

City of Los Alamitos Administrative Regulation

Regulation:	4.23	<small>DocuSigned by:</small> <i>Chet Simmons</i> <small>040A80BBE29D4FE...</small> Chet Simmons, City Manager
Title:	Policy and Protocols for Part-Time Employee Negative Leave Accrual	
Authority:	City Manager	
Date:	September 12, 2023	
Revised:		

- 1. Purpose:** The purpose of this policy is to accommodate the special needs of part-time employees during extraneous or emergency situations as determined by the City Manager allowing employees to utilize leave in excess of their available sick leave balances.

- 2. Application:** This policy applies to all part-time employees of the City of Los Alamitos ("City"). Except as modified by this policy, all City policies remain in full force and effect.

- 3. Regulation:** An employee is eligible for negative accrual only if:
 - A. The employee has exhausted all available sick leave balances;

 - B. The employee does not want to be unpaid while on leave for a qualifying reason as determined by the City Manager; and

 - C. One or more of the following conditions apply:
 1. The employee is subject to a quarantine or isolation order related to COVID-19. "Subject to a Quarantine or Isolation Order" means a quarantine or isolation order including quarantine, isolation, containment, shelter-in-place, or stay-at-home orders issued by any Federal, State, or local government authority that causes the employee to be unable to work.

 2. The employee has been advised by a health care provider to self-quarantine or isolate due to concerns related to COVID-19.

 3. The employee is experiencing symptoms associated with COVID-19 and seeking a medical diagnosis.

 4. The employee is caring for an individual who is subject to a Quarantine or Isolation Order issued by a Federal, State or local government or who has been advised by a health care provider to self-quarantine or isolate due to concerns related to COVID19.

 5. The employee is caring for the employee's child if the child's school or place of care has been closed, or the child's childcare provider is unavailable due to COVID-19 precautions.

6. The employee is experiencing an extraneous situation, as determined by the City Manager, and such circumstance and need for leave is not covered by a City policy or MOU provision.

4. Procedure: Under this policy, employees may accrue a negative vacation or sick leave balance depending on whether the absence qualifies for vacation or sick leave. Part-time employees may accrue up to 20 total hours of negative leave, regardless of the type of leave.

Employees are required to submit a written notice to the City Manager explaining the extraneous circumstance for the City Manager to determine the qualification of the request under this policy.

5. Terms and Conditions: Certification of and Agreement to Repay Negative Leave Balance

Prior to incurring a negative leave balance, an employee must:

- A. Obtain approval from human resources to incur a negative leave balance.
- B. Provide the following information in writing or email:
 1. The employee's name;
 2. The dates for which negative accrual of an available leave is requested;
 3. The qualifying reason for the leave;
 4. Documentation that evidences the qualifying reason for the leave (e.g., doctor's note);
 5. Execute a written agreement to repay the negative leave balance.

Employees are required to repay the negative leave balance accrued. Half of the amount of leave accrued with each pay period will be deducted until the negative leave is repaid. If the employee leaves employment with the City prior to full repayment of the negative leave balance, the employee must tender to the City an amount sufficient to repay the full value of the outstanding negative leave balance within fourteen days of the employee's separation from employment with the City. The employee may elect to have this amount withheld from their final paycheck or may tender a cashier's check to the City for the full amount of the balance owed.

Failure to repay the balance owed after separation of service will result in the outstanding debt be sent to a debt collection service for recovery.