



## **RE: ADDITIONAL LEAVE AND HOLIDAY**

### **Background:**

The City of Nixa has been working with CBIZ on a salary and benefits survey since early 2023. During this process, CBIZ conducted a benefits analysis to see how we compare to other municipalities and noticed that some of our leave benefits could be improved. It was recommended that we increase our sick leave hours to 96 hours per year, which is an increase of 16 hours per year. This change will take effect on 01/01/2024.

It was also recommended that vacation accrual increase for employees that have been employed with the City of Nixa for 20 years or more. The increase would be an additional 40 hours of vacation per year. This would increase the amount of hours from 160 hours per year to 200 hours per year. This change will take effect on 01/01/2024.

The City of Nixa would also like to make Christmas Eve a permanent holiday, effective immediately. This will increase our holiday number from 12 per year to 13 per year.

### **Analysis:**

These changes are important to the City of Nixa and our employees. It is a way for us to be competitive and attract employees.

### **Recommendation:**

Staff is in agreement with this change.

### **MEMO PREPARED BY:**

**Amanda Hunsucker** | Director of Human Resources

ahunsucker@nixa.com | 417-724-5642

**RESOLUTION NO. 2023-55**

1 **A RESOLUTION OF THE COUNCIL OF THE CITY OF NIXA AMENDING THE CITY'S**  
2 **PERSONNEL CODE BY MODIFYING POLICY 7.1.3, POLICY 7.1.6, AND POLICY 7.1.7**  
3 **FOR THE PURPOSE OF ADDING CHRISTMAS EVE AS A RECOGNIZED CITY**  
4 **HOLIDAY AND MODIFYING PROVISIONS RELATED TO VACATION AND SICK**  
5 **LEAVE ACCRUAL FOR CITY EMPLOYEES.**  
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8 **WHEREAS** City Charter Section 7.2 requires the Council to adopt a personnel  
9 code; and  
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11 **WHEREAS** the City maintains its personnel code in a Personnel Handbook, which  
12 is modified by Resolution from time to time; and  
13

14 **WHEREAS** the City Council desires to modify the Personal Handbook to add  
15 Juneteenth as a paid holiday.  
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17 **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF**  
18 **NIXA, AS FOLLOWS, THAT:**  
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20 **SECTION 1:** The City's Personnel Handbook is hereby amended by repealing the  
21 current Policy referenced within the Personnel Handbook as "7.1.3 Holidays" and  
22 adopting in lieu thereof a new policy which is set forth in "Resolution Exhibit A."  
23 "Resolution Exhibit A" is attached hereto and incorporated herein by this reference as  
24 though fully set forth herein.  
25

26 **SECTION 2:** The City's Personnel Handbook is hereby amended by repealing the  
27 current Policy referenced within the Personnel Handbook as "7.1.6 Vacation" and  
28 adopting in lieu thereof a new policy which is set forth in "Resolution Exhibit B."  
29 "Resolution Exhibit B" is attached hereto and incorporated herein by this reference as  
30 though fully set forth herein.  
31

32 **SECTION 3:** The City's Personnel Handbook is hereby amended by repealing the  
33 current Policy referenced within the Personnel Handbook as "7.1.7 Sick Leave" and  
34 adopting in lieu thereof a new policy which is set forth in "Resolution Exhibit C."  
35 "Resolution Exhibit C" is attached hereto and incorporated herein by this reference as  
36 though fully set forth herein.  
37

38 **SECTION 4:** This Resolution shall be in full force and effect from and after its final  
39 passage by the City Council and after its approval by the Mayor, subject to the provisions  
40 of section 3.11(g) of the City Charter.  
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42 **[Remainder of page intentionally left blank. Signatures follow on next page.]**  
43  
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**RESOLUTION NO. 2023-55**

47 **ADOPTED BY THE COUNCIL THIS 13<sup>th</sup> DAY OF November, 2023.**

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ATTEST:

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\_\_\_\_\_  
PRESIDING OFFICER

\_\_\_\_\_  
CITY CLERK

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55 **APPROVED BY THE MAYOR THIS 13<sup>th</sup> DAY OF November, 2023.**

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ATTEST:

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\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

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63 APPROVED AS TO FORM:

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CITY ATTORNEY

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## RESOLUTION EXHIBIT A

(Note: Language to be added is indicated by being underlined. Language to be removed is indicated by being ~~stricken~~.)

### 7.1.3 Holidays

The following paid holidays will be observed:

New Year's Day  
Martin Luther King Day  
President's Day  
Memorial Day  
Juneteenth  
Independence Day  
Labor Day  
Columbus Day  
Veteran's Day  
Thanksgiving Day  
Day after Thanksgiving  
Christmas Eve Day  
Christmas

If a holiday falls on a weekend, the holiday will be observed on the closest Friday or Monday. In the event that a two consecutive day holiday falls on a weekend, the holiday will be observed on the closest working day or decided by the City Administrator.

Holidays that fall on a regular ~~work-day~~workday or day off for emergency or essential service personnel will be compensated as follows:

- a) Holidays that fall on a regular ~~work-day~~workday may be taken off that day if approved by the Supervisor.
- b) If the holiday falls on a scheduled ~~work-day~~workday and is worked non-exempt employees will be paid at one and one-half times their hourly rate for hours worked or may record this as comp time. The time can also be flexed hour for hour, meaning, if the holiday falls on a Monday, the hours worked can be flexed during that work week (Monday-Sunday).
- c) In lieu of the City of Nixa Holidays and Floating Holidays policies, commissioned officers will accrue holiday hours based on their assigned shift length of 12-hours (~~144~~156 hours max annually), 10- hours (~~120~~130 hours max annually), or 8-hours (~~96~~104 hours max annually). Commissioned officers will accrue hours equivalent to their shift length on the first pay period of the month for the months of January through December. A supervisor may require the employee to take time off to reduce holiday leave time balances. Commissioned officers will be allowed to use holiday time (in 0.25-hour increments) accrued upon approval from a supervisor. Holiday time will be

allowed to be banked to a maximum of 144 hours and rolled over from year to year. Since hours will be allowed to roll over, there will not be an annual payout ~~effor~~ unused holiday hours. The employee will be responsible ~~to maintainfor~~ maintaining no more than 144 holiday hours. When a commissioned officer has reached the maximum allowed, further accrual of holiday hours will be suspended until the commissioned officer has reduced the balance below the 144 hours maximum. All holiday hours should be scheduled 07 days in advance in writing. No more than 80 or 84 hours (depending on shift length) may be taken at a time. Holiday hours and vacation hours cannot be combined or taken "~~back to back~~back-to-back" to circumvent the 80 or 84-hour cap unless approved by the City Administrator\*\*. Holiday hours of less than 80 or 84 hours will be approved by your Supervisor according to departmental needs.

\*\*Stipulations for more than 80 or 84 hours of holiday time:

- 1) Must have the time available to use.
- 2) Written letter asking for approval and explaining why the extra time is needed.
- 3) Any holiday time request longer than 80 or 84 hours should be approved by City Administrator at least 30 days in advance.

Upon voluntary resignation from city service, the employee shall be paid 25% of unused holiday hours.

Upon involuntary separation from city service, an employee shall not be entitled to receive payment ~~effor~~ unused holiday hours.

**RESOLUTION EXHIBIT B**

(Note: Lange to be added is indicated by being underlined. Language to be removed is indicated by being ~~stricken~~.)

7.1.6 Vacation

All full-time employees are eligible for vacation. Part-time employees and Seasonal employees are not eligible for vacation.

Annual vacations are determined by length of service and are accrued as follows:

<u>Length of Service</u>	<u>Hours of Vacation Accrued Annually</u>
<u>0 through 4 years</u>	<u>80 hours</u>
<u>5 through 9 years</u>	<u>120 hours</u>
<u>10 through 19 years</u>	<u>160 hours</u>
<u>20 years or more</u>	<u>200 hours</u>

<del>Length of Service</del>	<del>Hours of Vacation Accrued Annually</del>
<del>0 years through 4 years</del>	<del>80</del>
<del>5 years through 9 years</del>	<del>120</del>
<del>Over 10 years</del>	<del>160 hours</del>

\*Exception: Newly hired Directors and council appointed positions will be given a lump sum of 120 hours of vacation leave on date of hire. This will be all that is earned until their next anniversary date, at which time the employee will accrue vacation time at 2.31 hours per week or 4.62 hours per payroll.

Leave Accrual

Full-time employees eligible to accrue vacation leave will, on the employee’s anniversary date of employment, begin to accrue vacation leave weekly in accordance with their years of service as outlined below.

<u>Length of Service</u>	<u>Hours of Vacation Accrued Weekly</u>	<u>Hours of Vacation Accrued Annually</u>
<u>0 through 4 years</u>	<u>1.54 hours weekly</u>	<u>80 hours annually</u>
<u>5 through 9 years</u>	<u>2.31 hours weekly</u>	<u>120 hours annually</u>
<u>10 through 19 years</u>	<u>3.08 hours weekly</u>	<u>160 hours annually</u>
<u>20 years of more</u>	<u>3.85 hours weekly</u>	<u>200 hours annually</u>

<del>0- 4 years</del>	<del>1.54 hours weekly</del>	<del>80 hours per year</del>
<del>5- 9 years</del>	<del>2.31 hours weekly</del>	<del>120 hours per year</del>
<del>10 years &amp; over</del>	<del>3.08 hours weekly</del>	<del>160 hours per year</del>

Directors and council appointed positions will accrue vacation leave as outlined below:

Start date: 120 hours lump sum

<u>Length of Service</u>	<u>Hours of Vacation Accrued Weekly</u>	<u>Hours of Vacation Accrued Annually</u>
<u>2 through 9 years</u>	<u>2.31 hours weekly</u>	<u>120 hours annually</u>
<u>10 through 19 years</u>	<u>3.08 hours weekly</u>	<u>160 hours annually</u>
<u>20 years or more</u>	<u>3.85 hours weekly</u>	<u>200 hours per year</u>

~~2-9 years 2.31 hours weekly 120 hours per year~~  
~~10 years & over 3.08 hours weekly 160 hours per year~~

Vacation leave will be allowed to accumulate to a maximum of 320 hours. The employee will be responsible ~~to maintain~~for maintaining no more than 320 hours of vacation. When an employee has reached the maximum allowed, further accrual of vacation leave will be suspended until the employee has reduced the balance below the 320 hours maximum.

New employees will accrue vacation leave from their date of hire, and will be eligible to take vacation leave upon successful completion of the 90-day Introductory period.

Vacation days may be taken as follows:

Five (5) days may be taken in ~~.25-hour~~.25-hour increments.

The remainder earned must be taken in full day increments.

All ~~vacation~~vacations should be scheduled one week in advance in writing. No more than 80 hours may be taken at a time, unless approved by the City Administrator\*\*. Vacations of less than 80 hours will be approved by ~~your~~the employee's Supervisor according to departmental needs.

Financial compensation is not provided in lieu of vacation, except if employment is terminated. In that case, employees will receive accrued vacation as required by law.

\*\*Stipulations for more than 80 hours of vacation time:

- 1) Must have the time available to use.
- 2) Written letter asking for approval and explaining why the extra time is needed.
- 3) Any vacation request longer than 80 hours (two weeks) should be approved by City Administrator at least 30 days in advance.

**RESOLUTION EXHIBIT C**

(Note: Lange to be added is indicated by being underlined. Language to be removed is indicated by being ~~stricken~~.)

7.1.7 Sick Leave

Leave Accrual

Full-time employees will start accruing sick ~~time-leave~~ on their start date, but the ~~time leave~~ will not be available until their 90-day introductory period ~~90-days-have~~has been completed. The ~~employees time-leave balance will be provided on their show-up on the first pay statement after the their 90 days-90-day introductory period.~~

Sick leave shall accrue as follows:

<u>All employees</u>	<u>1.85 hours weekly</u>	<u>96 hours per year</u>
<u>Commissioned Officers only</u>	<u>3.70 hours per payroll period</u>	<u>96 hours per year</u>

~~All employees 1.54 hours weekly 80 hours per year~~  
~~Commissioned Officers 3.08 hours per payroll 80 hours per year~~

Sick Leave will be allowed to accumulate to a maximum of ~~500-516~~ hours. Each year on the employee’s anniversary date, sick leave hours will be ~~reviewed~~reviewed, and any hours accumulated over the maximum allowed will be determined. Those hours over the maximum of ~~500-516~~ will be paid at one-half (1/2) of the employee’s banked hours over the limit and the sick leave hours will then be reduced to the maximum accumulation of ~~500~~516.

New employees will accrue sick leave from their date of ~~hire, and~~hire and will be eligible to take sick leave upon successful completion of ~~the~~their 90-day Introductory period.

Sick Leave may be taken for the illness of the employee or while in the attendance of a dependent (a dependent is defined as spouse, child, grandchild, parent of employee, grandparent of employee and caregiver) that is ill. Sick leave will be allowed for medical appointments/doctor visits. These should be scheduled with the employee’s supervisor as far in advance as possible.

Sick leave is intended to be used for qualified absences. Sick leave is not considered vacation. Abuse of sick leave may result in discipline, denial of sick leave benefits, or both.

Employees on sick leave shall not engage in other employment or self-employment or participate in any sport, hobby, recreational activity or other activity that may impede recovery from the injury or illness.



For any absence of three days or longer due to illness or injury, a notification from a doctor that an employee is able to return to work will be required.

Should an employee exhaust all accrued sick leave, then accrued vacation leave must be used for any additional time off to care for a dependent (see vacation leave for time allowed).

Upon voluntary resignation from city service, the employee shall be paid ~~for~~ 25% of unused sick leave.

Upon involuntary separation from city service, an employee shall not be entitled to receive payment of unused sick leave.