

ORDINANCE NO. 2021-3

AN ORDINANCE TO CHANGE THE TOWN OF BROOKWOOD EMPLOYEE MANUAL AS IT RELATES TO EMPLOYEE SICK LEAVE AND VACATION TIME STRUCTURES

WHEREAS, the **BROOKWOOD TOWN COUNCIL** finds that the Town of Brookwood Employs a number of Employees; and

WHEREAS, the **BROOKWOOD TOWN COUNCIL** finds that providing those Employees with sick leave, vacation time, and holiday pay is crucial to the recruitment and ability to retain the best Employees available; and

WHEREAS, the **BROOKWOOD TOWN COUNCIL** finds that the Employee Manual for the Town describes the provisions governing sick leave, vacation time, and holiday pay;

WHEREFORE, the **BROOKWOOD TOWN COUNCIL** finds that it is in the best interests of the public health, safety and welfare of the citizens residing within the Town of Brookwood to provide a sufficient structure for Employee sick leave, vacation time, and holiday pay in order to recruit and retain the best available Employees to serve the Citizens of the Town of Brookwood;

NOW, THEREFORE, BE IT RESOLVED that the **BROOKWOOD TOWN COUNCIL** does hereby amend the Town of Brookwood Employee Manual to reflect the changes attached hereto as **EXHIBIT A** (Changes in red).

RESOLVED this the 19 day of January 2021.

BROOKWOOD TOWN COUNCIL

By: 
Mayor

ATTEST: Linda Barger
Town Clerk

CERTIFICATE OF POSTING

I hereby certify that the above and foregoing Resolution was posted on the 20 day of January 2021 at the following locations:

1. Mary's
2. Mary Travel Center
3. Henry's
4. Police & Fire

Linda Barger
Linda Barger, Town Clerk

EXHIBIT A

Attendance

Work Schedules

You are expected to work regularly scheduled hours as established by the Town of Brookwood, your supervisor and/or the Mayor.

Attendance

Employees are expected and required to:

- be present and prepared to commence work at all scheduled dates and time, and
- remain at their work station and conduct their work activities during the entire work period.

Any employee who fails to comply with the above requirements may be subject to disciplinary, up to and including termination.

Late arrivals, early departures and other personal absences are not acceptable unless specifically authorized by an employee's supervisor. Employees who abuse absence time from scheduled work will be subject to discipline, up to and including termination.

Any employee who fails to report to work or who has an unexcused absence for three (3) consecutive business days will be deemed to have abandoned their position and will be automatically terminated.

Poor attendance is disruptive and inhibits productivity and workforce moral. Therefore, the Town of Brookwood emphasizes that notwithstanding any provisions stated in this attendance policy, employees of the Town of Brookwood are at-will employees and the Town of Brookwood may terminate employees with or without cause or notice.

EXHIBIT A

Excused Absences

Absences for the following reasons will be excused so long as the employee promptly notifies their supervisor no later than the beginning of their shift:

- Employee Illness - A note from a physician or dentist stating that the employee is unable to work will excuse the employee for that day or the number of days as indicated on the note. If no physician's or dentist's note is provided to the employee's supervisor, whether the absence is excused or non-excused will be at the discretion of the Town of Brookwood.
- Child's Illness - Employees will be excused for attending to the illnesses of their children when necessary for that day or the number of days as indicated on a physician's or dentist's note. If no physician's or dentist's note is provided to the employee's supervisor, whether the absence is excused or non-excused will be at the discretion of the Town of Brookwood.
- Spouse or Relative's Illness - Employees will be excused for attending to the illnesses of their spouse or relative when necessary for that day or the number of days as indicated on a physician's or dentist's note. If no physician's or dentist's note is provided to the employee's supervisor, whether the absence is excused or non-excused will be at the discretion of the Town of Brookwood.
- Funeral Leave - Employee's will be excused for the death of an employee's immediate family member (mother, father, spouse, child, brother, sister, grandparent, aunt or uncle). Excused absences for the death of other persons will be considered and granted or denied at the discretion of the Town of Brookwood.
- Jury Duty and Court Business - Employees will be excused to attend to jury duties or court business. A statement from the clerk of the court of proof of court business is required in order to be excused. Employees will be compensated for working hours missed in order to perform jury duty. However, if the employee is excused from jury duty he or she must immediately report for work.

Note - Visits to an attorney's office for personal business will not constitute an excused absence. Being on trial for a criminal offense (felony or misdemeanor) will be deemed personal business and will not constitute an excused absence.

EXHIBIT A

Sick Leave

For the purpose of evaluating times of available sick leave or other employment matters, the calendar for the determination of the time an employee has been in the employment of the Town will begin on January 1st of the year and end at midnight on December 31st of the year. The evaluation of employee's tenure with the Town will not be examined from the date of hire. An employee hired anytime during the calendar year will be deemed to have been with the Town for a period of one year on January 1st the year after he or she was hired by the Town.

Sick leave is provided to protect you against loss of income during illness when you are unable to perform work duties because of illness or injury, when you must obtain health related professional services which cannot be scheduled outside regular work hours, or when you must care for a seriously ill member of your immediate family for not more than three days. Sick time is not vacation time and should not be used as such.

Immediate family, for sick leave purposes, is defined to include the following who live in the same household as the employee: spouse, son, daughter, mother and father.

You must report your absence as soon as possible to your supervisor or the Mayor on the day you are absent and daily thereafter. Tell your supervisor the nature of your illness or reason for your absence and how long you anticipate you will be unable to work. Failure to communicate with your supervisor or the Mayor for three consecutive scheduled work days will be considered as a voluntary resignation without proper notice. Your supervisor is not responsible for contacting you if you do not report to work at the scheduled time.

Your supervisor has the responsibility to insure that you use sick leave for its legitimate purposes. Until your supervisor is satisfied that you have used sick time properly, your supervisor may deny approval of sick pay. Upon request of your supervisor, you may be required to show evidence of your illness or the illness of a family member in the form of a physician's statement.

Town employees accrue one (1) hour of sick leave per weekly pay period up to six (6) days per year. These hours may be used to compensate employees for time needed from work for illness or other excused absences.

Employees may accumulate up to 480 hours of sick leave. Employees may request payment for unused sick leave time. Any unused sick leave time above 480 hours is lost at the end of the calendar year. For example, if an employee accumulates 483 hours of sick leave time, ~~that employee must either request payment for 3 hours of unused sick leave prior to the end of the calendar year or those 3 hours will be lost.~~ would lose the extra 3 hours at the end of the year. At the time of the employee's separation from his or her employment with the Town the Employee will be compensated at the current hourly rate for the sick leave they have accumulated. If an Employee of the Town is terminated for cause that Employee will lose all accumulated sick leave and will not be entitled to have that time purchased by the Town.

Abuse of sick leave is grounds for disciplinary action, including termination.

EXHIBIT A

In accordance with the laws of the State of Alabama, any employee of the Town of Brookwood who was required to use annual or sick leave as a result of being called to active service in any of the armed forces of the United States during the war on terrorism which commenced in September 2001, as determined by the Adjutant General of the Alabama National Guard, shall have their leave restored.

EXHIBIT A

Vacation

It is important to note that the following structures do not apply to the Town of Brookwood Police Department and its employees. The structure of vacation time accumulation, rates of pay, holidays, and other matters are described in the Town of Brookwood Police Department Employee Handbook. Any items contained within the terms of conditions of this Manual that are not contradicted by the Town of Brookwood Police Department Employee Handbook shall apply to all Town Employees, including those employed by the Town of Brookwood Police Department.

Requests for time off for vacation must be submitted in writing to the Department Head and/or Mayor at least three (3) business days prior to the beginning of the vacation absence, except in the event of emergency then as soon as possible. Employees of the Town of Brookwood shall accrue annual vacation time based upon the number of years of employment with the Town of Brookwood, as follows:

- Employee for 1 year..... 1 week/year
- Employee for 2 to 9 years.....2 weeks/year
- Employee for 10+ years.....3 weeks/year
- Employee for 20+ years.....4 weeks/year

~~An employee's employment term for purposes of this section shall be measured from the anniversary of the employee's hiring date.~~

For the purpose of evaluating times of available vacation time, the calendar for the determination of the time an employee has been in the employment of the Town will begin on January 1st of the year and end at midnight on December 31st of the year. The evaluation of employee's tenure with the Town will not be examined from the date of hire. An employee hired anytime during the calendar year will be deemed to have been with the Town for a period of one year on January 1st the year after he or she was hired by the Town.

~~Employee's may request payment for unused vacation time provided that the employee's request is submitted prior to that employee's hiring anniversary date.~~

Employees will be permitted to "carry over" 1 week of vacation time per year, with a maximum of available vacation time at any point of 5 weeks.

Any annual vacation time that remains unused at the end of the year in excess of the 1 week maximum carry over allowed will be lost.

Holidays

The Town of Brookwood observes the following holidays:

- New Year's Day
- Martin Luther King Day

EXHIBIT A

- King/Lee Birthday
- Presidents Day (Added March 4, 2008)
- Labor Day
- Veterans Day
- Independence Day
- Memorial Day
- Thanksgiving Day (and the day after Thanksgiving)
- Christmas Eve Day
- Christmas Day

The Town may choose to observe additional holidays and will notify employees accordingly. Town employees will observe 11 paid holidays.

The Town will also provide that every Employee shall receive his or her birthday as an additional "personal day" not to be counted against their holiday pay. The Employee shall take this day within 30 days of their birthday and shall exercise the same procedure for approval through their Department Head or the Mayor as that required for use of vacation days.

EXHIBIT A

Leave of Absence

Employees may request a leave of absence without pay and benefits for a period not to exceed thirty (30) days. The approval of such requests is at the sole discretion of the Mayor. The employee's supervisor will notify the employee of the approval or disapproval of the request.

Requests should be submitted in writing to the employee's supervisor and the Mayor as far in advance of the anticipated leave date as possible. Requests for a leave of absence must state the reasons and circumstances involved, the duration and dates of the absence period, the location of the employee during the absence period, and must be signed and dated by the employee.

Extensions of a leave of absence must also comply with the requirements stated above.