

CHAPTER 4: LEAVES OF ABSENCE

4.03 Holiday Leave

The City officially declares and designates the following holidays to be observed with pay by all City employees occupying regular full-time positions and subject to the provisions and limitations hereinafter set forth:

- **OPTIONS to ADD ONE (1) new Holiday in lieu of 4.04.02 Sick Leave Incentive Program**

• New Years Eve	December 31
New Years Day	January 1
• Presidents Day	3 rd Monday in February
Good Friday	Friday before Easter
Memorial Day	4th Monday in May
• Juneteenth	June 19
Independence Day	July 4th
Labor Day	1st Monday in September
Veterans Day	November 11
Thanksgiving (2 days)	4th Thursday and Friday in November
Christmas Eve	December 24
Christmas Day	December 25
Floating Birthday	(Within 60 days) Within Calendar Year

Holiday pay will be calculated upon the basis of eight (8) hours per day at the employee's base rate of pay, and twelve (12) hours per day for Shift Police Officers and Fire Personnel. Full time Police Department officers and Fire Department personnel who work scheduled shifts on a day recognized by the City as an official holiday will receive twelve (12) hours holiday pay, in addition to their regular salary for actual hours worked. This policy will apply to regular employees, regardless of how their pay is computed. Temporary employees are not eligible for holiday pay.

Should a holiday fall on Saturday or Sunday, the preceding or following working day will be observed.

City of Port Lavaca employees will be granted one floating birthday holiday per calendar year. If not taken during the year, the floating birthday holiday will not be carried over, nor will it be paid at the time of separation.

4.04 Sick Leave

4.04.01 Sick Eligibility and Accrual

Sick leave will apply to Full-Time employees regardless of how their pay is computed. Part-time and Temporary employees are not eligible for any sick leave credits. Each month during the first (1st) year of employment, the eligible employee will accumulate one-half (1/2) day of sick leave for each complete calendar month of employment after his employment date. Beginning with the first (1st) anniversary of his employment and continuing thereafter, each month employees will accumulate one (1) day of sick leave for each complete calendar month of employment. The maximum accumulation of unused sick leave beyond September 30 of any year will be ninety (90) days. That is to say, if the employee has accumulated more than ninety (90) days of unused sick leave, on October 1st of each year accumulated sick leave will be reduced to ninety (90) days. Sick leave pay will be calculated upon the basis of eight (8) hours per day at the employee's normal rate of pay at the time sick leave is used.

~~4.04.02 Sick Leave Incentive Program~~

~~A Sick Leave Incentive Program will be provided for those employees who go for a designated six (6) month period without using any sick leave. Eligible employees may choose to receive a cash payment of eight (8) hours at their current hourly rate or eight (8) hours of additional vacation leave. For eligible shift police and firefighters, they may choose to receive a cash payment of twelve (12) hours at their current hourly rate, or twelve (12) hours of additional vacation leave.~~

4.04.03 Sick Leave Utilization

Sick leave will be for the purpose of permitting an eligible employee to be relieved of his duties during actual illness and may not be used under any other circumstances except as otherwise provided herein. The total number of hours paid to an employee during a pay period in which he receives sick leave pay will not exceed the full pay he would have received for such pay period at his regular rate of pay. i.e., if his normal schedule is eighty (80) hours per pay period, he works seventy-seven (77) hours and is sick one (1) day; he will only be allowed payment of three (3) hours sick leave. If his worked time has exceeded eighty (80) hours in a pay period and he is ill any time during the pay period, he will receive no sick leave payment.

For shift personnel, the same policy will apply: if the normal schedule is one-hundred three (103) hours per pay period, and the employee works one hundred (100) hours and is sick for one shift (24 hours), he will only be allowed payment of three (3) hours to meet his regular schedule of one-hundred three (103) hours.

**It is the intent of the policy that shift firefighters will have their time adjusted based upon their scheduled shift hours of 103, 113 or 120 hours for the applicable pay period.

If an employee becomes ill and cannot report for work his absence must be reported to his immediate superior or Department Head prior to, or within one (1) hour after his regular reporting time, so his absence will be charged to sick leave. Failure to report in will prevent an employee from receiving any pay for those working hours missed. An employee may use sick leave to care for a member of the employee's household if no one else is available to provide such care.

After an employee's accumulated sick leave has been exhausted, and when requested, unused vacation leave may be used as sick leave. When absence due to illness exceeds the amount of paid leave earned and authorized, the pay of an employee will be discontinued until he returns to work.

Employees will not be permitted to engage in any employment or business outside of their regular City duties from the time they give notice of absence due to illness or injury until such time as they have returned to work in their respective City departments. Supervisors are authorized to request supporting documentation of sick leave requests claimed under this policy which they may deem necessary. Supervisors are authorized to deny any requests not properly substantiated. A Department Head may require of any employee to submit a signed statement from a licensed physician attesting to any illness of the employee or household member for which sick leave is used.

Frequent utilization of sick leave may prompt the Supervisor, Department Head or Human Resources to inquire with the employee regarding the options available to the employee under the Family Medical Leave Act (FMLA). If the employee does not exercise his or her rights under the FMLA provisions, and frequent sick utilization continues, the employee may be subject to disciplinary action, up to and including termination.

4.04.04 Sick Leave at Separation

Upon termination from the service with the City, voluntarily or otherwise, no employee will receive any pay accumulated sick leave. A break in service by City or employee termination cancels all sick leave accrued to an employee's record and in the event of subsequent re-employment, such employee begins a new sick leave accumulation.