

EMIGRATION CANYON

RESOLUTION NO. **R2026-07**

DATE: March 17, 2026

A RESOLUTION PROVIDING PAID BEREAVEMENT LEAVE FOR EMPLOYEES PURSUANT TO UTAH CODE ANN. § 10-3-1103

WHEREAS, pursuant to Utah Code Ann. § 10-8-84 the Emigration Canyon (“Emigration Canyon”), is authorized to enact and administer employee policies, including those related to health, disability, and death benefits for its elective or appointive officers and employees; and

WHEREAS, Utah Code Ann. § 10-3-1103, requires the governing body of each municipality to provide, by ordinance or resolution, for at least three work days of paid bereavement leave for employees following the end of a pregnancy by way of miscarriage or stillbirth under specified circumstances; and

WHEREAS, the City Council of Emigration Canyon desires to comply with Utah Code Ann. § 10-3-1103 by adopting a policy that incorporates the required bereavement leave provisions, ensuring the well-being and support of municipal employees during times of personal loss;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Emigration Canyon, Utah, that the following bereavement leave policy is hereby adopted and shall apply to all eligible Emigration Canyon employees, effective immediately upon passage of this resolution:

Section 1: Definitions

As used in this policy:

- "Miscarriage" means the spontaneous or accidental loss of a fetus, regardless of the gestational age or the duration of the pregnancy.
- "Stillbirth" shall have the meaning consistent with applicable Utah law, generally referring to the loss of a fetus after 20 weeks of gestation.

Section 2: Eligibility for Bereavement Leave

Eligible employees shall be granted at least three (3) work days of paid bereavement leave following:

- a) The end of the employee's pregnancy by way of miscarriage or stillbirth; or
- b) The end of another individual's pregnancy by way of miscarriage or stillbirth, if:
 - i. The employee is the individual's spouse or partner; or
 - ii. The employee is the individual's former spouse or partner; and
 - iii. The employee would have been a biological parent of a child born as a result of the pregnancy;

- iv. The employee provides documentation to show that the individual intended for the employee to be an adoptive parent, as that term is defined in Utah Code Ann. § 81-13-101, of a child born as a result of the pregnancy; or
- v. Under a valid gestational agreement in accordance with Utah Code Ann. Title 81, Chapter 5, Part 8, Gestational Agreement, the employee would have been a parent of a child born as a result of the pregnancy.

Section 3: Administration of Leave

- Bereavement leave under this policy shall be paid at the employee's regular base rate of pay and shall not include any special forms of compensation, such as incentives, bonuses, or shift differentials.
- Leave days do not need to be taken consecutively but must be used within a reasonable period following the qualifying event, as determined by the municipal administration in consultation with the employee.
- Employees must notify their supervisor as soon as practicable and provide any required documentation to verify eligibility, such as a medical certification or other evidence of the miscarriage or stillbirth.
- This leave is in addition to any other applicable leave entitlements under municipal policy or state/federal law and does not count toward overtime calculations.
- If additional time off is needed, employees may request to use accrued paid time off (PTO), vacation, or other available leave, subject to approval by the municipal administration.

Section 4: Application and Enforcement

This policy applies to all full-time and part-time employees of the Emigration Canyon, including elective and appointive officers, and shall be administered by the municipal administration or designee in a manner consistent with Utah Code Ann. § 10-3-1103. The City Council may amend this policy as needed to maintain compliance with state law.

Section 5: This Resolution shall take effect immediately upon adoption.

ADOPTED AND APPROVED at a duly called meeting of the Emigration Canyon City Council on this 17th day of March 2026.

Signatures on Following Page

EMIGRATION CANYON COUNCIL

By: David Brems, Mayor

ATTEST:

Diana Baun, City Recorder

Voting:

- Mayor Brems voting _____
- Council Member Griffith voting _____
- Council Member Hawkes voting _____
- Council Member Harris voting _____
- Council Member Pinon voting _____