

ARTICLE XII

LEAVES OF ABSENCE

12.1 Discretionary Leaves

The Employer may at its sole discretion grant a leave of absence to an officer for what it deems to constitute good and sufficient reason. The Employer shall at its sole discretion set the terms and conditions of the leave.

12.2 Military Leave

(A) Employees shall be entitled to military leave, compensation and benefits in accordance with state and federal law as it may from time to time be amended.

(B) Officers who belong to military units must provide call-up orders and their annual training schedule, to include both the annual two (2) week training and drill weekends, to the Watch Command Officer for scheduling purposes, upon receipt of the dates from the military unit.

(C) Officers can use any accrued benefit time, except sick time, to attend drill weekends, or at the employees' discretion, take time off without pay to attend their drill weekends. Watch Command Officers will not deny benefit time off, or at the employees' discretion, time off without pay to attend their drill weekends.

(D) Officers who are required to attend drill training may request that his scheduled Department work days be rescheduled during the same FLSA period which the requested drill weekend falls. This request may be approved by the Watch Command Officer if such rescheduling can be accomplished at the convenience of the Department. Such a request must be submitted at least one (1) month in advance of the requested weekend.

12.3 Bereavement Leave

Three (3) consecutive working days leave with pay, which may be interrupted by previously scheduled time off, shall be granted an officer in the event of a death in the immediate family of an officer or an officer's

current spouse, one of which may be spent in attendance at the funeral. The immediate family of the officer and current spouse shall consist of their current spouse, children, step-children, mother, father, brother or sister, stepmother, stepfather, stepsister, stepbrother, grandmother, grandfather, grandchildren, son-in-law, daughter-in-law, brother-in-law, sister-in-law, father-in-law, mother-in-law, or legal guardian.

Up to two (2) consecutive accumulated compensatory days shall also be granted to such officer upon the officer's request. Additional time without pay may be granted at the discretion of the Chief of Police or his designee.

12.4 Personal Business Days

Officers shall have personal business days to be taken according to the following:

(A) Except as provided in Section 12.4(C) below concerning newly hired officers only, each officer shall be allowed four (4) personal business days per calendar year which may not be carried to a subsequent year and will be forfeited if not taken. Such personal business days may not be taken on a day considered a holiday for all officers as provided in Sections 8.1 and 8.2.

(B) Such days may be taken at any other time provided they are scheduled and approved in advance by the Chief or his designee, it being understood that such request may be denied if insufficient officers, in the judgment of the Chief or his designee, would be available to meet the operating needs of the Department. No officer who is terminated, dies or retires shall be eligible for additional compensation in lieu of unused personal business days.

(C) Officers hired after the effective date of this Agreement shall be eligible to take personal business days during the calendar year of their hire according to the following schedule:

<u>Date of Hire</u>	<u>Number of Personal Days</u>
January through March	3
April through June	2

(D) Commencing the beginning of the calendar year after the date of hire (i.e. the first January 1st following the date of hire), newly hired officers shall be eligible for four personal business days per calendar year.

(E) Personal time shall be used in increments of one-half day (4 or 4.25 hours), depending upon the length of an officer's normal work day.

12.5 Jury Duty

An officer who loses time from work during his regularly scheduled hours because of jury duty shall be paid his regular rate of pay for such time lost upon receipt of the sum paid for jury service with respect to his regularly scheduled hours of work which payment the officer shall submit to the City. However, an officer may elect to fulfill such jury service on accrued vacation, compensatory or personal leave and retain the full amount received for such jury service. An officer whose regularly scheduled hours of work are not those coinciding with the hours set for jury duty shall be temporarily assigned to a shift coinciding with such hours. Upon conclusion of jury service, the officer shall not be required to report for duty on his regular shift for eighteen (18) hours. On the day before jury service, the officer shall be afforded the night off.

12.6 Family and Medical Leave

(A) Officers who have worked for at least twelve (12) months, and for at least 1,250 hours during the last twelve (12) months may request leave pursuant to the Family and Medical Leave Act (FMLA). Leaves may be requested for the birth or adoption of a child or for a serious health condition. Officers may receive a leave to take care of themselves or an eligible family member who has a serious health condition; that is, an illness, injury, impairment, or physical or mental condition that involves in-patient care in a hospital, hospice, or residential treatment facility or continuing treatment by a health care provider.

(B) An eligible employee is entitled to a maximum of twelve (12) weeks of Family or Medical Leave in a twelve (12) month period. A “rolling” twelve (12) month period measured backward from the date an officer uses any FMLA leave shall be used for this purpose. Officers shall be required to exhaust all paid benefit time (vacation, personal days and sick leave) as part of their FMLA leave, and such time will count toward the twelve (12) week limit, provided however, that the officer may retain up to 360 sick leave hours maximum in a bank at the officer’s option. Effective March 1, 2013, Officers may, at the officer’s option, utilize sick time for the first six (6) weeks of any paternity or maternity leave and for the remaining six (6) weeks shall use other, non-sick available benefit time (excluding compensatory time). If no non-sick benefit time is available, then the officer may utilize sick time for the entire twelve (12) weeks. Officers utilizing intermittent leave shall utilize sick time for the first 10 days and for the remaining intermittent time shall use other non-sick available benefit time (excluding compensatory time).

(C) Leaves to take care of a serious health condition may be taken on an intermittent or reduced schedule basis. Leaves for the birth or adoption of a child must be taken within the first twelve (12) months of the date of birth or placement. Officers may request a leave by giving the Employer notice at least thirty (30) days in advance of a foreseeable leave, and as soon as practicable for an unforeseen leave.

(D) The Employer may require employees requesting a leave to care for a serious health condition to submit medical verification from a health care provider. The officer may also be required to undergo an examination by an impartial physician. Such examinations shall be paid for by the Employer. Upon return to work, the officer shall submit a fitness-for-duty certificate from a qualified health care provider.

(E) During a FMLA leave, the Employer will continue to provide medical and dental coverage at the same premium rate as if the officer was still on active duty. The officer will be required to

maintain individual health and/or dental premiums, if any. Payment of the officer's premium shall be due on the first day of the month, and in no case later than the tenth (10th) of the month. Coverage shall cease immediately for any officer whose payment is more than thirty (30) days late.

(F) After a FMLA leave, the officer shall be restored to the position he held prior to the leave or to an equivalent position with equivalent pay and benefits. An officer who fails to return from a FMLA leave shall be required to reimburse the City for the Employer's portion of the health insurance premiums paid during the leave.

(G) Officers who have utilized all their accumulated sick leave days and have completed a FMLA leave, if applicable, and are unable to report to or back to work because of the start of or continuance of their sickness or injury, including pregnancy related disability, may at their option, apply for a disability pension to the local police pension fund board.

ARTICLE XIII

SICK LEAVE

13.1 Sick Leave Occurrences and Utilization

(A) Sick leave days may be used for illness, disability or injury of the officer, appointments with a doctor, dentist or other professional medical practitioner, quarantine, and for serious illness or disability in the officer's immediate family which requires the officer's personal care and attention. Officers using sick leave for family members' illnesses shall so notify the Employer at the time of calling in and requesting sick leave.

(B) Any officer who calls in sick on a second non-consecutive day during any one calendar month or who is believed to be abusing the sick leave privilege may be required to report to a doctor provided by the Employer for a medical examination to determine the officer's reason for absence and fitness for duty.