

Town of Windsor

Memorandum

September 8, 2015

TO: The Honorable Mayor and Town Council

FROM: Michael Stallings, Town Manager *MS*

SUBJECT: Leave Policy

I was asked to review our current leave policy as well as some other localities in the State. I sent out a request for leave policies and you will find a summary of the information that I received attached. A copy of our current leave policy is also attached.

There is a concern that we may allow employees to carry over too much leave from year to year. This is of concern because we will be required to pay out any vacation on the books when an employee leaves employment with the Town of Windsor.

Currently we allow employees to carry over no more than 240 hours (30 days) per year. Each year on January 1, any hours over the 240 cap are forfeited. As you can see from that attached spreadsheet, with the exception of Smithfield and Rocky Mount, we allow the same or less carry over. Of note is that Smithfield allows employees to sell back 40 hours of leave per year.

If Council wants to pursue a leave policy that reduces the amount of carry over I suggest that we implement a policy like Smithfield and allow employees to sell back a week of vacation time each year. If we reduce the amount of leave an employee can carry over, we will have to either grandfather those already over the cap, or we will have to pay out the leave over the cap to remove it from the books.

My recommendation is that we consider lowering the carry over cap to 160 hours (20 days) and that we implement a buy back policy that allows employees to sell back 40 hours of leave per year. We would need to adjust the leave policy so that it accrues on a fiscal year to allow for the buy back of leave. As with Smithfield's policy, employees would have to notify the Town Manager or Treasurer by April if they intend to sell back any leave so that it could be accounted for in the upcoming operating budget. Any leave sold back would be paid out July 1.

This is for Council's discussion and direction.

Isle of Wight					
	Accrued Per Year	Carry Over			
Vacation					
0-5	12(96)	36(288)	Any hours over the max are added to the sick leave back up to 80 hours per year.		
5-10	15(120)	36(288)			
10-15	18(144)	36(288)			
15-20	21(168)	36(288)			
20+	24(192)	36(288)			
Sick					
	12(96)	Unlimited			
Sick Payout	Over 15 years of service are paid for 25% of sick leave up to \$2,500.				
	Over 15 years of service are paid for 25% up to \$2,500 or may convert 50% of sick leave to VRS service. Hybrid employees are paid for 100% of sick leave				
Town of Rocky Mount					
	Accrued Per Year	Carry Over			
Vacation					
0-5	13(104)	10(80)	Employees with 20+ years will have their hours over the max converted to sick leave.		
5-10	14.63 (117)	12.5(100)			
10-15	16.25(130)	15(120)			
15-20	17.88(143)	17.5(140)			
20-25					
25+					
Sick					
	13(104)	Unlimited			
Sick Payout	None Mentioned				
Town of Cape Charles					
	Accrued Per Year	Carry Over			
Vacation					
0-5	12(96)	31(248)	Any leave over the max is forfeited.		
5-10	15(120)	31(248)			
10-15	18(144)	31(248)			
15-20	21(168)	31(248)			
20+	24(192)	31(248)			
Sick					
0-5	12(96)	Unlimited			
5-10	15(120)	Unlimited			
10-15	18(144)	Unlimited			
15-20	21(168)	Unlimited			
20+	24(192)	Unlimited			
Sick Payout	None Mentioned				

City of Chesapeake					
	Accrued Per Year	Carry Over			
Vacation					
1-4	12(96)	42(336)	Any leave over the max is forfeited.		
5-9	15(120)	42(336)			
10-14	18(144)	42(336)			
15-19	21(168)	42(336)			
20+	24(192)	42(336)			
Sick					
	12(96)	Unlimited			
Sick Payout	Retirees with 15+ years get 25% up to \$7,500. Retirees with 15+ years who retire with work related disability get 25% up to \$11,500				

City of Emporia					
	Accrued Per Year	Carry Over			
Vacation					
0-5	12(96)	24(192)	No payouts shall be more than 336 hours.		
5-9	15(120)	30(240)			
10-14	18(144)	36(288)			
15-19	21(168)	42(336)			
20-24	24(192)	48(384)			
25+	27(216)	54(432)			
Sick					
	15(120)	Unlimited			
Sick Payout	5+ years get paid for 25% up to \$5,000				

The Town will generally follow the same schedule as the Commonwealth of Virginia and Isle of Wight County when the Governor declares additional or special holidays.

When an employee is required to work on one of these holidays, compensatory time off will be given on an hour for hour basis for the hours worked on the holiday. Holidays falling on Saturday or Sunday shall be taken on the Friday or the Monday respectively as announced by the Town.

B. Annual Leave

1. Accrual:

Employees shall accrue annual leave on a monthly basis for each completed month of service. The rate at which annual leave is accrued is dependent upon the length of the employee's service with the Town. The accrual schedule is as follows:

Length of Service	Monthly Accrual Rate	Yearly Accrual Rate
0 to 5 years of service	1 day a month	12 days a year
5 to 10 years of service	1.25 days a month	15 days a year
10 to 15 years of service	1.5 days a month	18 days a year
15 to 20 years of service	1.75 days a month	21 days a year
20 to 25 years of service	2 days a month	24 days a year
25 years +	2.25 days a month	27 days a year

2. Anniversary date and Accrual expiration:

On January 1st of each year, the employee can carry over 30 days or (240 hours) of accrued annual leave. All remaining accrued annual leave must be used during the calendar year or the employee will forfeit the leave.

Any employee who has more than 240 hours of annual leave accrued at the enactment of this policy will not be forced to forfeit any leave in excess of 240 hours, but will not be allowed to carry over any more than has already been accrued.

3. Use of Annual Leave:

Annual leave may be used for any reason the employee chooses; however, the employee must obtain prior approval from the immediate supervisor for the desired time off.

For leave requests of one week duration: the employee must complete and submit a leave request form at least two weeks in advance.

For leave requests which are less than a week's duration, the employee must complete and submit a leave request form at least two days in advance. Management will approve leave in accordance with business and operational needs of the Town.

Annual leave shall not be counted as hours worked for the purpose of determining overtime.

4. Separation from Town Employment

Employees will be paid for any accrued annual leave at the time of retirement, resignation or termination at their current salary rate. Upon the death of an employee, accrued annual leave will be paid to his/her designated benefit recipient.

C. **Sick Leave**

1. Accrual:

Employees shall accrue sick leave on a monthly basis for each completed month of service. The rate at which sick leave is accrued is dependent upon the length of the employee's service with the Town. The accrual schedule is as follows:

Length of Service	Monthly Accrual Rate	Yearly Accrual Rate
0 to 5 years of service	1 day a month	12 days a year
5 to 10 years of service	1.25 days a month	15 days a year
10 to 15 years of service	1.5 days a month	18 days a year
15 + years of service	1.75 days a month	21 days a year

2. Maximum Accrual:

Accrued sick leave is carried over from year to year.

3. Use of sick leave:

Sick leave is to be used specifically for an employee illness or health related appointment. Employees may take sick leave if an immediate family member is sick.

Immediate family members are defined as: spouse, parent, guardian, brother, sister, son, daughter, father-in-law, mother-in-law, grandparent, grandchild, step parent, step child or any other individual residing within the same household.

4. Verification:

A Department Head may ask for justification for use of sick leave by requesting that the employee obtain verification of the illness from a doctor.

An employee who anticipates being disabled as a result of a medical condition (such as scheduled surgery, pregnancy, etc.) should inform management as early as possible to assist management in planning for the employee's absence.

(Approved by Council: November 12, 2008)

D. Policy for Payment of Unused Sick Leave

1. For Employees with at Least Five Years of Service:

Each full time employee of the Town of Windsor who has been continuously employed by the Town for at least five years, shall upon termination of such employment for any reason other than discharge from Town Employment as a result of disciplinary action duly imposed by the Town, shall be entitled to receive an amount of money, equal to twenty-five percent of his/her unused sick leave accumulated provided not to exceed the sum of \$2,500.

2. For Employees with at Least Ten Years of Service:

Each full time employee of the Town of Windsor who has been continuously employed by the Town for at least ten years, shall upon termination of such employment for any reason other than discharge from Town employment as a result of disciplinary action duly imposed by the Town, shall be entitled to receive an amount of money, equal to twenty-five percent of his/her unused sick leave accumulated provided not to exceed the sum of \$5,000.

(Approved by Council: July 22, 2008)

E. Military Leave

An employee who is a member of a reserve force of the United States or of the Commonwealth of Virginia and who is ordered by the appropriate authorities to attend a training program or who is called into emergency active duty for the purpose of aiding civil authority under the supervision of the United States or the Commonwealth of Virginia shall be granted a leave of absence with full pay during the period of such activity, not to exceed fifteen (15) consecutive calendar days for training duty and five (5) working days for emergency active duty.

F. Leave Without Pay