



City of Grand Island

Tuesday, June 12, 2007

Council Session

Item G9

**#2007-136 - Approving Amendment to Personnel Rules to Include
Family Military Leave**

Staff Contact: Brenda Sutherland

Council Agenda Memo

From: Brenda Sutherland, Human Resources Director

Meeting: June 12, 2007

Subject: Family Military Leave

Item #'s: G-9

Presenter(s): Brenda Sutherland, Human Resources Director

Background

Recently, LB497, known as the Family Military Leave Act was signed into law by Governor Heineman. This law requires employers with 15 to 50 employees to allow those employees 15 days off and employers with 50 or more employees 30 days off to spend with either their child or spouse who is being called to military service lasting 179 or longer.

Discussion

Administration is recommending an addendum to the Personnel Rules that would include the following policy:

Sec. 4.13 FAMILY MILITARY LEAVE

LEAVE ENTITLEMENT: The City of Grand Island will grant a leave of absence to all eligible employees who are the spouse or parent of a person called to military service lasting 179 days or longer with the State or the United States pursuant to the orders of the Governor or the President of the United States. The City of Grand Island shall provide up to 30 days of unpaid family military leave to an eligible employee during the time federal or state deployment orders are in effect.

EMPLOYEE ELIGIBILITY: An employee must have been employed by The City of Grand Island for at least 12 months and have been employed for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave to be eligible for family military leave.

NOTICE TO COMPANY/CERTIFICATION OF ELIGIBILITY: An employee must give at least 14 days' notice of the intended date upon which the family military leave will commence if leave will consist of five or more consecutive work days. Where able, the employee shall consult with his/her supervisor to schedule the leave so as not to unduly disrupt the operations of The City of Grand Island. Employees taking family military leave

for less than five consecutive days shall give his/her supervisor advanced notice as is practicable. The City of Grand Island may require certification from the proper military authority to verify the employee's eligibility for the family military leave requested.

REINSTATEMENT RIGHTS: Any employee who exercises the right to family military leave, upon expiration of the leave, shall be entitled to be restored by The City of Grand Island to the position held by the employee when the leave commenced or to a position with equivalent seniority status, employee benefits, pay, and other terms and conditions of employment. During any family military leave, an employee is required to use all accrued personal and/or vacation leave before going on unpaid status.

BENEFITS WHILE ON LEAVE: During any period of leave under this policy, an employee's group health insurance coverage will be maintained at the same level and under the same conditions as before the leave began. Employees who normally made a contribution toward their health insurance coverage must continue to do so. If the employee has leave banks accrued and is using them, the employee's contribution will be collected in the same manner as if the employee were reporting to work. However, if the employee's leave banks have been exhausted, the employee must arrange with the Finance Department prior to the start of their leave, for the payment of the employee's share of the premiums and other voluntary deductions. Once an employee has exhausted all leave banks, they will not accrue any other benefits. This includes vacation time, medical leave time, holidays and personal days. Taking family military leave shall not result in the loss of any employee benefit accrued before the date on which the leave commenced.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the addendum to the City Personnel Rules regarding Family Military Leave.

Sample Motion

Motion to approve an addendum to the City Personnel Rules to add a Family Military Leave policy.

RESOLUTION 2007-136

WHEREAS, on October 26, 1996, by Resolution 96-294, the City of Grand Island adopted the *City Personnel Rules and Regulations*; and

WHEREAS, the City Council may, by resolution, amend said rules and regulations; and

WHEREAS, Section 4.13 – Family Military Leave shall be included in the City Personnel Rules and Regulations and shall read as follows:

LEAVE ENTITLEMENT: The City of Grand Island will grant a leave of absence to all eligible employees who are the spouse or parent of a person called to military service lasting 179 days or longer with the State or the United States pursuant to the orders of the Governor or the President of the United States. The City of Grand Island shall provide up to 30 days of unpaid family military leave to an eligible employee during the time federal or state deployment orders are in effect.

EMPLOYEE ELIGIBILITY: An employee must have been employed by the City of Grand Island for at least 12 months and have been employed for at least 1,250 hours of service during the 12 month period immediately preceding the commencement of the leave to be eligible for family military leave.

NOTICE TO COMPANY/CERTIFICATION OF ELIGIBILITY: An employee must give at least 14 days' notice of the intended date upon which the family military leave will commence if leave will consist of five or more consecutive work days. Where able, the employee shall consult with his/her supervisor to schedule the leave so as not to unduly disrupt the operations of the City of Grand Island. Employees taking family military leave for less than five consecutive days shall give his/her supervisor advanced notice as is practicable. The City of Grand Island may require certification from the proper military authority to verify the employee's eligibility for the family military leave requested.

REINSTATEMENT RIGHTS: Any employee who exercises the right to family military leave, upon expiration of the leave, shall be entitled to be restored by the City of Grand Island to the position held by the employee when the leave commenced or to a position with equivalent seniority status, employee benefits, pay, and other terms and conditions of employment. During any family military leave, an employee is required to use all accrued personal and/or vacation leave before going on unpaid status.

BENEFITS WHILE ON LEAVE: During any period of leave under this policy, an employee's group health insurance coverage will be maintained at the same level and under the same conditions as before the leave began. Employees who normally made a

contribution toward their health insurance coverage must continue to do so. If the employee has leave banks accrued and is using them, the employee's contribution will be collected in the same manner as if the employee were reporting to work. However, if the employee's leave banks have been exhausted, the employee must arrange with the Finance Department prior to the start of their leave, for the payment of the employee's share of the premiums and other voluntary deductions. Once an employee has exhausted all leave banks, they will not accrue any other benefits. This includes vacation time, medical leave time, holidays and personal days. Taking family military leave shall not result in the loss of any employee benefit accrued before the date on which the leave commenced.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the amendments to the City Personnel Rules and Regulations as outlined above and hereby approved and adopted.

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Adopted by the City Council of the City of Grand Island, Nebraska on June 12, 2007.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form June 8, 2007	_____ City Attorney
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