Weber County Human Resources Policy 4-200
Leave Practices

I. Purpose

This policy explains the circumstances under which an employee may use the various types of paid and unpaid leave provided by Weber County.

II. Policy

Weber County provides various types of paid and unpaid leave for an employee's absence from work for personal and professional reasons. Documentation supporting a leave request may be required at any time (i.e. military orders, funeral program or obituary). Leave under the Family Medical Leave Act (FMLA), Workers Compensation, and Long Term Disability are covered under separate policies.

III. Procedures

A. Vacation Leave

1. Eligibility and Accrual

a. Benefits Eligible employees shall receive vacation leave, except as provided in Policy 2-100: Employment Status.
b. Employees will accrue vacation leave on a per pay period basis, based on the number of regular hours worked and the years of continuous employment with Weber County, up to the maximum hours indicated below.

Years of Service	Days Earned Per Year	Hours Per Pay Period
0-5	13	4.00
6-10	15	4.62
11-15	18	5.54
16 and Over	23	7.07

c. Vacation does not accrue during unpaid leave, or leave during which an employee receives compensation from any County sponsored program such as disability or workers compensation leave.
d. Part-time employees authorized to work 20 or more but fewer than 30 hours per week shall accrue vacation on a prorated basis in proportion to the number of hours paid for the appropriate length of County service.
e. Employees that are rehired to County employment may request prior service credit for the calculation of leave accrual.

i. Upon written request, former employees rehired with reinstatement rights following military service or reinstated from reduction-in-force status shall assume the same eligibility for vacation that they had before their termination.

f. The Human Resources office keeps the official record of accrued vacation.

2. Maximum Accrual

a. Unused accrued vacation may be carried forward to succeeding years up to a maximum of 320 hours. The first pay period in January of each year, any accrued unused vacation leave in excess of 320 hours will be forfeited.

3. General Vacation Rules

a. Employees may not use vacation to work a different assignment within the County employment.
b. Employees are not permitted to use vacation for any period of time before it is accrued.
c. Vacation use must be approved in advance by your supervisor in light of your department's scheduling requirements. Advance notice is required for known, planned absences such as vacation, medical appointments, or other personal reasons.
d. Utilization of vacation for personal leave when advance notice has not been provided should be used for emergency situations only. The following guidelines must be followed:
    i. The employee is required to contact his/her immediate supervisor or Department Head for each day of absence as soon as possible. At a minimum, within 30 minutes of the scheduled start time. The burden of responsibility for providing clear notification of absences to the correct individual rests with the employee.
e. Elected officials and/or department managers may deny requests for leave based on workload or business needs. Otherwise, leave should be approved/denied on a first-come first-serve basis.
f. The fact that an employee may have available vacation time does not justify tardiness or unexcused absences. Unscheduled absenteeism and tardiness are grounds for disciplinary action, regardless of the availability of vacation. Repetitive failure to notify the County of an absence may result in disciplinary action, up to and including termination. Failure to notify your supervisor within the first three working days of absence will be considered job abandonment.
g. Employees shall use vacation in increments of 15 minutes.
h. Vacation may not be used for unscheduled hours.
i. Vacation will not be considered as time worked for calculating overtime compensation.
j. Vacation will continue to accrue if the employee is using vacation for a full pay period.

4. Reporting Vacation Leave

a. All employees are strongly encouraged to take a minimum of ten days of vacation per calendar year.

b. All leave taken must be reported in the time entry system. If not reported correctly, employees may be subject to disciplinary action.

5. Vacation Leave Payout

a. **Employees hired before January 1, 2018**, who voluntarily terminate from County service shall be paid for a maximum of 320 hours of vacation leave.
b. **Employees hired after January 1, 2018,** who voluntarily terminate from County service shall be paid for a maximum of 80 hours of vacation leave.
c. When employees transfer from one County department to another, their accrued vacation leave credit shall not be forfeited, and will be available for use within the new department.
d. Employees who have a change in status when the new position is not eligible for accrual will be paid for their accrued vacation hours, up to a maximum of either 320 hours (employees hired before January 1, 2018) or 80 hours (employees hired after January 1, 2018).
e. Vacation leave payouts will be made at the employee's base rate at the time of the applicable termination or change.
f. Generally, an employee's last physical day worked will be considered the termination date. If the termination date is in the middle of the pay period, vacation may only be used to extend the termination date to the end of the pay period.
g. Vacation will accrue and be paid out for the final pay period providing the employee works the entire pay period.

B. Sick Leave

1. Eligibility and Accrual

a. Benefits Eligible employees shall receive sick leave, except as provided in Policy 2-100: Employment Status.
b. Sick leave should be considered a privilege rather than an obligation of the County to its employees.
c. Eligible full-time employees (30 or more hours per week) and eligible part-time employees (20-29 hours per week) shall accrue sick leave at the rate of 3.70 hours for each 80 hours paid, up to a maximum of 3.70 hours per pay period.

2. Maximum Accrual

a. Sick leave shall accrue up to a maximum of 480 hours. When employees reach 480 hours, leave will stop accruing so that there is never a balance of more than 480 hours.

3. General Sick Leave Rules

a. Employees are not allowed to use sick leave for any period of time beyond or in advance of time already accrued.
b. Sick leave shall be used exclusively for an employee's absence from work when the employee or an immediate family member is incapacitated by physical or mental

illness, injury, pregnancy or childbirth; and/or when scheduled for medical, dental, or optical appointments. It cannot be substituted for vacation leave.

c. In order to qualify for sick leave, employees must notify their supervisor no later than one hour before normal starting time on each day of absence, unless circumstances surrounding the absence make such notification impossible. The supervisor should also be kept advised of the employee's progress and expected date of return to duty.
d. Use of sick leave for scheduled appointments should be reported to the supervisor at least one week prior to the appointment where practicable.
e. Supervisors may direct an employee to leave the workplace if there is a concern for the health of the employee or those with which the employee may come in contact.
f. Any absence for illness that extends beyond accrued sick leave will result in the employee being carried on vacation leave status until all accrued vacation leave and compensatory time balances have expired, then on a leave without pay status.
g. Employees shall use sick leave in increments of 15 minutes.
h. When an employee transfers from one County department to another, their accrued sick leave credit shall transfer with the employee, and will be available for use within the new department.
i. Sick leave may not be transferred from one employee to another.
j. For sick leave in excess of three consecutive days or if abuse of sick leave is indicated, the supervisor may require either a certificate from the attending physician stating that the illness prevented the employee from working, a medical examination certificate or other acceptable proof. Such notice must be given to the supervisor within a period of three days from the date of the request.
    i. Abuse of sick leave may be indicated by patterns of sick leave usage such as: Monday or Friday absences; use of sick leave in conjunction with scheduled vacation or days off; or three or more sick days in any month.
    ii. The County may require an employee to present medical certification from their doctor of fitness to continue or resume work, or of physical inability to resume work.

4. Sick Leave Payout

a. Employees HIRED BEFORE JANUARY 1, 2018: Employees who meet the retirement guidelines of the Utah Retirement Systems and who apply and are approved to receive retirement payments shall be eligible to be paid up to 280 hours of their sick leave. Employees who are Utah Retirement System's post-retired rehires, and employees leaving county service under any reason other than retirement from the Utah Retirement System, will forfeit any sick leave balance, except as stated in paragraph c below.

b. Employees HIRED AFTER JANUARY 1, 2018: Upon termination (voluntary, involuntary or retirement) employees will forfeit any accrued sick leave balance, except as stated in paragraph c below.

c. Employees who lose their jobs as a result of a reduction in force initiated by Weber County will be paid up to 280 hours of their sick leave.

C. Administrative Leave (Paid)

1. An employee may be placed on paid administrative leave for the following purposes:
    a. Investigation, disciplinary, or organization needs
        i. Employees will be placed on administrative leave for no longer than is necessary for the department to determine the employee's status.
    b. A supervisor seeking to relieve an employee of work shall request approval of this leave through the Human Resources Director.
    c. Employees shall retain all rights of employment due to them and shall receive pay and benefits as if they had worked.

D. Funeral Leave

1. Funeral leave with pay is available to all Benefits Eligible employees who suffer the loss of an immediate or extended family member.
2. At the discretion of the supervisor, funeral leave may be granted to make funeral arrangements, settle family affairs, attend the funeral or memorial service and for bereavement.
3. The amount of funeral leave granted is at the discretion of the department head based upon the employee's individual circumstances and the needs of the department. The maximum time off for funeral leave is as follows:
    a. Up to 40 hours for immediate family, which includes spouse, child, and parent.
    b. Up to 24 hours for other family members who include brother, sister, grandparent, grandchild, mother-in-law, father-in-law, uncle, aunt, nephew, niece, brother-in-law, sister-in-law, son-in-law, daughter-in-law and step-relatives of the same order.
    c. If additional time is needed, an employee may request to use vacation or leave without pay.
    d. In the event of a family member's death while an employee is on vacation or sick leave, the employee's time off may be extended by the amount of funeral leave permitted by this policy.
4. Documentation of death, such as a published obituary, funeral program, or death certificate, may be required.

E. Holiday Leave

1. All Benefits Eligible employees are eligible for paid holidays. A holiday is considered to be eight hours for full-time employees.
2. Benefits Eligible employees working less than full time are eligible for pro-rated paid leave on holidays based on the number of hours the employee is normally scheduled to work weekly (i.e. 20 hours per week = 4 hours paid leave; 30 hours per week = 6 hours paid leave).
3. To be eligible for holiday pay, an employee must be in an eligible pay status the last scheduled work day before the holiday is observed.
4. The following days are defined as legal holidays when most County government offices are closed:
    a. The 1st day of January - New Year's Day
    b. The 3rd Monday of January - Martin Luther King Day
    c. The 3rd Monday of February - President's Day

d. The last Monday in May - Memorial Day
e. The 4th day of July - Independence Day
f. The 24th day of July - Pioneer Day
g. The 1st Monday of September - Labor Day
h. The 2nd Monday in October – Columbus Day
i. The 11th day of November - Veterans Day
j. The 4th Thursday of November - Thanksgiving Day
k. The day after Thanksgiving
l. The 25th day of December - Christmas Day

5. A holiday that falls on a Sunday will be observed on the following Monday. A holiday that falls on a Saturday will be observed on the preceding Friday.
6. Employees who are normally paid for a holiday may not use sick leave or vacation on the holiday unless the employee is scheduled to work more than the normal eight hours of holiday pay. In such a case, the employee may only use sick or vacation for the hours scheduled in excess of the eight holiday pay hours.

F. Jury and Witness Leave

1. Every employee shall be entitled to a leave of absence whenever, in obedience to a subpoena or direction by a proper authority, they appear as a witness or a juror for the Federal Government, State of Utah, or political subdivision thereof.
   a. An employee will be granted paid time off for jury duty.
   b. Scheduled work time may be spent traveling to and from jury duty.
   c. During such a period of required absence, the employee will be eligible to receive County compensation and will not be entitled to pay or fee (excluding traveling expense allowance) received from services as a witness or juror while on County time.
   d. Any income earned and received from jury or witness duty while on County time shall be turned over to the Treasurer's Office for reimbursement to Weber County.
2. An employee subpoenaed for private litigation or by a party other than the Federal Government, State of Utah, or its political subdivisions, to testify as an individual and not in a work-related official capacity, may request to use vacation or leave without pay.

G. Leave Without Pay

1. It is the policy of Weber County to grant leave without pay for educational pursuits, study, travel, or for other reasons within the discretion of the supervisor. Such leave shall not be regarded as an acquired right by employees and shall be granted only when County services will not be adversely affected.
2. A department head may grant an employee leave without pay for a specified period of time not to exceed 30 calendar days when all other paid leave has been exhausted. Leave without pay beyond 30 calendar days will only be granted in extraordinary situations and must be approved by the Board of County Commissioners. An employee will be required to use all accrued vacation, if applicable, before being granted leave without pay. An employee who fails to report for work within three days of the expiration of such leave, shall be considered to have resigned.

3. There shall be no change in benefits for an employee on leave without pay status for 30 calendar days or less.
4. An employee on leave without pay status for more than 30 calendar days shall not receive any County benefits during such leave unless paid by the employee or otherwise approved by the Board of County Commissioners. However, employees desiring insurance coverage during an extended leave without pay period may receive such coverage if the necessary arrangements are made beforehand with the Human Resources Department. These employees must pay the entire insurance premium, and an appropriate administrative fee, for the duration of leave without pay.

H. Military Leave

1. Benefits Eligible employees shall be granted leave with full pay for active service in the National Guard or Armed Forces Reserves for the purpose of fulfilling annual field training. Employees on an initial probationary period are not eligible to receive military leave with pay.
2. The employee may be granted up to a maximum of 15 working days (120 hours) per calendar year.
3. If additional time off is required, the employee may use vacation, comp time or leave without pay.
4. A copy of the military orders supporting the leave request must be submitted to the employee's supervisor as soon as they are available. The department must forward a copy of the military orders to the Human Resources office for placement in the employee's official personnel file.
5. Employees activated for military duty under the Uniformed Services Employment and Re-Employment Rights Act (USERRA) may be absent from employment for the period required by the official orders and as prescribed in the Act.
6. An employee returning from active duty will be reinstated in accordance with USERRA.

I. Maternity Leave

1. Pregnancy is considered a temporary disability protected under the Family Medical Leave Act (see HR Policy 4-100) and is to be treated as such in any decisions pertaining to employee benefits. The commencement of either paid or unpaid leave required by the pregnancy is an individual matter and should be negotiated by the employee, the employee's physician, and the supervisor.
2. While on leave required by pregnancy, employees will be placed on paid leave of absence until their paid leave is exhausted (Up to 12 weeks as allowed by FMLA, see HR Policy 4-100).
3. Employees anticipating a leave due to pregnancy should notify their supervisor as far in advance as possible so that replacements can be planned and the necessary paperwork completed.
4. Employees desiring continued health insurance coverage while on leave without pay status may receive such coverage if they contact the Human Resources Department and make the necessary arrangements in advance.
5. An employee who becomes pregnant may continue working until she is no longer able to perform duties in a satisfactory manner or until the employee's health is endangered by

working. The County may require an employee to present medical certification from a doctor of fitness to continue or resume work, or physical inability to resume work.

J. Voting Leave

1. Voting in a public election is an important civic duty and we encourage all or our eligible employees to vote. To help in this cause you can request up to two hours of paid leave to go vote in federal, state, and local general elections if your work schedule prevents you from voting. You are required to get approval for this leave from your supervisor. It is encouraged that you take this leave at the beginning or end of your scheduled work period or at a time designated by your supervisor.

K. Unauthorized Leave

1. No employee may be absent from duty without permission of their supervisor.
2. An employee absent for three consecutive working days without notice and without sufficient reason shall be considered to have resigned.

DATED this 24 day of March, 2020.

BOARD OF COUNTY COMMISSIONERS
OF WEBER COUNTY:

Gage Froerer, Chair

ATTEST:

Ricky Hatch, CPA
Weber County Clerk/Auditor

Sarah Swan
Human Resources

Approved as to form and legality:

Courtlan Erickson
Deputy County Attorney