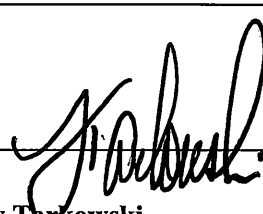


**TOWN OF PRESCOTT VALLEY
POLICIES AND PROCEDURES**

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| Subject: | | File Under Section: | |
| OTHER SHORT-TERM ABSENCES | | PERSONNEL | |
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| July 1, 2017 Res. No. 2003 | |  Larry Turkowski Town Manager | |
| | | Date: 7.13.17 /S | |

1.0 POLICY

1.1 It is the policy of the Town of Prescott Valley to permit employees to be absent from work on an authorized short-term basis for a variety of reasons. To help employees maintain their income during certain authorized absences, the Town will provide compensation according to the guidelines below.

2.0 PURPOSE

2.1 The purpose of this policy is to establish a uniform procedure for requesting paid or unpaid leave. In all cases where the leave is with pay, it will be paid at the employee's regular straight-time wage rate.

3.0 APPLICABILITY

3.1 All full-time and regular part-time employees.

4.0 REFERENCE

4.1 The Fair Wages and Healthy Families Act of Arizona ("Healthy Families Act") (A.R.S. §23-371 *et seq.*)

5.0 JURY DUTY

5.1 To encourage employees to willingly accept the civic responsibility of jury duty, an employee called for jury duty is entitled to serve without loss of time or pay and may accept expenses and jury fees from the court jurisdiction. In addition, all jury duty is subject to the following.

5.1.1 Jury duty pay will be based on the employee's regularly scheduled workday not to exceed eight (8) hours per workday.

- 5.1.2 The period of paid jury duty will not exceed two workweeks.
- 5.1.3 In the event of a trial that is expected to exceed two workweeks, the employee summoned to serve must obtain advance approval to be absent beyond the two-workweek period. This additional jury duty period will be unpaid by the Town, except that an employee will be required to use his or her accrued leave.
- 5.2 An employee must present the jury duty summons to his/her supervisor as soon as it is received. For scheduling purposes, the supervisor shall discuss with the employee the amount of time the employee will likely be absent from work. The supervisor shall also reiterate the requirement for the employee to return to work within his/her shift any day that the employee is released early from jury duty.
- 5.3 A copy of the employee's summons and appearance notice is required for payroll records.

6.0 WITNESS DUTY

- 6.1 Where an employee is subpoenaed to testify in a legal action and the Town determines that such subpoena resulted directly from the performance of the employee's required duties, the Town shall permit the employee to take time off with pay to comply with the subpoena if required to appear during his/her regularly scheduled hours of employment; provided, however, that the employee shall turn over to the Town any witness fee received, or, the employee must refuse any witness fee.
- 6.2 An employee who is called as a witness in a case unrelated to official duties may accept witness expenses and fees, but must charge the absence to accrued leave, or take leave without pay, if no accrued leave is available.

7.0 BEREAVEMENT LEAVE

- 7.1 An employee may be granted leave with pay at the time of a death of an immediate family member to arrange and/or attend funeral activities. Refer to Definitions Policy for "immediate family."
- 7.2 The amount of paid bereavement leave is limited to three working days (up to 24 hours) for funerals that occur in state, and five working days (up to 40 hours) for funerals that occur out of state. If additional time off from work is needed, an employee may request to use other paid leave if eligible or request leave without pay. In either case approval will be at the discretion of the department head.
- 7.3 In the event of death of a family member not listed in 7.1 or a non-relative, an employee may request time off to attend services and the absence will be charged to the employee's paid leave.
- 7.4 Documentation of the death may be required.
- 7.5 In no event will an employee be paid bereavement leave if the period of bereavement occurs during a time that the employee would not normally be at work.

8.0 MILITARY LEAVE

- 8.1 **Eligibility:** A military leave of absence shall be granted if an employee is absent in order to serve in the uniformed services of the United States for a period of up to five (5) years (not including certain involuntary extensions of service). An employee is eligible for military leave beginning the first day of employment for all categories of military training and service including active duty, active duty for training, inactive duty for training, National Guard duty, reserve duty and time taken off for an examination to determine fitness to do any of the above.
- 8.2 **Employee Notification Requirements:** Requests for military leave together with a copy of the employee's military orders should be submitted in writing to the employee's supervisor at least 30 days before the start of the leave. When the need for leave is not foreseeable, employees should give as much notice as is possible. The department director will forward the request to Human Resources for final approval and coordination of benefits.
- 8.3 **Paid Military Leave for Guard, Reserves or other Training Duty Orders:** In accordance with Arizona Revised Statutes (A.R.S. §38-610), employees shall be granted leave without loss of time, pay or efficiency rating on all days during which they are employed on training duty or to attend camps, maneuvers, formations or drills under orders with any branch, reserve or auxiliary of the armed forces of the United States. The Town provides paid leave up to the maximum thirty (30) scheduled work days (equivalent to 240 hours) over a consecutive two-year period. For purposes of this section, each two-year period commences on the first day of the federal fiscal year (October 1st) of even number years. All military leave taken by an employee in excess of 240 hours shall be without pay unless the employee elects to use his/her accrued general leave.
- 8.4 **Presidential Call-Up:** The Town will pay both the employer and employee portions of the Public Safety Personnel Retirement System (PSPRS) pension contributions for employees who are on an unpaid military leave of absence due to a presidential call-up. Only employees who return to work with the Town, with orders documenting their presidential call-up and honorable military discharge, are entitled to this contribution. (A.R.S. §38-858)
- 8.5 **Health Care Benefits:** The Town will continue health care benefits for employees on a presidential call-up until the first day of the month following the first day of military leave. During this time the employee must contribute the same share of the cost as when they were actively at work. The employee is eligible to continue their coverage through COBRA benefits thereafter. Upon return from active military leave Town health care benefits will be restored with no waiting period.
- 8.6 **Reinstatement:** In accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA), those individuals who are called for military service can be reemployed with their civilian employer if they have performed five (5) years or less of cumulative military

service. Employees in an introductory status at the time they are called to service will be required to complete the remainder of their introductory period upon their return to work.

Employees serving in the Armed Forces, the Military Reserves, the National Guard, or certain Public Health Service positions will continue to accrue seniority with the Town for the purpose of calculating benefits based on years of service, provided they return to work for the Town at the end of their military leave. Upon returning to active Town employment every effort will be made to reinstate the employee to a similar if not identical job assignment, and at a pay rate they would have received had they not taken military leave (escalator position).

9.0 LEAVE WITHOUT PAY

- 9.1 Leave of absence without pay may be authorized by the Town Manager when all accrued leave benefits have been used. Where applicable, the leave will be subject to all provisions for disability leave of absence and/or FMLA leave.
- 9.2 To apply for such a leave, an employee shall submit a written request to his/her department head that must include the reason for the leave and the length of time to be taken. The request is subject to approval by the department head and the Town Manager.
- 9.3 Failure to return to work at the expiration of the leave request will make an employee subject to dismissal.
- 9.4 Upon Council approval, the Town Manager may institute a reduction in salary or other compensation plan including, but not limited to, requiring employees to take leave without pay.

10.0 TIME OFF FOR VOTING

- 10.1 Employees must have adequate time to vote. To comply with the Arizona State Law (ARS 16-402), the Town of Prescott Valley will allow employees paid leave from work when the following conditions are met.
 - 10.1.1 The employee must be entitled to vote at a primary or general election held within the state of Arizona on the day of election.
 - 10.1.2 There is less than three consecutive hours between the opening of the polls and the beginning of the employee's regular work shift or less than three consecutive hours between the ending of his/her work shift and the closing of the polls.
 - 10.1.3 The employee must obtain prior approval from his/her supervisor.
 - 10.1.4 The time off with pay must be used to vote.
 - 10.1.5 If so requested, an employee must be able to show proof of being a registered voter.

10.1.6 No employee is to be denied the right to vote during work hours should his/her regular shift fall under criteria in paragraph 10.1.2 above.

11.0 VICTIM LEAVE

11.1 Earned general leave shall be paid to an employee for absence necessary due to domestic violence, sexual violence, abuse or stalking, provided the leave is to allow the employee to obtain for the employee or the employee's family member (as defined in the Healthy Families Act):

- Medical attention needed to recover from physical or psychological injury or disability;
- Services from a domestic violence or sexual violence program or victim services organization;
- Psychological or other counseling;
- Relocation or taking steps to secure an existing home due to domestic violence, sexual violence, abuse or stalking; or
- Legal services, including but not limited to preparing for or participating in any civil or criminal legal proceeding related to or resulting from the domestic violence, sexual violence, abuse or stalking.

11.2 For absences of three or more consecutive work days due to domestic violence, sexual violence, abuse or stalking, employees shall provide to Human Resources one of the following types of documentation:

- A police report indicating that the employee or the employee's family member was a victim;
- A protective order; injunction against harassment; a general court order; or other evidence from a court or prosecuting attorney that the employee or employee's family member appeared, or is scheduled to appear in court in connection with an incident;
- A signed statement from a domestic violence or sexual violence program or victim services organization affirming that the employee or employee's family member is receiving services related to an incident;
- A signed statement from a witness advocate affirming that the employee or employee's family member is receiving services from a victim services organization;
- A signed statement from an attorney, member of the clergy, or a medical or other professional affirming that the employee or employee's family member is a victim; or
- An employee's written statement affirming that the employee or the employee's family member is a victim of domestic violence, sexual violence, abuse or stalking and that the leave was taken for one of the purposes of Section 11.1 of this Policy. The written statement does not need to be in an affidavit format or notarized, but shall be legible if handwritten and shall reasonably make clear the employee's identity, and, if applicable, the employee's relationship to the family member.

2-10 Other Short-Term Absences

- 11.3 An employee who is the victim of a crime, other than domestic violence, sexual violence, abuse or stalking, or whose child is the victim of such a crime, has the right to leave work for the following reasons:
- To attend scheduled proceedings relating to the crime.
- 11.4 Before an employee who is a victim of a crime other than domestic violence, sexual violence, abuse or stalking or who's child is a victim of such a crime may leave work as set forth herein, the employee shall do all of the following:
- Provide a copy of the form provided to the employee by the law enforcement agency and/or a court order the employee is subject to or any other proper documentation.
 - If applicable, provide a copy of the notice of each scheduled proceeding that is provided to the victim by the agency that is responsible for providing notice to the victim.
- 11.5 All documentation will be kept in Human Resources in a confidential file.
- 11.6 Employees who exercise their right to leave work must charge the absence to accrued leave, or take leave without pay, if no accrued leave is available.