

RESOLUTION NO. 19-05
A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF RIDGWAY ADOPTING AMENDMENT 3
TO THE TOWN OF RIDGWAY PERSONNEL MANUAL AMENDING CERTAIN PROVISIONS
REGARDING ACCRUAL AND USE OF VACATION AND SICK TIME

Whereas, the Town Council adopted the current Personnel Regulations via Resolution 02-02 on February 27, 2002, and amended those Personnel Regulations via Resolution 13-01 on January 9, 2013 and via Resolution 13-06 on December 11, 2013; and

Whereas, the 2017 Audit provides for an unfunded liability of \$101,336 in Accrued Compensated Absences at the end of Fiscal Year 2017; and

Whereas, the Town Council desires to comply with State and Federal Regulations on accrued balances for employees while being fiscally responsible with unfunded liabilities; and

Whereas, setting maximum accrual limits for vacation and sick time hours have been determined to be the best approach for the Town Council to balance needed time-off with the financial resources available to the Town.

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN COUNCIL OF THE TOWN OF RIDGWAY HEREBY ADOPTS THE ATTACHED AMENDMENTS TO SECTIONS I. AND II. OF THE TOWN OF RIDGWAY PERSONNEL REGULATIONS:

INTRODUCED, READ, PASSED, AND ADOPTED THIS ____ DAY OF _____, 2019.

TOWN OF RIDGWAY, COLORADO

By: _____
JOHN CLARK, Mayor

ATTEST:

By: _____
PAM KRAFT, Town Clerk

I. HIRING AND CLASSIFICATION

1-1: Authority:

The Town Manager shall oversee personnel matters and implement personnel policies consistent with Council policy and Town Charter. The Town Manager shall be responsible for hirings of all temporary employees. Hirings of all full-time employees shall be at the Manager's discretion but shall involve Council input; any terminations of permanent employees shall be subject to final Council action based upon recommendation by the Manager, consistent with Town Personnel Regulations. The Town Manager shall have the authority to suspend, transfer, demote and reprimand employees. Removal of employees will be subject to recommendation of the Town Manager in accordance with the provisions herein.

Whenever a position becomes available current Town employees shall be notified of the opening and be given the opportunity to apply. The Town shall endeavor to fill the position internally prior to releasing a general advertisement for the position, if the employees possess the necessary qualifications required for the position.

It is the policy of the Town that all employees who do not have a written, individual employment contract with the Town, are employed at the will of the Town for an indefinite period.

These Personnel Regulations do not constitute a contract for any employee, and are acknowledged by all employees on their first day of employment with the Town.

1-2: No Change

1-3: No Change

1-4: No Change

II. WORK HOURS, HOLIDAYS, VACATION AND LEAVE

2-1: No Change

2-2: No Change

2-3: Vacation:

- A. Full time employees shall be credited with 80 hours of vacation time at the end of their first year of continuous employment. 80 hours of vacation time will be

accrued as per 2-3.D below, during the 2nd year of continuous employment. 100 hours of vacation time will be accrued as per 2-3.D below, during the third and fourth years of continuous employment. 120 hours of vacation time will be accrued as per 2-3.D below, during the 5th through 9th year of continuous employment. 160 hours of vacation time will be accrued as per 2-3.D below, during the 10th through 14th year of continuous employment. 200 hours of vacation time will be accrued as per 2-3.D below, during the 15th through 19th year of continuous employment and 240 hours of vacation time will be accrued as per 2-3.D below, during the 20th year of continuous employment, and each year of continuous employment thereafter.

- B. Part time employees shall be credited with vacation time at a rate proportionate to the number of hours scheduled on a weekly basis.
- C. Temporary or seasonal employees shall not be credited with vacation time, nor be authorized to take vacation.
- D. All vacation time off must be approved by the employee's immediate supervisor, with reasonable advance notice. Decisions on requests for vacation will be based upon factors including, but not limited to, the operational needs of the department and the Town.

Vacation time is credited at each pay period, and may be used immediately thereafter, except for new employees in their first year of employment who shall be credited with their annual vacation time on their anniversary date. Vacation time shall not be used during probationary periods.

Employees shall be encouraged to use vacation time within 6 months of the date it is credited. Employees are not eligible to earn any additional vacation hours once they have reached the maximum cap of 350 hours at any point during the calendar year. Employees will begin to earn vacation hours at their scheduled rate once their vacation hours fall below the maximum cap of 350 hours.

- E. Vacation time shall not be accrued during periods of absence due to non-work related illness or injury. Vacation accrual shall be reduced (prorated) in any year for periods of authorized leave without pay, without resulting in a discontinuity in employment for purpose of calculating overall vacation accrual pursuant to Subsection A above.
- F. Accrued vacation shall not be credited upon separation from the Town if employment has been less than one year.
- G. Accrued vacation time shall be paid to the employee upon termination of employment at the employee's hourly rate after one year of employment. Upon termination of employment, and after the completion of 1 full year of employment,

employees shall be paid for unused vacation hours that have been earned through the last day of work.

2-4: No Change

2-5: Sick Leave:

- A. Upon completion of the probationary period, full time employees shall be credited with 8 hours sick leave for each month of paid employment.
- B. Part time employees shall be credited with sick leave time at a rate proportionate to number of hours scheduled on a weekly basis.
- C. Sick leave may be accumulated up to a maximum of 400 hours. Employees are not eligible to earn any additional sick hours once they have reached the maximum cap of 400 hours at any point during the calendar year. Employees will begin to earn sick hours at the standard monthly accrual rate once their sick hours fall below the maximum cap of 400 hours. Upon termination after five years of continuous employment with the Town, employees shall be entitled to cash out up to 25% of their accumulated sick hours up to a maximum of 100 hours.

At the time of adoption of these Amended Personnel Regulations, employees who have accrued more than 400 hours will not accrue any additional sick hours. Employees will begin to earn sick hours at the standard monthly accrual rate once their sick hours fall below the maximum cap of 400 hours. If any of these employees discontinue employment with the Town and upon the last day of employment have in excess of 400 hours of sick time, the maximum cash out shall be 125 hours.

- D. Sick leave cannot be taken before actually accrued, and can be used only for the employee's injury or illness; physical incapacitation; scheduled medical, dental, or vision appointment; for the care or appointments of the employee's child or adult in the employee's household for whom the employee cares for on a daily basis; employee is exposed to a contagious disease, which may jeopardize the health of others.
- E. Sick leave will not be accrued during periods of absence due to illness or injury. Sick leave accrual shall be reduced (prorated) in any year for periods of authorized leave without pay.
- F. Employees shall not be entitled to payment for accumulated sick leave upon termination, or at any other time, except for the cash-out option provided in Section C above.

- G. An employee utilizing sick leave shall notify the supervisor prior to the beginning of work schedule if possible. Improper use of sick leave may be grounds for disciplinary action. The supervisor may require written verification of the basis for sick leave.
- H. Employees who are unable to return to work, but have used all accrued sick leave time and vacation time shall thereafter be considered “on leave without pay” until either reinstated to work or terminated from employment.
- I. Probationary employees are not eligible to accrue sick leave.

2-6: No Change

2-7: No Change

2-8: No Change

2-9: No Change

Remainder of Personnel Regulations – No Change.