

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 180890

Amending Chapter 2, "Administration," Code of Ordinances, specifically amending Sections 2-1099, Vacation leave, and 2-1100, Sick leave, to provide for conversion of sick leave to vacation leave and vacation leave payout for any leave not designated by an eligible employee under the Post Employment Health Plan and allows eligible employees to be compensated for unused leave prior to separation of service.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 2, Code of Ordinances is hereby amended by repealing Sections 2-1099, Vacation leave, and 2-1100, Sick leave, and enacting in lieu thereof new sections of like number and subject matter, to read as follows:

Sec. 2-1099. Vacation leave.

(a) *Generally.*

(1) *Amount.*

- a. Vacation leave for all full-time regular employees in the classified or unclassified service, except employees specifically covered elsewhere in this section, allocated to classes within the managerial, professional, supervisory or confidential group shall receive vacation leave annually as follows:

After 6 months of service	40 hours
After 1 year of service	80 hours
After 5 years of service	120 hours
After 10 years of service	136 hours
After 15 years of service	160 hours
After 20 years of service	184 hours

- b. Employees in a department director, assistant city manager, city clerk or city auditor classification shall receive vacation leave annually as follows:

After 6 months of service	120 hours
After 5 years of service	160 hours
After 10 years of service	216 hours
After 15 years of service	240 hours

- c. A regular employee appointed to the classified or unclassified service on or prior to the fifteenth day of the month shall receive vacation leave credit beginning on the first day of that month; such employee appointed to the classified or unclassified service

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subsequent to the fifteenth day of the month shall receive vacation leave credit beginning on the first day of the succeeding month.

- d. An employee who is compensated for 41 hours or more in a pay period will be credited with the proportionate amount for the pay period.
 - e. A full-time contract employee appointed as a full-time regular employee after June 1, 2002, who has been a resident of Kansas City, Missouri and a full-time contract employee for at least five consecutive years immediately preceding appointment and whose contracts during such period provided vacation leave for the employee:
 1. Shall be credited with five years of services for purposes of calculating annual vacation leave under this section;
 2. Shall not be considered a new employee for purposes of subsection (a)(2) of this section; and
 3. Shall be credited with any vacation leave credited and unused as a contract employee.
- (2) *New employees; scheduling.* No annual leave may be taken by an employee until the employee has been in the service of the city continuously for a period of six full months. Each department head shall keep records of vacation leave credit and use, and shall schedule vacation leaves with particular regard to the seniority of employees, to accord with operating requirements, and insofar as possible with the requests of employees.
- (3) *Accrual.* Employees with less than 15 years of service may accrue vacation leave to a maximum of twice the amount earned in a year. Employees with 15 consecutive years or more of service may accrue vacation leave to a maximum of two and half times the amount earned in a year. Employees who are in the job class of budget officer, deputy city attorney, deputy director, deputy director of aviation or deputy director of water services and who have 20 consecutive years or more of service may accrue vacation leave to a maximum of 600 hours.
- (4) *Terminal leave.* Any permanent employee leaving the municipal service shall be compensated for vacation leave credited and unused to the date of the employee's separation or resignation, provided the employee has been in the service of the city for at least six full months. Any eligible employee as defined by the Post Employment Health Plan agreement for the group of which they are a member who has not opted out of the Plan shall be

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compensated upon retirement for the excess vacation leave credited, unused and not contributed to the Plan. Any eligible employee participating in a Post Employment Health Plan may elect to be compensated for vacation prior to separation of service in accordance with the Plan.

- (5) *Holidays occurring during vacation period.* Any official holiday as set forth in this article that shall occur during an employee's scheduled vacation period shall not be counted as a day of vacation.
- (6) *Extra vacation day.* Each full-time regular employee in the classified and unclassified service shall receive, in addition to the employee's regular vacation leave credit provided for in this section, two additional days of vacation, which may be taken at the employee's option, with the approval of the employee's department head.
- (7) *Kansas City Corporate Challenge competition.* Employees participating in the city's official Kansas City Corporate Challenge competition shall earn an extra vacation day upon meeting the following criteria:
 - a. Receiving a medal for first, second or third place in an officially sponsored Kansas City Corporate Challenge event or
 - b. Representing the city in at least two officially sponsored Kansas City Corporate Challenge events (i.e. in competition, as an event coordinator, or as an assigned volunteer).
 - c. The extra vacation day must be taken during the fiscal year in which it was earned and cannot be accumulated. If an employee fails to use the extra vacation day prior to the end of the fiscal year the extra vacation day shall be forfeited. An unused extra vacation day shall not be paid out upon an employee's separation.
- (8) *City manager.* The city manager shall be entitled to annual leave of six full five-day workweeks.

(b) *Local 500-AFSCME.* Employees allocated to classes covered by the provisions of the work agreement between the city and Local 500-American Federation of State, County and Municipal Employees shall receive vacation leave in accordance with the provisions of the work agreement in effect.

(c) *Local 42-IAFF.* Employees allocated to classes covered by the provisions of the work agreement between the city and Local 42-International Association of Fire Fighters shall receive vacation leave in accordance with the provisions of the work agreement in effect.

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(d) *Local 3808-IAFF.* Employees allocated to classes covered by the provisions of the work agreement between the city and Local 3808-International Association of Fire Fighters shall receive vacation leave in accordance with the provisions of the work agreement in effect.

(e) *Waiving vacation.* As vacation leave is granted to employees for a period of recreation, no employee shall be ordinarily permitted to waive such leave for the purpose of receiving double pay, excepting, however, that employees in pay range M-K and below with ten years or more of service, and having at least four weeks of accumulated vacation, may cash in 40 hours of vacation per year. The number of employees who may exercise this option during any pay period is limited to five percent of the M-class department employees.

(f) *Prerequisites for usage.* Generally, vacation time must be earned and recorded prior to usage.

Sec. 2-1100. Sick leave.

(a) *Generally.* Employees allocated to classes within the managerial, professional, supervisory or confidential group shall earn sick leave as follows:

(1) *Amount.* Each regular full-time employee in the classified and unclassified service who is compensated for at least 41 or more hours during a pay period shall receive 4.4 hours of sick leave accrual for that pay period. A regular employee appointed on or prior to the fifteenth day of the month shall receive sick leave credit beginning on the first day of that month; a regular employee appointed subsequent to the fifteenth day of the month shall receive sick leave credit beginning on the first day of the succeeding month. Employees who are compensated for at least 41 hours during a pay period will be credited the proportionate amount for the pay period.

(2) *Use.*

- a. Sick leave with pay must be earned before it can be granted for absence from duty because of actual personal illness, non-compensable bodily injury or disease, or exposure to contagious disease, or to keep a doctor's or dentist's appointment. An employee may utilize his or her earned sick leave to take his or her spouse, domestic partner, children, or domestic partner's children to a doctor or hospital for medical treatment. Reporting and documenting requirements of this section shall be followed with respect to such leave.
- b. When a field employee finds it necessary to be absent for any of the reasons specified in this subsection, he shall cause the facts

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to be reported to his department head or division head 30 minutes prior to the regular time for reporting to work. All other employees shall notify their department head or division head within one hour after their starting time on the first working day of absence. Sick leave shall not be granted unless such report has been made.

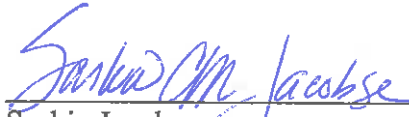
- c. An employee must keep his department head informed of his condition if the absence is of more than three days duration. An employee may be required to submit a medical certificate or other documentation for any absence.
 - d. Failure to fulfill these requirements may result in a denial of sick leave.
 - e. No refund of vacation time shall be allowed for illness incurred while on vacation leave.
- (3) *Accrual.* Sick leave may be accrued with pay credit up to a limit of 4,000 hours.
- (4) *Conversion of unused leave.*
- a. The conversion of unused sick leave shall be credited as follows: Employees may, upon separation from the service, providing such employees have at least one-year of continuous service, convert accrued sick leave credit at the ratio of four hours of sick leave credit to one hour of vacation leave credit. Employees with at least 25 years of creditable service, or who are eligible and elect to retire upon obtaining the total of age and years of creditable service equal to or exceeding 80, or who retire with a normal retirement, or early retirement at age 60 or thereafter, or with line-of-duty disability pension, or who die while active employees, shall convert sick leave credit at the ratio of two hours of sick leave credit to one hour of vacation leave credit. Any eligible employee as defined by the Post Employment Health Plan agreement for the group of which they are a member who has not opted out of the Plan may convert accrued and unused sick leave not contributed to the Plan upon retirement as described above. Any eligible employee participating in a Post Employment Health Plan may elect to convert sick leave to be compensated prior to separation of service in accordance with the Plan.
 - b. *Local 500-AFSCME.* Employees allocated to classes covered under the provisions of the work agreement between the city and

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Local 500-American Federation of State, County and Municipal Employees shall receive and accrue sick leave under the provisions of the work agreement in effect.

- c. *Local 42-IAFF.* Employees allocated to classes covered under the provisions of the work agreement between the city and Local 42-International Association of Fire Fighters shall receive and accrue sick leave under the provisions of the work agreement in effect.
- d. *Local 3808-IAFF.* Employees allocated to classes covered under the provisions of the work agreement between the city and Local 3808-International Association of Fire Fighters shall receive and accrue sick leave under the provisions of the work agreement in effect.
- e. The city manager shall have such sick leave credit as set forth in any employment agreement between himself and the city.
- f. *Recording.* All absences on sick leave must be recorded in units of not less than one-half hour on the payroll time sheet or daily payroll record card by use of the symbol "SL" to indicate absence of a full day or shift, or "SL" followed by a figure to indicate the number of hours of absence of account of sickness. Each department shall maintain a sick leave record for each employee.

Approved as to form and legality:


Saskia Jacobse
Assistant City Attorney



Authenticated as Passed


Sly James, Mayor


Marilyn Sanders, City Clerk

NOV 29 2018

Date Passed