the Family and Medical Leave Act.
 - .72 An employee who takes leave under approved conditions and returns is entitled to reinstatement either to the same assignment or to an assignment equivalent in pay, benefits and other terms and conditions of employment.
 - .73 If an employee takes Family and Medical Leave due to their own serious health condition, the City Physician must certify their ability to return to work.
 - .74 During Family and Medical Leave, the employee is entitled to the continuation of health benefits. Any applicable premiums for coverage will be required from the employee for continuation. Nonpayment of premiums will result in cancellation.
 - .75 Refer to Personnel Policy Section 301.5 regarding the accrual of Vacation and Sick Leave during a period of extended leave.
- .8 If medical certification is required for an employee's Family and Medical Leave, it will include the following information:
 - .81 That the employee or family member has a serious health condition.
 - .82 The date the serious health condition commenced and its probable duration.
 - .83 The medical facts regarding the serious health condition; and:
 - .831 If the leave is due to the employee's own medical condition, a description of the extent to which the employee is unable to perform his or her job duties.

- .832 If the leave is due to family reasons, that the employee is needed to care for the child, spouse or parent and the amount of time needed to provide the care.
- .833 If the employee is requesting partial or intermittent leave, the employees may be requested to provide verification of the schedule of treatment.
- .84 If an employee requests Family and Medical Leave for the employee's own serious medical condition, the employee may be required, at the City's expense, to provide a second opinion obtained by a health care provider chosen by the City. If the two (2) health care providers disagree about any information in the certification, the parties may mutually select a third medical provider at the City's expense. The decision of the third provider will be final and binding.

315. Floating Holiday Leave

- .1 Non-probationary employees may take two (2) Floating Holidays during the calendar year.
- .2 Initial hire probationary employees will receive a prorated number of Floating Holidays during their first calendar year of employment as follows:
 - If hired January 1 through April 30 = 16 hrs.
 - If hired May 1 through August 31 = 8 hrs.
 - If hired September 1 through December 31 = 0 hoursAdditionally, initial hire probationary employees are not eligible to use a Floating Holiday until the first working day following sixty (60) calendar days of service.
- .3 Employees must schedule a Floating Holiday at least twenty-four (24) hours in advance. The department head or designee must approve the holiday.
- .4 An employee will not be compensated for any Floating Holiday if it is not used during the calendar year.
- .5 Employees who terminate from the City and have not used a Floating Holiday will not receive compensation for the holiday.
- .6 For purposes of Holiday pay, a Floating Holiday shall be treated like Vacation Leave.
- .7 Floating Holidays should be used only in full day increments.

316. Administrative Leave

The City of Tulsa may place an employee on Administrative Leave to investigate and evaluate the circumstances regarding a pending action. Administrative Leave for the purposes of investigation may be paid or unpaid. Administrative Leave can only be granted by the Mayor or designee or Personnel Director or designee. Placement on Administrative Leave does not constitute an adverse employment action or disciplinary action against the employee but simply denotes the work status of the employee.

- .1 When an employee has been involved in a potential criminal offense, the employee may be placed on unpaid Administrative Leave pending review of the matter and decision regarding disciplinary action or other legal action. The timeframes for investigation and the pay status determination will be solely at management's discretion.
 - .11 The employee should be coded as Leave Without Pay for payroll purposes and all time should be reported to City of Tulsa Payroll as it occurs rather than following the normal payroll schedule.
 - .12 An employee on unpaid Administrative Leave must continue to pay the employee portion of any benefits which they are eligible for in order for these benefits to remain active.
- .2 An employee may be placed on paid Administrative Leave pending completion of an internal investigation/review.
 - .21 Administrative Leave for investigative/review purposes will not be given for a predetermined length of time, but will be in effect long enough to conclude the investigation/review. In all cases the investigation/review will be completed as quickly as possible given the specifics of the case.
- .3 An employee also may be placed on paid Administrative Leave when immediate action must be taken to remove an employee from his/her work site because of a physical threat to the safety of the employee.
 - .31 If the primary concern is the safety and/or well-being of a particular individual or work group, a temporary reassignment to another work area or reassignment to another work shift may suffice, thereby avoiding the need to place an employee on paid Administrative Leave.
- .4 City Security will be notified by the employee's department head before an employee is placed on Administrative Leave. Employees will surrender their City ID and any keys to City facilities to a member of City Security.
- .5 The employee will be notified in writing of their Administrative Leave status and be provided with a copy of the Administrative Leave policy.
- .6 During any period of paid or unpaid Administrative Leave the employee should adhere to the following guidelines.
 - .61 The employee should refrain from entering non-public areas of City facilities and City property and attending City of Tulsa functions in any

official capacity. Should the employee need to return to any City facility in a non-public area, permission should be obtained in advance from Human Resources or the department head.

- .62 The employee should notify the department head or their designee and Human Resources if any personal contact information changes. The employee is to be ready, willing and available to be contacted and report to work within normal business hours in order to provide information or respond to the official investigation.
- .63 Any previously approved leave requests are negated for the employee while on Administrative Leave. If an employee will be unavailable at any period while on Administrative Leave, they must request Sick or Vacation Leave from the department head or designee. If the employee has no accrued leave and will be unavailable while on Administrative Leave, they must inform the department head or designee and they will be charged Leave Without Pay or Approved Personal Leave as appropriate.
- .64 While on Administrative Leave, the employee should not perform work for another employer during the hours the employee is normally scheduled to work for the City of Tulsa.
- .65 The employee should not have any communication (telephone, email, text or other) with any internal or external customer, including City of Tulsa employees, in any official capacity.
- .66 Any documents, emails or other communications created regarding City business, regardless of whether it is created on a City or personal device, are subject to the Open Records Act.
- .67 The violation of any part of the Administrative Leave policy will be grounds for disciplinary action up to and including termination.

317. Authorized Personal Leave

- .1 Authorized Personal Leave may be granted to employees as a paid or unpaid status.
- .2 Employees covered under the terms of a collective bargaining agreement should refer to the agreement for controlling language if the agreement is at variance with this section.
- .3 Unpaid Authorized Personal Leave may be utilized by non-exempt employees for non-illness related absences which are prescheduled at least twenty-four (24) hours in advance and approved by the employee's department head or supervisor. Authorized Personal Leave will not be considered negatively or held against the employee with regard to performance reviews, promotional consideration, or any other employment factors.

- .4 Unpaid Authorized Personal Leave should be granted only when it is in the best interest of the City to do so. Any unpaid Authorized Personal Leave in excess of thirty (30) calendar days must be approved by the Personnel Director prior to the granting of the leave. Any unpaid Authorized Personal Leave in excess of six (6) months must be approved by the Mayor or designee.
- .5 Failure of an employee to report promptly at the expiration of a leave of absence will be cause for disciplinary action up to and including dismissal.
- .6 Paid Authorized Personal Leave may be utilized to compensate exempt employees for time worked only when such time meets the criteria contained within Section 220.22 and 220.24.
- .7 Upon hire, an employee may be given a limited amount of paid Authorized Personal Leave to be utilized within the first year of employment. This leave must be approved by the Personnel Director or designee and included within the employment offer letter which is signed by the employee and the hiring representative from Human Resources. Any such leave not utilized within the first year of employment will be forfeited. Authorized Personal Leave granted upon employment will not be paid out to an employee either during or upon separation of employment from the City.