

CITY COUNCIL POLICY 3-3-6

DISTRIBUTION: City Manager, All Departments

SUBJECT: Administrative Leave Policy

APPLICATION: Applies to All Non-Uniformed Employees (except as may be provided differently under the terms of a collective bargaining agreement (CBA) and/or associated CBA prevailing practices)

DEFINITION: Administrative leave is an excused, temporary leave of absence from employment, either paid or unpaid and may be voluntary or involuntary.

PURPOSE: To govern and explain the administration of Administrative Leave benefits provided to non-uniform City employees.

Administrative Leave

- A. Employees may be granted paid Administrative Leave by a department head or the City Manager when it is in the best interest of the City.
- B. Administrative Leave in excess of two (2) weeks requires approval of the department head and the City Manager or Human Resources Director. Examples of when paid Administrative Leave may be appropriate are for official meetings, professional examinations related to the employee's work assignment, during the course of an internal investigation, instances required by a collective bargaining agreement, when fitness for duty evaluations are being conducted, and/or during the review of an alleged work rule violation. However, these examples are not all inclusive of the types of Administrative Leave that may be used with appropriate approval.
- C. Administrative Leave may also be granted by a Department Head or the City Manager based upon work efforts of exempt employees who are either periodically or often subject to work beyond forty (40) hours due to workload, off duty responses to work or meetings outside normal work hours and who are not normally eligible for any type of overtime payment due to exempt status. Department Heads shall be authorized a total of forty (40) hours of Administrative Leave per year and must be documented on an appropriate leave request. Any such exempt employee who requests Administrative Leave shall be approved in advance by their Department Head or the City Manager and based on the employee holding status as an FLSA qualified exempt employee.
- D. The use of Administrative Leave taken voluntarily by an employee shall require the employee to submit a leave request for the tracking of such leave under the provisions of public accountability adhered to by the City of Muskogee. If an employee is placed on Administrative Leave by a supervisor, the supervisor or designee shall be responsible to complete the related personnel action form for tracking purposes. For exempt employees,

only those Administrative Leave based absences of more than four (4) hours shall be documented.

- E. For purposes of hours tracking, administrative leave shall be documented in the payroll system as regular hours worked for exempt employees when the time off is used voluntarily.
- F. If Administrative Leave is used for non-voluntary reasons, such as investigative purposes, hours tracking will be documented in the payroll system as Administrative Leave with Pay.
- G. Any administrative exceptions to this policy require advance approval of the City Manager or Human Resources Director as his/her designee and shall be documented in writing.

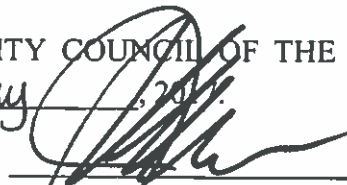
REFERENCES: Fair Labor Standards Act, 29 U.S.C. § 201 et seq.
Oklahoma Constitution and Statutes
City of Muskogee Charter

EFFECTIVE DATE: May 22, 2017

RESCISSION: This policy rescinds and supersedes all prior policies in conflict herewith


RESPONSIBILITY DEPARTMENT: Human Resources


PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MUSKOGEE, OKLAHOMA, THIS 22nd DAY OF May, 2017.



JOHN R. COBURN, Mayor

ATTEST:



Tammy Tracy, City Clerk

(SEAL)

APPROVED as to form and legality this 24th day of May, 2017.



Roy D. Tucker, City Attorney