



# CITY OF NEWPORT NEWS PERSONNEL ADMINISTRATIVE MANUAL

Effective: 8/01/08

SECTION <b>609</b> ATTACHMENT I	SUBJECT <b>SPECIAL PROVISIONS FOR FIRE SCHEDULE CHANGES</b>
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Fire employees may be assigned by the Fire Department to a 24-hour work day schedule (24 hour schedule) or a 40-hour work week schedule (40-hour schedule) in accordance with applicable City and departmental policies. For purposes of this policy, the terms "24-hour schedule" and "40-hour schedule" refer to the base work schedule. Employees may be scheduled or required to work more or fewer hours in a work week or work schedule. When an employee is on leave, the employee may be referred to as being on "24-hour status" or "40-hour status" on the same basis as if the employee were working that schedule. Employees accrue and charge leave in accordance with leave provisions for the assigned schedule or status. The following provisions deal with compensation and leave issues when employees transfer from one schedule to another.

1. An employee's leave balances and hourly rate of pay will be converted immediately upon transfer from one schedule to the other.
2. Fire employees accrue and charge all leave in accordance with applicable policy for the schedule to which assigned.

In the event an employee is temporarily assigned to another schedule for less than a standard pay period and leave is taken during that period, the leave accrued and leave charged will be adjusted to provide the same leave balance as if the employee had not been temporarily transferred. Such determinations are made on a case-by-case basis by the Fire Chief and the Director of Human Resources.

**3. PAID PERSONAL LEAVE (PPL) CONVERSION**

- A. PPL is converted or adjusted when an employee is transferred from one schedule to another to provide the same leave balance value.
- B. When an employee is transferred from a 24-hour schedule to a 40-hour schedule, the employee's PPL balance will be divided by 1.4 to give the adjusted balance.
- C. When an employee is transferred from a 40-hour schedule to a 24-hour schedule, the employee's balance will be multiplied by 1.4 to give the adjusted balance.
- D. No further conversion is necessary for PPL when an employee takes extended leave, terminates or retires, except as provided in paragraph 6 below, Extended Leave.

**4. PAID MEDICAL LEAVE (PML) CONVERSION**

- A. PML is converted or adjusted when an employee is transferred from one schedule to another to maintain the appropriate proportional amount of leave in relation to the assigned schedules.

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- B. When an employee transfers from a 24-hour schedule to a 40-hour schedule, the employee's PML balance is converted by dividing the balance by 2.14.
- C. When an employee transfers from a 40-hour schedule to a 24-hour schedule, the employee's PML balance is multiplied by 2.14 to give the adjusted balance.

## 5. HOURLY RATE OF PAY CONVERSION

- A. When an employee is transferred from one schedule to another, the employee's rate of pay will be established in accordance with standard policy. Computation of the hourly rate of pay will be made immediately upon transfer as follows.
  - 1. When an employee is transferred from a 24-hour schedule to a 40-hour schedule or status the employee's annual rate of pay is divided by 2080 to provide the new hourly rate of pay.
  - 2. When an employee is transferred from a 40-hour schedule or status to a 24-hour schedule, the employee's annual rate of pay is divided by 2920 to provide the hourly rate of pay.

## 6. EXTENDED LEAVE

- A. When a 24-hour employee experiences an extended absence, the employee remains on 24-hour status for leave accrual and charging purposes for up to 12 continuous weeks (672 continuous schedule hours) of absence.
- B. When such absence exceeds 12 continuous weeks (672 continuous schedule hours), regardless of how leave is charged and regardless of whether it is paid or unpaid, the employee will be placed on a 40-hour status and the employee's rate of pay and any leave balances will be converted as stated above. The employee will charge and accrue leave, if any, on a 40-hour schedule basis.
- C. In order to determine when the 12 week period of absence for purposes of placement in 40-hour status is met, both absences and returns to work of 9 or fewer full consecutive 24-hour duty days count toward satisfying the 12 week requirement. A return to duty of 9 consecutive full 24-hour duty days or less does not begin a new 12 week period nor does it extend the 12 week period.

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- D. If an employee on extended leave has been transferred to 40-hour status (whether for absence or in a light duty or alternative assignment or a combination) and then returns to 24-hour status and such return to 24-hour status is for less than 9 consecutive full 24-hour duty days, the employee is immediately returned to 40-hour status. There is no requirement that the employee serve another 12 week period in 24-hour status.
- E. When an employee returns to a 24-hour schedule for more than 9 consecutive full 24-hour active duty days, any subsequent absence will begin a new period qualifying the employee for up to 12 weeks of 24-hour status prior to transfer to 40-hour status as described in this section.
- F. Should an employee have erratic or intermittent attendance over a period beyond the initial 12 week period the employee's status will be individually determined by the Fire Chief and the Director of Human Resources.

### Examples

24-hour *Employee A* is absent for 8 weeks, returns to a 24-hour schedule for 2 weeks (6 duty days) and then resumes absence for more than 2 additional weeks. Upon conclusion of the initial 8 weeks absence, the two weeks active duty, and 2 additional weeks absence, *Employee A* is transferred to a 40-hour status. Leave and hourly rate of pay are converted at that time. Had *Employee A* returned to 24-hour status for 10 full consecutive duty days or more and then experienced another period of absence, a new 12 week period of 24-hour status would have begun.

*Employee B* was on a 24-hour schedule and was transferred to a 40-hour status. After 2 months on 40-hour status, he was returned to a 24-hour schedule for 2 weeks (6 duty days) but could not medically continue that schedule. *Employee B* is immediately transferred back to 40-hour status. Had *Employee B* returned to 24-hour active status for 10 full consecutive duty days or more and then been unable to continue, a new 12 week period of 24-hour status would have begun.

## **7. PROVISIONS FOR LEAVE COVERED BY WORKERS' COMPENSATION AND FOR ALTERNATIVE EMPLOYMENT ASSIGNMENTS**

### **A. Extended Leave**

- 1. A 24-hour schedule employee on extended leave covered by Workers' Compensation will remain assigned to a 24-hour schedule for up to 1460 continuous hours. When extended leave exceeds this time, the employee

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is subject to transfer to 40-hour status. Any leave balances and hourly rate of pay will be converted at that time. Breaks in leave, intermittent leave and returns to duty will be handled as stated above in Paragraph 6. Any accrued leave will be converted as stated above and future leave accruals and charges will be based on the 40-hour schedule.

2. Regardless of work schedule, the employee will be eligible for a total of up to 1460 hours (based on a 24-hour schedule) or up to 1040 hours (based on a 40-hour schedule) of Workers' Compensation leave with pay in accordance with City policy, or a pro-rated combination if the employee is transferred to 40-hour status prior to exhausting the 1460 hours. This leave is subject to coordination of hours worked in alternative employment (See Section 1202).
3. Employees on leave covered by Workers' Compensation will be covered by applicable City policy for pay, benefits, leave and other policy applications. See Section 1202 of the Personnel Administrative Manual.

B. Alternative Employment

1. An employee placed in alternative employment will be transferred to a 40-hour schedule, and leave and hourly rate of pay will be converted at the time in accordance with this policy.
  2. The employee's pay, benefits, and leave will be handled in accordance with applicable City policy. See Section 1202 of the Personnel Administrative Manual.
8. When an employee's status changes from a 24-hour schedule to a 40-hour, schedule, or vice versa, the Fire Department will document schedule changes and leave conversions in the employee's permanent departmental files.
  9. Upon retirement, the employee is paid for accrued PPL with no further conversion. The employee's PML balance is converted to credited service in accordance with the provisions of the Retirement Ordinance for the employee's work schedule at the time of retirement.

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