

REDMOND FIRE AND RESCUE  
ADMINISTRATIVE POLICY

APPROVED: 07/01/2011  
REVISED: 02/01/2014

STAFFING/ATTENDANCE

PURPOSE:

Define staffing and time-off stipulations to ensure Redmond Fire & Rescue maintains adequate daily staffing.

Attendance and punctuality are essential components of solid employee performance and are measured by objective standards. Poor attendance and tardiness disrupt productivity and make it difficult for the District to function effectively.

All members staffing and time-off will be maintained and recorded on the departments TeleStaff program. All members are expected to utilize TeleStaff for leave requests and must confirm daily shift assignments utilizing TeleStaff.

PROCEDURES FOR OPERATIONS:

1. Deputy Chief Responsibility:

The Deputy Chief will exercise the primary management-level responsibility to control employee attendance. Excessive employee absence or tardiness are undesirable performance factors and will be managed according to the procedures below

- A. Protected Leave. Approved leaves (i.e., family medical leave) shall not be considered absences, and no disciplinary action will be taken against an employee for use of such protected leave.
- B. Absence. An absence is defined as any absence from work during scheduled working hours (including overtime), **excluding** absence for on-the-job injuries, vacation leave, jury duty, bereavement leave, family medical leave or other approved leaves.
- C. Tardiness. **Repeated tardiness or leaving early will be cause for disciplinary action.**

2. Vacation

This guideline applies to eligible employees of the District.

Full-time employees shall accrue vacation time in accordance with SCHEDULE A in accordance with their employment status or their applicable labor agreement.

A. Eligibility All represented members and exempt line staff accrue vacation at the rates that are outlined in their applicable employment agreement or labor contract. Refer to the appropriate agreement or contract for details on the accrual tables.

B. Accrual Vacation leave will accrue from the first date of employment at a monthly rate. In the first month of hire a new employee will be given the prorated equivalent of that month's accrued vacation in advance, making that vacation leave available anytime during the first month if so needed. Each succeeding month will accrue on the regular schedule. Employees will be allowed to accrue the maximum number of hours specified in the individual agreements or labor contract. Vacation accrual for separating employees may be prorated for the last month of employment. During a leave of absence without pay vacation leave does not accrue.

1) July 1 each year vacation banks will be adjusted down to 400 hours.

2) Per the Local 3650 Labor Agreement the following parts of Article 17 are noted below for reference:

- *17.5. Once a member's vacation has been approved it will not be canceled by the District.*
- *17.6. Two (2) members may be off on vacation per shift...*
- *17.9. Vacation or comp time off requests must be submitted one shift (three days) prior to the requested date to be approved.*

3) All vacation requests must be submitted no later than the end of the preceding tour. Request made after the tour end may be approved at the discretion of the respective Battalion Chief.

4) Vacation request less than 12 hours in length will not be approved unless coverage is confirmed. The respective Battalion Chief may assist with obtaining coverage utilizing the paging system, but will not approve the time-off until the vacancy is covered.

5) Personnel may not request vacation time in excess of the vacation time-off accrual in their leave bank plus one year's accrual.

C. Separation

1) Vacation Pay for Separating Employees: Earned, but unused vacation for regular and orientation employees may be paid as part of their final paycheck. The District will not pay more than 350 hours. In case of death of the employee, compensation for earned vacation will be paid to the employee's designated beneficiary.

- 2) In the final month of employment the remaining balance of banked/allowable vacation hours for retirement will be paid to the employee, at their current hourly rate of pay either in cash or contribution into their designated 457 plan account, subject to the requirements and limitations of that program.
- 3) If an employee separates from employment the employee will be compensated for all accrued but not used vacation up to the date of termination.

D. Vacation Sell-Back Non-Exempt

An employee may sell back vacation for personal reasons. Employees will not be required to sell back vacation if they choose not to. Vacation sell back must be done as follows:

- 1) The employee must submit their sell back request on the vacation buy-back request form. The employee will receive their money with the next pay cycle.
- 2) Employees must take a corresponding number of vacation shifts off during the fiscal year. For example, if an employee sells back one (1) shift the employee must take one (1) vacation shift.
- 3) Employees will be permitted to sell back three (3) shifts per fiscal year.
- 4) Employees may only request vacation sell-back in twenty-four (24) hour increments.
- 5) New hire probationary employees may not sell back vacation.

E. Vacation Sell-Back Exempt Employee

Purpose of the vacation buy back policy is to help manage the vacation accrual banks at the exempt level.

- 1) An Exempt level employee who has used 40 consecutive hours (5 days) of vacation in the prior 12-month period and who has at least 140 hours of vacation “on the books” at the time of request are eligible for vacation buy-back of 40 hours. An employee may make one request in a fiscal year. This request may be denied based on financial standing of the department.
- 2) Purpose of the vacation buy back policy is to help manage the vacation accrual banks at the exempt level.
- 3) Employee must be an exempt level employee.

### 3. Sick Leave

Sick leave is intended as a safety net to provide the employee with income during periods of illness. Falsely claiming sick leave or reporting sickness as an excuse for absence may result in dismissal. An employee may use their sick leave when they experience an illness or injury that prevents them from working.

- A. When requesting time-off due to sickness all members must contact the on-duty Battalion Chief or AIC Shift Commander @ 541-610-3412. Sick leave request must be made as early as possible to allow adequate time to fill the shift vacancy.
- B. Employees will be asked the reason for leave and that will be recorded in the TeleStaff system.
- C. A non-represented or exempt employee may use their sick leave in the case of:
  - 1) Employee's own injury or illness
  - 2) Employee's medical or dentist appointments
  - 3) Employee to attend spouse, child, or other legal dependent living in the employee's household
  - 4) Illness in the immediate family (husband, wife, son, daughter, father, mother, brother, sister, father-in-law, mother-in-law, step child, or other relative living in the employee's household) requiring the employee to remain at home to care for the ill family member.
  - 5) Sick leave may be used for approved Family Medical Leave entitlements
  - 6) Bereavement – employees may use sick leave for the death of an immediate family member to make arrangements, funeral, and grieving process; leave requiring more than (3) three days must be approved by the Deputy Chief.
  - 7) Funeral – employees may use sick leave to attend the funeral of any relative; sick leave will be allowed on the day of the funeral. Employees may request approval to use other leave for arrangements and travel time if necessary.

### 4. Funeral Participation

Funeral participation is defined as when an employee serves as a pallbearer or in some other way participates in a funeral ceremony. The employee shall be granted a leave of absence with pay up to four (4) hours which will be subtracted from their vacation bank.

### 5. Trade Time:

The District will allow Local 3650 personnel to trade with other members under the following stipulations:

- A. The trade time request will not incur overtime cost to the District.
- B. Members must trade with members of equal qualification and position.

- C. AIC qualified members may trade out of classification upon approval of both affected Battalion Chiefs.

6. Training time off:

- A. Members may be approved for training time off for approved classes if less than two members are off on vacation and overtime is not incurred.
- B. When a members training time off has been approved that member will have first right of refusal to request vacation should two members request vacation on the specific date less than 60 days prior to the class. If a vacation request comes greater than 60 days from the training date vacation will take priority; the time off will be granted to the most senior member per the Local 3650 labor agreement.
- C. Members are encouraged to honor training time off request for significant courses when requesting vacation. Significant courses include those requiring pre-paid travel and the National Fire Academy.

7. Call-Backs

- A. In effort to fill vacancies with the most qualified personnel, positions will be filled rank for rank with the officer's positions being called-back first.
- B. Battalion Chiefs will be called back first to fill a vacant Duty Officer overtime position. If no Battalion Chief can be found to fill the position, the position will be filled by the first AIC Duty Officer on the respective shift based on their last offer date in Telestaff.
- C. Captains will be called back first to fill a vacant Captains position once the Duty Officer position has been filled. If no Captain can be found, the position will be filled by the first AIC Captain on the respective shift based on their last offer date in Telestaff.
- D. AIC's will not be auto assigned to fill a vacancy until the shift prior to the vacancy. Once that AIC assignment has been made, the AIC will remain in that position. If another overtime opportunity is created (i.e. sick leave) the newly created vacancy will be filled in accordance with the above call back procedure.
- E. Firefighters will be called back first to fill a vacant Firefighters position once the Duty Officer and Captain positions have been filled. Captains will not be called back to fill firefighters positions until the firefighters list has been exhausted.
- F. Members may place themselves *Unavailable-Operations* on the TeleStaff system. This will not prevent an overtime opportunity but will place the member at the bottom of the call list. *Unavailable-Administrative* is reserved for time periods when

members are required to commit and therefore unavailable for overtime because of an administrative requirement, approved union business, and approved department training.

- G. Call-backs will be requested by automated use of Telestaff when time permits. Should the member due next for the call-back be on-duty that person will be contacted directly. Any call-back request less than 12 hours or immediate need will be requested through the 9-1-1 paging system.

8. Mandatory Call-Back:

- A. To be sure the District maintains adequate staffing; personnel may be mandated to work.
- B. All attempts (TeleStaff, phone, pagers) will be made to fill the position prior to resorting to a mandatory assignment.
- C. Should the District need to mandate a member to work the following will occur:
  - 1) The Battalion Chief or AIC Shift Commander will contact the least senior qualified member on-duty and hold them over if applicable. *The order of mandatory call-back will be based on hire date seniority. The first qualified Firefighter/ Paramedic contacted will be mandated to work. Captain positions will be filled with a Captain in order of department hire date seniority. If the assignment places that member in a work time greater than 48 hours the next least senior member will be mandated to work.*
  - 2) Members will not be moved to the bottom of the *Pick List* if mandated to work.
  - 3) Seniority is defined as below as taken from IAFF 3650 Contract.

*12.1. Seniority, as used in this Agreement, is determined by the length of an employee's continuous service with the Fire Department since his/her last date of hire.*

10. Paid Staff Call-backs:

- A. Members responding off-duty when requested for a paid staff call-back will be compensated from the time of request as long as their arrival at a fire station is within one hour of the dispatch request. Time will be paid per the labor contract at a two-hour minimum.
- B. If the member cannot arrive within one hour they are to contact the on-duty Battalion

Chief or AIC shift commander to ascertain if their response is still needed. If yes, the member will be paid from the time of the phone call. Time will be paid per the labor contract at a two-hour minimum.

11. Off Roster Assignments:

- A. Anytime a member is assigned a special project off-duty that member must notify the Deputy Chief via email and carbon copy the on-duty Battalion Chief or AIC Shift Commander for recording on TeleStaff.
- B. All hold-over situations will be documented on TeleStaff as an off-roster notation. This notification shall be documented as noted above.

11. Continuous Time Worked:

- A. To promote safety and maintain a high level of customer service, hours of work for Redmond Fire & Rescue personnel working 48 hours on and 96 hours off shall be limited to 48 continuous hours, unless otherwise approved by the Battalion Chief or AIC Shift Commander.
- B. Continuous hours worked shall be defined as any hours on duty whether on scheduled shift, overtime or trades. After eight hours of time off a member may be available for re-assignment.
- C. The shift commander should make every effort to staff with individuals who have not worked more than 48 continuous hours. If no one is available that has not worked 48 continuous hours the shift commander shall attempt to staff with the most rested personnel available.
- D. If individuals must work more than 48 continuous hours the Battalion Chief or AIC Shift Commander may adjust duties as necessary to provide for adequate recuperation time.

12. Light Duty Policy

- A. The District will, when possible, assign employees who are injured on the job to light duty assignments.
- B. If an individual is injured while on the job and is found by a physician to be capable of light duty they will report to work at 0800 hours on their next scheduled shift that falls between Monday and Friday. If the next scheduled shift day falls on a Saturday or Sunday they shall record the day on their timesheet as 24 hours workman's compensation (WC) and will report to duty the following Monday at 0800 hours.
- C. While on light duty their scheduled work hours will be from 0800 to 1700 hours Monday through Friday with one hour for lunch. *Work hours may be adjusted if*

*modified by a physician.* They shall record light duty hours on their time sheet as detail hours. Any hours used for doctor's visits, rehabilitation, physical therapy or while under the influence of medications related to the injury during these scheduled work hours shall be recorded as workman's compensation (WC). If the individual cannot work due to a medical condition unrelated to the work injury it shall be recorded as sick leave and shall be based on the 56 hour per week schedule. Any vacation time off taken during the light duty assignment shall also be taken based on the 56 hour week schedule.

- D. Once released for full duty the employee shall return to their 48/96 work schedule on their next scheduled work day. The District may depending on the injury and time off require the member to complete the department work rate test to evaluate ability to return to regular duties.

13. Battalion Chief/ AIC Shift Commander Staffing

- A. It is the practice of Redmond Fire & Rescue to staff the line Battalion Chief/ AIC Shift Commander position twenty four hours a day 365 days a year with a Chief Officer or qualified Captain acting in capacity of the Battalion Chief. The AIC Shift Commanders operational responsibilities will include: commanding multi-company responses, coordinating multiple incident responses, coordinating daily inter-station activities, and other duties as assigned.
- B. In the fulfillment of this policy, Captains will be paid in accordance with Section 9 of the Collective Bargaining Agreement between the District and IAFF Local 3650. Battalion Chiefs will receive a "shift coverage bonus" when working an extra shift. The amount of the bonus shall be determined by the Fire Chief.
- C. TeleStaff will be used to fill all vacancies. Battalion Chiefs will be eligible for extra shifts if overtime would be incurred or no qualified AIC Shift Commander is available on the respective shift.
- D. *AIC Shift Commanders shall not be considered "exempt employees" while acting in the capacity of the Battalion Chief and shall exercise none of the privileges related to exempt status.*

PROCEDURE FOR ADMINISTRATIVE STAFF:

- 1. Hours of Work. Office hours for District facilities shall be 8:00 a.m. to 5:00 p.m., Monday through Friday. The office will be closed from 12:00 to 1:00 p.m. Non-exempt employees requesting a variation from this schedule must receive the approval of the fire chief and shall be only if the variation is in the best interest of the District. Work hours for employees vary depending on the position and location of the employee. Office hours may be changed at the discretion of the Fire Chief for staffing issues.
- 2. Work Week. The workweek begins at 12:01 a.m., Sunday and ends at 12:00 midnight,



Saturday.

3. TeleStaff. All leave and time worked will be recorded on TeleStaff
4. Lunch and Rest Periods. District employees shall have a paid lunch break in approximately the middle of their workday. The lunch period for office employees who work full days (8-10 hours) will be thirty minutes.
  - A. Variation from this schedule must receive the approval of the Fire Chief and shall be only if the variation is in the best interest of the District.
  - B. Rest periods may be taken ten (10) minutes midway in the first half of the workday and ten (10) minutes midway in the second half of the workday.
5. Vacation
  - A. Vacation time shall be approved in advance
  - B. Accrual: Except during the probationary period, vacation shall be accrued per pay period and may be taken as earned. Employees may not accrue more than the maximum accumulation of vacation time for their years of service. Vacation shall not accrue during any unpaid leave of absence.
  - C. After successful completion of the trial service period, an employee shall be credited with vacation leave retroactive to the beginning of their trial service period and continue to accrue vacation leave thereafter at the specified monthly rate.
  - D. Vacation accrual rates and maximum levels vary by classification.  
See SCHEDULE A
  - E. Regular, part-time, employees working twenty (20) or more hours per week shall be entitled to a pro-rated amount of leave based on the percentage of hours worked. The accrual maximum level will reflect the part-time accrual.
7. Sick Leave Accrual:
  - A. FMLA/OFLA: All Sick Leave usage under FMLA/OFLA must be requested through the Deputy Chief.
  - B. Eligible employees will earn 8 hours of sick leave for each calendar month of service. Sick leave shall accrue from the date of hire and is available for use as earned.
  - C. Regular, part-time employees working twenty (20) or more hours per week shall be entitled to a pro-rated amount of sick leave based on the percentage of hours worked.

- D. The sick leave maximum accrual level is based upon the employee's employment category. Non-represented employees' maximum accrual is unlimited, and unused hours are rolled from year to year.

8. Use of Sick Leave:

- A. Sick pay is intended solely to provide income protection to eligible employees for absences due to doctor appointments and dentist appointments; employee's own illnesses and injuries and so the employee can care for a dependent with an illness or injury.
- B. An employee is prohibited to work elsewhere while using sick leave.
- C. Once sick leave is exhausted, the employee may use other forms of accrued leave for eligible sick leave purposes. An employee's comp bank must be exhausted prior to the use of vacation.
- D. Falsely claiming sick leave or falsely reporting sickness as an excuse for absence may result in discipline and/or dismissal.

E. Approved Reasons for Leave:

- 1) Employee's own injury or illness
- 2) Employee's medical or dentist appointments
- 3) Employee to attend spouse, child, or other legal dependent living in the employee's household
- 4) Illness in the immediate family (husband, wife, son, daughter, father, mother, brother, sister, father-in-law, mother-in-law, step child, or other relative living in the employee's household) requiring the employee to remain at home to care for the ill family member.
- 5) Sick leave may be used for approved Family Medical Leave entitlements
- 6) Bereavement – employees may use sick leave for the death of an immediate family member to make arrangements, funeral, and grieving process; leave requiring more than (3) three days must be approved by the employee's department director

F. Notification:

Employees who are unable to report to work due to illness or injury must contact their supervisor on or before their scheduled start time. If an employee becomes sick during the day, the supervisor or designee must be notified before the employee leaves work, or disciplinary action may be taken. The supervisor must also be contacted each additional day of absence. If an employee is absent for three or more consecutive days, a physician's statement may be required.

9. Funeral Participation

Funeral participation is defined as when an employee serves as a pallbearer or in some other way participates in a funeral ceremony. The employee shall be granted a leave of absence with pay up to four (4) hours which will be subtracted from their vacation bank.

10 Holidays:

To provide a paid time-off benefit to recognize traditional holidays.

This guideline applies to regular, full-time 40 hour work week employees. In the event of conflict, an applicable collective bargaining agreement takes precedence.

Regular, full-time employees are eligible for holiday pay from the employee's date of hire.

The following days are recognized as paid holidays:

**Holiday**

New Year's Day  
Martin Luther King's Birthday  
President's Day  
Memorial  
Independence Day  
Labor Day  
Veteran's Day  
Thanksgiving Day  
Day after Thanksgiving  
Christmas Day  
One Floating Holiday

District-paid holidays which fall on a Saturday will be observed on the preceding Friday; paid holidays which fall on a Sunday will be observed on the following Monday.

If a District-paid holiday falls during an employee's scheduled vacation, or sick leave, the holiday will not be counted as vacation or sick leave taken.

Approved:

---

TIM MOOR  
FIRE CHIEF

# SCHEDULE A

VACATION ACCRUAL TABLES EMPLOYEES REDMOND FIRE AND RESCUE		
Years of Service	Hours Per Month	Maximum
Battalion Chief/ Represented		
0-1	22	400
2-4	27	400
5-9	32	400
10-14	37	400
15-20	42	400
21-24	44	400

25 years and over	47	400
Non-exempt Employee		
0-1	6.67	400
2-4	8	400
5-7	10	400
8-13	11.33	400
14-19	13.33	400
20+	16.67	400
Exempt Employee Vacation Table		
0-1	10	400
2-4	11.33	400
5-7	13.33	400
8-13	14.67	400
14-19	16.67	400
20+	20	400

## DEFINITIONS

### ***COMPENSATION TIME***

Compensation time may be banked in lieu of overtime, or additional straight time. The maximum amount of comp time an employee may accumulate is 80 hours; part-time employees' maximum accumulation reflects their employment status. An employee who is requesting to use their banked compensatory time must provide their supervisor a minimum 2-day notice. An employee who has compensatory time must exhaust this bank before taking leave under vacation unless prior approval is received to exhaust vacation that is at their maximum allowance. Upon separation of employment, eligible employees will be paid for unused compensation time based upon their current hourly rate of pay not to exceed the maximum.

### ***HOLIDAY***

Eligible employees will receive pay for District holidays:

District Administrative Office is closed on the actual holiday, or on the observed holiday. When a scheduled holiday falls on a Saturday, it will be observed on the preceding Friday. When a scheduled holiday falls on a Sunday, it will be observed on the following Monday. If Christmas Eve falls on a weekday, the Fire Chief, or designee, has the discretion of closing District offices before 5:00 pm for office employees who are at work on Christmas Eve when the notice of closure is announced. Employees who request leave and are not at work when the closing announcement is made will be required to use their personal banked time for their requested leave period.

The holiday is equal to 8 hours for an employee working a 5/8 schedule and equal to 10 hours for an employee who is working a 4/10 schedule. Employees working a 5/8 will record the holiday on the day the office is closed. If an employee is working a 4/10 schedule and the holiday falls on their scheduled day off, the employee will take the business day prior, or the following business day off as their holiday.

Employees who are on leave using vacation or sick leave shall be paid for the holiday in lieu of using their leave banks.

Employees must be in a paid status the day before the District holiday and the day after to receive pay for a District holiday. Employees who are in a leave without pay status (not covered under Family Medical Leave) the day before and/or the day after the holiday will not receive pay for that holiday.

Employees who are subject to the District -paid holiday schedule as described above and are covered under a Family Medical Leave entitlement during leave without pay, will receive pay for a District holiday that falls during their Family Medical Leave period, and the holiday will not be counted against their Family Medical Leave period. The employee will not receive leave accrual for paid holidays during leave without pay status.

#### **FLOATING HOLIDAY**

***Eligible employees will receive (1) 8-hour Floating Holiday at time of hire and one each January 1,***

thereafter. Employees must use this holiday during the calendar year earned, or it will be lost.

Employees will not be paid for unused Floating Holidays during employment. Part-time employees receive one Floating Holiday pro-rated according to their work status, example, an employee working 20 hours per week (50% status) is eligible for one 4-hour Floating Holiday. Upon separation of employment, employees will not be paid for unused Floating Holiday hours.

#### **WELLNESS LEAVE**

Regular full-time employees who complete their 6-month trial service period plus one full quarter are eligible to participate in the Wellness Leave Program. The program provides an incentive to employees who stay well and do not require sick leave except for a minimal amount per quarter (no more than 4 hours) for doctor and/or dentist appointments. Eligible employees may elect 4 hours paid leave, or \$25 as their wellness incentive. The Wellness Leave bank may not exceed 12 hours. As with other leave, employees must submit a leave request to use leave from their wellness bank. Employees are encouraged to use wellness hours within the year earned. This program excludes part-time employees, department directors, and represented Fire. Upon separation of employment, employees will not be paid for unused Wellness Leave hours. *Reference Wellness Leave Program*

#### **MILITARY LEAVE WITH PAY**

In accordance with ORS 408.290 (Benefits for public employees on temporary active duty in Armed Forces) a regular full-time or part-time probationary or post-probationary employee or officer who has been employed for a period of no less than six months preceding application and is a member of the National Guard, a Reserve component of the Armed Forces of the United States, or of the United States Public Health Services, is entitled to a leave of absence from the employee's duties for active duty not to exceed 15 calendar days in a federal fiscal year. (October 1 - September 30)

In accordance with ORS 408.290 such leave shall be granted without loss of time, pay or regular leave, and without impairment of efficiency rating or other rights or benefits to which the employee or officer is entitled, provided the

employee receives bona fide orders to active or training duty for a temporary period, and providing the employee returns to his/her position immediately upon expiration of the period for which the employee was ordered to duty.

Military leave with pay may be granted only when an employee receives bona fide orders to active training duty for a temporary period, and shall not be paid if the employee does not return to the employee's position immediately following the expiration of the period for which the employee was ordered to duty. To receive the 15-day Military Leave with pay, the employee must provide a copy of their temporary orders to the Deputy Chief. Leave with pay shall not be granted to employees entering the military service for extended and indefinite periods of active duty.

#### ***MILITARY LEAVE WITH OUT PAY***

Leave without pay will be allowed in accordance with ORS 408.240 for District employees entering military service for extended or indefinite periods of active duty. Reinstatement including restoration of seniority [or tenure] shall be granted to such employees pursuant to ORS 408.270.

Employees who use military leave not covered under the 15-day paid military entitlement will be allowed to use their accrued bank time. It will not be required they exhaust their leave banks prior to using leave without pay for a bona fide military leave. The District complies with all non-discrimination, reinstatement, and health insurance protection rights under the USERRA (Uniformed Services Employment and Reemployment Rights Act).

#### ***FAMILY MEDICAL LEAVE (Oregon and Federal)***

The District complies with all applicable rules under the Federal and Oregon Family/ Medical Leave Acts and the Uniformed Services Employment and Re-employment Rights Act (USERRA). Unless otherwise specified under the law, family medical leave entitlements are 12 weeks of protected leave in one 12-month period. The District uses the roll-back method to determine the 12-month period. This type of leave is classified as non-paid, job-protected leave; however, the District allows employees to use their banked time to maintain paid status. Employees must use all their accrued leave, prior to using leave without pay. If an employee has exhausted all leave banks and is requiring at least 40 hours leave which will continue to be covered under an approved Family Medical Leave entitlement, the employee may make a request to the Deputy Chief to participate in the Leave Donation Program. Parental Leave is excluded from the employee leave donation program.

The current family medical leave entitlements are:

##### ***Parental Leave: (OFLA/FMLA)***

The birth of an employee's child and to care for child after birth; or for an employee's newly placed foster or adopted child up to age 18, or older than age 18 if child is incapable of self-care within the first 12-months of placement. Parental Leave must be taken in one uninterrupted period within the first 12 months following the birth, adoption, or placement of child.

##### ***Serious Health Condition Leave: (OFLA/FMLA)***

The employee's own serious health condition, or serious health condition of a spouse, child, or parent.

The serious health condition of a grandparent, grandchild, parent in-law, or same-sex domestic partner is covered only under OFLA.

##### ***Military Family Leave: (FMLA)***

Family Military Leave Due to a Call to Active Duty -

Eligible employees are entitled to up to 12 weeks of leave because of "any qualifying exigency" arising out of the fact that the spouse, son, daughter, or parent of the employee is on active duty, or has been notified of an impending call to active duty status, in support of a contingency operation. By the terms of the statute, this provision requires the Secretary of Labor to issue regulations defining "any qualifying exigency."

Caregiver Leave for an Injured Service Member -

A "covered service member" is "a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy for a serious injury or

illness that occurred while on active-duty. An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member shall be entitled to a total of 26 work weeks of leave during a 12-month period to care for the service member.

***Oregon Military Family Leave Act: (OMFLA)***

During a "period military conflict", OMFLA provides up to 14 days protected leave to eligible employees whose military spouse or registered same gender domestic partner faces an "impending call or order to active duty or a leave from deployment." To be eligible, an employee must work for the employer for an average of at least 20 hours per week. The employee must notify the employer of his/her intention to take OMFLA leave within five business days of receiving official notice of an impending call or order to active duty or of a leave from deployment. OMFLA leave counts against the employee's general OFLA leave period.

***Pregnancy Disability: (OFLA)***

Female employee's pregnancy leave taken for incapacity related to pregnancy or childbirth, occurring before or after the birth of a child, or for prenatal care. Male employees are allowed to use protected leave to attend their spouse's pre-natal doctor appointments and labor/delivery.

***Sick Child Leave: (OFLA)***

The employee stays home to care for their sick child with an illness or injury that requires home care, but is not a serious health condition. Sick child leave may not be provided to an eligible employee if another family member is willing and able to care for the child.

All of the above FML entitlements (excluding OMFLA and Sick Child Leave) must be requested in writing to the Deputy Chief 30 days prior to leave unless leave is due to an unforeseen emergency. Human Resources will provide notice to requesting employee if leave is covered under FML or denied.

Employees who request Sick Child Leave must notify their supervisor of such leave prior to the start of their work shift. Employees who request OMFLA must request leave within 5 business days of spouse receiving official military notice of order.

The supervisor must notify the Deputy Chief of all described leave requests.

***OREGON VICTIMS OF CERTAIN CRIMES LEAVE ACT (OVCCLA)***

Eligible employees may take "reasonable" leave under this act for the following purposes:

- (a) To seek legal or law enforcement assistance or remedies to ensure the health and safety of the eligible employee or the eligible employee's child, or immediate family member (spouse, domestic partner, father, mother, sibling, or grandparent) including preparing for and participating in protective order proceedings or other civil or criminal legal proceedings related to domestic violence, sexual assault or stalking.
- (b) To seek medical treatment for or to recover from injuries caused by domestic violence or sexual assault to or stalking of the eligible employee or the eligible employee's minor child or dependent.
- (c) To obtain, or to assist the eligible employee's minor child or dependent in obtaining counseling from a licensed mental health professional related to an experience of domestic violence, sexual assault or stalking.
- (d) To obtain services from a victim services provider for the eligible employee or the eligible employee's minor child or dependent.
- (e) To relocate or take steps to secure an existing home to ensure the health and safety of the eligible employee or the eligible employee's minor child or dependent.

Relocate includes:

- Transition periods spent moving the eligible employee or the eligible employee's minor child or dependent from one home or facility to another, including but not limited to time to pack and make security or other arrangements for such transitions related to domestic violence, sexual assault or stalking;
- Transportation or other assistance required for an eligible employee or the eligible employee's minor child or dependent related to the domestic violence, sexual assault or stalking.



Notification:

Employees must give their supervisor and Deputy Chief “reasonable” notice of the intent to take this type of leave, and the Deputy Chief may request copies of any notices of scheduled criminal proceedings that employee receives from court or law enforcement agency.

This type of leave is unpaid, however, employees may use their leave banks including sick leave.

This type of leave may run concurrently with the Oregon Family Medical Leave Act.

*Reference- Family Medical Leave Policy for detailed eligibility requirements.*

***DONATED LEAVE***

Regular full or part-time benefit employees who have exhausted all leave banks due to a serious health condition covered under the Family Medical Leave Act(s) regarding themselves, their spouse, dependent child, or same-gender domestic partner may request an Employee Leave Donation application from the Deputy Chief.

If eligible, the Deputy Chief will post a notice to the employee’s co-workers addressing the need for donated leave. Eligible co-workers may donate their vacation hours to the recipient’s sick leave bank. The donating employee must be eligible to donate according to the leave donation provisions.

***LEAVE WITHOUT PAY (LWOP)***

Regular full or part-time employees who have exhausted all their leave banks (excluding sick leave bank, unless leave without pay is used for injury or illness) may be granted leave without pay for a period not exceeding 90 days. Requests for such leave must be in writing, and must establish reasonable justification for approval by the Deputy Chief.

Employees who use leave without pay will not receive leave accruals.

Employees who use leave without pay not covered under the Family Medical Leave Act will be responsible for their employee health insurance contribution plus a pro-rated amount based upon the number of LWOP hours they use. If an employee is on leave without pay for an entire month, they would be responsible for 100% of the group health insurance monthly premium.

Employees who use LWOP covered under the Family Medical Leave Act will continue to be responsible for their monthly health insurance contribution and any other employee-paid premiums.

Employees who use leave without pay must make arrangements with the Deputy Chief to pay their portion of their health insurance premium plus any other employee-paid premiums.

The payroll specialist is required to report leave without pay status to PERS when an employee has been without pay for eleven (11) consecutive days.

If an employee does not return to work from leave, the District may recover the employee’s share of the health insurance premium and any other employee-paid premiums the District paid on behalf of the employee during the leave of absence without pay.

The District will provide continuation of health insurance coverage options to employees on unpaid leave in accordance with the requirements of COBRA.

Employees who use leave without pay will be responsible for making necessary arrangements regarding their personal banking / payments that are normally deducted from their payroll check, for example a direct deposit to a credit union for personal loan payment will cease during period of leave without pay.

A new employee who uses an extended leave without pay during their trial service/probationary period will have his or her evaluation date and salary step date adjusted forward pursuant to the time the employee was on leave without pay. An employee’s accrual is pro-rated based upon the number of days in a leave without pay status including the date vacation accrual begins.

Additional information concerning benefits during leave without pay is available from the Deputy Chief.

### ***JURY DUTY***

Use of Leave:

Employees shall be granted leave with pay of official jury duty service which falls within their regular work schedule.

#### **Notification:**

If an employee receives notification from the Oregon Judicial department they are on standby to serve jury duty, the employee must inform their supervisor of their standby period.

If an employee is selected for jury duty, they must notify their supervisor immediately of their jury term and provide a copy of their jury summons and all future jury attendance verification certificates to their supervisor.

The employee must record their jury duty time on their timesheet under "hours not worked". A copy of the jury attendance verification certificate(s) must also be submitted to the Deputy Chief, or attached to the timesheet which reflects such leave.

Employees will retain compensation received from the court for mileage expenses. Employees should disclose to the court their employer maintains their regular salary while serving on jury duty.

### ***SUBPOENAED WITNESS DUTY***

Non exempt employees who receive an official subpoena to appear in court on behalf of District of Redmond business shall receive pay for court attendance. Employees must provide a copy of the subpoena to the Deputy Chief prior to leave.

Employees who are subpoenaed to court for reasons other than District business, must use time from their personal leave banks. Sick leave may only be used if the court appearance is covered under the OVCCLA.

### ***ADMINISTRATIVE LEAVE***

The Fire Chief has authority to issue Administrative Leave with or without pay to an employee. Administrative leave is approved time away from the job for a determined amount of time.

### ***SPECIAL LEAVE ALLOWANCE***

Benefit eligible employees may use time during their work schedule to meet with their respective benefit representatives who have scheduled on-site presentations or consultations. Employees must notify their supervisor of their scheduled appointment. Employees must use their leave banks if meeting with representatives off-site during their work period.

### ***REST & MEAL PERIODS***

Pursuant to the Oregon Wage and Hour laws, the District grants rest and meal periods to employees. Employees are allowed one paid 15 minute rest period during each 4-hour work period; rest periods should be taken in the middle of the 4-hour work period.

Employees are allowed a one-hour unpaid meal period during work segments of 6 hours or more. During the rest and meal periods, the employee is relieved of all work duties. Employees are required to take their rest and meal periods required by law. Employees who do not take their rest and meal periods may be subject to discipline. Additional meal and rest periods are provided for longer work segments as required by law. *Reference OAR 389-020-0050*

### ***NURSING MOTHERS' BREAK PERIODS & DESIGNATED LOCATION***

Nursing mothers of children 18 months and younger are allowed one 30 minute rest period during each 4-hour work period. Fifteen (15) minutes of the rest period is paid under the District's paid break period policy, the additional 15 minutes is non-paid. The nursing mother may use her personal leave banks (including sick leave) to cover the non-paid 15 minute rest period.

Nursing mothers, up to a period of one year following the birth of their child will receive a reasonable break period each time the mother needs to express breast milk. This period is unpaid; therefore, the mother may use her personal leave banks (including sick leave) to cover the non-paid break period.

Nursing mothers may use the designated private location on-site for a nursing mother's break period as described above, or they may leave the premises. This site will be determined at the appropriate time.

#### ***DESIGNATED USE OF LEAVE***

An employee's supervisor may require an employee to leave the workplace if the employee is ill and the employee is unable to perform the functions of their job due to personal illness. The employee would use their sick leave or other personal leave banks for this type of leave.

#### ***EXTENDING and/or RETURNING FROM LEAVE***

Employees who return to work from a leave pertaining to their own illness or injury which required medical certification must submit a return to work release from their medical provider prior to beginning work. All medical certifications must be forwarded to the Deputy Chief.

Employees who do not return to work from their approved leave period without notice will be subject to discipline and/or possible termination. It is the employee's responsibility to request an extension of their leave period prior to their scheduled return date.

An employee who has been granted a leave of absence and who does not return to work at the expiration of said leave and who has not, or representative has not, made contact with the District to complete the notification process to request an approved extension of leave, and who cannot be located shall be considered as having resigned, and his/her position shall be declared vacant.

If an employee fails to return to work because of serious health condition emergency for which the employee would be entitled to Family Medical Leave which is beyond the employee's control, the Deputy Chief may designate an extension of the employee's leave period.

#### ***SUMMARY OF (LEAVE) BENEFITS***

Employees may check their group Summary of Benefits for more information on leave accrual, maximum levels, and other benefits. All Summary of Benefits are located on the District web page and the District intranet. Employees represented by an association or union will be subject to their collective bargaining agreement. The District complies with all State and Federal leave laws including provisions that distinguish between exempt and non-exempt employees.

**REDMOND FIRE & RESCUE  
EXEMPT EMPLOYEE VACATION BUY-BACK FORM**

**POLICY:** An Exempt level employee who has used 40 consecutive hours (5 days) of vacation in the prior 12-month period and who has at least 140 hours of vacation “on the books” at the time of request are eligible for vacation buy-back of 40 hours. An employee may make one request in a fiscal year. This request may be denied based on financial standing of the department.

Employee Name: \_\_\_\_\_ Date of Request: \_\_\_\_\_

Department: \_\_\_\_\_ Position: \_\_\_\_\_

Dates of 40 consecutive vacation hours used: \_\_\_\_\_

Vacation Balance as of Date of Request: \_\_\_\_\_

This form is due to payroll with appropriate signatures for:

Pay in the 15th of the month paycheck - must be to payroll by the 5<sup>th</sup>.

Pay in the last day of the month paycheck - must be to payroll by the 20<sup>th</sup>.

Employee Signature: \_\_\_\_\_

Deputy Chief Signature: \_\_\_\_\_

Finance Manager Signature: \_\_\_\_\_

**REDMOND FIRE & RESCUE  
Exempt Fire Shift Employee  
VACATION SELL-BACK FORM**

An Exempt Fire employee who works the 48/96 hour shift is allowed to sell back up to 72 hours of vacation leave. To be eligible, the employee must have already used 72 hours of vacation in a 3-month period during the current fiscal year. The employee must have at least 172 hours of vacation in their vacation bank at the time of the request. The employee may make one request in a fiscal year. This request may be denied based upon the financial standing of the department.

Please Print

Employee Name: \_\_\_\_\_ Date of Request: \_\_\_\_\_

Department: \_\_\_\_\_ Position: \_\_\_\_\_

Vacation hours requested to sell back: \_\_\_\_\_

Dates of vacation hours used: \_\_\_\_\_

Vacation Balance as of Date of Request: \_\_\_\_\_

This form is due to payroll with appropriate signatures for:

Pay in the 15th of the month paycheck - must be to payroll by the 5<sup>th</sup>

Pay in the last day of the month paycheck - must be to payroll by the 20<sup>th</sup>

Employee Signature: \_\_\_\_\_

Deputy Chief: \_\_\_\_\_

Finance Manager Signature: \_\_\_\_\_