

TIME AND ATTENDANCE/LEAVE GUIDELINES

Guidelines for time and attendance are codified in the Broomfield Municipal Code Sections 2-14-150 and 2-14-160 of the Personnel Merit System and provided for in the Leave Policy for Full-Time Employees, Leave Policy for Part-Time Employees, and Leave Policy for Temporary Employees. Mandated requirements are found in the Fair Labor Standards Act (29 U.S.C. 201, *et seq*) and in the Workplace Accommodations for Nursing Mothers Act (Colorado Revised Statutes, Article 13.5). The Fair Labor Standards Act (FLSA) is a federal labor law that establishes the minimum wage, overtime pay, recordkeeping, and child labor standards for employers. (Please Note: Special rules apply to state and local government employment involving fire protection and law enforcement activities.) Note that the term "exempt personnel" refers to employees who are not subject to overtime; the term "non-exempt personnel" refers to employees who are subject to overtime. The following provides a summary for supervisors and managers.

Attendance – Supervisors and managers are required to maintain accurate daily records of employee attendance, hours of work, and hours of approved leave.

Employees are to be in attendance and on time at their workstation as scheduled by the supervisor in accordance with the "Personnel Merit System" and departmental rules and regulations unless on approved leave. The number of hours worked or on approved leave each day must be accurately recorded on the timesheet. Remember a part-time employee cannot work more than 1,664 hours in a 26-pay period year or 1,728 hours in a 27-pay period year (or proportionately less hours if hired for a period of less than twelve months in the calendar year) without approval of the city manager. Part-time employees must either work or take accrued leave for at least 20 hours per week on a regularly scheduled, year-round basis in order to maintain their eligibility for benefits.

Please note that unauthorized absences from work of three days or longer may be considered a voluntary resignation (Personnel Merit System, Section 2-14-370 (B)). If City and County facilities are closed by order of the City and County Manager due to hazardous conditions, those employees designated as "emergency services employees" by their department head are required to work as scheduled. Non-emergency services employees will not work unless they have made arrangements with their supervisor. See the Personnel Merit System, Section 2-14-160 (A) for complete provisions.

An employee who otherwise meets the salary basis requirements of 29 CFR § 541.602, shall not be disqualified from exemption under 29 CFR § 541.100,

541.200, 541.300 or 541.400 on the basis that such employee is paid according to a pay system established pursuant to principles of public accountability, under which the employee accrues annual leave, sick leave and other paid leaves, and which requires the employee's pay to be reduced or such employee to be placed on leave without pay for absences for personal reasons or because of illness or injury of less than one work-day when accrued leave is not used by an employee because:

- 1) Permission for its use has not been sought or has been sought and denied;
- 2) Accrued leave has been exhausted; or
- 3) The employee chooses to use leave without pay.

Deductions from the pay of an employee for absences due to a budget-required furlough shall not disqualify the employee from being paid on a salary basis except in the workweek in which the furlough occurs and for which the employee's pay is accordingly reduced.

Employees working more than six hours per day are generally allowed a half-hour to one-hour lunch break at the approximate midway point of their work day. The time allotted for lunch breaks is determined by the supervisor and includes any travel time to and from the work site. The lunch break is in addition to normal working hours and is not considered time worked for pay purposes. Employees working in emergency services are considered on duty for their full shift, whether or not they are able to take a lunch break.

Each department determines its own policies for rest breaks. Depending on the workload for that particular day and as authorized by their supervisor, employees may be allowed a rest break of 10 to 15 minutes at the approximate midway point of each 4 or 5 hour period. These breaks should be taken at a time that does not interfere with assigned duties as determined by the supervisor. Rest breaks may not be accumulated if they are not taken and may not be used to shorten the normal work day or extend the lunch break.

In accordance with the **Workplace Accommodations for Nursing Mothers Act**, employees must be given reasonable break time each day to express breast milk for her nursing child for up to two years after the child's birth. If the time needed to express breast milk each day exceeds the amount of time given for rest breaks, the supervisor should work with the employee to allow flex time during the day or usage of annual leave. The employee can check with her supervisor or Human Resources for information on a room or other location in close proximity to the work area that is available for this use.

Supervisors and managers must ensure their work schedules are in compliance with the Fair Labor Standards Act and that the Child Labor Provisions noted below are followed.

FLSA wages are determined by the number of hours an employee actually works, but Broomfield allows compensated hours such as annual leave, sick leave, paid holidays, and the like to be considered as work hours for the purposes of computing overtime. For non-exempt employees other than sworn police employees, the FLSA requires overtime to be paid at a rate of at least one and one-half the employee's regular rate of pay for those hours worked in excess of 40 hours per week. Since special rules apply to local government employment involving law enforcement activities, Broomfield pays overtime for hours worked in excess of 80 in a two-week period for sworn police employees. As a public employer, Broomfield can offer compensatory time in lieu of overtime pay (reference Broomfield Leave Policy for Full Time or Leave Policy for Part Time employees).

Reasonable overtime may be required of non-exempt employees at the discretion of the department head or other supervisory personnel. Overtime work must be authorized in advance by the employee's department head or his/her designee. It is up to the supervisor or manager to schedule overtime – not the employee. Any pre-approved hours in excess of 40 in a work week (or 80 in a work period for police officers) are paid as overtime or accrued as compensatory time. Non-exempt employees may not have a balance of more than forty hours of compensatory time at any given time. See Section 2-14-60 (B) of the Personnel Merit System for complete provisions.

For general employees (other than sworn police employees):

A workweek is a period of 168 hours during 7 consecutive 24-hour periods for those employees other than Broomfield sworn police employees. Broomfield's workweek for general employees begins on Wednesday of each week and ends the following Tuesday.

For sworn police employees:

A special rule allows Broomfield to establish a different "work period" for sworn police employees. Broomfield has chosen a two-week period beginning on Wednesday (the first day of a pay period) and ending on Tuesday (the last day of a pay period) as the work period for these employees.

It is important to note that when calculating "hours worked," this includes all time an employee must be on duty, including any additional time the employee is 'permitted' to work. That is, an employee must be paid appropriately for time

spent working before and after the start and end times of his/her scheduled shift to the extent that this was permitted by the employer. Even if the employee indicates he/she does not want the pay, the supervisor or manager must make sure the time is noted on the employee's timesheet for payment. The supervisor or manager should admonish the employee, if necessary, and follow through with corrective or disciplinary action if the employee does not heed the supervisor's or manager's request to adhere to a 40 hour work schedule and continues to work through lunch or before or after regular working hours. It is the supervisor and manager's responsibility (and privilege) to control the work of its employees.

Child Labor Provisions - Nonagricultural Jobs – youths 16 and 17 years old may perform any non-hazardous job (may not work under conditions detrimental to their health and well-being) without a limit on the hours. Youths 14 and 15 years old may work outside of school hours in various non-hazardous jobs under the following conditions: no more than 3 hours on a school day; 18 hours in a school week; 8 hours on a non-school day; or 40 hours in a non-school week. Work may not begin before 7 a.m. or end after 7 p.m. except from June 1 through Labor Day when evening hours are extended to 9 p.m. Generally, minors are not allowed to perform tasks that may be detrimental to their health or physical or mental safety. The rules for non-agricultural positions prohibit work in, or with the following for children under the age of 18:

- Manufacturing and storing of explosives.
- Driving a motor vehicle and being an outside helper on a motor vehicle.
- Coal mining.
- Logging and sawmilling.
- Power-driven woodworking machines.
- Exposure to radioactive substances.
- Power-driven hoisting apparatus.
- Power-driven metal-forming, punching, and shearing machines.
- Mining, other than coal mining.
- Meat packing or processing (including the use of power-driven meat slicing machines).
- Power-driven bakery machines.
- Power-driven paper-product machines.
- Manufacturing brick, tile, and related products.
- Power-driven circular saws, band saws, and guillotine shears.

- Wrecking, demolition, and ship breaking operations.
- Roofing operations.
- Excavation operations.

[Click here for a summary of these regulations.](#) Information can also be found on the Department of Labor website at: <http://www.dol.gov>

If you have any questions regarding any labor laws, please consult the Human Resources Department or the City and County Attorney's office.

On-Call Pay – Under the provisions of the Fair Labor Standards Act, "on-call" or "standby" time counts as hours worked only if the on-call status creates a substantial interference on the employee's ability to use the time for personal purposes. Broomfield has elected to compensate non-exempt employees required to be readily available (as determined by the department head) to return to work as follows: for each hour of on-call duty, the employee is paid one-eighth hour at his or her straight-time rate. On-call pay must be approved by the employee's supervisor in advance. See Section 2-14-150 (A) of the Personnel Merit System for complete provisions.

Call-Back Pay – The Fair Labor Standards Act makes no determination as to whether travel to the job and back home by an employee who receives an emergency call outside of his regular hours to report back to his/her regular place of business to do a job is working time. Broomfield has elected to pay any non-exempt employee called to work during his or her nonscheduled working hours a minimum of two hours of pay. The two-hour minimum does not apply where the extra time worked is an extension of normal working hours. The supervisor has the right to assign the employee in this situation work on any project or task for the full duration of time paid. Call-back pay is in addition to any applicable on-call pay. See section 2-14-150 (B) of the Personnel Merit System for complete provisions.

Training Time – Training time is generally compensable for non-exempt employees. However, training time does not have to be compensated if the following four conditions are met:

- Attendance is voluntary;
- Attendance is outside of normal working hours;
- The event is not directly job-related; and
- The employee performs no productive work during this period.

Travel Time – Following are general guidelines regarding travel time for non-exempt employees:

1. Travel time to and from work is generally non-compensable with the following exceptions: a) employees driving vehicles that contain essential tools or equipment of the employer from their homes to work sites may be considered to be working while traveling and b) an employee who has gone home after completing his/her day's work and is subsequently called out to travel a substantial distance to an employer's customer and perform an emergency job should be compensated for the time spent on such travel.
2. Employees who travel from one work location to another during the course of a workday are entitled to compensation for travel time.
3. If an employee who normally works at one location is sent out of town on a single-day trip, the time spent traveling is compensable except that time may be deducted for the time it would take to get to the regular duty station. The time spent traveling to and from the airport or other transportation terminal in the morning and evening is the equivalent of the home-to-work commute and is not compensable.
4. Traveling overnight is not considered as work time when the travel is done outside of normal work hours. Any time spent traveling on a weekend will be counted as work time if the travel occurs during hours which the employee would normally work. Any time an employee spends working while traveling must be counted as work time.

Timesheets - Supervisors and managers must

- **check timesheets carefully to make sure that the time worked is accurately recorded prior to signing the timesheet and**
- **submit the timesheets to the Payroll Division before the Friday after payday.**

Employees should submit their timesheets to their supervisor on Wednesday (payday).

Payroll Information -- Full time employees are paid to date for base pay; part time and temporary employees are paid two weeks in arrears. Please note that adjustments to an employee's pay due to overtime, on-call pay, or call-back pay as well as adjustments to leave accruals (including compensatory time) or usage are always two weeks in arrears.

Leave Benefits

The supervisor has the authority to deny any leave if it conflicts with the operational needs of the department or division. However, if leave qualifies

under the FMLA, the supervisor does not have this discretion and must adhere to the requirements of the FMLA. These leaves may be taken

- only as earned,
- may not be taken in segments of less than one-half hour, and
- must be scheduled with the employee’s immediate supervisor at least 24 hours in advance. Note: Some departments may require a longer period of notice.

The supervisor must become familiar with the

- Leave Policy for Full-Time Employees;
- Leave Policy for Part-Time Employees; and
- Leave Policy for Temporary Employees.

This will enable the supervisor to

- help the employee understand his/her leave benefits;
- make sure the proper leave is recorded on the employee’s timesheet;
- make sure the Family and Medical Leave Form is completed (when required) in a timely manner so the employee’s absence from work under this act protects the employee’s job and Broomfield’s position.

Please find a summary of the leaves used most often below:

Type Of Leave	Uses By Full-Time Employees	Uses By Part-Time Employees
Annual Leave	Vacation To Transact Personal Business Supplement To STD For Full Pay Absence for Family or Medical Leave When sick leave is exhausted Supplement holiday leave if regularly scheduled work day is more than 8 hours	Vacation To Transact Personal Business Personal Illness Off-The-Job Injury Illness/Injury Of Employee’s Immediate Family Requiring His/Her Care And Attendance Medical/Dental Appointments Supplement To STD For Full Pay Scheduled Working Hours On Holiday Absence During Family or Medical Leave

Administrative Leave	Storm closure and as authorized by City and County Manager	Storm closure and as authorized by City and County Manager
Compensatory Time	Same As Annual Leave	Same As Annual Leave
Sick Leave	Personal Illness Off-The-Job Injury Illness/Injury Of Employee's Immediate Family Requiring His/Her Care And Attendance Medical/Dental Appointments Supplement To STD For Full Pay	(In Annual Leave Accrual)
Short-Term Disability (STD)	When Personal Illness, Off-The-Job Injury, Or Temporary Disability Meets Or Exceeds 7 Consecutive Calendar Days	When Personal Illness, Off-The-Job Injury, Or Temporary Disability Meets Or Exceeds 7 Consecutive Calendar Days
Holidays	8 Hours Per Holiday Schedule	(In Annual Leave Accrual)
Injury (On-The-Job)	Duration of injury or 520 hours, whichever is less	Duration of injury or 32 work days, whichever is less

Part-time employees using annual leave for personal illness or off-the-job injury or illness or injury of a member of the employee's immediate family requiring the employee's personal care and attendance must notify his or her supervisor no later than 30 minutes before their scheduled starting time or as soon thereafter as possible. Full time employees using sick leave or other available leave (if sick leave has been exhausted) for personal illness or off-the-job injury or illness or injury of a member of the employee's immediate family requiring the employee's personal care and attendance must notify his or her supervisor no later than 30 minutes before their scheduled starting time or as soon thereafter as possible. **A supervisor may require either a physician's certificate verifying the illness/injury at the employee's expense or a medical examination by a physician or health facility designated by Broomfield at the City and County's expense. For clarification please contact Human Resources.**

Non-exempt employees taking time off without approval of the immediate supervisor may not be paid for the time absent from scheduled working hours and may be subject to corrective or disciplinary action. Exempt employees

taking time off without approval of the immediate supervisor may be subject to corrective or disciplinary action, and can be docked pay for a partial day's or full day absence if they don't have leave to cover that absence.

All unused annual leave and compensatory hours as shown on City and County payroll records will be paid using the employee's regular hourly rate of pay at time of separation. Non-exempt employees will also receive pay for any accrued holiday hours using the employee's regular hourly rate of pay at time of separation.

Leave Benefits – Annual Leave

The amount of accrual for annual leave is prorated according to months of continual employment with different schedules for full-time Group 1 employees who are exempt from overtime, full-time Group 2 employees who are not exempt from overtime, and part-time employees.

An employee will receive full accrual for a pay period if he/she is paid for the total hours for that pay period. However, if an employee is paid for less than 50 percent of the hours for that pay period, he/she will receive no accrual for that particular pay period. And, if an employee is paid for at least 50 percent but less than 100 percent of the hours for that pay period, he/she will receive 50 percent of the accrual for that particular pay period.

Sick leave balances at the end of a calendar year will be converted at 100 percent of the remaining balance to annual leave on the second payroll of the following year.

All unused annual leave hours in excess of 280 hours at the end of a calendar year for a full-time employee or 224 hours at the end of a calendar year for a part-time employee will be forfeited.

Leave Benefits – Compensatory Time (Non-Exempt Employees Only)

Compensatory time may be provided to Broomfield non-exempt employees in lieu of overtime pay. Employees may accumulate compensatory time to a 40 hour maximum at any one time, and an employee's balance up to this 40 hour maximum may carryover from one calendar year to the next.

Compensatory time may be taken only as earned and may not be taken in segments of less than one-half hour, **unless** the employee is attempting to exhaust his/her compensatory time balance.

When an employee works sufficient hours to earn overtime, an employee may designate these hours as compensatory time on his/her timesheet. These overtime hours would then be multiplied by 1.5. At the point that the

compensatory hours reach 40, any excess hours would have to be paid as overtime. Exempt employees are not eligible for compensatory time.

Leave Benefits – Sick Leave

All full-time employees are eligible for 80 hours of sick leave per calendar year. This balance will show on the second payroll of the calendar year. For those employees hired after January 1 of the calendar year, the 80 hours of sick leave will be prorated. **A supervisor may require either a physician's certificate verifying the illness/injury at the employee's expense or a medical examination by a physician or health facility designated by Broomfield at the City and County's expense. Please contact Human Resources for clarification.**

Please Note: Sick leave balances at the end of a calendar year will be converted to annual leave at 100% of the remaining balance on the second payroll of the following year.

Unused sick leave hours as shown on City and County payroll records will **not** be paid at time of separation.

Leave Benefits – Short-Term Disability (STD) Leave

	Full-Time Employee	
	Work Hours At Full-Pay	Work Hours at 60% Of Pay
Months Of Employment Completed:		
0 months but less than 6 months	No Benefit	No Benefit
6 months but less than 24 months	0	520
24 months but less than 60 months	260	260
60 months but less than 120 months	346	174
120 months and above	520	0

	Part-Time Employee	
	Work Days At Full-Pay	Work Days 60% Of Pay
Months Of Employment Completed:		
0 months but less than 12 months	No Benefit	No Benefit
12 months but less than 48 months	0	32
48 months but less than 120 months	11	21
120 months but less than 240 months	21	11
240 months and above	32	0

Short-term disability leave is retroactive to the first calendar day when the employee's personal illness, off-the-job injury, or temporary disability exceeds seven consecutive calendar days. To obtain full pay, short-term disability--if paid at 60 percent--may be supplemented by the employee's available annual leave, sick leave, compensatory time, or holiday leave. If a holiday occurs during the time an employee is under approved short-term disability leave, the holiday leave hours will be charged as usual and any remaining scheduled work hours will be charged to short-term disability leave. Short-term disability leave is available for scheduled working hours for either

1. the duration of the employee's illness, off-the-job injury, or disability until the employee becomes eligible for the long-term disability insurance benefit or
2. a maximum of 520 work hours (for full-time employees) or 32 work days (for part-time employees) from the onset of the illness, off-the-job injury, or disability, whichever is less.

In order to obtain short-term disability, the following procedures must be followed:

- The employee must complete a request for the short-term disability or other leaves needed for his/her particular situation on the "Leave Request For Family Or Medical Leave" form, obtaining the signatures of his/her supervisor on the form, and forwarding the form to the Human Resources Department. This request must be in advance (30 days) of any planned

absence. Notification for unplanned absences that fall under short-term disability must occur as soon as practicable.

- The employee must also have his/her physician complete the Certification of Health Care Provider form verifying the employee's illness, off-the-job injury, or disability and forward the form to the Human Resources Department. This form must be completed within 15 calendar days of the date the Leave Request is received in Human Resources.

Upon receipt of the FMLA form, the Human Resources Department will

1. explain the Family and Medical Leave Act (FMLA) to the employee;
2. verify whether or not employee is eligible for FMLA based on his/her employment date and hours worked during previous twelve months;
3. explain paid leaves such as short-term disability (STD), sick leave, annual leave, etc. and how they may be used in conjunction with unpaid leave, if necessary, to the employee, provide release form for employees covered by Kaiser;
4. review the "Certification Of Health Care Provider" information submitted by the employee to determine if further information from the physician is needed;
5. acknowledge formally to the employee whether his/her requested leave counts as Family and Medical Leave;
6. consult with supervisor regarding any work restrictions or modified duty requests within the restrictions as provided in the leave policy; and
7. remind employee and supervisor that the Physician's Release to Return to Work Form is needed prior to returning to work.

The supervisor must request a physician's release to regular duties before the employee is allowed to return to work or a physician's release noting job restrictions before the employee is considered for return to work. An employee requesting short-term disability leave may be required to undergo a medical examination by a physician or health facility designated by the City and County to verify that the employee is unable to satisfactorily perform assigned duties with the expense of such examination to be borne by the City and County.

For general employees (other than sworn police employees):

Short-term disability leave may be coordinated with the City and County's long-term disability insurance benefit.

For sworn police employees:

Short-term disability may be coordinated with the Fire and Police Pension Association (FPPA). FPPA considers long-term disability to be a disability of 12 months or more. FPPA will not pay benefits for one year from the initial date of injury and may verify disability by sending employee to a physician chosen by FPPA.

Sworn police employees may apply for this benefit:

- a. between 180 days before or 90 days after the 12 month period of disability has been met
- b. and then only if his/her physician states the disability will last for a minimum of one year.

The Human Resources Department will

- meet with the employee and his/her supervisor in an effort to review any leaves such as short-term disability benefit, modified duty (if available and granted by the department), etc. that may be used for the employee to receive compensation during this 12-month period and
- communicate with FPPA to make sure that the claim is filed in a timely manner.

Family and Medical Leave Act

The Family and Medical Leave Act (FMLA), 29 U.S.C. 2601, et. seq. and 29 C.F.R., PART 825, was enacted by the Federal Government to allow employees to take up to a total of 12 workweeks

- for the birth of a child,
- the placement of a child for adoption or foster care,
- a seriously ill family member, or
- an employee's serious health condition.

This particular act was designed for job protection and not as another form of leave.

Eligible employees include those employees who have been employed by Broomfield for at least 12 months and who have worked at least 1,250 hours for Broomfield in the previous 12-month period.

The employer is only required to provide the 12 workweeks in a 12-month period, but not necessarily pay the employees for the time taken off. If a Broomfield employee needs FMLA, he/she must first use **all** available accrued paid leave which will be credited to the FMLA maximum of 12 workweeks in a

12-month period. The cumulative length of leave cannot exceed 12 workweeks within the 12-month period and is not 12 workweeks per incident.

The supervisor needs to ensure that the employee consults with a Human Resources representative immediately upon learning that he/she must take leave. In an emergency situation, the supervisor must notify Human Resources.

Please see schedule below for those instances when an employee using leave must complete a Leave Request for Family or Medical Leave. These may require medical certification - please refer to the Leave Policy for details.

Full-Time Employees	Part-Time Employees
Annual Leave, Compensatory Time, Sick Leave, or Holiday Leave in excess of three consecutive days for personal illness, off-the-job injury, or disability.	Annual Leave or Compensatory Time in excess of three consecutive days for personal illness, off-the-job injury, or disability.
Annual Leave, Compensatory Time, Sick Leave, or Holiday Leave in excess of three consecutive days for an illness or injury of a member of the employee's immediate family (as defined in the "Personnel Merit System") requiring the employee's personal care and attendance.	Annual Leave or Compensatory Time in excess of three consecutive days to care for an illness or injury of a member of the employee's immediate family (as defined in the "Personnel Merit System") requiring the employee's personal care and attendance.
All Short-Term Disability (STD) leave.	All Short-Term Disability (STD) leave.
Injury Leave in excess of three consecutive days for an on-the-job injury.	Injury Leave in excess of three consecutive days for an on-the-job injury.

Broomfield's leave policies were developed to meet the requirements of The Family and Medical Leave Act and to provide employees with notice detailing the specific expectations and obligations of the employee requesting leave under the Family and Medical Leave Act (FMLA). It also explains the consequences associated with the failure to meet those obligations.

It is the supervisor's responsibility to make sure the employee completes the "Leave Request for Family or Medical Leave" form as needed and forwards it to the Human Resources Department in a timely manner. The supervisor must also ensure that the employee provides him/her with a Physician's Release to Return to Work Form (whether it be to regular duties or modified duties) utilizing the City and County form prior to returning to work.

Human Resources will work closely with the supervisor to manage the process of Family and Medical Leave so that the time an employee is out applicable to FMLA is properly monitored and tracked. Human Resources will

1. Explain the Family and Medical Leave Act (FMLA) to the employee;
2. Verify whether or not employee is eligible for FMLA based on his/her employment date and hours worked during previous twelve months;
3. Verify that the condition meets the criteria for family or medical leave;
4. Explain paid leaves such as short-term disability (STD), sick leave, annual leave, etc. and how they may be used in conjunction with unpaid leave, if necessary to the employee;
5. Review the "Certification Of Health Care Provider" information submitted by the employee to determine if further information from the physician is needed;
6. Acknowledge formally to the employee whether his/her requested leave counts as Family and Medical Leave;
7. Consult with supervisor regarding any work restrictions or modified duty requests within the restrictions as provided in the leave policy; and
8. Remind employee and supervisor that a Physician's Release to Return to Work Form is needed prior to returning to work;

More information on the Family and Medical Leave Act can be found on the Department of Labor website @ www.dol.gov or from the Human Resources Department.

Leave Benefits - Holidays

Holiday Leave – Supervisors and managers need to have a clear understanding of the holiday leave policy, so that these hours are recorded properly on the employee's timesheet.

City and County Observed Holidays
New Year's Day (January 1)
Martin Luther King's Birthday (Third Monday in January)
President's Day (Third Monday in February)
Memorial Day (Last Monday in May)

Independence Day (July 4)
Labor Day (First Monday in September)
Veteran's Day (November 11)
Thanksgiving Day (Fourth Thursday in November)
Friday following Thanksgiving
Christmas Eve (December 24)
Christmas Day (December 25)

Note: Generally, when a holiday falls on a Saturday, the holiday will be observed on the preceding Friday. Generally, when a holiday falls on a Sunday, the holiday will be observed on the following Monday.

Full-time employees required to work on a holiday or full-time employees who work rotating shifts without observance of holidays due to the nature of their work shall accumulate holiday leave. Any full-time employee (Group 1 or Group 2) who actually works during the period from midnight through 11:59 p.m. on January 1 (New Year's Day), July 4 (Independence Day), Veteran's Day (November 11), December 24 (Christmas Eve), December 25 (Christmas Day), or the day observed for the other holidays listed above shall receive four additional hours of holiday leave per holiday worked.

If a full-time employee who normally works on a holiday because he or she works rotating shifts without observance of holidays due to the nature of his or her work is called in to work on a holiday for which leave was previously approved, the full-time employee may record the combination of holiday leave taken and hours actually worked for the hours that make up his/her normal shift. If the full-time employee is required to work hours either before or after his/her normal shift, the full-time employee may record the holiday leave for the hours of his normal shift and then record hours worked for those hours actually worked outside of his normal shift. The full-time employee will not be allowed to record both hours actually worked and holiday leave for the same exact hours.

This section applies to full-time employees who work rotating shifts without observance of holidays due to the nature of their work. A full-time employee who becomes ill or injured when scheduled to work on an Employer-observed holiday may request available sick leave in lieu of holiday leave for that period of Sickness or Injury.

In the same pay period in which it is earned, a full-time Group 2 employee required to work on a holiday or who works rotating shifts without observance of holidays due to the nature of the work, may request payment for earned holiday leave in lieu of accumulating holiday leave to be used for paid time off. Such payment will be made using the employee's regular hourly rate of pay.

On the second payroll check of December, all unused holiday leave hours as shown on City and County payroll records for Group 2 full-time employees will be paid using the employee's regular hourly rate of pay. Group 1 employees who are exempt from overtime may only use accumulated holiday leave in lieu of scheduled working hours; any unused holiday leave hours at the end of the calendar year will be forfeited. Please Note: Christmas Eve and Christmas Day hours will be carried forward to the following year.

The supervisor must make sure that his/her employee's timesheets are completed properly as they relate to holidays. The following guidelines should be followed:

Non-exempt full-time employees who are required to work on a holiday when they normally would not do so (such as a police officer in investigations, a park operations technician, or a street technician) or full-time employees who work rotating shifts without observance of holidays due to the nature of their work (such as police officers in patrol, community service officers, communication specialists, plant operators, etc.) should only record hours worked or leave used (other than holiday) on the top of the timesheet. These employees will then complete the section near the bottom of the timesheet labeled Holiday Leave requesting

- date (of holiday);
- hours actually worked on holiday (such as 7 a.m. to 3:30 p.m.);
- holiday leave hours (always 8 hours);
- additional holiday leave hours (4 hours if employee actually worked during the period from midnight through 11:59 p.m. on January 1—New Year's Day, July 4—Independence Day, November 11—Veteran's Day, December 24—Christmas Eve, December 25—Christmas Day, or the day observed for the other holidays listed above; otherwise 0 hours); and
- accumulate and pay (the 8 or 12 hours total between holiday leave hours and additional holiday leave hours can be split between these two columns per employee wishes).

The guidelines being used for completing timesheets when a holiday is involved were developed for the following reasons:

- To reward an employee for actually working on a holiday when it is different than the City and County observed holiday (such as rewarding an employee for working on Christmas Day instead of December 26 if this is the City and County observed holiday) by giving this employee an extra 4 hours of holiday leave or pay;
- To not pay every employee who works a rotating shift regardless of holidays due to the nature of their work 12 hours every holiday;
- To allow an exempt employee to use any hours worked on a holiday on another day.

Common questions as to the above policy include:

Question: What if I complete my timesheet according to the above guidelines, and I now have less than 40 hours for that particular week?

Answer: You will need to accumulate at least enough hours to cover the difference between 40 hours and the hours you now show for that particular week. These accumulated hours will allow you to receive your normal pay for that week with the remaining hours on the bottom of the timesheet being holiday leave or extra holiday pay.

Question: Are the hours on the bottom of the timesheet under "Pay" paid at my normal hourly rate or my overtime rate?

Answer: The hours noted under "Pay" under the Holiday Leave section will be paid at your normal hourly rate.

Question: What if Christmas, for example, falls on a Sunday, and I work on Monday--the City and County observed holiday?

Answer: You will receive whatever portion of the 8 hours you worked to use as your holiday on another day. You will not receive the additional 4 hours that you would have received if you had worked on Sunday—Christmas day.

Question: What if I am an exempt employee and I am required to work 5 hours on Christmas?

Answer: You would put 3 hours under Holiday on that particular day. This will alert Payroll to give you the 5 hours plus 4 additional hours to use on another day. Again, if you worked on the City and County observed holiday and not on Christmas Day, you would only receive the 5 hours to use on another day.

Leave Benefits – Injury Leave

Injury leave benefits provide 100 percent of pay for scheduled working hours for either

1. the duration of the time period the employee is incapacitated or
2. a maximum of 520 hours for a full-time employee or 32 work hours for a benefited part-time employee, whichever is less.

In order for an employee to receive injury leave benefits, the employee must forward to Broomfield any and all benefits received from Broomfield's workers' compensation insurance fund subscribed to by Broomfield. It is unlawful for an employee to receive compensation from Broomfield and from Broomfield's workers' compensation insurance fund for the same hours, and an employee violating this leave benefit will be subject to disciplinary measures in accordance with the Broomfield's Personnel Merit System.

Human Resources staff including the Human Resources Program Specialist will work together with the supervisor to manage the injury leave process.

An employee receiving injury leave or modified duty assignments may be required to undergo additional medical examination(s) by a physician or health facility designated by Broomfield with the expense of such examination(s) to be borne by Broomfield. Failure of an employee receiving injury leave to submit to a medical examination by a Broomfield-designated physician or health facility shall terminate the injury leave benefit.

The department head, with the concurrence of the Human Resources Department, may require the injured employee to perform certain modified duty assignments on a temporary basis as approved by the City and County's designated physician. The modified duty assignment cannot exceed 1,040 work hours for a full time employee and 180 cumulative calendar days for a part time employee. Assignment to modified duty does not in any way create a right for the employee to occupy that or any other position on a regular basis. Failure of an employee to report for modified duty assignment may terminate the injury leave benefit.

The goal of modified duty program is to enable employees to continue using skills and abilities temporarily limited by injury or disability when modified duty positions are available. This applies to any employee who has a temporary disability that prevents him or her from performing his or her full duties or meeting the minimum standards established for his or her position. Modified duty assignments are not a matter of right. The number, availability and duration of such assignments are limited by departmental needs as defined by the department head or designee. The employee's modified duty status shall be reviewed every thirty days by the employee's supervisor and a representative from the Human Resources Department to determine whether the assignment is

appropriate and whether it should be continued. In conjunction with such review, the employee may be required to submit to periodic physical examination as a condition of continued modified duty status. A medical examination and clearance for return to regular assignment is required before an employee assigned to modified duty can return to his or her original position.

In the event it is determined by the workers' compensation insurance fund subscribed to by Broomfield that the injury or disability is not compensable through workers' compensation benefits, any injury leave paid by Broomfield will be charged against the employee's accumulated sick leave balance or other leave balances as necessary.

Leave Without Pay

Leave without pay may be granted to full-time employees when

- the employee's employment record is satisfactory;
- the value to Broomfield or the serious needs of the employee are sufficient to offset the cost and administrative inconvenience of granting this leave; and
- all of the employee's annual leave, compensatory time, and holiday leave are exhausted.

Leave without pay of five days or less in a calendar year is subject to approval by the department head or designee. Leave without pay in excess of five working days in a calendar year must be routed through the Human Resources Department and then approved by the City and County Manager. The supervisor is responsible for initiating the memorandum requesting leave without pay. Leave without pay may be granted for a specified period of time not to exceed ninety calendar days. Please refer to the Leave Policy for more information on leave without pay.

Part time employees eligible for the Medical Insurance Reimbursement program will not get reimbursement for any month he/she does not work or take accrued leave for their first regularly scheduled work day of the month.