

1 **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARMA, RELATING TO**
2 **EMPLOYEE CLASSIFICATION, COMPENSATION AND LEAVE TYPES IN THE**
3 **PERSONNEL POLICY MANUAL; AUTHORIZING AND DIRECTING THE CITY**
4 **TREASURER TO INCLUDE THIS POLICY AND REMOVE CONFLICTING CLAUSES.**

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6 **WHEREAS** the Parma City Council desires to update the Parma Personnel Policy and
7 shall be updated in sections; and

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9 **WHEREAS** the Parma City Council desire to define and establish certain leave benefits
10 for City of Parma employees; and

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12 **WHEREAS** the Parma City Council desires to memorialize these certain policies and
13 leave types; and

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15 **WHEREAS** the Parma City Council reserves the right to modify, change, condition or
16 terminate any benefits.

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18 **Employee Classification for Employment Status**

19 All employees of the City of Parma, including part-time and temporary employees, are At-
20 Will Employees, except as otherwise required by law or pursuant to a written contract
21 approved by the City Council.

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23 **Employed Attorneys** (other than the City Attorney appointed under Idaho Code 50-204)
24 are governed by the Idaho Rules of Professional Conduct and their relationship between
25 an attorney and the city. Attorneys employed by the city are At-Will Employees and serve
26 at the pleasure of the Mayor and City Council and can be appointed or removed at their
27 pleasure.

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29 The City of Parma has **Appointed Officials** and are appointed pursuant to Idaho Code
30 50-204 and may only be removed pursuant to Idaho Code 50-206.

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32 **Elected Officials** are not considered regular employees and shall only receive those
33 benefits identified in resolution or ordinance adopted by the Parma City Council.

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35 **Benefit Eligible Employees:**

36 **Part-Time Regular Employees.** Part-time regular employees who receive PERSI
37 benefits shall accrue vacation leave, generally those working a normal schedule of at
38 least 20 hours, but less than 30 hours per week.

39
40 **Full-Time Regular Employees.** Full-time regular employees who receive PERSI
41 benefits shall accrue vacation leave

Non-Benefit Eligible Employees:

Part-Time Regular Employees. Part-time regular employees who do not receive PERSI benefits shall not accrue vacation leave, generally those working a normal or irregular schedule less than 20 hours per week. In the City of Parma, this classification would include Patrica Romanko Public Library Employees and certain pool employees.

Temporary Employees. Temporary employees or those under contract shall not accrue vacation leave. In the City of Parma this would be temporary office or public works help, seasonal employees or those generally hired for a short specific amount of time and specific task.

Exempt versus Non-Exempt Employees

Exempt Employees. Those employees who are earning a regular salary rather than an hourly rate, so employees are exempt so long as they are entitled to a monthly base payment (or equivalent) higher than the Fair Labor Standard Act. They may not earn Overtime Pay. There are several types of exempt employees, including: Executive, Administrative, Professional, Computer, and Highly Compensated Employees and Outside Salespersons.

Non-Exempt Employees. Those employees who are guaranteed to earn at least the Federal or State of Idaho minimum wage. They are also eligible for Overtime pay for any amounts of time exceeding 40 hours within a work week, with the exception of law enforcement officers whose overtime hours differ based on the Fair Labor Standard Act.

Elected Officials are also considered Exempt under the Fair Labor Standard Act.

Vacation Leave Accrual

Full Time Vacation Leave Accrual. Vacation leave is available to full-time employees who have completed the equivalent of 6 months of regular full-time employment. Each full-time employee who has thirty (30) uninterrupted days of full-time employment with the City accrues paid vacation leave according to the length of such uninterrupted employment as follows:

<i>LENGTH OF SERVICE</i>	<i>HOURS OF VACATION ACCRUING</i>	<i>Equivalent Approximate Total</i>
6 months – one (1) year	<u>1.53846</u> Hours per pay period May only be taken after 6 months of uninterrupted service	20 hours @ 6 months 40 hours @ 1 year
Two (2) years – Five (5) years	<u>3.0769</u> Hours per pay period	80 hours per year
Six (6) years – Ten (10) years	<u>4.6153</u> Hours per pay period	120 hours per year
More than ten (10) years	<u>6.1538</u> Hours per pay period	160 hours per year

Part Time Vacation Leave. Vacation leave is available to regular part-time employees who have completed the equivalent of 6 months of regular part-time employment. Each part-time employee who completes thirty (30) uninterrupted days of employment with the City accrues paid annual leave according to the length of such uninterrupted employment as follows:

HOURS OF VACATION ACCURING

0.03825 Hours per hour worked

May only be taken after 6 months of uninterrupted service

Work Requirement. Ten (10) working days must be worked before a month will be counted as a full month for calculating vacation time.

Vacation Leave Probation. Employees may not use accrued vacation until after 6 months of consecutive service.

Scheduling and Use of Vacation Leave. Vacations should be scheduled with the Department Supervisor with due consideration for the desires of the employee and the work schedule and requirements of the Department. Vacations will, wherever possible, be scheduled at least fourteen (14) days prior to the desired start of vacation. Generally, vacation time may be used in increments of less than one (1) day with the approval of the Department Supervisor. If vacation leave is exhausted during a pay period, earned Comp Time will be utilized until the employee returns to duty.

Vacation Leave Use Prohibited for Accrual. Vacation leave cannot be taken in the same pay period in which it is earned, without approval of the Mayor.

Vacation Use Limitation. Vacation leave may not be utilized if it will result in pay in excess of the employee's normal scheduled workweek. For example, if a full-time employee plans Friday off, but works 9 hours per day on Monday through Thursday of that week, the employees time sheet would reflect:

	SUN	MON	TUES	WED	THU	FRI	SAT	TOTAL
Actual		9	9	9	9			36
Vacation						4		4
								<u>40</u>

Vacation Leave when Ill. Employees may elect to charge time off work due to illness to accrued vacation leave.

Use for Emergency Conditions. If an employee is unable to report to work because of severe weather, road or other related emergency conditions and the City has not been declared closed by the Mayor, the employee shall be permitted to use accrued vacation leave to cover the period of absence from work.

Use in Conjunction with other leave types. The sequence in which various leaves will be taken is (1) Compensatory Leave, (2) Vacation Leave and (3) Sick Time.

Holidays During Vacation Leave. If a holiday falls on a day while the employee is on vacation, the employee will be paid for the holiday pay, but not the vacation pay for that day.

Effect of Transfers on accrued Vacation. An employee's accrued vacation leave transfers with the employee when transferring from one department to another with no break in service.

***Vacation Leave Carryover Limit.** In addition, employees are allowed to carry over vacation time up to 40 hours. If any additional carryover time above 40, the carryover will need to be approved by the Supervisor and in Consultation with the Mayor prior to anniversary date.

***Vacation Leave Carryover Limit.** In addition, employees are limited in the amount of vacation leave which can be carried over from year to year at 40 hours, or equivalent to one week at time of anniversary. (COUNCIL NEEDS TO DISCUSS / DETERMINE WHICH THEY PREFER)

EXAMPLE: If an employee has a balance of 100 hours of vacation time on the books, the employee can be paid 40 hours in payroll; keep 40 hours on the books and the remaining 20 hours will be rolled over to sick time.

Vacation Leave Payouts

Conversion to Pay on end of employment. Vacation leave will be converted to pay upon dismissal, resignation or retirement when an employee has served at least six months of uninterrupted service.

Vacation Leave Forfeiture. Employees who have served less than six uninterrupted months will forfeit all Vacation Leave.

Vacation – Reduction in Force. If an employee is dismissed or the position is subject to Reduction in Force, the employee shall be paid out for accrued vacation leave.

Payment of Vacation – Process. Wherever possible, such payment, in addition to the regular salary or wage payment, shall be made to the employee on the regular payroll immediately following the employees' end of employment. An employee who has not served Six months of uninterrupted service shall forfeit all vacation time and not be paid out for this time at termination.

Cash Payment in Lieu of Vacation Leave. An employee may request a portion of their vacation leave be converted to a cash benefit. The following rules apply to these types of payments:

- Only accumulated Vacation Leave up to 40 hours may be converted to a cash payment as long as 40 hours are left for immediate use.
- Normal State and Federal Taxes will be paid
- Retirement Benefit Deductions will be deducted
- Other lawful deductions will be deducted

- The cash payment must be reported to PERSI and may not count towards credited service
- Any balance will be rolled into sick time.

Vacation Time Transfer to Sick Time. An employee may request a portion of their vacation leave be converted to sick time which must be used for Medical, Dental, Vision or Prescription premiums at time of Full PERSI Qualified Retirement.

****The Parma City Council encourages all employees to take vacation leave to refresh their wellbeing.***

Death of an Employee. In the event of any employee's death, payment for accrued vacation leave shall be made to his or her estate.

Compassionate Leave. An employee may gift hours they have accrued over 40 to another employee if the other employee is experiencing severe hardship which results in a need for additional time off in excess of their available leave times. The gifting may only occur with the approval of the Department Head, and City Council (during an executive session). If approved, the hours will be converted to dollars from the donor based on their wage or salary and then converted to hours for the one receiving the gift based on their salary or wage. This is to ensure the dollar amounts remain accurate.

- **Gifting Eligibility.** Employees who donate sick leave must be employed with the city for a minimum of one (1) year.
- **Gifting Guidelines.** With the approval of the Department Supervisor for both the donor and receiver and only after consultation with the Mayor, an employee may donate accrued Vacation Leave to another employee to be converted to sick leave. Because of Private Health Information, the identity of the donor cannot be disclosed, however the receiver may self-disclose the need for a leave donation.
- **Gifting Amount.** Employees may donate only vacation leave hours so long as they keep a balance of forty (40) hours available to them.
- **Receiving Eligibility.** Employees eligible to receive donated leave time must have exhausted all of their available leave time. This would include; Compensatory Time, Sick Leave and Vacation Leave.
- **Receiving Limits.** Employees receiving leave donations may only receive a total of forty (40) days equal to six hundred and forty (640) hours.
- **Gift Return.** Unused leave hours donated may not be returned to the donor. The receiver may not earn additional sick time above the maximum accrual rate, until the employees' accrued hours are reduced below the maximum.
- **Additional Need.** The Mayor and City Council may adjust additional sick time for the employee needing additional sick time above the limit, but only at a City Council Meeting after discussion in Executive Session and making the decision in public session without naming the employee or medical reason for the need.
- **Family Medical Leave Act.** Employees needing additional time should consider their options for FMLA, which allows eligible employees to take up to 12 weeks of unpaid, job-protected leave for specific family and medical reasons. The City of Parma may not meet the eligibility of a covered employer. Each request for FMLA

is unique and may have different options.

Bereavement Leave. With the approval of the department supervisor, time off for a death in the immediate family (spouse, child, parents, grandparents, grandchildren or sibling) shall be granted with pay. Bereavement leave is limited to three (3) days. More extended time off may be granted but counted against in the following order; Compensatory Leave, Vacation Leave, Sick Leave or leave without pay upon approval from the supervisor..

Time off to attend the funeral of an extended family member (in-laws, aunt, uncle, niece, or nephew) is allowed with prior discretionary approval of the employee's supervisor and / or Mayor. Time off is generally limited to (1) day with pay.

Time off to attend the funeral of someone other than an immediate or extended family member, to serve as a pallbearer, or in some other way participate in a funeral ceremony is allowed with prior discretionary approval of the employee's supervisor and / or Mayor. Time off is generally limited to the time of the service and not exceed four (4) hours. Time off due to such absence will not affect vacation or sick leave accrual.

Leaves of Absence. A full-time regular employee may be granted unpaid leave of absence by the Mayor for any justifiable purpose when the employee's paid leave (vacation, sick and accrued comp time) has been exhausted. Unpaid leave in excess of thirty (30) days shall require written approval of the City Council. No employee is guaranteed a leave of absence; the Mayor may either approve or deny a leave of absence. No vacation or sick leave is accrued during any unpaid leave of absence.

Employees are required to give thirty (30) days' advance notice, or as much time as practical, when the need for extended leave is foreseeable. Depending on the nature of the leave sought, the City reserves the right to request medical certification supporting the need for the request. It is the employee's responsibility to provide the City with complete and sufficient medical certifications within a time frame not to exceed fifteen days from the employee request. The city will inform employees if submitted medical certifications are incomplete or insufficient and provide employees with at least seven (7) calendar days to cure the deficiencies. The city will deny leave requested to employees who fail to timely cure deficiencies or otherwise fail to submit requested medical certifications.

With the employee's permission, the City (through individuals other than an employee's direct supervisor) may contact the employee's health care provider to authenticate or clarify complete and sufficient medical certifications. If the employee chooses not to provide the city with authorization allowing the city to clarify or authenticate certifications with health care providers, the City may deny the leave if the certifications are unclear.

The City reserves the right to require periodic notices of the employee's status, or the employee's family member's status, and the employee's intent to return to work.

Unless notified that providing such certifications is not necessary, employees returning to work from a leave of absence that was taken because of the employee's serious health conditions that made them unable to perform their duties must provide the City a medical certification confirming they are able to return to work and the employee's ability to perform the essential functions of the employee's position as identified in their job description, with or without reasonable accommodations. The city may delay and / or deny job restoration until the employee provides a return to work / fitness for duty certificate(s).

The city will return the employee to the same or equivalent position after returning from leave. The only exception may be for individuals who are considered "key employee, whose extended absence would cause "substantial and grievous economic injury" to the city may not be restored.

The city will afford reasonable accommodation to qualified employees with a known disability or for an employee's religious beliefs. The city will also provide leave under particular circumstances as mandated by applicable federal or state law, including the Family Medical Leave Act (FMLA), for eligible employees.

Parental Leave. Employees shall be entitled to eight (8) weeks of unpaid parental leave on the birth or adoption of a child. The city will continue to pay the employees medical insurance and other benefits during an employee's parental leave. An employee taking such leave shall have the right to return to the same or equal position held prior to taking parental leave of absence. No employee shall be required to take parental leave, nor shall an employee's job duties or working conditions be altered without consent, on account of pregnancy. An employee on parental leave shall give at least five (5) business days prior notice to the city for his or her desire to return to work.

Sick Leave

Sick Leave Policy. Sick leave benefits are provided to regular full-time employees at the rate of 8 hours per month, equivalent to 3.69 hours per pay period. Part-time regular employees accrue sick leave of 0.046 hours per hour worked.

Sick leave is a benefit to provide relief to the employee when an illness or injury prevents the employee from working productively or safely, or when an immediate family member's (spouse, child, parent) illness presents no practical alternative for necessary care. Sick leave must be requested at least within two hours of the time the scheduled work period is to begin, unless circumstances outside the control of the employee prevent such notice. The city may require the employee to provide a note from a medical provider.

Sick Time Maximum. Sick leave can accrue up to a maximum of (1,040) hours. Once an employee reaches the maximum accrual, no additional sick leave will accrue until the employee's accrued hours are reduced below the maximum. Sick leave benefit recipients will receive their normal compensation when using sick leave benefits. Unused accumulated sick leave shall be carried to the credit of the employee up to the maximum. (COUNCIL NEEDS TO DISCUSS THE MAX HOURS)

Sick Time Forfeiture. All sick leave shall be forfeited at the time of separation of service, and no employee shall be reimbursed for accrued sick leave at time of separation, however, if the employee is reinstated to service within ninety (90) days after the date of separation, all sick leave benefits accrued at the time of separation shall also be reinstated.

Sick Time Retirement Payout. The Parma City Council is developing a system for Sick Time Payout for employees who retire from the City of Parma which will be adjusted and used for Health Care Benefits up until the amount is exhausted or the employee reaches the age of Medicare, whichever is first.

Recognized Holidays

January - New Year's Day

January – Martin Luther King Jr. Day /
Idaho Human Rights Day *

February - President's Day

May - Memorial Day

June – Juneteenth *

July - Independence Day

September - Labor Day

October - Columbus Day / Indigenous
People's Day *

November - Veteran's Day *

November - Thanksgiving Day

December - Christmas Day

BIRTHDAY (COUNCIL TO DISCUSS)

As the State of Idaho recognizes the above holidays, the City of Parma shall also provide these holidays for Benefit Eligible Employees to receive compensation for Non-Exempt Employees. Full-Time Employees shall receive 8 hours of Holiday Pay at their regular rate of pay. Part-Time Employees shall receive 4 hours of Holiday Pay at their regular rate of pay.

Holiday hours shall not count towards Overtime or Comp Time. Employees who are called in to perform emergency work will be compensated at a rate of 1 ½ times the employees' regular rate of pay. Routine work is not considered overtime. Emergency work would be defined by the Mayor and Department Supervisor and notated on the timecard.

Holidays which fall on a Saturday will be observed on the preceding Friday. Those which fall on Sunday will be observed on the succeeding Monday. The holiday schedule may be changed at any time by the City Council.

**Although not required, employees are encouraged to provide Acts of Community Service on MLK / Idaho Human Rights Day, Juneteenth, Columbus Day / Indigenous Peoples Day and Veteran's Day within the Parma community voluntarily.*

Current Unfunded Sick Time Policy. The current policy which allows employees to take 2 hours off as paid for medical appointments is now limited to one (1) two-hour appointment per quarter beginning January 1, 2026. A quarter is January 1 – March 31; April 1 – June 30; July 1 – September 30; and October 1 – December 31. Any time over the two-hour limit will be charged against sick time. The employee may also work additional hours in the week to make up the time off. This time will be reflected on the payroll system as “MED” which indicates a medical appointment

Current Vacation Leave Policy. The current vacation leave accrual policy shall become null and void in 2026. Employees eligible for bulk vacation leave accrual shall be given half the allowed amount in January based on their years of service and then begin to accrue based on this policy.

Right to Change Compensation and Benefits. The Parma City Council may change general compensation for any reason deemed appropriate by the City Council. Compensation may also be adjusted based upon job performance and the availability of funds to maintain a solvent city budget. Hours worked may be reduced or employees may be laid off as necessary to meet budgetary constraints or as work demands change.

Authorization and Direction. The Mayor and City Council hereby authorize and direct the City Treasurer to update the Personnel Policy Manual upon the adoption of this resolution and update the Payroll Software to reflect these changes.

Distribution. The approved resolution will be distributed to each employee and be in effect until the Personnel Policy Manual is updated and re-distributed.

Grandfather Clause. All amounts earned prior to this resolution being enacted, shall remain.

This policy shall be in effect the 1st day of the following month after City Council approval.

Passed and approved this _____ day of _____ by the Parma City Council.

ATTEST: _____

Angie Lee, Mayor

Melissa Klinge, City Clerk