

PAID TIME OFF BENEFIT

POLICY: It is the policy of Black Hawk County to grant its eligible non-bargaining employees hired after July 1, 2006, Paid Time Off (PTO) hours each fiscal year based on their anniversary (total service) date of employment with Black Hawk County. PTO is an all-inclusive “paid time off” program that will provide income protection for “no fault” time away from work, including medical-related absences. PTO is separate from the County’s policies on civic duty leave, military leave, or holidays. Another portion of the PTO program is the Medical Leave Bank, which may be used for the employee’s illness, injury, disability, or hospitalization, medical or dental appointments, and illness of a member of the employee’s immediate family requiring the employee’s presence.

SCOPE: This policy applies to all Black Hawk County non-bargaining employees hired after July 1, 2006, except for elected officials and their appointed deputies. Whenever the provisions of this policy are in conflict with federal or state laws or regulations, the provisions of the laws or regulations shall prevail.

PAID TIME OFF: PTO is intended to be used for a variety of traditional types of time away from work, including vacation, personal and family illness (acute, chronic, and extended), personal business, medical appointments, personal holidays, and personal voluntary community service. “No fault” time away from work means that an employee does not have to designate the reasons for the scheduled absences being requested, except for illnesses and medical conditions that qualify under the Family and Medical Leave Act (FMLA) regulations and policy.

ELIGIBILITY: Regular full-time and part-time non-bargaining employees hired after July 1, 2006, who are scheduled to work 20 hours or more per week are eligible to participate in this program. Non-bargaining employees earn PTO at rates based on their regularly scheduled work hours. Accrual rates are defined as follows:

Scheduled 40 hours or more per week accrue at 100% full-time rate
Scheduled 30 – 39 hours per week accrue at 75% full-time rate
Scheduled 20 – 29 hours per week accrue at 50% full-time rate
Less than 20 hours – No PTO time accrued

PTO ACCRUAL SCHEDULE: PTO shall be accrued on a bi-weekly basis and shall begin in the first full pay period following the employee’s date of employment. PTO increases with service in accordance with the following schedule and is allocated accordingly on a bi-weekly basis.

<u>Years of Service</u>	<u>Bi-Weekly / Annual Paid Time Off Eligibility</u>
Less than 1 year	3.08 hours bi-weekly = 80 hours per year (10 days)
1 year through 9 years	6.16 hours bi-weekly = 160 hours per year (20 days)
10 years or more	7.70 hours bi-weekly = 200 hours per year (25 days)

During the first ninety (90) days of employment, an eligible non-bargaining employee shall accrue PTO but shall not be eligible to use it. A probationary employee is not eligible to receive reimbursement for accrued PTO upon termination during his/her probationary period.

A non-bargaining employee in an unpaid leave status shall not accrue Paid Time Off. Changes in the bi-weekly PTO accrual rate shall become effective at the beginning of the pay period in which the anniversary date of the qualified employee falls.

HOLIDAYS: A non-bargaining employee on PTO leave when a holiday occurs shall receive holiday pay in lieu of PTO pay.

REQUESTS FOR AND USAGE OF PTO:

- A. Paid Time Off is a right to be enjoyed by every regular employee. However, the scheduling of time off is dependent upon the judgment and discretion of the department head for whom the employee works. Except for approved FMLA absences, a department head may require the rescheduling of PTO leave when, in their judgment, it is necessary for the efficient operation of the department.
- B. Other than for illness or emergency, time away from work should be requested by the employee and approved by the department head at least 48 hours in advance. For more than single day periods, it is expected that employees will give the department as much notice as possible to ensure operational needs are met.
- C. When absences due to sickness are necessary, the employee shall notify their department head or immediate supervisor prior to the beginning of their scheduled reporting time within the time period designated by the department head. Failure to do so without a bona fide reason may result in the employee being considered absent without leave and subject to disciplinary action.
- D. Non-bargaining employees shall take PTO leave in increments of not less than two (2) hours unless the department head or the employee's supervisor, at their sole discretion, approves an exception. All PTO will be paid at the employee's regular rate of pay.
- E. An employee granted time off work must use any available PTO leave during the absence. For absences related to illness or medical conditions, if the medical leave bank becomes exhausted the employee must then use any remaining accrued PTO leave. Use of PTO and medical leave will run concurrently with an approved FMLA.
- F. An employee will continue to accrue PTO during a leave of absence as long as the leave is with pay.

- G. If an employee's accrued PTO days have been exhausted, additional time off will be unpaid and may be considered an unexcused absence and, if deemed appropriate, addressed with disciplinary action. An employee who exhausts available paid leave as the result of an approved FMLA shall not be subject to discipline for using unpaid leave during the remainder of their FMLA leave period.
- H. It is expected that the employee will manage their personal PTO hours considering the usage and annual PTO maximum implications.
- I. PTO will not be counted as time worked for purposes of calculating overtime pay for non-exempt employees.

ACCUMULATION: Earned PTO hours may be accrued up to two (2) times above the employee's maximum annual total accrual (for example, if an employee's accrual rate is 6.16 hours per bi-weekly pay period, the employee's accrued PTO balance may not exceed 320 hours). If an employee's PTO accrual balance has reached its maximum amount, all accrued PTO exceeding the amount shall be forfeited.

REIMBURSEMENT OF ACCUMULATED PTO LEAVE:

- A. Upon retirement or termination in good standing from County service, non-bargaining employees shall be paid for all accrued but unused PTO leave (excluding accrued Medical Leave Bank hours).
- B. Non-bargaining employees who are discharged for cause or who quit without a minimum of two (2) weeks' notice shall forfeit their accrued PTO leave.

MEDICAL LEAVE BANK: The other portion of the PTO program is the Medical Leave Bank. In accordance with the Eligibility section above and subject to the maximum accumulation provided below, employees who are regularly scheduled to work 40 hours or more per week shall accrue, beginning with the first full pay period, 4.62 hours bi-weekly (120 hours per fiscal year) of leave in their Medical Leave Bank. During the first ninety (90) days of employment, an eligible non-bargaining employee shall accrue medical leave but shall not be eligible to use it.

The Medical Leave Bank is meant to be used for the employee's personal illness (acute, chronic, or extended), injury, disability, or hospitalization, and medical or dental appointments that cannot be scheduled during non-working hours. A disability related to pregnancy will be treated like any other medical condition.

An employee may also use a maximum of 7 working days per fiscal year for illness (acute, chronic, or extended) of their immediate family member requiring the employee's presence. For this policy, immediate family shall be defined as the employee's spouse,

parent, stepparent, child, stepchild, sibling, or legal ward living in the employee's household.

The Employer reserves the right to require satisfactory proof of illness, which may include a physician's statement or other evidence. For more information, please refer to the Family Medical Leave Act Policy in the Employee Handbook. Unauthorized use of medical leave may result in loss of pay for the duration of the absence and may be considered grounds for disciplinary action.

Employees may accumulate up to a maximum of 720 hours in their Medical Leave Bank. Once an employee's Bank reaches a maximum of 720 hours, no more hours will be credited to the employee's Bank until hours are used and fall below the 720-hour maximum. Upon an employee's termination of employment, any hours accumulated in the employee's Medical Leave Bank shall be forfeited and not paid out.

CONVERSION: Prior to the beginning of each fiscal year, an employee who has a minimum of 504 hours in their Medical Leave Bank may elect to convert a portion of the hours to personal/casual leave effective July 1st. The employee must notify the HR Office, in writing, by no later than June 15th to request the number of Medical Leave Bank hours to be transferred to personal/casual leave in accordance with the below schedule:

<u>Medical Leave Bank:</u>	<u>Hours Converted:</u>	<u>Casual Hours Earned:</u>
504 hours	24 hours	8 hours
528 hours	48 hours	16 hours
552 hours	72 hours	24 hours
576 hours	96 hours	32 hours
600 hours or more	120 hours	40 hours

A maximum of 120 hours from the Medical Leave bank can be converted to 40 hours of personal/casual per fiscal year. These casual hours may be carried over for up to one (1) year. Any accrued sick leave casual days shall be forfeited upon termination of employment.

TRANSFER OF BENEFITS: In the event a bargaining employee hired after July 1, 2006, shall be promoted to a non-bargaining position, the employee shall be allowed to transfer any accrued vacation leave to their Paid Time Off Bank and any accrued sick leave up to a maximum of 720 hours to their Medical Leave Bank. Non-bargaining employees who are eligible for PTO and who become elected officials or appointed deputies shall be paid for all accrued unused PTO (excluding accrued Medical Leave Bank hours upon their date of appointment.