

**VERNAL
RESOLUTION 2025-07**

**A RESOLUTION OF THE VERNAL CITY COUNCIL AMENDING THE VERNAL
CITY PERSONNEL POLICIES AND PROCEDURES MANUAL, AMENDING THE
EMPLOYEE LEAVE POLICIES.**

WHEREAS, the Vernal City Council finds it necessary from time-to-time to review and update the leave policies of the City.

NOW THEREFORE, be it ordained by the Council of the Vernal, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “Section 2.05.046 Sworn Police Officers Court Compensation Policy.” of the Vernal Personnel Manual is hereby *amended* as follows:

A M E N D M E N T

Section 2.05.046 Sworn Police Officers Court Compensation Policy.

Off-duty FLSA non-exempt Vernal City police officers will be granted up to two (2) hours of paid time for court preparation as a result of a subpoenaed or summoned appearance in court as part of the officer's official duties. Court preparation means preparing case documentation, reports, evidence and professional appearance for court. The ~~two (2) hour~~ court preparation compensation will be separate from the compensation for actual time spent in court. Officers appearing in court, in an official capacity, is may considered ~~such time as~~ hours worked. Vernal City officers will be required to submit a copy of their subpoena to be turned in with their time sheets. (Adopted 06/15/2005, Res 2005-09, amended 01/06/2010, Res. 2010-01)

SECTION 2: **AMENDMENT** “Section 3.02.030 Overtime.” of the Vernal Personnel Manual is hereby *amended* as follows:

A M E N D M E N T

Section 3.02.030 Overtime.

- A. Policy. It is the policy of Vernal City that overtime work be kept to the minimum, consistent with the protection of life and property and the efficient operation of the departments and activities of Vernal City. Overtime work shall be authorized only with prior authorization of the Department Head and shall be defined as any time worked

beyond the 40 hours in a standard work week, or 171 hours per each 28-day work period for Sworn Police personnel. All hours on the employee's time sheet associated with non-working, approved leave shall be excluded in calculating total time worked in determining overtime hours.

1. When a sworn police officer of the City works special assignments for which overtime compensation is reimbursed by private organizations, State or federal agencies to the City at a rate of time and one-half of the officers normal rate of compensation, the sworn police officer shall be compensated at the rate of time and one-half for all hours worked for such special assignments regardless of how many hours the officer has worked in the 28-day work period for which overtime compensation is calculated.

2. ~~When a sworn police officer of the City is assigned to work as a bailiff for the Vernal City Justice Court, the sworn officer shall be compensated at the rate of time and one-half of his / her normal rate of compensation for all hours worked as a bailiff regardless of how many hours the officer has worked in the 28-day work period for which overtime compensation is calculated. Compensation shall be administered in accordance with the provisions of this section.~~

B. Compensation. Excepting employees who are exempted under the provisions of the Fair Labor Standards Act and also those employees included in the Exempt Compensation Schedule, an employee who is called by his Supervisor or Department Head to work beyond 40 hours per standard work week, or 171 hours per each 28-day work period for Sworn Police personnel, shall be compensated for such overtime work either by payment at the rate of 1½ times his normal rate of pay for the period worked, or through the allowance of compensatory time off.

C. Compensation for overtime work, either by payment or by the allowance of compensatory time off, shall be determined by the Department Head and acknowledged by the employee prior to the overtime being worked by the employee and through a written agreement signed by the employee at the time of hire. The allowance of compensatory time off shall be in compliance with the provisions for compensatory time-off found in Section 3.02.030 (D).

D. Compensatory Time-Off. In lieu of being paid at the rate of 1½ times his normal rate of pay for all overtime work, the Department may require the employee to accrue compensatory time off at the rate of 1½ times the hours worked over the 40 hour standard work week of the employee, or over the 171 hours worked in each 28-day work period for Sworn Police personnel. However, the employee may accrue on his compensatory time off record no more than forty-eight (48) ~~240~~ compensatory time hours. After accruing ~~240~~ forty-eight (48) compensatory time hours, the employee must be paid for all overtime worked. A Department Head may require an employee to use any accrued compensatory time off. An employee shall be permitted to use compensatory time within a reasonable period after making the request, if doing so does not unduly disrupt the operations of the City.

E. Effective _____, 2025 all employees who currently have compensatory time balances in excess of forty-eight (48) hours must reduce their comp time to no

more than forty-eight(48) hours by December 31, 2026. Comp time shall be used in place of other forms of leave until the balance is brought into compliance. Department heads and supervisors are responsible to monitor comp time balances and proactively schedule time-off for their employees to ensure compliance with this policy. Supervisors must coordinate with employees to identify appropriate time periods to utilize comp time while maintaining operational needs of the City.

- F. "On-Call" Compensation. ~~When~~ Employees ~~are asked~~ assigned to be "on call" during weekends and holidays ~~such employees~~ shall be compensated for a minimum of two (2) ~~four~~ hours for each 24 hour day when they are on an "on-call" status regardless of whether they are called out. Compensation for "on-call" status shall be paid at 1½ times the employee's regular wage, provided, that the employee has worked a minimum of 40 hours in a standard work week, or 171 hours per each 28-day work period for Sworn Police personnel. Actual hours worked during "on-call" status shall first be subtracted from the ~~two~~four-hour "on call" compensation allowance in determining total compensation for hours worked during the "on-call" status period. (Amended 11/03/2004, Res.2004-15, Amended 12/1/2004 Res.2004-18 and 08/05/2015, Res. 2015-11)

SECTION 3: AMENDMENT “CHAPER 5.01 ANNUAL VACATION LEAVE” of the Vernal Personnel Manual is hereby *amended* as follows:

AMENDMENT

CHAPER 5.01 ANNUAL ~~VACATION LEAVE~~PAID TIME OFF

SECTION 4: AMENDMENT “Section 5.01.010 Purpose.” of the Vernal Personnel Manual is hereby *amended* as follows:

AMENDMENT

Section 5.01.010 Purpose.

The purpose of annual Paid Time Off (PTO) ~~vacation leave~~ is to allow an employee time to both mentally and physically refresh himself/herself in order ~~to that he be~~ to ~~be~~ be able to carry out the duties of his/her work. To achieve this goal, it is the intent of Vernal City to have the employees schedule annual PTO ~~vacation leave~~ during the course of their ~~his~~ employment. (Amended 11/03/2004, Res.2004-15)

SECTION 5: **AMENDMENT** “Section 5.01.020 Eligibility.” of the Vernal Personnel Manual is hereby *amended* as follows:

AMENDMENT

Section 5.01.020 Eligibility.

All permanent full-time and permanent part-time employees, shall be eligible to take PTO ~~vacation leave~~ or be compensated for accrued ~~vacation~~ leave as per Section ~~5.01.080~~. The amount of time available for an employee's PTO ~~vacation~~ shall be accumulated through the month immediately preceding the month in which the employee's PTO ~~vacation~~ falls.
(Amended 11/03/2004, Res.2004-15)

SECTION 6: **AMENDMENT** “Section 5.01.030 Accrual Of Vacation Leave.” of the Vernal Personnel Manual is hereby *amended* as follows:

AMENDMENT

Section 5.01.030 Accrual Of ~~Vacation Leave~~ Paid Time Off.

Except as provided in paragraph F of this section, PTO ~~vacation leave~~ shall be accrued and credited monthly to all eligible employees and shall be credited to the employee at the last working day of each month worked at the following rates upon hire:

- A. ~~All~~ Employees with less than ~~five~~ ~~ten~~ (10) years of continuous service shall earn annual leave at the rate of ~~thirteen point three three (13.33)~~ ~~6.67~~ hours per month, or ~~twenty (20)~~ ~~ten~~ working days per year.
- B. Employees with over five (5) years of continuous service and less than ten (10) years of service shall earn an additional eight (8) hours of leave per year of service: See chart below:

6 years of service	14 hours month	21 days PTO
7 years of service	14.66 hours month	22 days PTO
8 years of service	15.33 hours month	23 days PTO
9 years of service	16 hours month	24 days PTO

- A. All employees with ten (10) years, but less than twenty (20) years, of continuous service shall earn annual leave at the rate of sixteen point six six (16.66) ~~10~~ hours per month, or ~~fifteen~~ ~~twenty-five~~ (25) working days per year.
- B. Employees with twenty or more years of continuous service shall earn annual leave at

the rate of ~~twenty (20)~~ ~~13.33~~ hours per month, or ~~twenty~~ ~~thirty (30)~~ days per year.

- C. Newly hired employees shall accrue ~~PTO~~ ~~vacation leave~~ at the following rates for the month in which they are hired:

Hire Date	Accrual Rate
1-15 day of any month	100% of normal accrual rate
16-31 day of any month	50% of normal accrual rate

- E. A terminated employee shall have accrued ~~PTO~~ ~~vacation leave~~ for the last month worked at the following rate:

Termination Date	Accrual Rate
1- 15 day of any month	50% of normal accrual rate
16-31 day of any month	100% of normal accrual rate

- F. Permanent part-time employees shall accrue ~~PTO~~ ~~vacation~~ at ½ of the rate of permanent full-time employees. (Amended 11/03/2004, Res.2004-15)

SECTION 7: **AMENDMENT** “Section 5.01.040 Accumulation.” of the Vernal Personnel Manual is hereby *amended* as follows:

AMENDMENT

Section 5.01.040 Accumulation.

- A. The maximum annual leave which can be accrued is ~~eighty-five (85)~~ ~~thirty (30)~~ days or ~~240~~ ~~680~~ hours. Any accrued annual leave in excess of ~~85~~ ~~30~~ days shall be ~~forfeited on December~~ converted in December ~~31st~~ of each year.
- B. Annual Conversion. A current employee who has over six-hundred eighty (680) hours of unused accrued PTO shall reduce the leave hours to 680 by converting 50% of the hours over 680 by choosing one of the following options:
1. Convert 25% of the unused PTO hours to a cash payment and the remaining 25% to the health retirement account (HRA); or
 2. Choose to convert all 50% into the health retirement account (HRA).
 3. The conversion shall occur in December of the current calendar year. Cash payments shall be made at the employee’s current rate of pay. All decisions must be made by the employee by December 1st or the default will be Option 1.
- C. Only 50% of the hours over 680 hours may be converted. The remaining 50% of the hours over 680 hours will be forfeited. (Amended 11/03/2004, Res.2004-15,

12/17/2008, Res. 2008-46 and 02/07/2018, Res. 2018-01)

SECTION 8: **AMENDMENT** “Section 5.01.050 Use Of Compensatory Time-Off Before Accrued Vacation Leave.” of the Vernal Personnel Manual is hereby *amended* as follows:

A M E N D M E N T

Section 5.01.050 Use Of Compensatory Time-Off Before Accrued ~~Vacation Leave~~Paid Time Off.

Prior to utilizing accrued PTO ~~vacation leave~~, an employee may be required by the Department Head to utilize any accrued compensatory time-off as scheduled time-off, except in cases where an employee's accrued annual leave exceeds the ~~30~~85-day maximum. In such cases, the employee shall be allowed to utilize accrued annual leave until the accrued annual leave balance equals the 85~~30~~-day maximum, at which time, accrued compensatory time-off shall be used. (Amended 11/03/2004, Res.2004-15)

SECTION 9: **AMENDMENT** “Section 5.01.060 Scheduling.” of the Vernal Personnel Manual is hereby *amended* as follows:

A M E N D M E N T

Section 5.01.060 Scheduling.

An employee's ~~vacation~~ PTO shall be, as much as possible, scheduled for the employee's convenience. However, leave time ~~vacations~~ must be scheduled through Department Heads so as not to interfere seriously with or impair departmental efficiency. All employees shall submit Request for Leave forms before taking any leave ~~vacation~~. As ~~he~~ deemeds necessary, a Department Head may require an employee to use any accrued ~~vacation~~ leave hours. (~~Form in appendix pages~~) (Amended 11/03/2004, Res.2004-15)

SECTION 10: **AMENDMENT** “Section 5.01.070 Holidays And Illness Within Vacation Leave.” of the Vernal Personnel Manual is hereby *amended* as follows:

A M E N D M E N T

Section 5.01.070 Holidays And Illness Within ~~Vacation Leave~~ Paid Time Off.

When a recognized City holiday falls within an employee's ~~vacation~~ paid time off for which he/~~she~~ normally would have been excused from work, that day shall not be charged as a day of annual PTO ~~vacation~~. ~~If an employee becomes ill or injured during his annual vacation leave and medical attention or hospitalization is required, those days for which proof of such medical attention or hospitalization is furnished shall not be charged as annual vacation, but shall be charged to sick leave.~~ (Amended 11/03/2004, Res.2004-15)

SECTION 11: AMENDMENT “Section 5.01.080 Payment Upon Termination.” of the Vernal Personnel Manual is hereby *amended* as follows:

AMENDMENT

Section 5.01.080 Payment Upon Termination.

- A. Employees who terminate employment, and who are eligible for PTO ~~vacation~~ benefits as per this Section ~~5.01.020~~, shall may be paid for ~~any accrued~~ accrued PTO ~~vacation~~ hours. Payment for accrued PTO ~~vacation~~ upon termination shall be at the employee's current rate of pay.
- B. Voluntary termination by any employee without at least a two-week notice given by an hourly employee and a one-month notice given by an exempt employee to his Department Head shall be considered just cause to waive the payment of accrued annual leave upon termination. Exceptions to the notice requirement may be granted by the City Manager in cases of personal emergency.
- C. The City Manager shall give notice to the Mayor and City Council and notify the human resource office.
- D. Upon giving the minimum notice prior to voluntary termination, the employee may be required to work continually for the remaining employment period doing their regular job duties.
- E. No accrued PTO hours will be paid to an employee who was terminated for disciplinary reasons.
- F. Payment of accrued PTO hours at termination will be paid out as follows:
 - 1. 25% of eligible hours will be paid directly to the employee;
 - a. If the employee has at least 10 years of employment with the City, any remaining accrued PTO hours shall be converted to the post employment health savings plan based on the following table:

2.

<u>Years of Service</u>	<u>% Converted to HSP</u>	<u>Years of Service</u>	<u>% Converted to HSP</u>
<u>10 years</u>	<u>20%</u>	<u>21 years</u>	<u>64%</u>
<u>11 years</u>	<u>24%</u>	<u>22 years</u>	<u>68%</u>
<u>12 years</u>	<u>28%</u>	<u>23 years</u>	<u>72%</u>

13 years	32%	24 years	76%
14 years	36%	25 years	80%
<u>15 years</u>	<u>40%</u>	<u>26 years</u>	<u>84%</u>
<u>16 years</u>	<u>44%</u>	<u>27 years</u>	<u>88%</u>
<u>17 year</u>	<u>48%</u>	<u>28 years</u>	<u>92%</u>
<u>18 years</u>	<u>52%</u>	<u>29 years</u>	<u>96%</u>
<u>19 years</u>	<u>56%</u>	<u>30 years</u>	<u>100%</u>
<u>20 years</u>	<u>60%</u>		

Post employment health care plans, as allowed by the Internal Revenue Service, is a tax-advantaged medical savings account. The funds contributed to the account are not subject to federal income tax at the time they are deposited into the account. Funds may be used to pay for qualified medical expenses as allowed by the Internal Revenue Code, at any time after becoming benefit eligible as defined in the plan document, without federal tax liability. Investment options of the Plan shall be provided to the employee and administered in accordance with the plan documents.

- a. Upon termination of employment, an employee who has a post employment health care plan and his eligible dependents may use deposited funds in the plan account until the funds are exhausted.
- b. Death of a plan participant. Upon the death of an employee or former employee of the City who, at the time of death has a funded post employment health care plan, funds from the account may continue to be used by the former employee's eligible dependents as defined by the Internal Revenue Service. If no eligible dependents exist, remaining funds in the plan shall be distributed in accordance with the plan document
- c. In calculating the PTO hours paid out as a cash payment, if the employee has less than 25 leave hours left, those hours will be converted to a cash payment per the conversion table instead of converted to the post health savings account.

~~Voluntary termination by any employee without at least a two-week notice given by an hourly employee and a 1-month notice given by an exempt employee to his Department Head shall be considered just cause to waive the payment of accrued annual leave upon termination:-
-vacation~~

~~Payment of accrued PTO hours at termination will be as follows: -Hours will be converted based on the employees current rate of pay and paid to the employee as follows:-~~

(Amended 11/03/2004, Res.2004-15 and 02/07/2018, Res. 2018-01)

SECTION 12: AMENDMENT “Section 5.01.090 Contributing Vacation To Fellow Employees.” of the Vernal Personnel Manual is hereby *amended* as follows:

A M E N D M E N T

Section 5.01.090 Contributing ~~Vacation~~ PTO To Fellow Employees.

- A. Any regular, full-time or part-time employee of the City may contribute to another full-time or part-time city employee who qualifies for PTO ~~vacation leave~~ who has exhausted all ~~paid vacation leave and compensatory~~ time off. ~~The donating, accrued annual leave for the purpose that an~~ employee ~~must~~ may maintain ~~his regular income during a period for which he would normally need to use vacation leave~~ 120 hours of his own leave time. An hour of ~~vacation leave~~ PTO donated by an employee shall constitute an hour of leave which may be used by an employee receiving the donated ~~vacation leave~~ PTO.
- B. An employee who is experiencing a serious personal hardship and has exhausted all accrued leave may submit a written request for donated leave. The process shall be as follows:
1. The employee shall complete a Leave Donation Request Form, stating the nature of the hardship, estimated duration of leave needed, and confirmation that all accrued leave has been or will soon be exhausted.
 2. The completed form must be submitted to the employee's Department Head for review and recommendation.
 3. Upon Department Head review, the request shall be forwarded to the Human Resources Director for verification of leave balances and final approval.
 4. If approved, the Human Resources Director will coordinate a solicitation of leave donations among employees in accordance with the Leave Donation Policy.
 5. The identity of the requesting employee shall be kept confidential to the extent possible, unless the employee consents to disclosure.
- C. Employees may voluntarily donate accrued leave hours to assist a fellow employee who is experiencing a qualifying personal hardship and has exhausted all available leave. Donated annual PTO ~~vacation leave~~ shall be used in accordance with all other provisions of this chapter. ~~Approval to donate annual vacation leave must be given by the employee's Department Head and by the City Manager.~~
1. The Department Head and the Human Resources Director shall jointly announce a request for leave donations when an eligible need is identified.
 2. All employees who wish to donate leave hours shall submit a Leave Donation Request Form to the Human Resources Director specifying the number of hours to be donated.
 3. Donated leave will be credited directly to the receiving employee's leave balance and may only be used for the specified qualifying event. Unused

hours will be returned to the donating employee.

4. The total amount of leave donated and received shall be monitored by the Human Resources Director to ensure compliance with policy and to prevent abuse.

D. ~~(Form in appendix pages)~~ A maximum of 40 hours of PTO per year may be donated for the purpose that an employee may maintain their regular income during a period for which they would normally need to use PTO, yet has none to use. (Amended 11/03/2004, Res.2004-15 and 11/05/2014, Res. 2014-17)

SECTION 13: **REPEAL** “CHAPTER 5.02 SICK LEAVE” of the Vernal Personnel Manual is hereby *repealed* as follows:

REPEAL

CHAPTER 5.02 SICK LEAVE

SECTION 14: **REPEAL** “Section 5.02.010 Purpose.” of the Vernal Personnel Manual is hereby *repealed* as follows:

REPEAL

Section 5.02.010 Purpose.

~~During the course of his employment, an employee may be injured or become ill, requiring a period of time for recuperation, hospitalization or medical treatment. The purpose of sick leave is to provide an employee a period of time in which he may recover from his illness or injury to the point that he is capable of returning to work and completing job assignments. Sick leave shall be allowed only in case of necessity and actual personal illness or disability, medical or dental treatment, or in the case of emergency illness in the immediate family. The "immediate family" shall be the spouse, parent, child, brother or sister. Sick leave shall not be considered as a privilege which an employee may use at his own discretion, but shall be granted only upon the approval of the Department Head. (Amended 11/03/2004, Res.2004-15)~~

SECTION 15: **REPEAL** “Section 5.02.020 Eligibility.” of the Vernal Personnel Manual is hereby *repealed* as follows:

REPEAL

Section 5.02.020 Eligibility.

~~A. All permanent full-time and permanent part-time employees of the City, after completion of four (4) weeks of continuous service, shall be eligible to take sick leave with pay. (Amended 11/03/2004, Res.2004-15)~~

SECTION 16: **REPEAL** “Section 5.02.030 Accrual Of Sick Leave.” of the Vernal Personnel Manual is hereby *repealed* as follows:

REPEAL

Section 5.02.030 Accrual Of Sick Leave.

- ~~A. Except as provided in paragraph D of this section, those employees eligible for sick leave shall accrue sick leave upon hire at the rate of 8 hours per month, or 12 working days per year. Sick leave shall be credited to the employee the last working day of each month worked. Newly hired employees shall accrue sick leave at the following rates for the month in which they are hired:~~

~~C. A terminated employee shall have accrued sick leave for the last month worked at the following rate:~~

~~Hire Date Accrual Rate 1-15 day of any month 100% of normal accrual rate 16-31 day of any month 50% of normal accrual rate Termination Date Accrual Rate 1-15 day of any month 50% of normal accrual rate 16-31 day of any month 100% of normal accrual rate D. Permanent part-time employees shall accrue sick leave at ½ of the rate of permanent full-time employees. (Amended 11/03/2004, Res.2004-15)~~

SECTION 17: **REPEAL** “Section 5.02.045 Deduction Of Sick Leave.” of the Vernal Personnel Manual is hereby *repealed* as follows:

REPEAL

Section 5.02.045 Deduction Of Sick Leave.

~~Deduction of accrued sick leave by the payroll department shall be based on a “last hours accrued, first hours deducted” basis. (Amended 11/03/2004, Res.2004-15)~~

SECTION 18: **REPEAL** “Section 5.02.050 Holidays Within Sick Leave.” of the Vernal Personnel Manual is hereby *repealed* as follows:

R E P E A L

Section 5.02.050 Holidays Within Sick Leave.

~~When a recognized City holiday falls within an employee's benefit use of sick leave for which he normally would have been excused from work, that day shall not be charged as a day of sick leave. (Amended 11/03/2004, Res.2004-15)~~

SECTION 19: **REPEAL** “Section 5.02.060 Physician Certification.” of the Vernal Personnel Manual is hereby *repealed* as follows:

R E P E A L

Section 5.02.060 Physician Certification.

~~Any use of sick leave benefits beyond three (3) consecutive days requires a doctor's certificate to verify such illness or injury before payment is approved. (Amended 11/03/2004, Res.2004-15)~~

SECTION 20: **REPEAL** “Section 5.02.070 Reporting.” of the Vernal Personnel Manual is hereby *repealed* as follows:

R E P E A L

Section 5.02.070 Reporting.

~~Sick leave will be paid only when the employee or a member of his immediate family notifies his supervisor of his absence prior to, or within, one-half hour of his scheduled reporting time. Police Department personnel shall give two (2) hours advance notice before sick leave is to be taken. In the event of absence of more than one day, additional reporting as deemed necessary by the Department or Division Head may be required. Abuse of sick leave may be grounds for suspension or dismissal. As an inherent right of management, a Department Head may schedule time-off for an employee for the purpose of preserving the health and safety of other employees in the work place. In such case, the employee may use accrued leave or compensatory time-off. (Amended 11/03/2004, Res.2004-15)~~

SECTION 21: **REPEAL** “Section 5.02.080 Forfeiture Of Unused Accrued Sick Leave.” of the Vernal Personnel Manual is hereby *repealed* as follows:

R E P E A L

Section 5.02.080 Forfeiture Of Unused Accrued Sick Leave.

~~Except as provided in Section 5.02.130 of this Chapter, all unused sick leave benefits will automatically be forfeited when employment with Vernal City terminates. (Amended 11/03/2004, Res.2004-15 and 09/06/2017, Res. 2017-13)~~

SECTION 22: **REPEAL** “Section 5.02.090 Illness In The Immediate Family.” of the Vernal Personnel Manual is hereby *repealed* as follows:

R E P E A L

Section 5.02.090 Illness In The Immediate Family.

~~Sick leave used related to illness in the immediate family will be limited to six (6) working days per year. (Amended 11/03/2004, Res.2004-15)~~

SECTION 23: **REPEAL** “Section 5.02.100 Contributing Sick Leave To Fellow Employees.” of the Vernal Personnel Manual is hereby *repealed* as follows:

R E P E A L

Section 5.02.100 Contributing Sick Leave To Fellow Employees.

~~Any regular, full-time or part-time employee of the City may contribute to another full-time or part-time employee of the City who qualifies for sick leave benefits who has exhausted all sick leave, vacation leave and compensatory time off, a maximum of 40 hours of sick leave per year for the purpose that an employee may maintain his regular income during a period for which he would normally need to use sick leave, yet has none to use. Each hour of sick leave donated by an employee shall constitute an hour of sick leave which may be used by an employee receiving the donated sick leave. Any employee donating sick leave as provided above must be able to maintain a minimum of 120 hours of accrued sick leave at all times. Approval of donated sick leave must be given by the employee's department head and by the~~

~~City Manager. Donated sick leave shall be used in accordance with all other provisions of this chapter. (Form in appendix pages) (Amended 11/03/2004, Res.2004-15, 11/05/2014, Res. 2014-17)~~

SECTION 24: **REPEAL** “Section 5.02.110 Annual Conversion Of Sick Leave.” of the Vernal Personnel Manual is hereby *repealed* as follows:

R E P E A L

Section 5.02.110 Annual Conversion Of Sick Leave.

~~Beginning January 1, 2008, a current employee who has over 500 hours of unused accrued sick leave shall reduce the sick leave hours to 500 by choosing one of the following options: Convert 25% of the unused sick leave accrued from the current calendar year to a cash payment and convert 75% to a health savings plan (HSP); or Choose to convert all 100% into a health savings plan (HSP). The conversion shall occur in December of the current calendar year. Cash payments shall be made at the employee's current rate of pay. All decisions must be made by the employee by December 1st or the default will be Option A. (Amended 11/03/2004, Res.2004-15, 05/21/2008, Res. 2008-08, 02/07/2018, Res. 2018-02)~~

SECTION 25: **REPEAL** “Section 5.02.120 Post Employment Health Care Plan (Plan).” of the Vernal Personnel Manual is hereby *repealed* as follows:

R E P E A L

Section 5.02.120 Post Employment Health Care Plan (Plan).

- A. ~~Conversion of excess sick leave hours to a post employment health care plan (Plan). Upon implementation of this Plan, all sick leave hours accrued by an employee through June 30, 2008 in excess of 500 hours, shall be converted to a post employment health care plan, as explained in paragraph C for that employee. Conversion of excess sick leave hours shall be computed by multiplying all excess sick leave hours by the employee's current hourly wage at the time the conversion is made and such amount being deposited into the plan in one lump sum, upon adoption of this policy by the City Council. Excess sick leave hours. Beginning January 1, 2009, 100% of all sick leave hours in excess of 500 hours shall be converted to the plan at the end of each calendar year after the conversion of sick leave hours has taken place as provided in Section 5.02.110. If termination of employment occurs prior to the last pay period of December, all sick leave hours in excess of 500 hours shall be converted to the post employment health care plan of the employee. Post employment health care plans, as allowed by the Internal Revenue Service, is a tax-advantaged~~

~~medical savings account. The funds contributed to the account are not subject to federal income tax at the time they are deposited into the account. Funds may be used to pay for qualified medical expenses as allowed by the Internal Revenue Code, at any time after becoming benefit eligible as defined in the plan document, without federal tax liability. Investment options of the Plan shall be provided to the employee and administered in accordance with the plan documents. Termination of employment: Upon termination of employment, an employee who has a post employment health care plan and his eligible dependents may use deposited funds in the plan account until the funds are exhausted. Death of a plan participant. Upon the death of an employee or former employee of the City who, at the time of death has a funded post employment health care plan, funds from the account may continue to be used by the former employee's eligible dependents as defined by the Internal Revenue Service. If no eligible dependents exist, remaining funds in the plan shall be distributed in accordance with the plan documents. (Adopted 05/21/2008, Res. 2008-08)~~

SECTION 26: **REPEAL** “Section 5.02.130 Conversion Of Sick Leave At Employment Termination.” of the Vernal Personnel Manual is hereby *repealed* as follows:

REPEAL

Section 5.02.130 Conversion Of Sick Leave At Employment Termination.

- ~~A. At termination of an employee, 25% of accrued sick leave hours not exceeding 500 hours, shall be converted to a cash payment to the employee. If the employee has at least 10 years of employment with the City, any remaining accrued sick leave hours shall be converted to the post employment health savings plan based on the following table:~~
- | Years of Service | % Converted to HSP |
|------------------|--------------------|
| 10 years | 20% |
| 11 years | 24% |
| 12 years | 28% |
| 13 years | 32% |
| 14 years | 36% |
| 15 years | 40% |
| 16 years | 44% |
| 17 years | 48% |
| 18 years | 52% |
| 19 years | 56% |
| 20 years | 60% |
| 21 years | 64% |
| 22 years | 68% |
| 23 years | 72% |
| 24 years | 76% |
| 25 years | 80% |
| 26 years | 84% |
| 27 years | 88% |
| 28 years | 92% |
| 29 years | 96% |
| 30 years | 100% |
- ~~C. In calculating the sick leave hours paid out as a cash payment, if the employee has less than 25 sick leave hours left, those hours will be converted to a cash payment instead of converted to the post health savings account. D. No accrued sick leave hours will be paid out to an employee who was terminated for disciplinary reasons. Any exceptions shall be determined by the City Manager on a case-by-case basis. (Adopted 05/21/2008, Res. 2008-08, amended 05/07/2014, Res. 2014-05 and 02/07/2018, Res. 2018-02)~~

SECTION 27: **AMENDMENT** “Section 5.06.020 Limitation.” of the Vernal Personnel Manual is hereby *amended* as follows:

AMENDMENT

Section 5.06.020 ~~Limitation~~ Accrual and Use.

Administrative leave for exempt employees shall be ~~limited to 8 hours in any one~~ accrued at the rate of regular working week and not exceed 48 hours per calendar year. The employee may use the hours as needed with approval of their supervisor. (Amended 11/03/2004, Res.2004-15)

SECTION 28: AMENDMENT “CHAPTER 5.08 FUNERAL LEAVE” of the Vernal Personnel Manual is hereby *amended* as follows:

AMENDMENT

CHAPTER 5.08 ~~FUNERAL~~ BEREAVEMENT LEAVE

SECTION 29: AMENDMENT “Section 5.08.010 Policy.” of the Vernal Personnel Manual is hereby *amended* as follows:

AMENDMENT

Section 5.08.010 Policy.

- A. Upon documentation that an immediate family member ~~of his family~~ has died, an employee may be granted bereavement ~~funeral~~ leave with pay for a period not to exceed three (3) working days, eight (8) hours per day. Bereavement ~~Funeral~~ absences of more than three working days for immediate family will be charged to PTO ~~vacation~~ leave.
- B. Upon documentation that an extended family member has died, an employee may be granted bereavement leave with pay for a period of one (1) working day, eight (8) hours per day. Bereavement absences of more than one day for extended family will be charged to PTO leave.

~~For out-of-state funeral travel, two (2) additional days, eight (8) hours per day, may be granted.~~

Approval for bereavement ~~funeral~~ leave shall be requested and approved by the Department Head prior to such leave being taken. (Form in appendix pages)(Amended 11/03/2004, Res.2004-15, 12/08/2011, Res. 2011-16)

SECTION 30: **AMENDMENT** “Section 5.08.020 Family Defined.” of the Vernal Personnel Manual is hereby *amended* as follows:

A M E N D M E N T

Section 5.08.020 Family Defined for Bereavement Leave.

"Immediate Family members" include spouse, parents, ~~parents-in-law,~~ legal guardians, ~~grandparents, grandchildren,~~ children, brothers, sisters, household members, and the same family members through marriage. ~~sons-in-law, daughters-in-law, brothers-in-law and sisters-in-law.~~

"Extended Family members" include grandparents, grandchildren, aunts, uncles, and the same family members through marriage. (Amended 11/03/2004, Res.2004-15)

SECTION 31: **AMENDMENT** “Section 5.08.030 Limitation.” of the Vernal Personnel Manual is hereby *amended* as follows:

A M E N D M E N T

Section 5.08.030 Limitation.

~~No employee shall receive more than 3 working days, eight (8) hours per day, of leave (5 days if out-of-state) for funerals within a calendar year. (Amended 11/03/2004, Res.2004-15 and 12/08/2011, Res. 2011-16)~~

SECTION 32: **ADOPTION** “CHAPTER 5.03 PARENTAL LEAVE” of the Vernal Personnel Manual is hereby *added* as follows:

A D O P T I O N

CHAPTER 5.03 PARENTAL LEAVE(*Added*)

SECTION 33: **ADOPTION** “Section 5.03.010 Purpose” of the Vernal Personnel Manual is hereby *added* as follows:

A D O P T I O N

Section 5.03.010 Purpose(*Added*)

This policy provides paid parental leave for eligible Vernal City employees in connection with the birth or adoption of a child. The intent is to support work-life balance and promote family wellbeing.

SECTION 34: **ADOPTION** “Section 5.03.020 Eligibility” of the Vernal Personnel Manual is hereby *added* as follows:

ADOPTION

Section 5.03.020 Eligibility(*Added*)

This policy applies to both full-time and part-time employees of Vernal City, provided they are eligible for other forms of paid leave (e.g., PTO). No minimum hours of prior service are required.

SECTION 35: **ADOPTION** “Section 5.03.030 Maternity Leave” of the Vernal Personnel Manual is hereby *added* as follows:

ADOPTION

Section 5.03.030 Maternity Leave(*Added*)

- A. The City will match up to three (3) weeks of paid maternity leave, contingent upon the employee’s use of an equivalent amount of accrued paid leave, for a combined total of up to six (6) weeks of paid leave.
- B. Leave may be used before or after the birth of the child. Leave must be used within three (3) months after the child’s birth.
- C. Leave may be taken consecutively or intermittently, subject to supervisor approval based on operational needs.

SECTION 36: **ADOPTION** “Section 5.03.040 Paternity Leave” of the Vernal Personnel Manual is hereby *added* as follows:

ADOPTION

Section 5.03.040 Paternity Leave(*Added*)

- A. The City will match up to one (1) week of paid paternity leave, contingent upon the employee's use of an equivalent amount of accrued paid leave, for a combined total of up to two (2) weeks of paid leave.
- B. Leave may be used before or after the birth of the child. Leave must be used within three (3) months after the child's birth.
- C. Leave may be taken consecutively or intermittently, subject to supervisor approval based on operational needs.

SECTION 37: **ADOPTION** “Section 5.03.050 Adoption Leave” of the Vernal Personnel Manual is hereby *added* as follows:

ADOPTION

Section 5.03.050 Adoption Leave(*Added*)

- A. The same provisions as Paternity Leave shall apply to each parent adopting a child, provided the child is under the age of five (5) and has not resided in the home of the adopting parent (including step-parent) for more than three (3) months prior to the formal adoption.
- B. Both adoptive parents employed by the City may claim this benefit independently, subject to eligibility.

SECTION 38: **ADOPTION** “Section 5.03.060 Leave Match Timing” of the Vernal Personnel Manual is hereby *added* as follows:

ADOPTION

Section 5.03.060 Leave Match Timing(*Added*)

The City's matching leave will be granted one (1) calendar month following the employee's return to full-time work. The employee may elect, at the time of the request, whether the City's matching leave shall be:

1. Paid out as a lump-sum payment, or

2. Replenished to the employee's accrued leave balance.

SECTION 39: **ADOPTION** “Section 5.03.070 Coordination With Other Leave” of the Vernal Personnel Manual is hereby *added* as follows:

ADOPTION

Section 5.03.070 Coordination With Other Leave(*Added*)

- A. Employees may supplement maternity, paternity, or adoption leave with other accrued paid leave or unpaid leave as permitted under federal and state law (e.g., FMLA, if applicable).
- B. Leave requests under this Section must be submitted in accordance with standard City leave request procedures, and are subject to supervisory approval regarding scheduling.

SECTION 40: **ADOPTION** “Section 5.18.005 Purpose.” of the Vernal Personnel Manual is hereby *added* as follows:

ADOPTION

Section 5.18.005 Purpose.(*Added*)

The purpose of this policy is to establish clear guidelines regarding employee rest periods to ensure employee well-being while maintaining workplace productivity and professionalism.

SECTION 41: **AMENDMENT** “Section 5.18.010 Policy.” of the Vernal Personnel Manual is hereby *amended* as follows:

AMENDMENT

Section 5.18.010 Policy.

- A. Except as otherwise provided, each employee of Vernal City may be granted two separate rest periods lasting no more than ~~of~~ fifteen minutes each during each half of an eight hour shift, but not in conjunction with the lunch period. The rest period is intended to offer a brief rest for the particular duties of the moment and is to be taken at the job location. Vernal City supports reasonable rest periods during the workday to allow employees to refresh and attend to personal needs such as using the restroom.

contacting family, getting a drink of water or taking a brief mental break. -The breaks should be taken in a manner that does not disrupt the operations of the City and should be staggered as necessary to ensure continued service to the public. ~~During the rest period, no City vehicles shall be used to transport City employees from the job location to a café or coffee shop.~~ Rest periods are not intended for extended personal conversations, social visits, or non-work related activities.

- B. Rest periods shall not be combined or banked to provide an extended rest or lunch period or shorten the working day. Department heads or their designated representatives shall schedule rest periods in order to facilitate departmental operations.
- C. Sworn police officers working on a scheduled patrol shift shall take their rest periods in accordance with the administrative policies of the police department as adopted by the Vernal City Council.
- D. Supervisors are responsible for monitoring the reasonable use of rest periods within their departments. If rest periods are being misused or causing disruptions to work performance, supervisors may take corrective action. Repeated misuse of rest periods, including extended socializing or failure to return to regular duties in a timely manner may result in disciplinary action in accordance with Vernal City's disciplinary procedures. (Amended 11/03/2004, Res.2004-15

PASSED AND ADOPTED BY THE VERNAL COUNCIL

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Robin O'Driscoll	_____	_____	_____	_____
Councilmember Corey Foley	_____	_____	_____	_____
Councilmember Ted Munford	_____	_____	_____	_____
Councilmember Edward Long	_____	_____	_____	_____
Councilmember Randel Mills	_____	_____	_____	_____

Presiding Officer

Attest

Doug Hammond, Mayor, Vernal

Sara Bell, City Recorder, Vernal