



CITY OF NEW BRAUNFELS POLICIES AND PROCEDURES

PROCEDURE(S): LEAVE AND HOUR ADMINISTRATION

EFFECTIVE DATE: January 1st, 2022

REVISION DATE(S): FEBRUARY 27, 2020, AUGUST 4, 2020, DECEMBER 15, 2020, DECEMBER 29, 2020, SEPTEMBER 1, 2021, OCTOBER 13, 2021, December 27, 2021

LEAVE AND HOUR ADMINISTRATION

A. Vacation Time

Vacation shall accrue from date of hire on a predetermined number of hours per pay period and an employee may take available vacation hours after the initial review period of employment (six months for non-Civil Service employees) has been completed. An employee who terminates his/her employment with the City within the initial review period of employment will not be entitled to vacation pay for any vacation accrued, to include initial review extension of employment. All full-time employees shall accrue vacation annually per the following schedule:

1. Vacation Accrual Schedule [Non-Civil Service Full-time Employees]

Years	Hours and Accrual
0 – 2	80 hours annually [3.076 hours/per pay period]
Start of Years 3 – 5	96 hours annually [3.692 hours/per pay period]
Start of Years 6 – 10	120 hours annually [4.615 hours/per pay period]
Start of Years 11 – 15	136 hours annually [5.230 hours/per pay period]
Start of Year 16 and Above	160 hours annually [6.153 hours/per pay period]

2. Vacation Accrual Schedule [Fire Operations/Shift Employees]

Years	Hours and Accrual
0 – 10	180 hours annually [6.923 hours/per pay period]
11 – 15	204 hours annually [7.846 hours/per pay period]
16 and Above	240 hours annually [9.230 hours/per pay period]

3. Vacation Accrual Schedule [Police Officers and Classified Fire Personnel in Administration]

Years	Hours and Accrual
0 – 10	120 hours annually [4.615 hours/per pay period]



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11 – 15	136 hours annually [5.230 hours/per pay period]
16 and Above	160 hours annually [6.153 hours/per pay period]

- a. With the exception of employees who are in an initial review period status and terminate their employment with the City during the initial review period (six months for non-Civil Service employees and one year for Civil Service employees), employees shall be paid at their present rate of pay for any vacation accrued at the time of their resignation, separation, termination or retirement. The employee's anniversary date, i.e., month and day of the first day of employment, shall be used for calculating the accrual of vacation time. Vacation leave will not accrue for a pay period when an employee works less than half the normal hours during a pay period and is not in a paid leave status.
- b. The City Manager may, for recruitment purposes, adjust the beginning rate for accruing vacation for any new employee.
- c. Vacation may only be requested or approved for day(s) and hours that the employee was already scheduled to work. Vacation hours cannot be used in place of scheduled workdays and/or hours off, except for *Police Department personnel participating in the "Step Grant" traffic enforcement program*.
- d. Employees may not use a combination of scheduled workdays and/or hours and vacation hours in the same day or within a pay period in an effort to increase productive time, except for *Police Department personnel participating in the "Step Grant" traffic enforcement program*.

4. Vacation for Part-Time/Temporary or Seasonal Employees

Part-time employees who are authorized to work more than 1,000 hours shall accrue vacation based upon the number of hours they worked calculated on a ratio of those worked hours to 2,080 hours for a full-time employee. For example, if a part-time employee who has worked less than five years works 520 hours in a year, he/she is authorized 60 hours of annual paid vacation [$1560/2080 = .75 \times 80 = 60$]. Part-time employees who are authorized to work 1,000 or less hours annually, temporary and seasonal employees are not entitled to earn vacation leave.



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5. Vacation Carry-Over

An individual may carry-over all vacation accrued from the previous year. He/she may not carry over or hold over more than the sum of his/her present year's vacation and his/her previous year's vacation unless approved by the City Manager.

B. Holidays

1. The City Council will approve and schedule all City holidays. A list of holidays and the schedule for the upcoming calendar year will be distributed to employees prior to the expiration of the current calendar year. If the holiday falls on a Saturday, the preceding Friday shall be observed, and if a holiday falls on a Sunday, the following Monday shall be observed as the holiday. If two consecutive holidays fall partially on a weekend, the City Manager shall designate the days to be observed as holidays.
2. An employee who is absent without prior authorized leave on the shift or workday immediately preceding or following a holiday will **not** be paid for the holiday. Employees on unpaid leave preceding or following a holiday will not be paid for the holiday.
3. As many employees as possible shall be given each holiday off consistent with appropriate staffing for essential City functions.
4. Full-time, non-exempt employees - Full-time employees shall be granted paid holidays at their current rate of pay for eight [8] hours of straight time.
 - a. Fire Department Operations personnel receive holiday leave hours as opposed to holiday pay.
5. Full time, non-exempt employees scheduled to work on holidays will be compensated at one and one-half times their regular pay up to eight [8] hours. Hours worked count as productive time and count towards the computation of overtime.
6. An exempt employee who is scheduled to work on an official holiday may take the holiday at a later date.
7. Temporary, seasonal, part time regular and part-time employees do not receive holiday pay benefits.
8. Fire Operations personnel receive holiday benefits in the form of additional leave hours to be utilized in accordance with Fire Department policies. Annually, each employee assigned to the



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Fire Operations division will receive 104 hours of holiday leave. The first operational shifts each year that an employee takes off will utilize these holiday hours. After the 104 holiday hours have been exhausted; the employee will begin utilizing available vacation hours for scheduled days off. Personnel action that occurs throughout the year could affect the implementation of this policy. The following guidelines address how such actions will be administered collaboratively by Finance and Human Resources:

- a. New Employees will be credited the appropriate number of holiday hours based on their hire date. For example, if an employee started after four holidays (32 hours) had been observed, they would receive 72 holiday hours to be utilized for the remainder of the year. Employees hired after October 1st will not be eligible to use their holiday hours until the following calendar year. The hours received will be rolled into the new calendar year, and will not expire until the end of the new calendar year.
- b. Terminations – upon separation, any holiday hours that had been utilized that had yet to be observed will be deducted from the number of vacation hours to be paid out to the employee. For example, if an employee resigned on a date in which four holidays (32 hours) had been observed but had already utilized all 104 hours of holiday leave, 72 hours would be deducted from the number of vacation hours that would have been paid out.
- c. Transfers – if an employee is transferred to a different division, the same reconciliation would occur that does with a termination. However, it would simply reduce the employees' vacation hours by the appropriate number of holiday hours utilized, but not observed at that point in the year.
- d. Modified Duty – during these temporary reassignments, employee will receive holiday benefits consistent with all other City employees. For light duty assignment exceeding 90 days, an adjustment will be made (if necessary) to their holiday leave hours for the holidays they observed while on light duty.

C. Paid Absences

1. Jury Duty

Full-time employees called for jury service shall be granted special absence with pay during such service and shall retain the fee paid by the courts. An employee excused or



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released from jury service during working hours shall report to his/her work. The employee shall submit a copy of his/her jury summons or statement of jury service to his/her Manager/Supervisor.

2. Witness

Full- or part-time employees will be excused with pay to testify in any criminal or civil proceedings related to the employee's employment with the City or his/her official duties, or to fulfill his/her civic duty to testify as a witness in a judicial proceeding where the employee has no personal benefit and when served with a subpoena. The employee shall submit a copy of his/her subpoena to his/her Manager/Supervisor.

3. Court Appearances

Employees' off-duty time will be compensated in accordance with state and federal statutes. If a full or part-time employee has a personal interest or benefit in the judicial proceedings, the employee may use vacation, compensatory time or leave without pay for the absence.

D. Leave

1. Sick Leave Usage

- a. Sick leave is defined as paid time away from work due to a bona fide illness or injury that prevents the employee from working, or visits to the doctor or dentist, or to care for family members (spouse, son, daughter or parent) who are ill or injured.
- b. Sick leave will accrue, and employees may use, sick leave from date of hire.

Employees who use three [3] or more continuous work days/shifts of sick leave at one time or, at the Department Director's request, will be required to provide medical proof of illness upon or prior to returning to work.

- In cases of extended illness/injury [i.e., more than three [3] work days or shifts] employees must call in and advise their department of their condition and progress a minimum of every three [3] work days or shifts and furnish the department with a doctor's report each time they visit the doctor.



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2. Full-Time Employees Accrual

- a. Full-time employees accrue sick leave at the rate of $3.6923 \times 26 = 95.999$ hours per pay period [96 hours/year].
- b. Police Officers and Classified Fire personnel in Administration accrue sick leave at the rate of $4.6 \times 26 = 119.60$ hours per pay period [120 hours/year].
- c. Fire Operations/shift employees accrue sick leave at the rate of $6.9 \times 26 = 179.40$ hours per pay period [180 hours/year].

3. Part-Time Employees Accrual

- a. Part-time employees who are authorized to work more than 1,000 hours shall accrue sick leave based upon the approximate average part-time hours worked. Part time employees who are authorized to work 1,000 or less hours annually, temporary and seasonal employees are not entitled to earn sick leave.

4. Maximum Accrual and Buy Back - Regular Non-Civil Service Employees

- a. Any regular non-civil service full-time employee will not accrue more than 960 hours of sick leave and will be eligible to be compensated for the sick leave hours up to 480 hours at a rate of one hour of pay per hour of sick leave. These full-time employee eligibility requirements for buy back of sick leave hours are as follows:
 1. Retirement - An employee must have ten [10] years of continuous service with the City of New Braunfels and retire with TMRS.
 2. Resignation/Termination - An employee must have fifteen [15] years of continuous service with the City of New Braunfels.

5. Maximum Accrual and Buy Back - Police and Fire Personnel

- a. Police Officer, sworn Fire personnel in Administration, and Fire Operations/shift will not have a maximum accrual, and will be compensated for sick leave hours up to the below designated maximum at a rate of one hour of pay per hour of sick leave accrued upon leaving employment, assuming the employee has successfully completed their one-year probationary period as defined by Civil Service Rules and Regulation. Said sick leave purchased by the City shall be deleted from the employee record.



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1. All Police Officers and sworn Fire personnel in Administration shall be compensated for sick leave hours up to 720 hours.
2. Fire shift employees shall be compensated for sick leave hours up to 1,080 hours.

E. Bereavement Leave

- a. Available on first day of employment, full time employees are allowed up to twenty-four [24] hours annually of bereavement leave for a death, or hospitalization for serious illness or injury when death is imminent of an immediate family member. This includes spouse, parents, parents of spouse, stepparents, children to include adopted and stepchildren, grandchildren, brothers, sisters, nephews, nieces, uncles, aunts, cousins, grandmothers, grandfathers, including grandparents of spouse, and legal guardians.
- b. Employees may be paid for absences exceeding three [3] working days in the calendar year if they utilize accrued vacation, sick leave or compensatory time and have the prior approval of his/her Manager/Supervisor.
- c. Employees who have exhausted their annual Bereavement Leave and have also exhausted their vacation, sick, and compensatory accruals may submit a request through their supervisor to the Human Resources Director for consideration of additional paid bereavement time.

F. Military Leave

1. Employees who are members of the Active Reserve, National Guard or State Guard will receive Military Leave with pay annually upon presentation of proper military orders.
2. Military Leave hours are renewed on an annual basis on October 1.
3. Full-time employees who are members of the Active Reserve, National Guard or State Guard will be allowed one hundred- twenty [120] hours of military leave with pay annually upon presentation of proper military orders.
4. Civil Service classified Police Department employees who are members of the Active Reserve, National Guard or State Guard will be allowed one hundred-fifty [150] hours of military leave with pay annually upon presentation of proper military orders.
5. Civil Service classified Fire operations/shift employees who are members of the Active Reserve, National Guard or State Guard will be allowed one hundred-eighty [180] hours of



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military leave with pay annually upon presentation of proper military orders.

6. Military Leave is not counted toward the computation of overtime.
7. After Military Leave is exhausted, employees can use vacation or comp accruals.
8. Employees on Military Leave will continue to earn vacation and sick time accruals, this includes when an employee goes on unpaid leave, if applicable. Any sick or vacation accruals gained during unpaid leave will be awarded in a lump sum when the employee returns from active duty and will be available for use at that time.
9. Employees returning from military leave shall be entitled to re-employment rights in accordance with state and federal laws.
10. Eligible Civil Service employees may request hours from their department's Military Leave Time Account pursuant to Section 143.075, Chapter 143 of the Local Government Code. The City shall maintain separate Military Leave Time Accounts for the Fire and Police Departments.

1. Maintenance of Military Leave Time Accounts

- a. Firefighters or Police Officers may donate to or deduct from their respective department's Military Leave Time Account by completing and submitting a [request form](#) to the Human Resources Department/Civil Service Office.
- b. The City will track contributions to and deductions from the Military Leave Time Accounts for each department.
- c. Once a contribution has been made to a department's Military Leave Time Account, there shall be no transfer of the time back into any individual Firefighter's or Police Officer's leave accruals, and there will be no cash payout for any remaining time in the Military Leave Time Account.
- d. Any hours not used in one (1) year will remain in the Military Leave Time Account to be utilized the following year.
- e. Donations to the Military Leave Time Accounts can be made at any time. Hours donated cannot be designated to an individual Firefighter or Police Officer and must be put into the Military Leave Time Account for use by any eligible Firefighter or Police Officer requesting time. Hours donated will be paid at the recipient's current rate of pay at the time used, and not the donor's current rate of pay.
- f. If the Military Leave Time Account hours are depleted, no leave will be available until the next contributions are credited to the respective department's Military Leave Time Account.



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2. Use of Military Leave Time Accounts

- a. Firefighters and Police Officers who meet the criteria in Section 143.075, Chapter 143 are eligible to request hours from their own department's Military Leave Time Account. The City's Military Leave (15 days) must be exhausted before hours from the Military Leave Time Accounts will be applied.
- b. Depending on availability, Firefighters and Police Officers are eligible to receive up to two weeks of donated leave (based on regular hours worked over a two-week period) per fiscal year.
- c. When requesting hours from Military Leave Time Accounts, Firefighters and Police Officers must complete a [request form](#) and submit to the Human Resources Department. Completed forms, along with official Military Orders, shall be submitted to the Human Resources Department/Civil Service Office before leaving on assignment.
- d. Hours will be applied based on what is available (up to two weeks) in the pay period of deployment.
- e. No advances of hours that are not already in the Military Leave Time Account at the time of the request will be approved.
- f. There will be no retroactive pay for periods when the respective Military Leave Time Account has no available hours.
- g. The City shall distribute the available leave hours equally among eligible Firefighters and Police Officers who have requested it but only from the employee's respective department's account.
- h. Any disagreement over the donation or use of the Military Leave Time Accounts shall be determined by the Civil Service Director with no right to appeal.

G. Discretionary Leave

1. Exempt employees are paid a salary for all services rendered as opposed to payment of wages for actual hours worked. Accordingly, exempt employees are not entitled to overtime pay or compensatory time off. The City recognizes that, from time to time, exempt employees must work excessive hours to meet customer and City needs. Department Directors may grant exempt employees discretionary leave when excessive hours are worked by exempt employees. Directors should require discretionary hours earned to be used in a reasonable amount of time, ideally within the same pay period in



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which they are earned.

2. Approval of discretionary leave requests by Department Directors will be based on management's judgment regarding the availability of appropriate staff to meet City requirements and needs as well as the appropriateness of the request.
3. Emergency Management - During emergencies, the City Manager may grant discretionary leave with pay to all or certain employees when, for safety reasons, they should not be required to report to work. Those employees who are still required to work during a period of emergency discretionary leave will not receive overtime or compensatory time for hours worked during the normal workday or shift [if non-exempt].

H. Administrative Leave

1. An employee may be placed on administrative leave for assessment or evaluation of their ability to perform the duties of their current position. Administrative leave may also be used in a disciplinary action with the concurrence of the City Manager and the Human Resources Department. Use of administrative leave to complete an assessment/evaluation of an employee's ability to perform their job duties will provide the employee and/or the City the time to allow a professional to complete the fitness evaluation/assessment. Administrative leave with pay shall be granted for assessment and evaluation purposes.
2. Administrative leave without pay in connection with an investigation may be implemented by the Department Director or City Manager. The Department Director and Human Resources Director, with City Manager's approval, will determine the appropriate length of time for the employee to be placed on administrative leave.

I. Catastrophic Leave

The purpose of the Catastrophic Leave Donation Policy is to aid employees, their spouse, or child who are experiencing a serious medical hardship, catastrophic illness, or catastrophic life event and have exhausted all paid leave by giving them a temporary salary and benefit continuation. This policy allows employees to donate sick leave to a "bank" to be utilized by employees who meet the eligibility requirements. Eligibility is only awarded to those employees who have exhausted all



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forms of paid leave and meet the definition of having a “serious medical hardship, catastrophic illness or injury, or catastrophic life event.” Employees on catastrophic leave will continue to accrue vacation and sick leave.

1. Serious Medical Hardship/Catastrophic Illness

Serious medical hardship or catastrophic illness or injury includes conditions which severely impact the health of the employee, unusually prolonged or complex illness, often life threatening, and requires absence from work. Typically, these conditions must also meet the eligibility for the Family Medical Leave Act [FMLA], but it not a requirement for use of catastrophic leave

2. FMLA Requirement

Typically, the employee with the serious medical hardship or catastrophic illness or injury must also meet all of the eligibility definitions of the Family Medical Leave Act [FMLA]. Any donated time the recipient uses from the Catastrophic Leave Bank will count as FMLA time unless the FMLA time has expired and the employee has previously met all of the eligibility requirements [i.e., having worked at least 1,250 hours during the last twelve months]. Requests will be evaluated on a case-by-case basis and approved by the City Manager or designee.

3. Catastrophic Life Event

Catastrophic life events will also be considered as requests for use of the City’s catastrophic leave to support employees who have to be out of work due to serious, non-medical life circumstances out of their control, including, but not limited to, house fires or any type of natural disasters that affects the living arrangement of an employee. Requests will be evaluated on a case-by-case basis and approved by the City Manager or designee.

4. Non-Qualifying Conditions

Medical conditions including normal pregnancy, common surgeries, illnesses or injuries.

5. Recipient

The recipient must be a full or part-time employee who is eligible to accrue and use sick/vacation, has exhausted all paid leave, and has met the definition of a “serious medical



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hardship, catastrophic illness or injury, or catastrophic life event” The donated leave must be utilized for the serious illness or injury of the employee, or catastrophic life event of the employee, and may be utilized for the care of an employee’s legal spouse, child and/or other family member as defined by this policy and under FMLA.

6. Additional Guidelines

- a. Must have completed one [1] year of continuous service.
- b. The requesting employee must complete a written request form and submit to the Human Resources Department.
- c. The maximum number of hours that an employee may receive in a lifetime from the bank is 480 hours or 672 hours if a Fire Department Operations employee. The City Manager, or designee, shall authorize the number of hours received at one time, and if additional hours shall be granted, and approve these requests. The amount of pay received will be based on the recipient’s current salary. These hours are based on FMLA calculations. Part-time employees will receive a pro-rated amount based on their work schedule.
- d. Employees are ineligible to use this Policy if they are receiving or have applied for Workers’ Compensation Benefits.
- e. Unused Leave will be returned to the Catastrophic Leave Bank.
- f. Finance/Payroll will administer the donated time and pay the recipient based on the current payroll schedule and deadlines for form submission. Time will be deducted from the donor’s sick leave account into the catastrophic bank, and then paid to the recipient from the catastrophic bank.
- g. The City can amend or stop the program at any time.
- h. The City will comply with all HIPAA laws and regulations at all times. The identity of the donors and recipients will be kept confidential except as required to administer this policy.
- i. In the event approved multiple requests are received to participate in the Catastrophic Leave Program, the hours may be divided equally between the recipients based on the balance in the Catastrophic Leave Bank.
- j. There is no appeal process if a request is denied.

7. Donating Eligibility



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- a. The leave donor may not revoke the leave donation once the donation is made in writing. The leave donor fills out and submits a leave donation form to the Human Resources Department. Leave donation is anonymous and cannot be designated to a specific employee.
- b. The donor may only donate actual sick time already accrued and not prior to accrual.
- c. The donor may not drop below a minimum of one [1] year of accrual (96 hours).
- d. The donor may not donate more than 96 hours in a fiscal year.
- e. If an employee is retiring, they may donate unlimited sick hours.
- f. Donations can only be used for current or future catastrophic needs and not to pay someone retroactively.
- g. Donations must be made in 8-hour increments.

J. Leave of Absence (Unpaid)

1. An unpaid leave of absence may be granted to an employee by the employee's Department Director and the Human Resources Department for a period of up to thirty [30] calendar days.
2. Any unpaid leave in excess of 30 calendar days must be granted by the City Manager, or designee, after receiving a recommendation from the Department Director.
3. Unpaid leave of absences should be job-related and not funded by the City.
4. The Department Director, the Human Resources Department and City Manager's authority under this section is completely discretionary.

K. Compensatory Time

Compensatory leave is time off earned by a non-exempt employee in lieu of overtime pay. Employees are encouraged to take compensatory time off to compensate for overtime hours worked.

1. Non-exempt employees compensatory time is earned at the rate of one and one-half [1½] hours for each hour of overtime worked. An employee entitled to receive overtime pay may, with the approval of the Manager/Supervisor, elect to receive compensatory time off instead of overtime pay. An employee may not accrue compensatory time unless the employee actually works more than forty [40] hours in one [1] week] or works more than their



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- established work period for overtime purposes [police and fire employees].
2. The Fire and Police Departments may require employees to accrue compensatory time to attend training classes.
 3. Overtime paid through the River Activities Fund is not eligible to accrue as compensatory time and will be required to be paid as overtime in the pay period it is earned.
 4. The maximum amount of compensatory time that an employee may accrue and accumulate is 80 hours. When an employee accrues a balance of 80 hours of compensatory leave time, the City will pay overtime.
 5. The employee's Manager/Supervisor must approve the use of compensatory leave time and the employee will be allowed to use it within a reasonable time.
 6. If an employee terminates his/her employment with the City, the City will pay the employee their accrued balance of compensatory time at the employee's current rate of pay.
 7. If an employee is promoted or transfers from a non-exempt position to an exempt position, the employee shall be paid his/her accrued compensatory time at the time of the promotion at their non-exempt position current rate of pay.
 8. An employee may provide a written request, to receive pay for accrued compensatory time. The City reserves the right to pay employees for their accrued compensatory time at any time.
 9. Compensatory time may be taken in increments of not less than one [1] hour.
 10. Exempt employees are not entitled to accrue compensatory time. Please reference *Discretionary Leave*.

L. Mental Health Leave Expansion

Mental Health Leave Expansion is put in place as an extension of the Peace Officer Mental Health Leave (following Chapter 614.015 of the Government Code) regarding the use of mental health leave for authorized peace officers by law enforcement agencies.

The purpose of this expansion is to provide the same parameters for approved employees (Emergency Dispatchers, Crime Scene Technicians, Crime Victim Liaisons, and all uniformed Fire Department personnel) for the City of New Braunfels, as the City recognizes that mental health leave will support staff in maintaining a healthy state of mind while at work and at home, as these positions are required to respond to traumatic



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events. The City of New Braunfels recognizes that mental health is just as important as maintaining physical health, and supports establishing a workplace that is comfortable, healthy, safe, and supportive.

1. Definitions

a. Mental Health Leave

Administrative leave with pay granted in response to a traumatic event that occurred in the scope of the applicable employee's job.

b. Mental Health Professional

A licensed social or mental health worker, counselor, psychotherapist, psychologist, or psychiatrist.

c. Traumatic Event

An event which occurs in the applicable employee's scope of employment when the employee is involved in the response to an event that causes the employee to experience unusually strong emotional reactions or feelings which results in an adverse effect on the mental health of the employee, resulting in the documented need for mental health leave.

d. Applicable Employee/Employee as Applied to Section L. Mental Health Leave Expansion

This policy expansion applies to Emergency Dispatchers, Crime Scene Technicians, Crime Victim Liaisons, and all uniformed Fire personnel.

1. Conditions

The use of mental health leave may be granted after an applicable employee experiences a traumatic event in the course and scope of employment. Traumatic events that may occur within an employee's career can have varying degrees of severity and effect on any one individual. Each employee may experience the same type of traumatic event differently. Below is a non-exhaustive list of possible examples of traumatic events in the course and scope of employment that can have an effect on an employee's mental health.



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- Major disasters which may include response to weather related events involving multiple casualties; or explosions with multiple casualties; or search and recovery missions involving multiple casualties
- Incidents involving multiple casualties which may include shootings or traffic accidents
- Line of duty death or suicide of a department member
- Death of a child resulting from violence or neglect

When such a traumatic event does occur while in the course and scope of employment, it is important for management staff to recognize the fact that some employees may be negatively affected and need to be away from work to appropriately process the traumatic incident and perhaps seek mental health assistance from a professional. In addition, it is important to provide support for employees.

2. Requesting Mental Health Leave

An employee directly involved in a traumatic event may request the use of mental health leave. The request shall be made in writing through the appropriate chain of command. The request shall be treated as a priority matter and a decision on the granting of the leave shall be made as soon as possible. The request shall be granted unless the chain of command can articulate specific compelling reasons to deny granting the leave.

3. Effect on Paid Leave Balances

The City will not reduce an eligible employee's vacation or sick accruals, compensatory time earned, or other paid leave balance for mental health leave taken in accordance with this policy.

4. Confidentiality of Request

Any request for mental health leave shall be treated as strictly confidential by all parties involved and



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shall not be discussed or disclosed outside the employee's immediate chain of command, and only as necessary to facilitate the use of the leave. Any employee or supervisor who becomes aware of behavioral changes and suggests the employee seek mental health leave shall not discuss that matter with any third party. Any breach of this confidentiality shall be grounds for discipline. Confidentiality may be waived by the employee seeking mental health leave. Confidentiality may be waived under circumstances which indicate the employee is a danger to himself or herself or others and department personnel must confer with mental health professionals.

5. Employee Responsibilities

After experiencing an identified traumatic event while in the course and scope of employment, it is prudent for the affected employee to openly communicate his/her current mental/physical status to their supervisor. Employees should be open to suggestions by their supervisor in using mental health leave and/or seeking assistance from a crisis intervention professional. Communications/conversations regarding the affected employee's health status will be kept confidential by the supervisor and any other need-to-know management staff as required by state and federal law. Employees or Supervisors who become aware of a behavioral change in an employee should report the behavioral change through their chain of command so professional assistance and/or leave may be offered.

6. Police Chief, Fire Chief, or Human Resources Director Responsibilities

Management/supervisors should privately meet with any individual who has experienced a traumatic event while in the course and scope of employment. Supervisors should ensure the employee will be supported as much as possible after experiencing the event. In addition, it is important for supervisors to determine if there is a need for the employee to use mental health leave. If a supervisor determines the employee may need advice and help from a crisis intervention professional, this should occur as quickly as possible. Any employee who requests mental health leave and/or the assistance of a crisis intervention professional after experiencing a traumatic event should be granted the request.



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Regarding the mental health leave, it is at the discretion of command staff in determining if the full leave allowance of (3) three working days should be provided if medical documentation is unavailable. If additional mental health leave beyond that initially granted by command staff is needed, the supervisor will require medical documentation from the individual's treating medical provider to substantiate the need for such additional leave.

7. Documenting Mental Health Leave

Once an employee has been granted use of mental health leave, the supervisor will notify Human Resources in writing to make the time adjustment. If a request is denied, it must be provided in writing to the requesting employee by a designated member of the employee's chain of command.

Mental health leave will run concurrently with FMLA where FMLA is available.

While utilizing mental health leave, employees will continue to earn all benefits, seniority, and applicable special pays. Unused mental health leave will not roll over or accrue on a continual basis.

8. Duration of Mental Health Leave and Extension Requests

An employee directly involved in a traumatic event may request up to three (3) working days of mental health leave per traumatic event. Any mental health leave hours granted are not required to be used consecutively. If additional days beyond 3 are necessary, the employee must use accrued leave unless the leave is determined to be covered under workers' compensation or request an extension of leave.

Extensions of mental health leave may be available under certain circumstances. Any request for an extension shall be accompanied by documentation from a mental health professional who is counseling the applicable employee. The request may extend the leave by three (3) working days. Each employee may request no more than two (2) extensions per traumatic event, each supported by sufficient documentation by the mental health professional. The Police or Fire Chief (as applicable) shall grant the extension(s) upon the receipt of sufficient documentation explaining the need for the extension and will



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inform Human Resources in writing of any necessary time adjustments. In addition, the employee may be required to submit to a fitness for duty examination before being allowed to return to work.

If the extension is denied, it must be provided in writing to the requesting employee by a designated member of the employee's chain of command.