

## ARTICLE 13 – OTHER LEAVES

### Part A – Paid Leaves Specified in the City’s HRARs

The City’s Human Resources Administrative Rules create certain individual rights for employees of the City, including but not limited to the right to take a leave of absence for various reasons. The City is committed to complying with its obligations to individual employees under their established HRARs. Should the City consider making changes to any HRARs referenced in this Article, the City will comply with its duty to bargain under State law.

- **Jury Duty.**
  - The City shall encourage its employees to serve when called for jury duty and shall pay the difference in the employee's salary and monies received from such jury duty to the employee, except the mileage allowance. If an employee is subpoenaed to appear in a State or Federal court as a witness, the employee shall receive the difference in the employee's salary and monies received as witness fees, except the mileage allowance, subject to the provisions of the City’s Human Resources Administrative Rules on Jury Duty Leave.
  - If an employee is not on a Monday through Friday dayshift schedule, and they are required to serve as a juror, they may, by mutual agreement, be rescheduled to a Monday through Friday day shift for the duration of their jury duty. Any overtime or shift differential provisions that may be applicable in this agreement shall not apply to an employee undergoing a shift change to go on or come off jury duty.
  - **Parental Leave.** Employees may take family and medical leave as provided under state and federal law and the City’s Human Resources Administrative Rules (HRARs). Pursuant to the HRARs, such leave will be granted for parental leave to bond and care for a newborn child or a newly adopted child, or may also be taken for a new foster care placement of a child. City Paid Parental Leave must be used within twelve months following the birth, adoption, or foster care placement of a child, and can only be used for leave post-birth, adoption, or foster care placement. Should the provisions of the City’s HRAR providing paid parental leave change, the City and the Union will meet to negotiate over the impact of the changes.

Accrued sick leave and vacation leave may be used to cover all or part of an absence for parental leave permitted under the FMLA and the Oregon Paid Family Leave law or Washington Paid Family and Medical Leave law, but not while on City Paid Parental Leave. Nothing in this section supersedes an employee’s rights under FMLA, or OFLA, the Oregon Paid Family and Medical Leave law, or Washington Paid Family and Medical Leave.

- **Funeral Leave.** Employees may take bereavement and funeral leave as provided under state law and the City’s Human Resources Administrative Rules (HRAR 6.08).
- **Military Leave.** Military leave will be provided to employees in accordance with City’s Human

Resources Administrative Rules on Military Leave and ORS 408.290 or other applicable law.

- **City Paid Immigration, Tribal and Citizenship Leave. Employees may take City Paid Immigration, Tribal, and Citizen Leave as provided by HRAR 6.15.**
- **Management Leave**
  - Management Leave as defined in HRAR is not available to CPPW represented members.
  - Management Leave accrued prior to the implementation of this contract will be available for use after implementation of the contract.
  - Accrued Management Leave will expire at the end of the calendar year that it was received.

#### **Part B– Unpaid Leave Options**

- **Leave without Pay.**
  - Employees may request a leave of absence without pay after thirty (30) calendar days' service with the City.
  - Any request for a leave of absence without pay shall be submitted in writing by the employee to the employee's immediate supervisor. The request shall state the reason for the leave of absence and the approximate length of time off the employee desires.
  - Requests for leave of absence without pay of thirty (30) calendar days or less may be granted by the bureau head or their designee. All employer paid health, dental, vision and life insurance benefits will be continued for leaves of absence without pay lasting thirty (30) days or less, except as required by law.
  - Leaves for more than thirty (30) calendar days shall be granted for Military Leave when an employee is called to active duty, extended tour, to attend a prescribed training program or to perform other duties under the supervision of the federal or state agencies. All other leaves for more than thirty (30) calendar days may be approved by the City Administrator or their designee, and such leaves may be extended or renewed for any reasonable period at the discretion of the City.
  - No leave of any length shall be granted for other outside employment unless described herein or as otherwise may be required by law.
- **Family and Medical Leave.** Employees may take family and medical leave as provided under state and federal law and the City's Human Resources Administrative Rules (HRARs). The City will provide the Union with notice of proposed changes to the HRARs and will bargain over changes to family and medical leave as required by law.

- **Gender Affirming Care Leave.** Leave may be granted for gender affirming care. Such leave is not limited to leave for medical procedures or purposes but can include voice training or hair removal, as examples. Sick leave and vacation credits may be used to cover all or part of the absence for gender affirming care as applicable. Nothing in this section supersedes an employee's right to FMLA or OFLA benefits or pursuant to the Paid Leave Oregon or disability laws.
- **Return from Unpaid Leave of Absence.**
  - Return from leave rights under this provision shall correspond to the period of leave granted.
  - Leaves of absence of six (6) months or less: Employees shall be returned to the same or comparable position held at the time of commencement of leave, provided that at the time of the return they have greater seniority than other qualified employees. An employee desiring to return to work before the employee leave is scheduled to end must give the City ten (10) days' written notice of the intent to return.
  - Leaves of absence of more than six (6) months: An employee desiring to return to work must give the City ten (10) calendar days' written notice of the intent to return. If a vacancy does not exist at the time such employee decides to return from a leave, the employee's name shall be placed on the appropriate laid off list in accordance with seniority and qualifications. An employee and the City may agree in writing that an employee will be assured reemployment to the same or comparable position upon return subject to the seniority provisions of this article. Such agreements will be non-precedent setting.
  - The current City policy regarding notification of employees pending lay off, in effect at the date of the contract, shall continue to be followed. Any disagreement as to the qualifications of employees in regard to this section may be taken up through the grievance procedure.
  - Any employee who fails to return to duty at the end of their unpaid leave will also be treated as a voluntary resignation.