

SECTION II – PLACEMENT

A. EMPLOYMENT ELIGIBILITY

1. A job applicant may be disqualified for, among others, the following reasons:
 - a. The applicant does not possess the background, ability, experience, training, certification, or licensure associated with performing the duties of the position for which he/she seeks employment.
 - b. Determination that the applicant intentionally made false statement(s) on his/her employment application,
 - c. Unfavorable police record, employment record or unsatisfactory reports from previous employers,
 - d. The applicant has solicited favors from any City official in connection with his/her search for employment, or another person has done so at his/her request.

THE ABOVE LIST IS NOT INTENDED TO BE A COMPLETE LIST OF ANY AND ALL APPLICABLE REASONS FOR THE DISQUALIFICATION OF A JOB APPLICANT.

2. All new hire forms must be completed and returned to the Human Resources department before a new employee may be placed on the payroll.

B. EMPLOYMENT CLASSIFICATIONS

1. Full-Time: Employees who work on a regular and continuing basis and *are routinely scheduled to work working forty (40) thirty-four (34) or more hours per work week for a period of twelve months.* Employees who work an average of at least 30 hours per week are not considered full-time but will be eligible for medical insurance in compliance with the Patient Protection and Affordable Care Act.
2. Part-Time: Employees who work less than a regular full-time week on a regular and continuing basis. Students 18 years of age and under working between academic terms shall be considered part-time employees, regardless of the number of hours worked. Part-time employees may be eligible for some fringe benefits.
3. Temporary/Seasonal: ~~Employees in temporary/seasonal positions with the City are those employees, either full-time or part-time, who are limited to 1,000 hours per calendar year and may include seasonal employees.~~ *Employees who work on a temporary or recurring basis for a specific purpose or program and whose employment is not intended or expected to exceed five (5) months in any calendar year. These employees are not eligible for any benefits except those required by law. Workers who are employed by a temporary employment agency to do work for the city are not considered employees. Persons hired under the temporary position category are not eligible for fringe benefits. Employees hired from temporary employment agencies for specific assignments are employees of the respective agency and not the city.*

All part-time and full-time employees are considered regular employees after completion of a training period.

4. *ELECTED OFFICIALS: Members of the Governing Body are not employees of the City, and this Manual does not apply to them.*
5. *VOLUNTEERS are unpaid individuals performing services for or on behalf of the City and, though not employees of the City, may be dismissed from service for dangerous or unsafe acts or omissions, for failure to perform volunteer duties satisfactorily, or if their services are no longer needed. This Manual does not apply to volunteers.*

C. ~~FAIR LABOR STANDARDS ACT DESIGNATION~~ OVERTIME REQUIREMENTS

Work period for all employees who are not police officers, the normal work week is a forty (40) hour work week with the standard work week consisting of a period from 12:01 a.m. Saturday to 12 Midnight the immediately following Friday. The City has chosen to designate a two-week work period for law enforcement employees, and overtime is paid to those employees when they have worked over eighty (80) hours in their respective work periods. Officer's duty shifts shall be established at the discretion of the Chief of Police.

All employees, except exempt employees as defined by the Fair Labor Standards Act, who work in excess of a minimum number of hours in the applicable work period shall be paid at a rate of one and one half (1½) times their regular rate of pay for all hours worked in excess of the number of established regular hours. Paid sick leave and paid vacation are not considered hours worked for overtime purposes; holidays are considered hours worked for overtime purposes. No employee shall be permitted to work in excess of work period hours without prior approval by his or her Supervisor, except where an emergency exists.

~~Most~~ City employees are subject to the Fair Labor Standards Act (FLSA). All positions in the City are designated exempt or non-exempt under FLSA depending on whether or not the job position meets the requirements of the act. These designations have nothing to do with the importance of a position to the City.

Employees who are exempt are not paid overtime for hours over 40 worked each work week, but ~~hour-
for-hour~~ compensatory time ~~is~~ may be allowed at the discretion of the department Head. ~~However,
compensatory time shall not be accrued nor paid out at any time.~~ Employees who are non-exempt shall be paid overtime for hours over 40 worked each work week. (See Overtime Compensation for more details.) There are specific exceptions under the FLSA for law enforcement. Department Heads are exempt employees and schedule their time to accomplish the requirements of the position.

~~The City, as a public employer with accountability to taxpayers, requires that exempt employees who have exhausted all leave be paid only for hours worked. Employees are expected to report only the time actually worked.~~

Section III. Vacation and Leaves

F. VACATION LEAVE

1. Employees in regular full-time positions with the City are granted vacation leave monthly according to the following schedule based on continuous service:

Years of Service	Hours Earned Per Pay Period	Annual Accrued Hours	Maximum Carryover	Maximum Payout
0-1 Year	3.07	96	96	0
1-5 Years	4.62	120	160	160
5-10 Years	5.54	144	184	184
10-15 Years	6.15	160	200	200
15-20 Years	7.07	184	224	224
20 Years	7.99	208	248	248
25+ Years	8.6	224	264	264

2. Employees in regular part-time positions with the City are granted vacation leave monthly according to the following schedule based on continuous service:

Years of Service	Hours Earned Per Pay Period	Annual Accrued Hours	Maximum Carryover	Maximum Payout
0-5 Years	1.85	48	40	0
5-10 Years	2.3	60	40	0
10+ Years	2.77	72	40	0

- a. Non-exempt employees: The Department Head shall establish a normal, standard work week for employees. Vacation time should be used in no less than ~~.5 hour (30 minute)~~.25 hour (15 minute) increments and must be approved by the employee's supervisor. Supervisors may authorize the use of flextime in lieu of vacation time during normal scheduled hours.
 - ~~b. Exempt employee: An exempt employee will be expected to work a full time schedule however hours may vary depending upon workload requirements. Exempt employees will be required to use vacation leave for any full workday absence if a different leave is not approved., or partial day absence that occurs during the employee's normal shift of work. An exempt employee's immediate supervisor may waive the use of vacation for partial day absences due to unusual workload requirements, taking into account work time that is required beyond the normal work day.~~
3. ~~An~~ A full time employee leaving employment with the City shall receive pay for vacation credited and unused to the date of his/her separation or resignation, provided he/she has been in service of the City for at least six months~~one year~~. This payment cannot exceed the approved Maximum Payout. A part time employee shall not receive a vacation payout at the time of separation.
4. Full-time *and part-time* employees shall not carryover vacation leave accrued in a calendar year that exceeds their maximum accrual limit without first submitting request to Department of Human Resources and receiving express written approval from the City Manager. ~~Part-time employees shall not carryover vacation from year to year unless otherwise negotiated~~
5. Employees shall not be eligible to earn vacation leave benefits during periods of time they are absent from work (for any reason) without pay. Vacation credit will begin to accumulate when the employee returns to work from leave without pay.
 - a. Illness during vacation - Sick leave may be substituted for scheduled leave if an employee becomes sick during his or her vacation.

G. SICK LEAVE

Information about an employee and his/her immediate family's health is governed by the federal Health Insurance Portability and Accountability Act (HIPAA). Information is to be kept confidential and shared only with persons who have a work-related reason to know.

The City of Bel Aire provides paid sick leave benefits to all regular full-time ~~and regular part-time~~ employees for periods of temporary absence due to personal health and or medical needs, physical illnesses, injury or disability. *Part Time and* Temporary employees are not eligible to receive sick leave benefits. Sick leave is not earned but is a benefit granted to employees to accommodate the occasional need to remain at home due to the listed conditions. Employees who abuse the use of sick leave may face disciplinary action. Eligible employees begin receiving credit for sick leave on the hire date.

1. Accumulations.~~Sick~~ Full time employees who regularly work forty (40) hours per week accrue sick leave benefits at the rate of 3.7 hours per pay period. ~~are granted on the basis of eight (8) hours per month~~. Sick leave may be accumulated to a maximum of nine hundred sixty (960) hours.
2. Uses of Sick Leave. Sick leave is available to an employee when:
 - a. The employee's condition requires absence from work;

- b. The spouse, child, step-child, parent, step-parent, or any person of whom the employee has legal guardianship is ill;
 - c. The employee or a member of his/her immediate family listed above has a medical appointment;
 - d. All days of funeral leave have been exhausted.
- 3. Incremental Use. Non-exempt employees may take this time in no less than .25 hr (15 minute) increments. Exempt employees may take this time only in full day increments. Sick leave may be taken in no less than .5 .25 hour (15 minute) increments.
- 4. Reporting of Sick Leave. If a personal or immediate family member illness prevents any employee from performing assigned duties, said employee shall notify his/her supervisor of the problem. ~~The call should be placed no later than 30 minutes prior to scheduled beginning of the employee's workday.~~ If an employee is absent from work and has not notified the supervisor in accordance with this policy, sick leave will be granted for the absence only by written Department Head approval. Leave will not be recorded as sick leave unless it has been approved by the supervisor. The supervisor may request a written statement from the employee's doctor stating that absence from work was necessary due to illness. A release to return to work signed by a current physician may be required at the discretion of the Department Head before an employee is allowed to return to work.
- 5. Before an employee can be permitted to perform regular duties after having sustained an injury, undergone surgery, or having been ill beyond *three working days* ~~twenty-four (24) working hours~~, said employee must present the ~~Department Head~~ *Director of Human Resources* with a release to return to work signed by a physician, stating that the employee is fit to return to work and carry out all duties of employment.
- 6. Unused Sick Leave is not paid upon termination of employment or retirement.
- ~~7. After the first full year of employment has been completed, eligible employees who take less than five (5) sick days (40 hours or less) in the prior calendar year will be awarded one personal day (8 hours). All personal days must be taken within the calendar year of the awarding of the personal day and may not be carried forward or paid upon termination of employment or retirement.~~
- 8. Employees shall not be eligible to earn sick leave benefits during periods of time they are absent from work (for any reason) without pay. Sick leave credit will begin to accumulate when the employee returns to work from leave without pay.

R. **HOLIDAYS**

Paid Holidays observed by the City are:

- New Year's Day, January 1st
- Martin Luther King Day, Third Monday in January
- President's Day, Third Monday in February
- 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 following Thanksgiving
- Christmas Day, December 25th
- Holiday Leave, one (1) day shall be allowed in conjunction with Christmas as determined by City Manager
- Personal Holiday, one (1) day of Personal Holiday shall be allowed with prior approval of City Manager or Department Head (may be taken in 2-hour increments).

1. Full-time employees who are present for duty or in a paid leave status on the workday before and the workday after a holiday shall be paid for eight (8) hours of holiday leave. Part-time employees who regularly work 12 or more hours a week shall be paid for four (4) hours of holiday pay for each City holiday provided they worked or were in a paid leave status during the pay period.
2. The City has adopted the federal long weekend plan, which means that some holidays fall on different dates from year to year. If a legal holiday observed by the City falls on Saturday, administrative offices will be closed the Friday before; if the holiday falls on Sunday, administrative offices will be closed the Monday after.
3. At the beginning of each year, the City of Bel Aire provides each full-time employee with one paid personal holiday to use in addition to the regular paid holidays. This floating holiday is used in a manner similar to vacation leave, as the employee must make arrangements with their supervisor to take their designated floating holiday off in advance of the day of use and must ensure that adequate staffing is in place. Non-exempt employees may take this time in no less than .25 hr (15 minute) increments. Exempt employees may take this time only in full day increments. Employees may request to use the floating holiday to take off work on a federal holiday that is not observed by the City or may use it for other purposes, provided they receive approval in advance of use. The floating holiday will not be carried over to the next calendar year.

4. No employee will be allowed to utilize holiday leave on their last day of work, unless they are unable to return to work due to a serious medical situation that is covered by the FMLA or have received approval from the City Manager for an exception to policy.
 5. Holiday time worked by non-law enforcement employees, who are classified as a non-exempt, full-time employee shall be paid for work performed on the holiday. For those employees whose shift begins on the holiday (the actual holiday, not the city recognized holiday) their shift time will be paid at the holiday rate of one and one-half (1½) times their regular rate of pay.
 6. To accommodate the scheduling demands of effectively deploying law enforcement officers during holidays, Police Department employees will use the following method to take time off work equivalent to traditional holidays. Law enforcement officers shall have eleven (11) holidays per year with each holiday equaling eight (8) hours. Each Law enforcement officer will receive thirty-two (32) hours of holiday time in the first six (6) month period (January 1 to June 30) and fifty-six (56) hours of holiday time in the second six months of the year (July 1 to December 31), to be used as time off within the six (6) month period that it was awarded, or it will be forfeited. If extenuating or staffing issues cause a law enforcement officer to not be able to use the holiday time within the six (6) month period that it was awarded, the City Manager may approve for the individual to be paid, at the straight time rate, for any unused holiday time. Unused holiday time will not be allowed to carry over into the following year. For those employees whose shift begins on the holiday (the actual holiday, not the city recognized holiday) their shift time will be paid at the holiday rate of one and one-half (1½) times their regular rate of pay.
 7. From time to time and for certain special occasions, the City Council may designate other days as special holidays on a one-time basis.
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- ~~1. Non-exempt employees who are required to be at work on a holiday will receive, in addition to their regular pay, time and one-half for the hours worked.~~
 - ~~2. Holidays that occur during any type of approved leave of absence with pay, except Injury Leave, are charged as holidays and are not charged as days of leave taken.~~