

RESOLUTION NO. 2024-2388

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AMENDING "POLICY 600 ATTENDANCE AND LEAVE" AS AN AMENDMENT TO THE "CITY OF GOODYEAR POLICY AND ADMINISTRATIVE GUIDELINES MANUAL."

WHEREAS, the Mayor and Council of the city of Goodyear, Maricopa County, Arizona are authorized to provide for the manner in which personnel policies, rules, regulations and procedures applicable to city of Goodyear employees are to be adopted.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1. STATEMENT OF AUTHORITY

Article 3-3-3 of the Goodyear City Code authorizes the Mayor and City Council to adopt, by ordinance, written policies, rules, regulations and procedures to give effect to this Article.

SECTION 2. "POLICY 600 ATTENDANCE AND LEAVE" AS AN AMENDMENT TO THE "CITY OF GOODYEAR POLICY AND ADMINISTRATIVE GUIDELINES MANUAL"

The "Policy 600 Attendance and Leave" is hereby amended and attached hereto as "Exhibit A".

SECTION 3. SEVERABILITY

If any section, subdivision, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining provisions of the ordinance or parts thereof.

SECTION 4. EFFECTIVE DATE

Resolution 2024-2338 shall be effective upon the date of its adoption.

PASSED AND ADOPTED by the Mayor and Council of the City of Goodyear, Maricopa County, Arizona, by a 7-0 vote, this 12th day of February, 2024.

Joe Pizzillo
Joe Pizzillo, Mayor

Date: 2-12-2024

ATTEST:

Darcie McCracken
Darcie McCracken, City Clerk

APPROVED AS TO FORM:

Roric Massey
Roric Massey, City Attorney



POLICY STATEMENT

Subject: Attendance and Leave

Origination Date: 04/01/2001

Revision Date: 06/13/2024

Policy Number: 600

Purpose

The purpose of this policy is to establish standard hours of work, holidays, vacation leave, and sick leave. In addition, this policy will establish the conditions under which city employees may be granted time off from work.

Policy

A. Hours of Work/Attendance

Department directors are responsible for establishing a schedule of regular working hours for their respective departments to ensure optimum service delivery to the citizens of Goodyear. Employees are responsible for being at their work site during their scheduled work hours.

B. Holidays

The following days shall be considered holidays for City employees:

1. New Year's Day
2. Martin Luther King Day
3. President's Day
4. Memorial Day
5. Juneteenth Day
6. Independence Day
7. Labor Day
8. Veteran's Day
9. Thanksgiving Day
10. Friday after Thanksgiving Day
11. Christmas Day
12. Floating Holiday*

*One (1) floating holiday is available to all regular full-time and part-time (half benefit) status employees each calendar year as defined in Guideline 620.

C. Vacation Leave

Vacation is provided to employees to ensure the mental and physical health and well-being of both the employee and the organization.

For employees entitled to vacation leave, accruals will accrue on a per pay period basis and will be available to use at the start of the following pay period. No employee shall take vacation leave in excess of the amount accrued. Full-time employees accrue vacation leave based upon years of credited service with

eligible Arizona government retirement systems (i.e., ASRS, PSPRS, city of Phoenix, city of Tucson):

Job Classification	Years of Service	Vacation Hours Earned per Pay Period	
		40-hour Employees	56-hour Non-MOU Employees
Full-time Regular and Trial Employees	21+ years	7.3643	10.81
	15 – 20 years	7.0571	10.38
	10 – 14 years	6.1571	9.12
	5 – 9 years	5.3	7.92
	0 – 4 years	4.3929	6.65

Regardless of years of services, the maximum accrual of vacation hours is 320 hours for forty (40) hour work week employees and 456 hours for fifty-six (56) hour work week employees. If vacation balance exceeds 456 at the end of the calendar year for 56-hour employee, up to 48 hours of the overage will be automatically cashed out. Any hours over 504 will be automatically donated to the Labor Relations Bank.

1. Vacation Accrual for Part-Time and Temporary

Regular part-time employees shall receive a prorated accrual of vacation leave benefits at ½ the accrual rate of full-time employees. Temporary employees typically shall not accrue vacation leave. However, temporary employees working a 40 hour a week schedule for a planned duration of six (6) months or more will receive vacation leave.

2. Maximum Accrual

Hours over the maximum accrual will be lost at the end of each calendar year, unless the City Manager provides written authorization for an employee to exceed their maximum accrual.

3. Vacation Cash-In

Employees shall be allowed to cash in up to forty (40) hours [fifty-six (56) hours for sworn shift Fire], based on availability of budgeted funds, of accrued vacation leave, one time a year as determined by the City, as long as they maintain a vacation balance of eighty (80) hours 72 hours for sworn shift Fire) after the vacation leave is paid out and have taken at least forty (40) hours [fifty-six (48) hours for sworn shift Fire] of vacation leave prior to the cash in date. Payment of vacation cash-in is considered supplemental wages and is subject to I.R.S. guidelines requiring a mandatory lump sum tax withholding in addition to all other applicable taxes.

4. Change of Employee Status

When an employee is promoted, demoted or transferred, they shall not lose accrued vacation leave. However, depending on the employee’s job classification, the rate at which they accrue vacation leave may change.

5. Disciplinary Action

Under circumstances of financial hardship, the City Manager or Deputy City Manager may approve requests for use of accrued vacation or compensatory time in lieu of suspension. Request must be submitted to the department director and Human Resources.

D. Sick Leave

Sick leave is provided as benefit for all employees unable to report to work because of personal illness (to prevent infection of co-workers), or whose family member becomes ill and the employee must care for the family member. Upon approval from the department director or designee, sick leave may be used to extend funeral leave (Administrative Guideline #660). It is not to be used for purposes other than those contained herein.

Sick time accruals will accrue on a per pay period basis and will be available to use at the start of the following pay period. Full-time employees (including full-time temporary employees) accrue sick leave on the following basis.

	Accrual per Pay Period	Maximum Accrual of Hours
Full-time Regular and Trial Employees	3.70 hours	Unlimited
56-hour Work Week Employees	5.18 hours	Unlimited

Part-time employees receive sick leave at half (½) the rate of the full-time employees.

Temporary employees who are not working full-time accrue sick leave on the following basis:

	Accrual per Pay Period per Hours Worked	Maximum Accrual of Hours	Maximum Annual Usage
Part-time Employees	0.34	Unlimited	40 hours

The maximum carryover of sick hours is 80 hours at the end of each calendar year.

1. Sick Leave Payout upon Separation

A full-time regular employee vested in the Arizona State Retirement System (ASRS) with a minimum of five (5) years of continuous service with the City and who voluntarily separate employment shall be compensated for accrued sick leave up to a maximum of 240 hours upon separation. Employees with a minimum of ten (10) years of continuous service with the City shall be

compensated for accrued sick leave up to a maximum of 480 hours upon separation regardless of reason for separation.

A full-time regular employee vested in the Arizona Public Safety Personnel Retirement System (PSPRS) with a minimum of five (5) years of continuous service with the City and who voluntarily separate employment shall be compensated for accrued sick leave up to a maximum of 240 hours [336 hours for fifty-six (56) hour employees] upon separation. A full-time regular employee vested in the Arizona PSPRS with a minimum of ten (10) years of continuous service with the City shall be compensated for 480 hours [672 hours for fifty-six (56) hour employees who work the majority of his/her last ten (10) years of service in a fifty-six (56) hour assignment] of accrued sick leave (if accrued) upon separation regardless of reason for separation.

2. Sick Leave Conversion Upon Separation

Full-time regular employees who officially retire through ASRS or PSPRS or employees who separate employment due to disability retirement or separate from employment after filing for long term disability will receive the following amount of sick leave balance that is above the noted threshold paid out in a Retirement Health Savings (RHS) account (Battalion Chiefs will be paid out in a cash out (minus applicable taxes required by the IRS) or deposited in a deferred compensation account up to the maximum IRS allowable amount) at the time of separation at the current regular hourly wage amount:

Years of Service	Percent of Sick Leave Balance above 480 hours or 672 hours (56-hour employees) to be converted to RHS
8 years	25%
10 years	35%
15 years	50%
20 years	75%

Employees who involuntarily separate employment or do not meet these eligibility requirements will not receive any sick conversion at the time of termination, and they forfeit all unused sick time.

3. Discipline

Forfeiture of accrued sick leave as a disciplinary action shall not be authorized.

4. Advanced Sick Leave

The City Manager may grant no more than ten days of advanced sick leave to a full-time regular employee. The advanced sick leave will be repaid by the employee through the normal leave accrual process or through transfer of sick leave accrual. In order to qualify for advanced sick leave, employees must be full-time regular and have exhausted all forms of paid leave; i.e., vacation, sick, compensatory time, floating holiday.

5. Promotions/Demotions/Transfers

When an employee is promoted, demoted or transferred, the employee will not lose accrued sick leave.

6. Donation of Sick Leave and Vacation Leave

The purpose of leave donation is to permit an employee to donate accrued sick or vacation leave to a central leave bank to assist another employee. This policy permits such a donation to occur when an employee has a need for additional paid leave because they have exhausted all paid leave including, but not limited to sick, vacation, comp time, and floating holidays and have a serious medical hardship or catastrophic illness or injury. The employee’s need may arise from their own serious medical hardship or catastrophic illness or from their need to care for a family member who has a serious medical hardship or catastrophic illness.

In addition to employee donations, all forfeited sick leave balances will be placed in the central bank. If the donation leave bank exceeds 2,000 hours, all hours above will be retired.

7. Sick Leave Conversion to Retirement Health Savings (RHS) Account

If an employee has a sick leave balance that reaches the threshold noted below by December 30th of each year, the corresponding sick leave amount will be converted to a dollar amount and be automatically removed from the employee’s sick leave bank and rolled in an RHS Account tax free:

Accrued Hours	Sick Leave RHS Conversion
240	12 hours
360	18 hours
480	24 hours
720	48 hours

The monies deposited into this account can be accessed upon separation of employment for health-related premiums and expenses. Employees covered by the IAFF Local 4005 MOU and Battalion Chiefs are not eligible for this conversion.

E. Family and Medical Leave (FMLA)

The Family and Medical Leave (FMLA) Act of 1993 and the National Defense Authority Act (NDAA) of 2008 intends to balance the demands of the workplace with the needs of families, to promote the stability and economic security of families, and to promote national interests in preserving family integrity. To accomplish these purposes, the City will establish a process with respect to leave necessary for the medical care of employees and their families.

F. Other Leave Categories

The City shall provide a mechanism for the following types of additional leave to be available to employees:

1. Military Leave
2. Funeral or Bereavement Leave
3. Jury Duty Leave
4. Election Leave
5. Injury Leave
6. Administrative Leave
7. Crime Victims Leave
8. Fatigue Leave
9. Industrial Leave to Attend Off-Duty Appointments
10. Parental Leave

G. Unpaid Leave Categories

1. Personal Leave Without Pay

The City provides an opportunity for leave without pay for employees to deal with personal situations occurring for more than ten (10) days, but not exceeding ninety (90) days. Such leave is granted at the discretion of the department director on a case-by-case basis. The leave is unpaid, unless the employee has available vacation, sick, or other time. This policy does not cover leaves for medical reasons, which would otherwise be covered by the FMLA. Also, this policy does not cover medical leaves that may be covered by the Americans with Disabilities Act (ADA). Such leave will be covered by the City's policy regarding reasonable accommodations for employees with disabilities, which provides that in some cases an employee may be given an unpaid leave of absence as a reasonable accommodation, the length of which will be evaluated on a case-by-case basis, and may in some instances involve leave beyond ninety (90) days.

2. Furloughs

If a budget shortfall is anticipated, the City Manager has the authority to require employees to take a specified number of hours off without pay which will be designated as furlough time off. Exempt employees are considered hourly during pay periods in which furlough time is taken and accurate payroll records must be maintained of actual hours worked. Furloughs authorized by the City Manager are not subject to the discipline, grievance and/or appeals process.

H. Workplace/Telecommuting

The department director may authorize employees to work at a centralized City location, or at other sites to possibly include telecommuting. For telecommuting refer to Administrative Guideline #680. All employees must reside and work on a regular basis within the state of Arizona.

I. Emergency Leave

Under a declaration of emergency, the City Manager is authorized to grant emergency leave provisions to maintain the continuity of city operations.