

20-0571

Standing Committee: Personnel Committee

Document Name: ~~Request to Revise Extended Leave Policy~~

Resolution to revise the employee Policy Manual to include revisions to the Extended leave Policy post COVID-19 Pandemic

Action:

Place on File - No Council action needed

Refer to:

Refer to Council Consent Non-Consent

Committee Recommendation:


~~Approve Request~~ Adopt the resolution

Attest:


Chair – Alderperson Steve Czekala

01 Jun 2020
Date


Vice-Chair – Alderperson Courtney Hansen


Alderperson Todd Lotz


Alderperson Bill Schlei

Alderperson Eric Sitkiewitz

Approved:

Justin M. Nickels
Mayor

Date

Personnel
6-15-20

20-0571

RESOLUTION

EXTENDED LEAVE POLICY - EMPLOYEE POLICY MANUAL

WHEREAS, the City of Manitowoc’s Employee Policy Manual provides continuity and consistency in the operations and the administration of benefits and safe working conditions for all employees of the City of Manitowoc; and

WHEREAS, the COVID-19 Pandemic has caused many organizations to re-evaluate their leave policies to ensure they are flexible enough to protect all employees, and ensuring employees who are ill, or who have symptoms of illness, are not coming into the workplace while symptomatic; and

WHEREAS, guidelines from the CDC and legal experts state that employers should be working to encourage flexible leave policies allowing employees to remain home if they are ill or symptomatic; and

WHEREAS, Human Resources Director Jessie Lillibridge recommends allowing employees the ability to immediately access up to 5 days of their extended leave each year without requiring the use of PTO, as detailed in her attached memo to the Personnel Committee; and

WHEREAS, the Personnel Committee recommended approval of the request to revise the Extended Leave Policy, at a meeting held on Monday, June 1st, 2020.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Common Council of the City of Manitowoc to approve the attached revisions to the Extended Leave Policy within the Employee Policy Manual, effective the first pay period following adoption of this resolution.

BE IT FURTHER RESOLVED to direct Human Resources to notify employees of the changes to the Extended Leave Policy and to have copies of the updated Policy available on the Intranet and in the Human Resources Department.

JUN 15 2020

INTRODUCED _____

ADOPTED _____

Justin M. Nickels, Mayor

APPROVED _____

This resolution was drafted by Kathleen McDaniel, City Attorney

Fiscal Impact: Budget Neutral
Funding Source: Various Departmental Budgets
Finance Director Approval: /SAC
Approved as to form: /

Section 3. Extended Leave Banks.

- A) **Use.** Employees will be provided with extended leave banks to address their own personal health care needs or the health care needs of a spouse or an immediate family member who resides primarily with and is primarily dependent on the employee for care and support. Up to five days of the annual granted 10 days of extended leave may be used each calendar year for any illness-related absence. An employee may access any additional extended leave after using other available paid leave for three days. Extended leave may be used for the fourth day and any subsequent consecutive days for absences of four or more consecutive days. Extended leave may be used for absences which qualify as federal and/or state Family and Medical Leave Act protection. All use of extended leave is subject to verification and the City reserves the right to request a doctor's slip for any extended leave request. To facilitate the usage and tracking of this leave in our payroll processing system, the five days will be placed into a separate bank at the beginning of the calendar year. Any of the five days of leave available for sick leave purposes that are unused will be moved into the employee's Extended Leave Bank at the end of each calendar year for use as described above or under qualified FMLA.

Beginning on July 1, 2020, employees will be allowed to use three days of extended leave for any illness-related absence for the remainder of 2020.

- B) **Extended Leave Bank Accrual.** Employees will be granted 10 days of extended leave per calendar year. Employees hired after January 1 will be granted extended leave on a pro-rata basis the first year of employment. Unused extended leave will be placed in a "bank" which will be available to the employee for future use, until such time as the "bank" has a maximum accumulated total of 10 weeks of paid time off (e.g. 400 hours for full-time, 40 hour per week employees). There will be no accrual of extended leave in this bank beyond 10 weeks of leave. Unused extended leave in this bank will be cancelled upon termination (e.g. resignation, retirement, layoff, death, dismissal) and no payment will be made.
- C) **Old Sick Leave Bank** Employees who have an accrued sick leave balance will have that balance placed in a separate account for future use and/or payout upon layoff, retirement or death. The balance in this account may not exceed 960 hours. This accrued sick leave may be paid out in whole or in part at any time prior to layoff, retirement or death at the sole discretion of the Common Council. There will be **no future accrual** added to this sick leave balance. Said sick leave may be used for the employee's own personal health care needs or the health care needs of a spouse or an immediate family member who resides with and is dependent on the employee for care and support. Management reserves the right to verify the use of sick leave. Employees leaving employment of the City either by choice or dismissal, shall have this sick leave balance cancelled and no payment will be made. The remaining sick leave balance will only be paid out to the employee upon layoff, retirement (upon

reaching qualified age as dictated by WRS) with 120 days advance notice to the employee's direct supervisor, or death. Any payout balance over \$5,000 will be placed into either a medical reimbursement account or a special pay account. A third party representative will contact you to determine which option is selected. Sick leave credits are to be computed by dividing the annual wage or salary by 255 days in order to arrive at the daily wage or salary rate when the employee entered the employee policy manual coverage.



CITY OF MANITOWOC

WISCONSIN, USA

www.manitowoc.org



DATE: June 1, 2020
TO: Personnel Committee
FROM: Jessie Lillibridge, HR Director
RE: Request to Revise Extended Leave Policy

The COVID-19 pandemic has caused many organizations to re-evaluate their leave policies to ensure that those policies are flexible to protect employees. As you know, employers are required to establish a safe workplace for employees. This includes ensuring that employees who are ill, or who have symptoms of illness, are not coming into the workplace while symptomatic. Guidelines from the CDC and legal experts state that employers should be working to encourage flexible leave policies that allow employees to remain home if they are ill or symptomatic.

City employees governed by the Employee Policy Manual currently receive 10 days of Extended Leave each year, which can only be used after using 3 days of PTO. Employees also receive paid time off (PTO), which is earned on an accrual basis. This means that new employees start with no time off and it does take some time to accrue PTO leave in their banks.

Our current Extended Leave Policy is rather restrictive, requiring an employee to use three days of PTO for each instance of use, prior to accessing any extended leave. Requiring employees to use that earned PTO because they need to stay home for an illness, instead of allowing the use of the extended leave immediately, encourages employees to come to work sick. Employees have expressed concern about being in the workplace with sick colleagues prior to COVID-19, and this remains a concern now.

Attached please find a revision to the City's Extended Leave Policy language. I have also attached data that I collected from other municipalities in 2018 showing vacation, sick leave, and holiday comparisons. The majority of other municipalities allow for more leave time than the City of Manitowoc, and that leave is also generally usable on the first day of an illness.

My recommendation is to allow employees the ability to access up to 5 days of their extended leave each year without requiring the use of PTO.

Thank you.

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~~4. Beginning on July 1, 2020, employees will be allowed to use three days of extended leave for any illness-related absence for the remainder of 2020.~~

A)B) Extended Leave Bank Accrual. Employees will be granted 10 days of extended leave per calendar year. Employees hired after January 1 will be granted extended leave on a pro-rata basis the first year of employment. Unused extended leave will be placed in a "bank" which will be available to the employee for future use, until such time as the "bank" has a maximum accumulated total of 10 weeks of paid time off (e.g. 400 hours for full-time, 40 hour per week employees). There will be no accrual of extended leave in this bank beyond 10 weeks of leave. Unused extended leave in this bank will be cancelled upon termination (e.g. resignation, retirement, layoff, death, dismissal) and no payment will be made.

B)C) Old Sick Leave Bank Employees who have an accrued sick leave balance will have that balance placed in a separate account for future use and/or payout upon layoff, retirement or death. The balance in this account may not exceed 960 hours. This accrued sick leave may be paid out in whole or in part at any time prior to layoff, retirement or death at the sole discretion of the Common Council. There will be no future accrual added to this sick leave balance. Said sick leave may be used for the employee's own personal health care needs or the health care needs of a spouse or an immediate family member who resides with and is dependent on the employee for care and support. Management reserves the right to verify the use of sick leave. Employees leaving employment of the City either by choice or dismissal, shall have this sick leave balance cancelled and no payment will be made. The remaining sick leave balance will only be paid out to the employee upon layoff, retirement (upon reaching qualified age as dictated by WRS) with 120 days advance notice to the

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WI Municipalities Leave Benefits 2018

Notes: If multiple schedules were offered, the non-exempt, non-represented schedule was used below.

Name	Yr 1 Vacation /PTO (days)	Yr 1 - Total Vacation, PTO, Holiday, Sick	Yr 5 Vacation/ PTO (days)	Yr 5 - Total Vacation, PTO, Holiday, Sick	Yr 10 Vacation/ PTO (days)	Yr 10 - Total Vacation, PTO, Holiday, Sick	20 Yr Vacation/ PTO (days)	Yr 20 - Total Vacation, PTO, Holiday, Sick	25 Yr Vacation/ PTO (days)	Yr 25 - Total Vacation, PTO, Holiday, Sick	Additional PTO	Sick Leave (days)	Holidays/ Floating (days)	Notes
Antigo	5	27.5	10	32.5	20	42.5	25	47.5	25	47.5		12	10.5	
Appleton	5	23	12	30	20	38	25	43	25	43	6	0	12	
Brookfield	10	26	15	31	20	36	25	41	25	41		6	10	
Cedarburg	10	33	15	38	20	43	25	48	25	48		12	11	
City of Manitowoc	10	18.5	17	25.5	21	29.5	31	39.5	31	39.5		0*	8.5	*Receive 10 days per year which can be used for qualified FMLA or can use only after using 3 days of PTO
De Pere	10	34	15	39	17	41	22	46	25	49		12	12	
Eau Claire (City)	10	33	15	38	15	38	25	48	25	48		12	11	
Eau Claire County	20.8	28.8	26	34	30.88	38.88	35.75	43.75	35.75	43.75		0	8	
Franklin	10	31	10	31	15	36	20	41	20	41		12	9	
Green Bay	10	33.5	10	33.5	15	38.5	20	43.5	25	48.5	3	12	8.5	
Iowa County	17	26	26	35	31	40	36	45	39	48		0	9	Accrued vacation
Janesville	10	33	15	38	16	39	25	48	25	48		12	11	
Kenosha County	15	25	15	25	20	30	25	35	25	35		STD plan*	10	*After 3rd day sick, emp receives 100% salary through day 30; two-thirds pay day 31-365
Kronenwetter	5	27	10	32	15	37	25	47	30	52		12	10	
LaCrosse County	10	32	15	37	15	37	25	47	25	47		12	10	
Manitowoc County	5	20	15	30	17	32	26	41	27	42		5	10	
Marshfield	5	27	10	32	15	37	25	47	25	47		12	10	
Merrill	5	28	10	33	15	38	20	43	26	49		12	11	
Milwaukee (City of)	12.02	35.02	17.23	40.23	27.3	50.3	27.3	50.3	32.18	55.18		12	11	Accrued vacation
MPU	5	27	12	34	15	37	22	44	25	47		12	10	
Neenah	5	29	15	39	15	39	25	49	30	54		12	12	
Oconomowoc	5	27	15	37	16	38	25	47	25	47		12	10	
Pewaukee	10	31	10	31	15	36	25	46	25	46		12	9	
River Falls	30	38	30	38	30	38	30	38	30	38		0	8	New PTO policy effective 6.1.2018
South Milwaukee	10	32	10	32	15	37	25	47	25	47	6	6	10	
Sun Prairie	10	34	16	40	20	44	25	49	25	49		12	12	
Superior	5	30	15	40	20	45	27	52	27	52		12	13	
Waukesha	10	33	10	33	15	38	20	43	25	48		12	11	
Wausau	10	31	15	36	20	41	30	51	30	51		12	9	
Two Rivers													10	8 holidays plus 2 personal days
West Bend	10	31	15	36	15	36	25	46	25	46		9	12	Emp hired after Jan. 1, 2012 receive 10 paid holidays
Average	9.83	29.48	14.71	34.36	18.71	38.36	25.57	45.22	26.93	46.58	5.00	9.50	10.27	