



## POLICY COMMITTEE

Friday, October 21, 2022  
2:30 P.M.

Courthouse & Government Center  
Board of Commissioner's Room

### AGENDA

1. Call to Order
2. Public Comment
3. New Business
4. Old Business
  - a. Continued discussion regarding PTO Policy – Appendix A
  - b. PTO Policy Addendum – Appendix B
5. Other items from Committee members.
6. Adjournment

## PTO Policy

### Purpose

The purpose of Paid Time Off (PTO) is to provide employees with flexible paid time off from work that can be used for such needs as vacation, personal or family illness, doctor appointments, school, volunteerism, and other activities of the employee's choice.

The PTO days you accrue, effective January 1, 2023 replace all existing vacation, sick time, and personal days that you have been allotted under prior policies. The vacation time you accrued will carry over, in excess of the PTO policy, per the guidelines at the time.

### Guidelines

Each full-time employee will receive 45 or 48 hours of PTO on January 1<sup>st</sup> of each year. Part-time employees will receive a pro-rated number of hours based on the number of hours they worked during the previous year on January 1<sup>st</sup>.

Each full-time and part-time employee will accrue PTO bi-weekly in hourly increments based on their length of service as defined below. PTO is added to the employee's PTO bank when the bi-weekly paycheck is issued. PTO taken will be subtracted from the employee's accrued time bank in half hour (.5) increments.

Temporary employees, Elected Officials, and interns are not eligible to accrue PTO.

New Employees are eligible to use accrued PTO on the first of the month following 90 days of employment.

Eligibility to accrue PTO is contingent on the employee either working or utilizing accrued PTO for the entire bi-weekly pay period. PTO is not earned in pay periods during which unpaid leave or short-term disability leave are taken.

An employee injured at the County under circumstances such that Workers' Compensation benefits are paid by the County, shall, with respect to vacation years occurring after the employee's return to work, have the period during which Workers' Compensation benefits were paid counted as continuous employment for the purpose of determining the amount of vacation to which the employee is currently entitled.

Employees may use time from their PTO bank in half hour (.5) increments. The time that is not covered by the PTO policy, and for which separate guidelines and policies exist, include company paid holidays, bereavement time off, required jury duty, and military service leave.

To take PTO requires two days of notice to the department head unless the PTO is used for legitimate, unexpected illness or emergencies. Use the Paid Time Off form to request PTO. In all instances, PTO must be approved by the employee's department head in advance.

### Paid Time Off (PTO) Exceptions

- Employees who miss more than three consecutive unscheduled days may be required to present a doctor's release to Human Resources that permits you to return to work.
- PTO taken in excess of the PTO accrued can result in progressive disciplinary action up to and including employment termination. This time off will be unpaid. The only possible exception to this policy must be granted by the Board of Commissioners.
- PTO accrued prior to the start of a requested and approved unpaid leave of absence must be used to cover hours missed before the start of the unpaid leave.
- Under Manistee County's Family Medical Leave Act (FMLA) policy, all accrued PTO time is taken before the start of the unpaid FMLA time.
- Unscheduled absences that result in consecutive days off, excessive call ins, pattern absences may all be considered as absence incidents in relation to potential disciplinary action.
  - Progressive disciplinary action relative to incidents of absenteeism is administered on a rolling 12-month calendar as follows:
    - One – three incidents: No disciplinary action. Supervisory coaching.
    - Fourth incident: Verbal Warning with a documented coaching session
    - Fifth incident: Written warning in the employee's file
    - Sixth incident: Employment termination

An employee who receives a second written warning in a rolling 24-month time period will have his or her employment terminated.

- An employee who has used all of his or her FMLA and Short-Term Disability benefits, and is still unable to return to work, will have his or her employment terminated.
- Any employee who misses two consecutive days of work without notice to their supervisor may be considered to have voluntarily quit their job.

### Specific Eligibility for Paid Time Off (PTO)

PTO is earned on the following schedule based on a 37.5- or 40-hour work week. PTO is prorated based on the number of hours worked on an employee's regular schedule.

#### Years of Service

0-4: 75 or 80 hours per year, earned at a rate of .06153 1.443/1.539 for each full work week in a calendar year.

5-9: 112.50 or 120 hours per year, earned at a rate of ~~0.8077~~ 2.163/2.309 for each full work week in a calendar year.

10-15: 150 or 163 hours per year, earned at a rate of ~~1.000~~ 2.885/3.135 for each full work week in a calendar year.

16-20: earn one additional day per year until you reach 20 years of service.

16: 157.5 or 171 hours per year, earned at ~~1.0384~~ 3.029/3.289 for each full work week in a calendar year.

17: 165 or 179 hours per year, earned at ~~1.0770~~ 3.173/3.442 for each full work week in a calendar year.

18: 172.5 or 187 hours per year, earned at ~~1.1154~~ 3.317/3.596 for each full work week in a calendar year.

19: 180 or 195 hours per year, earned at ~~1.1540~~ 3.461/3.75 for each full work week in a calendar year.

20: 187.5 or 203 hours per year, earned at ~~1.1923~~ 3.605/3.904 for each full work week in a calendar year.

#### Maximum Time Accumulated

Although you may carry over unused PTO time from year to year, there is a cap on the amount of PTO time you can accumulate.

Each employee may carry over 37.5 or 40 hours of accrued PTO over into a new calendar year. At the end of each calendar, employees may cash out up to 3 days of PTO time. Employees are responsible for monitoring and taking their PTO over the course of a year so that they do not lose time accrued when the current calendar year ends. (PTO is subject to department head approval and not every employee can take accumulated time in December: Manistee County must continue to serve customers.)

If extenuating business circumstances prevented the employee from taking scheduled PTO, this PTO may be carried over and taken in the first half of the next calendar year with the approval of the department head.

Employees are paid for the PTO they have accrued at employment end. If an employee has used PTO time not yet accrued, and employment terminates, the PTO taken is deducted from the final paycheck. Employees who give two weeks' notice of employment termination must work the two weeks without utilizing PTO. If an employee dies, the County will pay to the person the employee designates as the next of kin, accrued but unused PTO. This provision also applies to employees who are laid off.

Employees who are rehired will receive credit for the former time worked and accumulate current PTO for the combined time.

### Donating Hours

Employees who wish to donate PTO leave to another employee, he/she will complete the PTO Donation Form and submit to Administration.

The minimal amount of leave donation allowable is – eight (8) hours; the maximum allowable leave donation is – forty (40) hours. The employee donating the leave must have a balance of at least eighty (80) hours remaining in his/her PTO Bank, after the donation. Accrued and unused paid leave donated by any one employee may not exceed 160 hours.

PTO Donation Form – Donor Application Form

For Payroll Period Ending \_\_\_\_\_.

I. DONOR INFORMATION

\_\_\_\_\_  
(Last) (First) (M.I.) (Social Security Number)

DEPARTMENT: \_\_\_\_\_

JOB TITLE: \_\_\_\_\_

SUPERVISOR'S SIGNATURE \_\_\_\_\_ DATE: \_\_\_\_\_

TYPE OF LEAVE DONATED:

PTO [ ] # HOURS DONATED \_\_\_\_\_

Note: The minimal amount of leave donation allowable is – eight (8) hours; the maximum allowable leave donation is – forty (40) hours. The employee donating the leave must have a balance of at least eighty (80) hours remaining in his/her PTO bank, after the donation. Accrued and unused paid leave donated by any one employee may not exceed 160 hours.

II. PERSON TO RECEIVE LEAVE

\_\_\_\_\_  
(Last) (First) (M.I.) (Social Security Number)

DEPARTMENT: \_\_\_\_\_

JOB TITLE: \_\_\_\_\_

SUPERVISOR'S SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

- 1. Use of donated leave is limited to the average number of hours in the employee's weekly schedule.
- 2. Donated leave **may not** be used to supplement paid benefit program(s) (i.e. Disability Leave, Worker's Compensation)
- 3. Donated leave hours will be subject to taxes for both the employee donating and the employee receiving the donation.

III. CERTIFICATION

I hereby certify that this request is made voluntarily. By signing I hereby relinquish all rights to the leave shown above and the benefits accruing to or attached to the same. I certify that I will have a remaining balance of 80 hours or more of combined leave (sick, vacation, personal and compensatory) after making this donation. I also understand that my identity as a donor is to be kept confidential and I will also honor that confidentiality.

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

Donating Employee

IV. VALIDATION – TO BE COMPLETED BY ADMINISTRATION

Annual Leave Balance		Number of		New Annual	
Before Donation	_____	Hrs. Hours Donated	_____	Hrs. Leave Balance	_____ Hrs.

ADMINISTRATION REVIEW: \_\_\_\_\_  
SIGNATURE DATE

DRAFT



## PTO POLICY ADDENDUM

Purpose

The purpose of the Paid Time Off (PTO) addendum is to provide a transition from the previous vacation policy where time was accrued for use in the next calendar year to the current PTO Policy effective January 1, 2023. This PTO Policy addendum is effective January 1, 2023, through December 31, 2024.

Guidelines

All employees will be required to prefund their 2023 PTO Banks with a minimum of (1) one week of their earned time from 2022. The remaining time will need to be put into one or more of the following:

- (A) HRA,
- (B) Deferred Comp Plan,
- (C) Payment at Termination of Employment,
- (D) Payout of up to (2) two weeks,
- (E) Remaining time will go into a bank of time off (2022 bank) to be used by December 31, 2024.
  - a. Employee may request to be paid out a total of 22.5 hours (3 days) from their "2022 Bank" at 80% during the first payroll of November in 2023 and 2024.