

CITY OF CHARLOTTE
COUNCIL POLICY

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1. PURPOSE

The purpose of this policy is to describe the terms and conditions of benefits accorded to shift employees of the Charlotte Fire Department.

2. AUTHORITY

This policy is adopted pursuant to Section 6.18 of the City of Charlotte Charter.

3. BENEFITS

3.1 Eligibility

According to Federal law, the regular schedule for a Fire Department shift employee is limited to 212 working hours in a four (4) week period. Because the customary schedule for employees is 216 hours, the balance of four (4) hours is to be paid at 1/2 times the regular rate of pay. If, during any four (4) week period between the allotted Kelly Days, the employee is off a day (for vacation, sick leave, personal day, etc.) when he/she is scheduled to work, the employer will not pay the four hours (4) at 1/2 times their regular base pay rate for that period.

3.2 Kelly Days

Fire Department employees get 24 hours off in every 12-week period for a "Kelly Day".

3.3 Call Back Time

When called back to work during times the employee is not scheduled to work (fire, meetings, etc.) employees will be paid 1-1/2 times their regular pay rate regardless of prior days off on scheduled work days.

3.4 Earned Time Off

Employees may exchange overtime hours worked for earned time off (ETO) at the rate of time and one-half (1-1/2) under the following conditions:

A) The maximum amount of ETO hours that can be banked is 108 hours.

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B) Any usage of ETO will be charged and deducted from the ETO bank. Notification of ETO used will be forwarded to Finance Director.

C) The ETO option will be made during the pay period that it is earned. ETO shall be banked to the nearest one-half (1/2) hour or paid in full.

D) ETO shall be used in increments of 1 hour.

E) An employee may utilize ETO only with the approval of the Fire Chief or person so designated.

F) Employees will be granted ETO in accordance with a first come, first serve basis, provided shift coverage is maintained.

G) Accumulated ETO in any amount shall be paid to the employees upon request. Payment will be issued as soon as practical. Payment will be made at the wage rate ETO was earned.

3.5 Life Insurance

Group term life insurance is provided for each full-time employee, effective the first of the month following 30 days of employment. This will be at City expense. Refer to your insurance certificate or contact the City Clerk's Office for amount of coverage.

3.6 Workers Compensation

In accordance with State law, workers' compensation benefits are available to eligible employees who are injured during the course of their employment. No employee shall receive duplicate payments from sick leave and worker's compensation.

If an employee is off work for more than fourteen (14) days, worker's compensation benefits are paid for the original seven (7) days. In this case, it is the employee's responsibility to submit to the payroll department, a copy of their worker's compensation benefits payment, and the detailed explanation of benefits. Upon receipt, the amount will be deducted from their next payroll check, and corresponding sick leave will be reinstated to their accrued hours.

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Any work-related injury or illness, no matter how minor, must be reported to the employee's supervisor immediately. If medical assistance is required, the Human Resources/City Clerk's office will send him or her to an approved medical facility. Worker's Compensation regulations require that within 24 hours of an illness and/or injury a report and a claim form completed and submitted.

3.7 Light Duty

If an employee is determined by a medical professional to be able to perform light duty, the availability of light duty will be determined by the Fire Chief. The employee will provide a medical slip indicating the provisions of light duty restrictions in 14 day increments.

3.8 Sick Leave And Disability

Sick leave shall not be considered a privilege, which an employee may use at his discretion, but shall be used in the case of necessity. To be paid available sick leave, the employee shall notify the Fire Chief or his/her designee prior to the time set for reporting to work.

All full-time employees shall be eligible to accumulate sick leave from the first month of service.

When an absence is for more than three (3) consecutive duty days, the employee may be required to file a physician's certificate. A Payroll Change and Request form for sick leave shall be filled out immediately and signed by the employee (when possible) and the department head, and turned into Payroll before payment for an absence will be made.

An employee injured during any gainful employment other than with the City, which is covered by workers compensation or other disability, shall not be eligible for sick or disability benefits.

3.8.1 Employee-Earned Sick/Disability Leave: On July 1, 2010, accrued disability days credited to an employee shall be converted to sick leave hours at the rate of twenty-four (24) sick leave hours for each disability day and added to

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the employee's accrued sick leave. Effective July 1, 2010, all eligible full time employees shall be entitled to sick leave credit of eleven (11) hours for each completed month of service, except that no leave credit can be earned during a leave of absence without pay.

The amount of leave time charged to an employee during any absence shall be equal to the number of regularly scheduled hours the employee would have worked during such absence. Leave credit will not be allowed in advance of being earned.

An employee may accumulate earned sick leave in an amount not to exceed six hundred forty-eight (648) hours; provided, however, an employee hired prior to July 1, 2010 may retain sick leave accumulated as of June 30, 2010 up to one thousand eighty (1080) hours which amount shall be that employee's maximum allowed accumulation. An employee's maximum allowed accumulation shall be reduced by the number of hours of sick leave used in each year (July 1 to June 30) in excess of the amount earned in said year, if any, but in no case will an employee's maximum allowed accumulation be less than six hundred forty-eight (648) hours. If an employee's actual accumulation is less than six hundred forty-eight (648) hours, earned sick leave shall be accumulated up to six hundred forty-eight (648) hours.

3.8.2 Payment of Unused Employee-earned Sick Leave: Payment of unused employee-earned sick leave, not to exceed the maximum allowed accumulation, shall be made to the employee upon retirement with the Municipal Employees Retirement System or to his/her beneficiary upon death. The amount of this will be verified by the City Clerk's office on retirement.

Payment of one-half (1/2) of the unused employee-earned Sick Leave/Disability Leave accumulation will be paid to the employee upon leaving employment after ten (10) full years of employment with the City.

Those employees whose sick leave accumulation reaches the maximum allowed accumulation authorized herein shall be paid annually at the rate of one-half (1/2) of the employee's regular hourly rate of pay for each hour of sick leave earned and unused in excess of the maximum accumulation as of June 30 in each year. Payment shall be made by July 31 of each year based on the regular hourly rate of pay in effect on June 30.

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3.8.3 City Paid Disability Leave: City paid disability leave will be provided in conjunction with employee-earned *sick leave* for long-term critical illness or non-job related injury for up to twenty-six (26) weeks.

City paid disability leave will be approved after the proper City forms provided by the City Clerk's office are filled out and filed with the City Clerk. This form will include a physician's certificate to be completed by the attending physician and a portion for the employee to fill out. This written notice of claim must be presented to the City Clerk's office within fifteen (15) days of the occurrence of the injury or illness for the employee to be eligible for disability benefits.

City paid disability leave will be provided for employees starting thirty (30) days from the date of employment. Employees must be absent from work longer than five duty days before becoming eligible for disability benefits. City paid disability leave payments will commence on the fifteenth (15th) calendar day.

Disability benefits will not be paid for any claim covered by workers' compensation or for an injury that result from other gainful employment which is covered by workers' compensation or other disability plan, for suicide attempts, or for injury resulting from acts of war.

Successive periods of disability will be considered one period of disability unless subsequent periods of disability result from causes entirely unrelated to the cause of the previous disability or commence after the employee has returned to active full-time work for the City for at least two (2) consecutive weeks.

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3.8.3.1 Schedule Of Payment For Disability Leave

EMPLOYEE LEAVE CITY PAID

Week	Sick Leave Hours	City Disability Hours	Total
1	54	0	54
2	54	0	54
3	43	11	54
4	43	11	54
5	32	22	54
6	32	22	54
7	22	32	54
8	22	32	54
9	11	43	54
10	11	43	54
11-26	0	54	54

3.8.4 Employee Responsibility: To be eligible for Sick Leave pay the employee must be available by telephone, during those times the employee requests pay for Sick Leave absence, at the employee's residence, physician's office or hospital. An answering device is not an acceptable substitute. An employee who is not so available shall be ineligible for any Sick Leave payment. This provision will not apply to medically verified illness and/or disability.

Employment may terminate for any employee who is off work continuously for six months, whether covered by sick leave, disability leave or workers compensation, or a combination of any leave, including Family Medical Leave. An extension of this six-month period may be granted upon written request to the City Manager.

3.8.5 Long Term Disability Insurance. The City will provide long term disability insurance with a monthly benefit equal to 66 2/3% of the employee's regular wages up to a maximum monthly benefit of \$5000 for disabilities the duration of which exceeds the maximum benefit under this section. Benefits paid under the

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long term disability insurance shall commence following the twenty-six (26) weeks of disability leave under this section.

3.9 Personal Leave

Full-time regular employees with one (1) year seniority are allowed up to two (2) days a year with pay for personal leave. It is intended that this leave is to be used for personal business purposes which cannot be conducted during non-work hours and is not to be used to extend vacations, holidays, entertainment etc. without permission from the Fire Chief or his/her designee. Personal leave time must be approved by the Fire Chief.

Personal leave days not used by July 1 of each year may be added to the employee's accumulated sick leave. If the employee has reached the maximum allowed accumulation of sick leave, the employee may cash those days that exceed these amounts at one-half pay. This payment will be made on or before August 1.

3.10 Funeral Leave

A maximum of one and one half (1.5) days funeral leave time with pay may be utilized, if necessary, on the death of a full time employee's immediate family member, upon notice to the Fire Chief and/or City Clerk's office. Immediate family shall be interpreted as including: spouse, child, father, mother, sister, sister-in-law, brother, brother-in-law, father-in-law, mother-in-law, grandparents, grandchildren and step relations of the employee's immediate family.

A maximum of one (1) days sick leave time may be utilized if necessary for attendance at non-immediate family funerals with permission of the Fire Chief or his/her designee.

Extended funeral leave in extenuating circumstances may be authorized by the Fire Chief or City Manager. An employee may utilize personal leave or take leave without pay if authorized.

3.11 Retirement and Deferred Compensation

Each regular full-time Fire Dept shift employee shall become a member of the Michigan Municipal Employees Retirement System B-4 Plan program with the F-55

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rider (Employee to contribute 4.36%). Fire Department employees are not covered under FICA (social security). The City will contribute matching funds up to \$2500 for employees who wish to invest in the ICMA 457 Retirement Plan in lieu of Social Security contributions. After the \$2,500 match has been met, the employees will receive an additional contribution of \$1,000 a calendar year.

An employee must have ten (10) years of service to be vested in the retirement plan. The definition of retirement is when an employee draws retirement benefits under the City's retirement plan with M.E.R.S. An employee leaving employment with the City shall not be considered a retired employee under any circumstances other than as stated in the above definition.

3.12 Health Insurance

Eligibility, coverage and benefits under the listed insurance plans and other insurance plans set forth are subject to the terms and conditions, including waiting period or other time limits, contained in the contracts between the City and the carrier. Any rebates or refunds on premiums paid by the City shall accrue to the City. The City reserves the right to select the carrier, to change carriers, and to become self-insured.

Coverage will not be provided at City expense in the case of an employee who is on layoff or on a leave of absence without pay for more than 30 days. The City will pay the health insurance premiums for an employee receiving disability insurance payments or workers' compensation for up to a maximum of six (6) months.

3.12.1 Medical and Hospital Insurance: The City will pay 100% of the premiums for single, two-person, and full family coverage, but not for family continuation coverage, under the Blue Cross/Blue Shield MVF-2 with ML and prescription drug rider, or an equivalent plan, as the hospital, medical and surgical insurance plan for regular full-time employees. Effective September 1, 2010, the prescription drug plan shall be modified to increase employee co-pays to \$10.00 for generic drugs and \$40.00 for name brand drugs. Effective January 1, 2011, the insurance plan will be changed to the Blue Care Network/HRA plan.

3.12.2 Dental Insurance: The City will pay 100% of the cost for the current dental plan established or its equivalent for single, two-person and full family coverage, but not for family continuation coverage, for regular full-time employees.

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3.12.3 Vision Care: The City shall provide and pay 100% of the cost for a vision insurance plan for single, two-person and full family coverage, but not for family continuation coverage, for regular full-time employees.

3.12.4 Health Insurance for Retired Employees: The City shall make hospitalization, medical, and dental insurance available to retired employees through the present group carrier at the retired employee's expense. Should a retired employee opt not to obtain any insurance through the City's group carrier within 30 days upon their retirement, they are not eligible to sign up at a later date. Should a retired employee who has opted in decide to cancel their insurance due to coverage through a spouse or family member, they will not have the option to return to the City's insurance at any date.

3.14 Retirement Health Care Savings Plan

For fire department shift employees, the City currently has plans available through the MERS Health Care Savings Plan or the ICMA Health Care Savings Plan. The participation agreements shall be administered as outlined in the plan and employees may participate on a voluntary basis.

The City shall match up to \$500 from July 1, 2006 – June 30, 2007 for eligible fire shift employees. On July 1, 2007 the matching amount will increase to \$1,000. It will be the employee's responsibility to contact the Clerk's office to request the plan participation agreement.

3.15 Vacation

Each full time employee will receive earned vacation credit each year on his/her anniversary date of hire. Vacation pay will be calculated using the employee's regular base pay.

The amount of vacation leave charged to an employee during his or her leave shall be equal to the number of regularly scheduled hours he would otherwise have worked during his/her absence on such leave.

Vacation leave shall be used during the twelve month period following its having been credited to the employee; provided, however, employees may be permitted to

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"carry over" no more than fifty-four (54) hours vacation leave to be used to be used in the six months following their anniversary date. Employees may be paid after their anniversary date of hire for up to fifty-four (54) hours vacation leave that is not used or carried over.

3.15.1 Procedure. The time at which an employee shall take his/her vacation shall be determined by the Fire Chief and/or Human Resources Department. Requests for vacation leave shall be governed by seniority if more than one request is submitted for the same period. Sufficient advance notice of not less than two (2) weeks shall be given to the Fire Chief or his/her designee to allow for vacation scheduling and to arrange work schedules accordingly.

3.15.2 Eligibility. All full-time employees shall accumulate and receive vacation leave benefits within the limits prescribed herein. Vacation leave shall be based on length of continuous service. No vacation leave shall be earned by an employee during a leave of absence without pay.

3.15.3 Vacation Crediting – Employees Hired Before July 1, 2010

Length of Service	Vacation Allowance
12 to 36 months	One hundred eight (108) hours
37 to 120 months	One hundred sixty-two (162) hours
121 to 180 months	Two hundred sixteen (216) hours
181 months and over	Two hundred seventy (270) hours

3.15.4 Vacation Crediting -- Employees Hired After July 1, 2010

Length of Service	Vacation Allowance
12 to 36 months	One hundred eight (108) hours
37 to 120 months	One hundred sixty-two (162) hours
121 months and over	Two hundred sixteen (216) hours

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3.16 Holiday Pay

Employees whose scheduled duty day commences on a holiday will be paid two (2) times their regular rate of pay for all hours actually worked on that duty day. All other employees shall be paid for 12 hours at their regular rate of pay for the holiday.

If an employee does not work the day prior to or immediately following a holiday, he/she shall not be compensated for such holiday unless the absence on such day was scheduled or excused at management's discretion. If the holiday occurs during an employee's vacation, that day will be paid as holiday pay, and the employee will not be charged for a vacation day.

The following are designated as holidays:

<u>Holiday</u>	<u>Date</u>
New Year's Day	January 1
President's Day	3rd Monday in February
Good Friday (1/2 day)	Friday before Easter
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veteran's Day	November 11
Thanksgiving Day	4 th Thursday in November
Day after Thanksgiving	4 th Friday in November
Christmas Eve Day	December 24
Christmas Day	December 25
New Year's Eve	December 31

3.17 Longevity Pay

All regular full-time employees actively employed by the City who have completed five (5) full years of full-time employment with the City as of November 15 of any year shall be entitled to a longevity bonus for prescribed length of service with the City as indicated in the following rules and schedule of payment.

Longevity pay shall be computed on a percentage of the employee's regular annual base salary or wage, excluding overtime pay or premium pay. The percentage

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computation shall be made on that basic salary which an employee is being paid on the first regularly scheduled pay period of the fiscal year in which longevity pay is due. The maximum amount of longevity pay paid to an employee shall not exceed \$1,500 annually.

Longevity pay shall be based on full-time, continuous service. Following completion of five (5) years of such service by November 15th of any year and continuing in subsequent years of service, each employee shall receive annual longevity payments as provided in the schedule below. Employees whose service with the City terminates for any reason, including retirement, between November 15 dates, shall be eligible for a calendar months' pro-rated payment of their longevity pay, payable upon separation.

Payments to employees who become eligible by November 15 of any year shall be due the subsequent December 1.

3.17.1 Longevity Payment Schedule

<u>Continuous Service</u>	<u>Annual Payment</u>
5 years or more and less than 10 years	2.00% of annual wage
10 years or more and less than 15 years	3.00% of annual wage
15 years or more and less than 20 years	4.00% of annual wage
20 years and over	5.00% of annual wage

3.18 Payment Of Unused Accumulated Benefits

Payment for earned, unused vacation leave and personal leave will be made to the employee upon termination of his/her employment with the City or to his/her beneficiary upon death.

3.19 Education/Tuition Benefits

Each regular full-time employee shall be eligible for reimbursement of 100% of tuition costs of a pre-approved program towards a certificate or a degree. Programs must be job specific and approval must be authorized by the Fire Chief or City Manager.

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All course fees, to include manuals, books, enrollment, etc., shall initially be purchased by the individual requesting the course. Upon successful completion of the course, employees shall submit a request for reimbursement for up to 100%, with a maximum of \$1000 per fiscal year, of the cost for tuition, only.

4. POLICIES REPLACED

This policy replaces and supersedes the provisions of the City's Personnel Manual that apply to benefits for Fire Department shift employees.

5. EFFECTIVE DATE

This policy shall be effective upon its adoption by the City Council.