

TOWN OF PINETOP-LAKESIDE

RESOLUTION NO. 17-1419

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PINETOP-LAKESIDE, ARIZONA, ADOPTING THE JULY 2017 AMENDED AND RESTATED PART TIME SICK LEAVE POLICY OF THE TOWN OF PINETOP-LAKESIDE.

WHEREAS, as a result of changes in Arizona Law relating to Proposition 206 as adopted by the voters of the State of Arizona in the November, 2016 election, the Mayor and Council find that amending and restating the Part Time Sick Leave Policy is in the best interest of the Town of Pinetop-Lakeside.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of Town of Pinetop-Lakeside, Arizona find that the "July 2017 Amended and Restated Part Time Sick Leave Policy of the Town of Pinetop-Lakeside", is hereby adopted as shown on Exhibit A, which is attached hereto and incorporated by reference herein, and shall be effective July 1, 2017.

PASSED AND ADOPTED by the Mayor and Council of the Town of Pinetop-Lakeside, Arizona, this 6th day of July, 2017.

TOWN OF PINETOP-LAKESIDE

Stephanie Irwin

Stephanie Irwin
Mayor

ATTEST:

Remilie S. Miller
Remilie S. Miller, MMC
Town Clerk



APPROVED AS TO FORM:

William J. Sims

William J. Sims, III
Town Attorney

EXHIBIT "A"

Section 108 – FULL-TIME, PART-TIME AND TEMPORARY EMPLOYMENT

An employee position may be designated as full-time, part-time, or temporary.

A. Full-time employment:

1. Full-time employees may be included in the non-exempt service. They are typically hired for a regular work week of 40 hours, and must be hired to work a schedule of at least 30 hours per week.
2. A full-time employee hired with the intent of working 30 hours or more per week should be eligible for health insurance and other available benefits.

B. Part-time employees:

1. Part-time employees are generally hired with the intent of working fewer than 30 hours per week and are eligible for vacation and sick leave.
2. Part-time employees hired to work 20 or more hours per week will be eligible for vacation and sick leave. Part-time employees hired with the intent of working less than 20 hours per week will not generally be eligible for benefits except for sick leave as required by applicable law. These amounts will be prorated based on the number of hours worked.
3. Part-time employees, upon satisfactory completion of their trial period, shall be entitled to use of the grievance and appeal procedure provided for classified employees.

C. Temporary and seasonal employees:

Under certain circumstances, the Town may need to hire an employee for services or seasonal assignments on a temporary basis.

1. Temporary/seasonal employees will not generally receive any employee benefits except as required by applicable contract or law.
2. Temporary/seasonal employees are not entitled to use the grievance or appeal procedures provided for classified employees.

Section 804 – SICK LEAVE

- A. Sick leave with pay shall be granted to all employees pursuant to the following schedule:

Employee Category	Accrual Rate	Accrual/Carryover Provisions
Full-time employees	3.69 hours per pay period	Accrual is capped at 1040 hours
Part-time, temporary and seasonal employees.	Accrued on a prorated basis according to the number of hours worked	Accrual is capped at 1040 hours

Full-time and part-time employees whose sick leave bank exceeds 1040 hours, will no longer accrue sick leave until the balance drops below 1040 hours.

- B. Sick leave with pay may be used for the purposes set forth in A.R.S. § 23-373, including an employee's or a family member's mental or physical illness, injury, or health condition; an employee's or a family member's need for medical diagnosis, treatment, or preventative care; and absence due to domestic violence, sexual violence, abuse, or stalking involving the employee or a family member.
- C. Full-time and part-time employees may use sick leave for qualifying Family and Medical Leave Act ("FMLA") leave or Americans with Disabilities Act leave.
- D. If accrued sick leave is not available, employees eligible for vacation time may use any accrued vacation time.
- E. Except in the case of an emergency, to receive sick leave compensation, an employee must notify his/her immediate supervisor or department director prior to, or within one hour after, the time set for beginning his/her daily duties. For absences of three or more consecutive days, an employee may be required to provide reasonable documentation demonstrating the need for sick leave.
- F. Full-time and part-time employees with a minimum of 10 years of service and with any unused sick leave shall be paid at separation of employment at the rate of one hour for each three hours of unused sick leave.
- G. If a full-time or a part-time employee separates employment but is rehired within nine months of the separation date, the employee's previously accrued, unused sick time that has not been paid out will be reinstated and immediately available for use.
- H. If any paid holiday occurs during a period when an employee is on sick leave, the holiday shall not be charged against the employee's accrued sick leave.
- I. If an employee eligible for vacation leave becomes sick or has an accident during paid time off for vacation, with proper medical documentation, the time may be charged to accrued sick leave.
- J. An employee receiving temporary disability payments under the workers' compensation laws or other laws may use accumulated sick leave in order to continue to maintain his/her regular income. Town employees receiving full salaries from the Town, as well as disability payments under workers' compensation, must remit to the

Town any funds received from workers' compensation. These payments will be credited to the employee's sick leave account. The purpose of this regulation is to ensure that an employee does not suffer an economic hardship because of a work-related injury, as well as to ensure that the employee will not be making a financial gain because of an injury. It is the employee's prerogative to determine whether he/she wishes to accept disability payments from workers' compensation in lieu of continuing on the Town payroll.

- K. Full-time and part-time employees may use sick leave donated by other employees in accordance with Section 805, below. Such employees may not use donated sick leave until the employee exhausts his/her own accrued sick, vacation, and any other available leave.
- L. Sick leave may only be used as permitted by applicable law and as set forth in this handbook. Misuse of sick leave shall be cause for disciplinary action, including suspension, demotion, or dismissal.

Section 805 – DONATED SICK LEAVE

Full-time and part-time employees may donate up to twenty (20) hours of sick leave to other employees who need sick leave but who have exhausted their own leave. Donated sick leave shall be transferred as hours, not funds, and will be paid at the receiving employee's regular rate.

- A. All donations must be approved by the Personnel Director.
- B. An employee may not donate sick leave if that employee has 80 or fewer hours of accrued sick leave.
- C. The maximum donated sick leave that any employee can receive from co-employees in a 12-month period is 160 hours.