

CITY OF MONROE
RESOLUTION NO. 2025-019

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONROE,
WASHINGTON, ADOPTING THE UPDATED LEAVE OF ABSENCE AND
HOURS OF WORK POLICY

WHEREAS, the City of Monroe recognizes the importance of clear and consistent policies regarding employee attendance, work hours, and leave; and

WHEREAS, the City previously maintained separate Leave of Absence and Hours of Work policies, which have been reviewed and updated to reflect current legal requirements, operational needs, and best practices; and

WHEREAS, the new combined policy provides clarity regarding employee attendance, scheduling, short- and long-term leave options, compensatory time, and overtime, while ensuring compliance with applicable laws, regulations, and collective bargaining agreements; and

WHEREAS, the policy promotes consistent application of leave and work-hour practices, supports employee well-being, and strengthens the City's operational effectiveness;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONROE, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Adoption of the updated Leave of Absence and Hour of Work Policy. The Leave of Absence and Hours of Work Policy sets forth rules and procedures regarding employee attendance, scheduling, leave options (both paid and unpaid), compensatory time, and overtime, is hereby adopted in the form and content provided in **Exhibit A**, attached hereto and incorporated herein by this reference as if set forth in full. It supersedes and replaces the City's previously adopted Leave of Absence and Hours of Work policies.

Section 2. Effective Date. This resolution shall take effect immediately upon passage.

ADOPTED by the City Council of the City of Monroe, at its regular meeting thereof, and APPROVED by the Mayor this 14th day of October, 2025.

Resolution No. 2025-019
Approved: 10/14/2025
Effective: 10/14/2025

CITY OF MONROE, WASHINGTON:


Geoffrey Thomas (Oct 15, 2025 12:25:44 PDT)

Geoffrey Thomas, Mayor

ATTEST:

APPROVED AS TO FORM:


Jodi Wycoff (Oct 15, 2025 13:21:24 PDT)

Jodi Wycoff, City Clerk


Zach Lell (Oct 14, 2025 20:52:21 PDT)

J. Zachary Lell, City Attorney



EXHIBIT A

**Administrative Policy
Leave of Absence and Hours of Work
Human Resources**

Policy Record

| Approval Date | Effective Date | Approved By |
|------------------|------------------|--------------------------------------|
| October 14, 2025 | October 14, 2025 | City Council via Resolution 2025-019 |

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| Last Review: 2018 | Policy Number: 2025-019 |
| Next review: | Replaces: HR2015-002 and 2018-010 |
| | Superseded By: |
| Policy Administrator: Human Resources | |

Purpose

The Leave of Absence and Hours of Work Policy establishes the City of Monroe’s standards for employee attendance, work schedules, and the administration of paid and unpaid leave, beyond vacation, sick, or City-designated holidays.

This policy defines and outlines the rules, laws, and collective bargaining agreements governing working hours, attendance expectations, and short- and long-term leaves, both paid and unpaid, for employees of the City of Monroe. It applies to all full-time and part-time employees scheduled to work 20 or more hours per week, and may apply to temporary or seasonal employees if they work over 1,250 hours prior to requesting FMLA or as otherwise required by law. Contractors and consultants are not covered by this policy.

All leaves are subject to approval by the Department Director, City Administrator and the Human Resources Department.

Definitions

A. Absence: An absence occurs when an employee does not report for work at all, reports later than thirty (30) minutes after the scheduled start time, or leaves work for more than thirty (30) minutes during a scheduled workday.

B. Alternative Work Schedule: Includes flexible work schedules (variable start and end times) and compressed work schedules (e.g., 4/10, 9/80, or other approved schedules).

C. Child: A child includes a biological, adopted, foster, or stepchild; a legal ward; a child to whom the employee stands *in loco parentis*; or a de facto child. This definition applies regardless of the child’s age or dependency status, consistent with Washington Paid Family and Medical Leave (RCW 50A.05) and Paid Sick Leave (RCW 49.46.210).

D. Compensation: Direct monetary payments made to an employee for services rendered, including base wages or salary. Compensation does not include overtime, bonuses, or other non-regular pay unless otherwise specified by policy or law.

E. Continuing Treatment: Care involving (1) two or more visits to a health care provider, (2) two or more treatments by a health care practitioner under the referral of a health care provider, or (3) one visit to a health care provider resulting in continuing treatment or supervision for a chronic or long-term condition or disability that cannot be cured.

F. Domestic Partner: An individual registered as a domestic partner under Washington's domestic partnership law (RCW 26.60) or recognized under state law as having equivalent rights to a spouse for purposes of leave eligibility.

G. Exempt Employee: An employee in an administrative, professional, or executive position exempt from overtime under the Fair Labor Standards Act (FLSA) and Washington Minimum Wage Act.

H. Fair Labor Standards Act (FLSA): Federal law governing minimum wage, equal pay, overtime, exemptions, recordkeeping, and child labor, administered by the U.S. Department of Labor.

I. Family and Medical Leave (FMLA): Unpaid leave under the federal Family and Medical Leave Act (29 U.S.C. § 2601 et seq.) for eligible employees, including:

1. Care of the employee's own serious health condition;
2. Care for a qualifying family member with a serious health condition;
3. Birth, adoption, or foster placement of a child;
4. Certain military family needs.

Employees may substitute paid leave, but total FMLA entitlement is unpaid.

J. Family and Medical Leave Certification Form: A certification form requiring a licensed health care provider to document or explain an employee's request for family and/or medical leave.

K. Full-Time Employee: An employee regularly scheduled to work at least forty (40) hours per week on an ongoing basis.

L. Health Care Provider: Includes doctors of medicine or osteopathy, podiatrists, dentists, clinical psychologists, optometrists, nurse practitioners, nurse midwives, licensed social workers, chiropractors (within legal limits), Christian Science practitioners, and other licensed providers recognized under Washington law, as well as equivalent foreign practitioners.

M. Holiday Pay: Compensation for up to eight (8) hours at the employee's regular rate for a City-observed or designated holiday, unless otherwise covered by contract or policy.

N. Key Employee: An exempt employee eligible for FMLA leave who is among the highest-paid ten percent (10%) of all City employees employed within 75 miles of the employee's worksite.

O. Leave Request/Payroll Adjustment Form: A City form completed by the employee requesting leave (e.g., FMLA, PFML coordination, jury, bereavement, L&I, military, or personal leave).

P. Non-Exempt Employee: An employee who does not meet the FLSA or Washington State exemptions for administrative, professional, or executive work, and is therefore eligible for overtime pay.

Q. Occurrence: Any instance of absence from work, including consecutive days, that counts as one occurrence if the absence is continuous. Multiple non-consecutive absences are recorded as separate occurrences.

R. On-Call: Time outside the employee's regular schedule during which the employee must remain available to respond to City service needs.

S. Overtime: Hours worked that exceed the employee's standard work schedule or forty (40) hours in a workweek, computed to the nearest fifteen (15) minutes, in accordance with FLSA and Washington law.

T. Paid Leave: Leave provided under federal, state, or City policy, including:

- Washington Paid Sick Leave (RCW 49.46.210);
- Bereavement leave;
- Military service leave;
- Jury duty;
- Witness service;
- Industrial injury/illness waiting period;
- Community service or disaster relief.

U. Parents: Includes biological, adoptive, foster, or stepparents; parents-in-law; and individuals who stood *in loco parentis* to the employee when the employee was a child.

V. Part-Time Employee: An employee regularly scheduled to work fewer than forty (40) hours per week on an ongoing basis.

W. Pay: An employee's regular base pay, including incentives (e.g., education, longevity, or specialty pay) if applicable. Pay does not include overtime or one-time bonuses unless otherwise specified.

X. Personal Leave: Unpaid leave not otherwise covered by FMLA, PFML, or other statutory protections.

Y. Scheduled Work Days: The days an employee is assigned to report to work, as set by the City or department.

Z. Serious Health Condition: An illness, injury, impairment, or physical or mental condition involving inpatient care or incapacity of more than three days, requiring continuing treatment or supervision by a health care provider. Examples include: diabetes, epilepsy, heart attacks, cancer, pregnancy and recovery from childbirth, severe arthritis, strokes, asthma, pneumonia, chemotherapy, dialysis, or substance abuse treatment in an inpatient facility. Cosmetic or voluntary treatments are excluded unless inpatient hospital care is required.

AA. Spouse: A husband, wife, or state-registered domestic partner as defined under Washington law, including common law marriages recognized by other states.

BB. Supervisor: The City Administrator, Department Director, Manager, or Supervisor responsible for overseeing the employee's work.

CC. Tardy: Reporting to work, breaks, or lunch more than one (1) but less than thirty (30) minutes late without prior approval.

DD. Unscheduled Absence: An unapproved absence from a scheduled workday of more than thirty (30) minutes, not requested or approved in advance.

Policy

RESPONSIBILITY

Employee

Provide adequate notice for absences or leave requests and complete required forms. Submit timesheets accurately and on time, reflecting hours worked and leave used. Stay in contact with supervisor/manager during extended leave and confirm return-to-work date.

Supervisor/Manager

Review and approve or deny requests for leave or alternative work schedules in line with policy and law. Ensure employees understand attendance and leave expectations. Maintain communication with employees on extended leave regarding status and return dates.

Department Director

Oversee implementation of this policy within the department. Approve leave requests as needed and ensure Human Resources is notified via a Change of Status (COS) form.

Human Resources

Interpret and administer this policy in compliance with federal and state law. Provide guidance and support to supervisors, managers, and employees.

Payroll

Process and maintain records related to leave usage, hours of work, and pay adjustments.

ATTENDANCE, TARDINESS, AND ABSENCE

It is the responsibility of employees to attend and perform work as scheduled or required. Attendance-related terms (e.g., *absence*, *tardiness*, *unscheduled absence*) are defined in Section 2.0 of this policy.

Employees must obtain prior approval from their Supervisor for any deviation from scheduled work hours. Failure to comply with attendance expectations may result in corrective or disciplinary action, up to and including termination.

A. Attendance

- Non-exempt employees are expected to be present for work during their established work hours unless their absence or an alternative work schedule has been authorized by their Supervisor.
- Employees must personally contact their Supervisor prior to the start of their shift if they will be absent or tardy. If the employee is unable to do so because of an uncontrollable event, they may designate a responsible party to notify the City on their behalf.
- Failure to contact the Supervisor prior to the start of the shift may result in disciplinary action, up to and including termination.

B. Meal and Break Periods

Employees are entitled to meal and rest periods in accordance with Washington State law (WAC 296-126-092) and applicable collective bargaining agreements.

Meal Periods

- Employees working more than five (5) consecutive hours are entitled to a meal period of at least thirty (30) minutes.
- The meal period should begin between the second and fifth working hour.
- Meal periods are unpaid if the employee is completely relieved of duties. If an employee is required to remain on duty or at their workstation during the meal period, it will be treated as paid time.

Rest Periods

- Employees are entitled to a paid rest period of at least ten (10) minutes for each four (4) hours worked, scheduled as near as possible to the midpoint of the work period.
- Rest periods should not be scheduled at the beginning or end of a shift to shorten the workday, unless specifically authorized by the City.

Missed Breaks

- If workload or other circumstances prevent an employee from taking a required meal or rest period, the employee must promptly notify their supervisor so the City can

make arrangements to provide the missed break or otherwise ensure compliance with Washington law.

- Supervisors are responsible for monitoring compliance with meal and rest break requirements and for ensuring employees are provided the opportunity to take their breaks.

Collective Bargaining Agreements

Where a collective bargaining agreement provides for meal or rest periods, those provisions will apply. If the agreement is silent, the minimum standards set by Washington law will govern.

C. Tardiness

Employees are expected to be at their assigned workstations at the beginning of their shift and at the end of any breaks or meal periods. Tardiness, as defined above, may result in corrective or disciplinary action, up to and including termination.

Supervisors may authorize pay deductions for tardiness in increments of fifteen (15) minutes, with the major portion of each increment being deducted as fifteen (15) minutes.

D. Unscheduled Absence

Regular attendance is expected of all employees. Unscheduled absences, as defined above, that are not otherwise protected under law may result in corrective or disciplinary action, up to and including termination.

Unscheduled absences may not be subject to discipline if they qualify for protected leave, including but not limited to:

- Family and Medical Leave Act (FMLA)
- Washington Paid Family and Medical Leave (PFML)
- Washington Paid Sick Leave (RCW 49.46.210)
- Domestic Violence Leave (RCW 49.76)
- Short- or long-term disability
- Absence due to an accepted industrial injury or illness
- City-declared business interruption or emergency closure

E. Abandonment of Employment

Employees who do not contact the City and miss scheduled shifts for three (3) consecutive scheduled workdays will be considered to have abandoned their employment, unless notification was impossible due to uncontrollable events (e.g., hospitalization, natural disaster).

OVERTIME, COMPENSATORY TIME, STANDBY, AND HOLIDAYS

A. Overtime

The City specifically reserves the right to require any employee to work overtime when required by business necessity. The City will make every effort to provide employees with a reasonable amount of notice. Employees who fail or refuse to comply with such requests may be subject to disciplinary action.

B. Compensatory Time

Exempt Employees

It is recognized as inherent in any exempt position in city government for an employee to spend more than forty hours per week due to evening meetings, presentations and related activities as necessary to fulfill their primary job responsibilities. However, it is further recognized that it may be necessary for exempt employees to expend an excessive number of hours during certain periods as necessary to meet project deadlines, complete special assignments and other time intensive endeavors.

The following guidelines apply to compensatory time for exempt employees:

- Supervisors are authorized to grant compensating time off to their assigned exempt employees for excessive hours worked. This provision shall neither be interpreted nor applied as requiring one hour of compensating time off for each hour of time worked beyond the normal expectation of the employee.
- Compensating time-off granted under this procedure shall be scheduled with the Supervisor and may be taken within a reasonable period after the request for compensating time off has been made, providing that there is not an undue disruption of the City's business needs.
- The benefits provided by this policy are not an entitlement and shall not be payable upon retirement or termination of employment.

Non-Represented Non-Exempt Employees

Employees may accrue compensatory time-off instead of receiving overtime pay, at the employee's request. Supervisory approval is required for scheduling compensatory time. Compensatory time is earned at 1.5 hours for each hour of overtime worked. The maximum accrual is 180 hours (equivalent to 120 hours of actual overtime).

Unused compensatory time will carry over, except that in June and November the City will reduce accruals to 80 hours and 40 hours, respectively, through a cash buyout. Employees may also request cash reimbursement for accrued compensatory time on regular payroll dates (7th and 22nd of each month), with requests submitted by the last day of the prior month for the 7th, and by the 15th for the 22nd.

Overtime must be approved in writing by the department supervisor, except in emergency situations.

Represented Employees

See applicable collective bargaining agreement

C. Standby

Non-Represented Non-Exempt Employee Standby Duty

Non-represented non-exempt employees in designated positions, as determined by the City, may be required to perform standby for duty. Employees placed on standby status will be provided with a City issued communication device as may be necessary to perform standby duties.

Standby Duty Response Time

While on standby status, employees must be able to respond to a need for service within 15 minutes, and be at the worksite within 30 minutes, unless prior approval is obtained from the employee's Supervisor. Standby duty may include weeknights, weekends, and any other non-regular work hours. Standby hours will begin when an employee leaves work, and end when the employee returns to work.

Standby Duty Call Back

Employees called back to work outside their regular working hours will be paid for actual time worked or the equivalent of two hours worked, whichever is greater. The pay rate will be at overtime rate, subject to the definition of overtime.

Represented Employee Standby Duty

See applicable collective bargaining agreement.

D. Holidays

Exempt, Non-Represented Non-Exempt Employee Holiday Compensation

No premium is paid to exempt or non-represented non-exempt employees who perform work during a holiday

Represented Employee Holiday Compensation

See applicable collective bargaining agreement.

ALTERNATIVE WORK CYCLES AND WORK SCHEDULES

Services within each department of the City vary widely, and not all employees in each department will be able to work similar work cycles or participate in an alternative work schedule. If an alternate work cycle is desired, the process by which a request, assessment, and determination is completed is as follows:

Employee:

- Provide a written request via an *alternative work schedule application form* to the Supervisor to request an alternative work cycle, or work schedule.

Supervisor:

- Review the work cycles and work schedules within their department.
- Review the needs of the department in relation to the proposed alternative work schedule or cycle request and consider:
 - Ensure employee coverage of City business needs during business hours
 - Review potential cost or benefit to the City
 - Ensure compliance with collective bargaining agreement(s) if applicable
 - Consider other relevant aspects warranting consideration
- Grant or deny the request after completion of the assessment

Varying a work cycle or work schedule is a privilege, not a right, and it can be taken away at the discretion of the Supervisor.

PAID LEAVE

An employee is eligible for **paid** leave during particular circumstances as outlined on the next page.

SICK LEAVE

A. Approved Uses

Employees may use accrued sick leave for the following purposes, consistent with RCW 49.46.210 and City policy:

1. An employee's own mental or physical illness, injury, or health condition;
2. An employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition;
3. An employee's need for preventive medical care;
4. To provide care for a family member with a mental or physical illness, injury, or health condition, including medical diagnosis, treatment, or preventive care;
5. When the employee's place of business has been closed by order of a public official for a health-related reason;
6. When the employee's child's school or place of care has been closed by order of a public official for a health-related reason;
7. For absences related to domestic violence, sexual assault, or stalking, as provided under RCW 49.76 (including seeking law enforcement or legal assistance, medical care, counseling, victim services, or relocation).

Family member includes: child, parent, spouse, registered domestic partner, grandparent, grandchild, and sibling, as defined under RCW 49.46.210.

B. Accrual of Sick Leave

- Full-Time Employees: Accrue eight (8) hours of sick leave for each completed calendar month of service, or no less than the statutory minimum of one (1) hour per forty (40) hours worked.
- Part-Time: Accrue a pro-rated amount based on actual hours worked
- Seasonal and Temporary Employees: Accrue one (1) hour of sick leave for every forty (40) hours worked.
- Sick leave accrues from the first day of employment and may be used as soon as it is accrued.

C. Use of Sick Leave

- Sick leave must be reported consistent with City attendance procedures
- Employees should notify their Supervisor as soon as practicable if using sick leave.
- Non-exempt employees must record sick leave on an hourly basis; exempt employees shall report sick leave in accordance with City-approved timekeeping practices.

D. Integration with Other Leaves

- Sick leave may run concurrently with FMLA, or other protected leave, where applicable.
- Employees may choose to use accrued sick leave to remain in paid status during FMLA or PFML absences, subject to applicable law.
- When leave qualifies under multiple provisions (e.g., sick leave and PFML), the employee will designate the leave and the City will track and coordinate benefits.

| Leave Type | Maximum Duration/Notes (working days = 8 hours) | Required Documentation |
|--|--|--|
| <p>Death in Family</p> <p>Family includes employee's spouse</p> <ul style="list-style-type: none"> • parents (step parent) • grandparents (includes spouse's grandparent) • siblings (includes half brothers/ sisters and step brothers/sisters) • children (step child) • grandchildren (step grandchildren) • brother-in-law, sister-in-law • father-in-law or mother-in-law • aunt, uncle • niece, nephew • or one who was a member of the employee's household at the time of the person's death or at the time of the onset of the person's fatal illness. | <p>Up to three (3) paid working days to make arrangements, travel, and/or attend service and for grieving.</p> <p>Bereavement Leave which has been approved beyond the three (3) days shall not exceed six (6) additional days, which shall be deducted from the employee's accumulated sick leave.</p> <p>Additional time off for related activities such as settling the estate or additional grieving, is provided as vacation, or unpaid leave with prior City Administrator approval.</p> <p>In addition to the City's bereavement leave, employees may qualify for Paid Family Medical Leave (PFML) for postnatal bereavement, including the death of a child within 12 months of birth or placement. This benefit is administered by the Washington State Employment Security Department (RCW 50A.05)</p> | <p>A completed <i>Leave of Absence/Payroll Adjustment Request</i> form (signed by employee and supervisor).</p> <p>Time Sheet noting number of hours of leave, type of leave, name of deceased and relationship to employee.</p> |
| <p>Military Service</p> <p>[1] Examination for entrance into any of the US Military Forces (regular or reserve);</p> <p>[2] Active reserve duty in any of the US Reserve Forces; or required military training as a result of Military Service. Recall to active duty in any of the United States Regular Forces</p> | <p>Working days = actual scheduled hours worked (i.e. 4/10 schedule = 10 hours worked = equals one working day)</p> <p>[1] Four (4) paid hours if scheduled during a normal working day up to 40 hours each 12 month period;</p> <p>[2] Twenty-one (21) paid working days per year* for active duty, active reserve duty or required military training (per RCW38.40.060); and</p> <p>[3] Five years from date employee began active duty *Year = October 1st – Sept. 30th</p> | <p>A completed <i>Leave of Absence/Payroll Adjustment Request</i> form (signed by employee and supervisor) and valid military orders attached.</p> <p>Unpaid time may be offset by any accrued vacation or comp time.</p> |

| Leave Type | Maximum Duration/Notes (working days = 8 hours) | Required Documentation |
|--|---|---|
| <p>Jury Duty</p> <p>When summoned and serving for jury service</p> | <p>Normal work hours = assigned work schedule (i.e., 4/10, 5/8, etc.)</p> <p>Up to 30 calendar days per 12-month period (paid); additional unpaid leave as needed to serve as a juror when summoned pursuant to RCW 2.36.</p> <p>Employee is required to report to work at the City following jury selection if not serving as a juror or on days when court is in recess.</p> <p>Jury compensation is determined by state statute, which is currently \$10 per day plus mileage. While employees are on paid leave for jury duty, employees are required to pay the City any jury dollars received, less mileage (i.e. 3 days = \$30 payable).</p> | <p>A completed <i>Leave of Absence/Payroll Adjustment Request</i> form (signed by employee and supervisor) and the Jury Summons</p> |
| <p>Witness Service</p> <p>Resulting from the subpoena of an employee by a governmental agency to appear in court as a witness during a criminal trial, or due to participation in a City- related litigation.</p> <p>Employees summoned as witnesses for cases involving civil matters (other than City- related litigation) and/or employees absent from work due to personal litigation (e.g. where the employee is a party are) not eligible for paid witness service.</p> | <p>Up to three (3) paid working days per year, unless additional time is approved, in advance, by the City Administrator</p> | <p>A completed <i>Leave of Absence/Payroll Adjustment Request</i> form (signed by employee and supervisor) and the subpoena for witness service</p> |

| Leave Type | Maximum Duration/Notes (working days = 8 hours) | Required Documentation |
|--|--|--|
| <p>Industrial Injury/Illness</p> <p>Provides for continued pay before Worker's Compensation time loss benefits begin.</p> | <p>Up to three (3) paid (use of sick or vacation) working days</p> | <p>Completed Injury/Illness Investigation Report filed within 24 hours of accident with the Human Resources Manager</p> |
| <p>Voting Days</p> | <p>Up to two (2) hours unpaid leave to vote during the time polls are open</p> | <p>Prior notification to supervisor and indicate on timesheet.</p> |
| <p>Community Svc/ Disaster Relief</p> <p>When requested by a disaster relief agency to assist the community in disaster relief.</p> <p>Does not include substitute work provided by City during an emergency (i.e., earthquake, flood, etc.) per Emergency Management Policy.</p> | <p>Up to three (3) paid working days</p> <p>Employee may request personal unpaid leave or take vacation time to extend leave (with supervisory approval)</p> | <p>Prior notification to Human Resources of the employee's membership in a recognized disaster relief agency.</p> <p>Prior to leaving to provide relief, employee completes a Leave of Absence Request form.</p> |
| <p>Unpaid Holidays for Reasons of Faith of Conscience</p> | <p>Employees are entitled to two unpaid holidays per calendar year for a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization.</p> <p>The employee may select the days on which they desire to take the two unpaid holidays after consultation with his or her supervisor. If an employee prefers to take the two unpaid holidays on specific days, then the employee will be allowed to take the unpaid holidays on the days they have selected</p> | <p>Prior notification to supervisor and indicate on timesheet.</p> <p>Employees must complete a Leave of Absence Request Form</p> |

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| | <p>unless the absence would unduly disrupt operations, impose an undue hardship, or the employee is necessary to maintain public safety. The term “undue hardship” has the meaning contained in the rule established by the Office of Financial Management. The Holidays must be used in the same calendar year and don’t carry over to the next.</p> | |
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ACTIVE DUTY MILITARY SERVICE

- A. Compensation:** the employee remains in good standing, but does not receive pay.
- B. Holidays:** Employees do not receive pay for any holidays falling during the period of their absence.
- C. Benefits:** During an unpaid military leave of absence, the city continues to subsidize an employee's group health care benefits for up to 30 days. Employees absent on military leave for 31 days or longer are eligible for family health benefit coverage from the military. Employees can also arrange to continue their coverage under the city's group health plan for up to 18 months. Employees opting for continued coverage under the city's health plan are responsible for paying the full cost of the coverage.
- D. Vacation/Sick Leave:** Employees on military leave do not accrue vacation or sick leave however, the time off counts toward an employee's length of service for purposes of determining the rate at which employees earn vacation after returning. Similarly, for purposes of determining benefits and pay when employees return from leave, time spent on military leave counts as service with the city. On an employee's return from active duty, the city and the employee will make up any missed retirement plan contributions.
- E. Job Status:** The reemployment of employees returning from Active Duty Military Leave is governed by the Uniformed Services Employment and Re-employment Rights Act ("USERRA") of 1994 and Washington law. Under the Act, to be eligible for re-employment, the employee must:
 - 1. have left an other than temporary position at the City of Monroe;
 - 2. be honorably discharged;
 - 3. remain on active duty less than five years, (unless extended involuntarily and at the convenience of the federal government) and if hospitalized while on active duty, the hospitalization continued for less than a year following active duty;
 - 4. request reinstatement to their former position within 90 days of release from active duty or discharge from a hospital.

Upon meeting the above requirements, a veteran must be returned to their former position or a position of equal seniority, pay and status. Re-employment rights do not apply however, if it is impossible or unreasonable for the City to rehire the employee (for example, if the employee would have been laid off in a workforce reduction.)

ACTIVE DUTY MILITARY SERVICE FOR FAMILY MEMBERS

- A. Employee -** An employee may take up to 12 weeks of unpaid FMLA leave for any qualifying exigency (as defined by the National Defense Authorization Act of 2008) related to a spouse, son, daughter or parent's active duty or notification of an impending call or order to active duty in the Armed Forces in support of a contingency operation (refer to section 7 for additional information). The City may require certification relating to the active duty or call to active duty of the service

member.

- B. Caregiver** - An employee who is the spouse, son, daughter, parent or next of kin of a covered service member is entitled to a total of 26 workweeks of leave during a single 12-month period to care for the service member, as described in detail in the 2008 amendments to the FMLA. The City may require certification from a health care provider to support the request for leave.

FAMILY AND MEDICAL LEAVE (“FMLA”)

- A. Eligibility:** In order to qualify for FMLA an employee requesting such Leave must have at least one year of service with the City of Monroe and worked a minimum of 1,250 (FMLA requirement) hours during the 12-month period immediately preceding the leave.

B. Provisions:

1. **Employee:** The employee’s serious health condition that prevents the employee from performing the functions of the employee’s job.
2. **Newborn Child:** The birth and care of a newborn child, or placement of a child with an employee for adoption, or state sponsored foster care within 12 months after the birth or placement.
3. **Family:** Caring for (including providing psychological comfort to) the employee’s **child, spouse, parent, grandparent or parent-in-law** with a serious health condition. The employee may utilize their accrued sick, vacation and comp time to remain in paid status until exhausted, however, any such time will run concurrently with their 12-week FMLA entitlement.

C. Designation:

1. Employee may request FMLA leave
2. An absence due to reasons stated above may be designated as FMLA leave by the city if not requested by employee.
3. Workers' compensation leave runs concurrent with FMLA leave.
4. Medical certification may be required.

- D. Timeframe:** Employees are entitled to 12 workweeks of leave under the Family and Medical Leave Act (FMLA) in a 12-month period. The 12-month period is a rolling 12-month period measured backward from the date an employee uses any FMLA leave. For example, if an employee has taken eight weeks of leave during the past 12 months, an additional four weeks of leave could be taken.

FMLA leave will run concurrently with other qualifying leaves of absence, including Washington Paid Family and Medical Leave (PFML) and workers’ compensation leave, when applicable.

Effective January 1, 2026, and thereafter, use of unpaid leave under FMLA will count toward the maximum amount of job-protected leave available under PFML.

Employees may still be eligible to receive PFML wage-replacement benefits beyond that point; however, employment restoration rights are limited to the maximum combined leave period permitted by law.

The City will provide employees with required notices regarding their rights and obligations under FMLA and PFML, including notice of any concurrent designation of leave. Employees are responsible for complying with notice and certification requirements under both laws.

1. **Pregnancy:** For female employees' pregnancy and childbirth, FMLA extends to 12 work weeks *following* disability leave for the pregnancy and childbirth. For example, a female employee who is out eight weeks for disability due to pregnancy, childbirth and recovery from childbirth would then be entitled to an additional 12 weeks of Family and Medical Leave. The employee must use her accrued vacation, sick leave and/or comp time until exhausted, with the remainder of her 12 weeks of FMLA unpaid.

For birth or placement of a child, the FMLA must be completed within 12 months of the birth or placement.

When a husband and wife both work for the City, they are entitled to a *combined* total of 12 work weeks during a 12-month period for the birth of a child, placement of a child with an employee for adoption or foster care, or for the care of a sick parent.

E. Reduced Schedule and Intermittent FMLA:

1. **Birth or Placement of Child:** The employee may take FMLA for birth or placement of a child continuously (12 consecutive weeks), or on a reduced or intermittent leave schedule (e.g., take one or two days a week) with *prior approval* from *both* the supervisor and Human Resources.
2. **Employee or Eligible Family Member:** When FMLA is requested for the employee's own illness or the illness of the employee's **spouse, child, parent, grandparent or parent-in-law**, the employee will be permitted to take FMLA on a reduced or intermittent schedule *if medically necessary*.
3. **Scheduling:** It is expected that the employee will make a reasonable effort to schedule medical treatment for minimum disruption to the City. The City may temporarily transfer the employee to an available alternative position with equivalent pay and benefits if the employee is qualified for the position and the alternative position better accommodates foreseeable planned medical treatments than the employee's regular job.

F. Compensation: Employees must use their accrued vacation, sick leave and/or comp time to remain in paid status. When those hours have been exhausted, the remaining FMLA is unpaid. Any use of paid vacation, sick or comp time will run concurrently with the employee's 12-week FMLA entitlement.

G. Benefits: are provided during an approved FMLA as outlined below.

1. **Basic Life Insurance:** Continues.
2. **Medical, Dental and Vision:** The City will continue to pay the premium during the

eligibility period (up to 12 weeks), on the same conditions as coverage would have been provided if the employee had been continuously employed during the entire leave period. Under most circumstances, the City's obligation to maintain health benefits during leave under the FMLA ceases if and when:

1. the employment relationship would have terminated if the employee had not taken FMLA leave;
2. an employee informs the city of his or her intent not to return from leave; or
3. the employee fails to return from leave or continues on leave after exhausting his or her FMLA leave entitlement in the 12- month period.

Employees are obligated to repay such payment under certain circumstances if they do not return to work at the end of their leave.

3. **Retirement Plan:** will continue to earn vesting and service credit for retirement plan purposes.
4. **Service Awards:** Employees on paid and unpaid leave continue to accrue service towards Service Awards.
5. **Vacation and Sick Leave:** Employees on paid leave continue to accrue vacation and sick leave. Vacation and sick leave does not accrue during unpaid FMLA. Employees on paid or unpaid leave accrue service credit for determining the level of vacation and sick leave accrual upon return from the leave.
6. **Holiday Pay:** Employees who begin an unpaid leave before a holiday are not eligible for pay on the holiday(s) occurring during the leave.

H. Job Status: Upon return from FMLA leave, the city will place the employee:

1. in the same position held when the leave commenced, or
2. In a similar position with equivalent pay, perquisites, status, benefits, duties, responsibilities, authority, privileges, terms and conditions of employment.

Exceptions are:

1. If the employee extends Family and Medical Leave with Personal Leave.
2. If the employee would have been laid off, or his or her position eliminated, during the period of leave, the employee may be laid off the first working day after the expiration of the leave.
3. If the employee fails to return on the established ending date of the leave, the employee may be terminated to the extent permitted by federal and state law.
4. If the employee is a "key employee" and denial of job restoration is necessary to prevent substantial and grievous economic injury to the city operations.
5. If the employee fails to provide a fitness for duty certificate to return to work.
6. An employee has no greater right to other benefits than if the employee had been continuously employed during the leave period.

I. Procedure:

1. **Leave of Absence/Payroll Adjustment Form:** The employee completes a Leave of Absence Request/Payroll Adjustment Form indicating their need for FMLA and submits it to the employees' supervisor for approval. When practical, the request is made at least 30 days in advance of the anticipated beginning date of the leave.
2. **Certification of Health Care Provider:** To certify the need for FMLA, the employee must obtain a *Certification of Health Care Provider* form and return to Human Resources. In the event the employee fails to furnish such medical certification within fifteen (15) days of the request, the employee's request for FMLA may be denied. Failure to do so may result in the denial of the employee's continuation of leave. The city may request medical recertification during the FMLA, but no sooner than every thirty days.
3. **Change of Status ("COS"):** Upon approval of the leave, the supervisor completes a COS form and submits it to Human Resources for final authorization and processing.
4. **Fitness to Return to Work:** Upon return of an employee from a FMLA for their own serious illness, the employee must provide Human Resources with a statement from the treating physician confirming the employee's fitness to return to work.

J. Washington Paid Family and Medical Leave (PFML):

In addition to federal FMLA, employees may be eligible for Washington State Paid Family and Medical Leave (PFML) under RCW 50A.05.

1. **Eligibility:** Employees who have worked at least 820 hours in Washington during the qualifying period (generally the first 4 of the last 5 completed calendar quarters).
2. **Benefits:** Up to **12 weeks of paid leave** for bonding with a child, a serious health condition, or caring for a family member with a serious health condition. In some cases, leave may extend up to **16–18 weeks** (e.g., pregnancy complications).
3. **Application:** Employees must apply directly through the Washington Employment Security Department (ESD) to receive wage replacement benefits.
4. **Concurrent Use:** PFML may run concurrently with FMLA and other applicable City leave. Employees must also comply with City procedures for requesting leave. Beginning January 1, 2026, use of unpaid FMLA will be counted towards the maximum leave qualifying for employment restoration under the PFML.
5. **Use of Accrued Leave:** Employees may elect to supplement PFML benefits with accrued vacation, sick leave, or comp time, in accordance with City policy.

VICTIMS OF SEXUAL ASSAULT, STALKING & DOMESTIC VIOLENCE

Effective April 1, 2008 employees (part-time, full-time, temporary or seasonal) who have been the victim of domestic violence, sexual assault or stalking may take leave for one of the following purposes:

- To seek legal or law enforcement assistance or remedies to ensure the health and safety of the employee or the employee's family members, including civil or criminal legal proceedings.

- To seek medical treatment for physical or mental injuries.
- To attend to health care treatment for a victim who is the employee's family member.
- To obtain or assist a family member in obtaining services from a domestic violence shelter, rape crisis center, or other social services program.
- To obtain or assist a family member in obtaining mental health counseling.
- To relocate or participate in safety planning or take other actions to increase the safety of the employee and/or the employee's family.

Family members may take leave to help the victim obtain treatment or seek help. "Family Member" includes:

- Spouse, parent, parent-in-law, grandparent, and child.
 - A person with whom the employee has a dating relationship as defined in RCW CH. 49.76.020.
- Notice** - An employee must give 15 days advance notice, however, if the employee cannot do so because of an emergency or unforeseen circumstances, the employee must notify the City of the need for leave no later than the end of the first day the employee takes the leave.
 - Duration** - An employee is allowed to take "reasonable" unpaid leave for one of the defined purposes. The leave may be intermittent or on a reduced schedule.
 - Compensation** - The employee may elect to use the employee's sick leave or other paid time off, compensatory time, or unpaid leave time.
 - Notice and Verification** - The City may request verification that the employee or the employee's family member is a victim of domestic violence, sexual assault or stalking and that the leave was taken for one of the purposes allowed by the law. The employee may satisfy the verification requirement by providing a police report, court order, or other documentation from a victim's advocate, an attorney, a member of the clergy, or a medical or other professional. The employee may also satisfy the verification requirement by providing a written statement explaining the need for the leave.
 - Benefits** - Health insurance coverage (medical, dental, vision) will be maintained during the leave.
 - Job Status** - The employee must be restored to the same or an equivalent position upon returning from leave unless the employee was hired for a specific term or project which has ended and the City would not otherwise have continued to employ the employee.

- G. **Safety Accommodations:** In addition to leave, employees who are victims of domestic violence, sexual assault, or stalking may request reasonable safety accommodations in the workplace, such as schedule changes, reassignment, modified contact information, or other safety measures, as required under RCW 49.76.115.

PERSONAL LEAVE

Personal Leave may be requested for such reasons as to extend vacation, provide for continuing education, or provide for additional unpaid leave following FMLA. An employee not meeting the eligibility requirements for FMLA may request a Personal Leave. Personal Unpaid Leave may be taken only after all accrued vacation and comp time hours have been exhausted.

- A. **Procedure:** The employee submits a memo to their supervisor indicating the need for personal leave.
- B. **Approval:** Personal Leave must be approved by the Department Director, Human Resources, City Administrator and, in some cases, City Council.
- C. **Duration of Leave:** Personal Leave shall not exceed three (3) months unless the City Administrator, Department Director and Human Resources approves a leave longer than three (3) months or as governed by current bargaining agreement.
- D. **Job Status:** The city will make all reasonable efforts to place the employee in their previously held position or a substantively equivalent position; however, the city cannot guarantee a position upon return from a Personal Leave. As well, the city cannot guarantee a position upon return from a Personal Leave that follows a Family and Medical Leave.
- E. **Extension:** The employee completes a second *Leave of Absence Request/Payroll Adjustment* form to request an extension of an approved leave no later than thirty days after the date the employee's current leave expires. The procedures described above apply to extension requests.

SHARED LEAVE

The purpose of shared leave is to permit City employees, at no additional employee cost to the City other than the administrative costs of administering the program, to come to the aid of a fellow City employee or an immediate family member of the employee (spouse, child or parent) who is suffering from an extraordinary illness, injury, impairment, or physical or mental condition which has caused or is likely to cause the employee to take leave without pay or to terminate his or her employment.

A. Responsibility:

1. **Employee:** provide appropriate medical justification and documentation both of the necessity for the leave and the time which the employee can reasonably be expected to be absent due to the condition.

Human Resources reviews and approves, along with the City

Administrator and the Mayor, the approval of Shared Leave requests. Will post, via email, those donations of paid leave time that are needed to assist another employee.

2. **Department Director**, along with the employee, shall determine when shared leave is no longer needed. Employees are not allowed to take Shared Leave unless the Department Director determines that no significant increase in City costs will occur as a result of a donation of leave.
3. **Finance Director** shall ensure that records of all leave time transferred shall be maintained in the event that unused time is returned at a later date. The Finance Director will return any unused leave to the employee or employees who donated the leave or place into a "pool" at the donating employee's request and approval.
4. **City Administrator** shall monitor the use of shared leave to insure equivalent treatment for all employees of the City. The City Administrator, with the concurrence of the Mayor, after consultation with the individual's Department Director, shall determine the amount of shared leave, if any, which an employee may receive under this policy.
5. **Mayor** has final approval authority on the granting of shared leave.

B. **Eligibility (Receipt):** An employee is eligible to receive shared leave under the following circumstances:

1. The employee or immediate family member as defined above, suffers from an illness, injury, impairment, or physical or mental condition which is of an extraordinary or severe nature and which has caused, or is likely to cause, the employee to go on leave without pay status or to terminate his or her employment with the City.
2. The employee has depleted or will shortly deplete his or her total of accrued vacation, sick leave, compensatory time, holiday time and/or other paid leave.
3. Prior to the use of shared leave, the employee has abided by the City's sick leave policy.
4. The use of shared leave will not significantly increase the City's costs, except for those costs incurred in the administration of this program or which would otherwise be incurred by the employee's department.
5. The recipient must not have offered anything of value in exchange for the donation and the donor must not have solicited nor accepted anything of value in exchange for the donation.

C. **Eligibility (Donate):** An employee is eligible to donate shared leave under the following circumstances:

1. An employee must have a total of more than 80 hours of accrued sick leave after donation.
2. All donations of leave or compensatory time shall be voluntary.

3. Leave may be transferred from the employee(s) of one department to an employee of the same department, or with the concurrence of both Department Directors, to an employee of another department.

An employee is not eligible to donate shared leave under the following circumstances:

1. An employee may not transfer leave or compensatory time to his or her *immediate* supervisor or Department Director

Request for Shared Leave: Employees who wish to receive donations of sick leave or comp time must submit a request to the Human Resources Department via a Shared Leave Request Form. The request must include an explanation of the circumstances that make the donations necessary and must be supported by the opinion of a qualified medical professional.

- D. **Donation of Shared Leave:** If an employee wishes to donate a portion of his/her accrued sick leave or comp time to another employee, a written request will be submitted via a Shared Leave Donation/Authorization Form which specifies the name of the employee and the amount of hours they wish to donate, and shall be forwarded to the Human Resources Manager.
- E. **Transfer Process:** Sick leave shall be transferred, if approved, on an hour for hour basis without any salary conversion. Accrued compensatory time shall be transferred on a dollar for dollar basis. The value of the compensatory time converted to sick leave shall be determined at the current hourly wage of the transferring employee and the leave available to the receiving employee shall be calculated at the receiving employee's wage. For example: If the donor's salary is \$6.00 per hour and the recipient's salary is \$12.00 per hour, a donor must transfer twice the amount of hours to achieve full conversion.
- F. **Provisions:** Inappropriate use or treatment of the shared leave provision may result in the cancellation of the donated leave or use of shared leave.
- G. **Excess Hours:** If the hours donated exceed the hours used, the excess donation will be returned to the donor or, with the approval of the donor, may be placed in a "pool" for any future employees who qualify for shared leave.
- H. **Payment:** Employees donating sick leave hours shall not receive payment for those hours at the time of resignation or retirement.
- I. **Maximum Amount:** An employee shall not receive more than a total of 1040 hours of shared leave throughout the employee's employment. To the extent possible, shared leave should be used on a consecutive basis.
- J. **Benefits:** While an employee is on shared leave, they will continue to be classified as a City employee and shall receive the same treatment, in respect to salary and benefits (including the accrual of sick and vacation hours), as the employee would otherwise receive if using sick leave.
- K. **Withholding:** All salary benefit payments made to the employee on a shared leave shall be made by the department employing the person

using the shared leave, and shall be subject to withholding and any other deductions required by law for payment of wages.

- L. **Other Income:** The employee's salary rate shall not change as a result of being on shared leave unless the employee is absent due to illness or injury for which they are receiving payment from a state industrial insurance, LEOFF, or other state mandated plan. In these cases, the City may pay the difference between the employee's regular wages and the amount received from the state.
- M. **Liability:** The City, at its sole discretion, may cancel this program. Participation in the program shall be predicated upon a receipt from each affected bargaining unit of a written waiver by the appropriate Union bargaining representative indicating that the Union understands that the program shall not establish a past practice by the City or otherwise obligate the City to continue the program.

FLSA Exempt Employee Salary Deduction

Employees who are exempt from the payment of Fair Labor Standards Act overtime are paid a salary. An employee's salary may only be reduced in the event that the employee violates safety rules of major significance and for certain violations of workplace conduct rules. In addition, FLSA exempt employees may be suspended in full-day increments for unpaid disciplinary suspensions that are imposed in good faith for violations of workplace conduct rules. Washington statute also prohibits deductions from an employee's paycheck without his or her express written consent.

Deductions may not be made from an exempt employee's salary for absences of less than one full day (except in limited cases of discipline as permitted by law). However, if the City maintains a bona fide leave bank, accrued leave balances (e.g., PTO, sick leave, vacation leave, or compensatory time) may be reduced in increments of one hour or more for partial-day absences. No other deductions from an exempt employee's salary may be made without the employee's express written consent. Serious misconduct problems may include, but is not limited to, violations of workplace rules such as sexual harassment, violence, drug or alcohol violations, or violations of state or federal laws. The term does not include performance or attendance issues.

Any employee who believes that an improper deduction has been made from their paycheck may appeal in writing to the Human Resources Director within thirty days of the date of the deduction. This appeal is separate from any other remedy which the employee may have. An investigation will be completed as appropriate, and a finding shall be produced.

Written appeals to the finding shall be directed to the City Administrator for review and final determination. The determination of the City Administrator shall be final. In the event that it is determined that an improper deduction has been made, the employee shall be reimbursed in the employee's next regular paycheck.

REFERENCE

Leave of Absence/Payroll Adjustment form Family
and Medical Leave Certification form
Response to Employee Request for Family and Medical Leave
Shared Leave Request Form
Shared Leave Donation Form

Resolution 2025-019 Updated Leave of Absence and Hours of Work Policy

Final Audit Report

2025-10-15

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| Created: | 2025-10-15 |
| By: | Jodi Wycoff (jwycoff@monroewa.gov) |
| Status: | Signed |
| Transaction ID: | CBJCHBCAABAAPZ0Wx1UWLyUZvJD9_QRLmvhUbKPzId2J |

"Resolution 2025-019 Updated Leave of Absence and Hours of Work Policy" History

-  Document created by Jodi Wycoff (jwycoff@monroewa.gov)
2025-10-15 - 2:21:43 AM GMT
-  Document emailed to Zach Lell (zlell@omwlaw.com) for signature
2025-10-15 - 2:23:00 AM GMT
-  Email viewed by Zach Lell (zlell@omwlaw.com)
2025-10-15 - 3:50:54 AM GMT
-  Document e-signed by Zach Lell (zlell@omwlaw.com)
Signature Date: 2025-10-15 - 3:52:21 AM GMT - Time Source: server
-  Document emailed to Geoffrey Thomas (gthomas@monroewa.gov) for signature
2025-10-15 - 3:52:23 AM GMT
-  Email viewed by Geoffrey Thomas (gthomas@monroewa.gov)
2025-10-15 - 7:25:24 PM GMT
-  Document e-signed by Geoffrey Thomas (gthomas@monroewa.gov)
Signature Date: 2025-10-15 - 7:25:44 PM GMT - Time Source: server
-  Document emailed to Jodi Wycoff (jwycoff@monroewa.gov) for signature
2025-10-15 - 7:25:46 PM GMT
-  Email viewed by Jodi Wycoff (jwycoff@monroewa.gov)
2025-10-15 - 8:21:17 PM GMT
-  Document e-signed by Jodi Wycoff (jwycoff@monroewa.gov)
Signature Date: 2025-10-15 - 8:21:24 PM GMT - Time Source: server

✔ Agreement completed.

2025-10-15 - 8:21:24 PM GMT