



## Board of Aldermen Request for Action

**MEETING DATE:** 8/20/2024

**DEPARTMENT:** Administration

**AGENDA ITEM:** RES 1393, Adopting Changes to the Employee Handbook

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### **REQUESTED BOARD ACTION:**

A motion to approve Resolution 1393, amending the Employee Handbook to add section 12-7 Paid Parental Leave.

### **SUMMARY:**

Following review by an employee committee and concurrence by the Board, one change to the employee handbook is recommended. This recommendation is addition of a Paid Parental Leave Policy. The City of Smithville is committed to a culture that helps its employees meet the demands of new parenthood. The City believes that providing paid time off for qualifying employees who are new parents provides time to nurture and bond with the newest member of the family and is linked to better infant health and development and increases the likelihood employees will return to work.

Staff worked with the City Attorney's office to recommend to the Board of Aldermen a policy to add to the Employee Handbook regarding Paid Parental Leave for qualifying city employees.

It is recommended to the Board that to qualify for such benefits, an employee must have applied for and been granted FMLA leave and have physically worked for the City for 1,250 hours in the year immediately preceding the birth of the employee's child or the placement within the employee's home of an adopted child. Paid leave and unpaid leave, including FMLA leave, are not included in the 1,250 hours calculation.

Section 12-7 is not intended to be a contract between the City and its employees and does not create contractual rights for employees.

### **PREVIOUS ACTION:**

The Employee Handbook is reviewed and updated annually.

### **POLICY OBJECTIVE:**

Adoption of the policy assists with ongoing employee recruitment and retention efforts.

### **FINANCIAL CONSIDERATIONS:**

### **ATTACHMENTS:**

- |   |                                   |
|---|-----------------------------------|
| <input type="checkbox"/> Ordinance  | <input type="checkbox"/> Contract |
| <input checked="" type="checkbox"/> Resolution  | <input type="checkbox"/> Plans    |
| <input type="checkbox"/> Staff Report   | <input type="checkbox"/> Minutes  |
| <input checked="" type="checkbox"/> Other: <a href="#">Employee Handbook Redline version</a><br><a href="#">Employee Handbook Clean version</a> |                                   |

## RESOLUTION 1393

### A RESOLUTION AMENDING THE CITY EMPLOYEE HANDBOOK TO ADD SECTION 12-7 PAID PARENTAL LEAVE

**WHEREAS** The City of Smithville is committed to a culture that helps its employees meet the demands of new parenthood. The City believes that providing paid time off for qualifying employees who are new parents provides time to nurture and bond with the newest member of the family and is linked to better infant health and development and increases the likelihood employees will return to work.

**WHEREAS** the City has asked the City Administrator and City Attorney's office to recommend to the Board of Aldermen a policy to add to the Employee Handbook regarding paid parental leave for qualified city employees.

**WHEREAS** the City Administrator and the City Attorney's office in open and public discussions with the Board of Alderpersons have made recommendations to the Board regarding such additions to the Employee Handbook.

**WHEREAS** it is recommended to the Board that to qualify for such benefits an employee must have applied for and been granted FMLA leave and have physically worked for the City for 1,250 hours in the year immediately preceding the birth of the employee's child or the placement within the employee's home of an adopted child. Paid leave and unpaid leave, including FMLA leave, are not included in the 1,250 hours calculation.

**WHEREAS** with all other provisions of the City Employee Handbook, **SECTION 12-7** is not intended to be a contract between the City and its employees and does not create contractual rights for employees.

## II. RESOLUTION

Be it resolved by the City of SMITHVILLE Missouri that effective immediately **Section 12-7 Paid Parental Leave** is hereby adopted as the principles and procedures which should be followed by the City in the administration of the City's paid Parental Leave program. **Section 12-7 Paid Parental Leave** shall be inserted within the Employee Handbook and shall read as follows:

### **Section 12-7 Paid Parental Leave**

*The City of Smithville is committed to a culture that helps our employees meet the demands of new parenthood. The City believes that providing paid time off for qualifying employees who are new parents provides time to nurture and bond with the newest member of the family and is linked to better infant health and development and increases the likelihood employees will return to work. Therefore, it is City policy to*

*provide up to six (6) weeks of the employee's average pay as Paid Parental Leave (PPL) to qualified Employees.*

*To be eligible for Paid Parental Leave (PPL) an Employee must meet the following criteria:*

- 1. Have applied for and been granted FMLA leave; and*
- 2. Have physically worked for the City for 1,250 hours in the year immediately preceding the birth of the employee's child or the placement within the employee's home of an adopted child. Paid leave and unpaid leave, including FMLA leave, are not included in the 1,250 hours calculation.*

*Paid Parental Leave (PPL) will be subject to the following general requirements:*

- 1. Eligible employees are entitled to take up to six (6) weeks of PPL in the 12-month period immediately following the birth of the employee's child or the placement within the employee's home of an adopted child.*
- 2. If both parents are City employees, each parent shall receive PPL, which may be taken concurrently, consecutively, or at different times.*
- 3. All PPL must be completed within one year after the date of birth or placement.*
- 4. Employees will be compensated at the employee's regular, base hourly rate of pay during the PPL.*
- 5. An employee on PPL will continue to accrue sick and vacation leave at the employee's normal accrual rate.*
- 6. If a holiday occurs during the employee's PPL, the employee will receive the holiday pay which shall not count toward the PPL usage.*
- 7. An employee may take PPL intermittently, provided the leave is taken in no less than one-week (40 hour) increments.*
- 8. All PPL leave taken shall reduce the total of eligible FMLA leave available by the amount of PPL taken. In other words, if PPL is taken for six (6) consecutive weeks, the employee will be eligible for six (6) fewer weeks of FMLA leave than was available prior to the use of the PPL.*
- 9. All eligible accruals including PPL must be used prior to going into non-pay status.*

*Human Resources will be responsible for the approval of all PPL requests.*

*If employee requests leave for a reason that the employee believes qualifies under this PPL policy, the employee must comply with all City and Human Resources policies and procedures.*

*If an employee timely returns from PPL and used the leave for the stated purpose, the employee will be reinstated to the same position held when leave began, or to an*

*equivalent position with equivalent benefits, pay and other terms and conditions of employment.*

*The following conduct is strictly prohibited in relation to PPL:*

- *Engaging in fraud, misrepresentation or providing false information to obtain leave.*
- *Failure to comply with the employee's obligations in accordance with city policy.*
- *Failure to timely return from the leave.*
- *Any conduct which would disqualify the Employee from eligibility for FMLA leave.*

*Employees who engage in such conduct will be subject to loss of benefits, denial, or termination of PPL, and discipline up to and including termination.*

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, on the 20<sup>th</sup> day of August 2024.

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Damien Boley, Mayor

ATTEST:

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Linda Drummond, City Clerk