

METROPOLITAN EXPOSITION RECREATION COMMISSION

Resolution No. 17-33

For the purpose of adopting changes to the MERC Personnel Policies.

WHEREAS, the Metropolitan Exposition Recreation Commission (MERC) is authorized to adopt personnel policies pursuant to Metro Code Sections 2.02.010 (b) and 6.01.040 (a); and

WHEREAS, MERC periodically updates MERC Personnel Policies (the Personnel Policies) in accordance with both legal requirements and agency-wide policies.

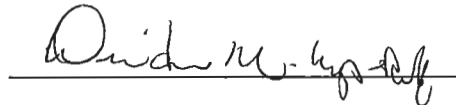
THEREFORE BE IT RESOLVED:

That the Metropolitan Exposition Recreation Commission adopts the changes to the Personnel Policies in a form substantially similar to the attached Exhibit B.

Passed by the Commission on October 4, 2017.



Chair



Secretary-Treasurer

Approved As to Form:

Alison R Kean, Metro Attorney

By:  _____

Nathan A.S. Sykes, Deputy Metro Attorney

**EXHIBIT A: SUMMARY OF PROPOSED PERSONNEL POLICIES FOR PRESENTATION TO MERC COMMISSION
SEPTEMBER 6, 2017**

Below is a list of draft policies for your review. These proposed policies are intended to supersede those listed from the Metro Employee Handbook (EO #88) and the MERC Personnel Policies Handbook (8/1/07).

Policy	Existing MERC Policy	Existing Metro Policy	Applicable Legal Provisions	Policy Summary/Explanation of Change	Fiscal Impact	Business Impact
Vacation	MERC Personnel Policies (2007) §16.2	Vacation Leave for Non-Represented Health Benefits – Eligible Employees	None	<p>Consolidates current MERC Non-Represented employees with the same vacation policy as the Metro Non-Represented employees.</p> <p>Caps amount of vacation that can be accrued and the amount that can be paid out at time of an employee’s departure from 250 hours to 275 hours.</p> <p>Allows the use of vacation leave as a recruitment incentive tool.</p> <p>Allows probationary employees to utilize their accrued vacation.</p>	<p>Some indirect impact costs for backfilling while employees are on vacation.</p> <p>Additional 25 hours paid out per departing employee</p>	<p>Promotes consistency across agency.</p> <p>Increases employee flexibility to use vacation time.</p>



Policies and procedures

EXHIBIT B TO MERC RESOLUTION 17-33

Subject Vacation Leave for Non-Represented Health Benefits-Eligible Employees
Section Human Resources
Approved by Martha Bennett, Chief Operating Officer

POLICY

Metro provides non-represented health benefits-eligible regular and limited duration employees with paid vacation leave.

Applicable to

All Metro non-represented regular and limited duration employees who work 20 hours or greater and are eligible for health insurance and vacation accrual.

Paid vacation leave may be available for represented employees as determined by the applicable collective bargaining agreement.

Definitions

Benefits eligible refers to those who are eligible for health insurance and vacation accrual.

Guidelines

1. Employees are eligible to use accrued vacation leave subject to supervisory approval.
2. Employees shall not accumulate more than 275 hours of vacation leave.
3. **Accrual cap:** *The 275-accrual cap is firm. Employees who reach the accrual cap stop accruing vacation leave until they use vacation leave and reduce their accrual level below 275 hours. Once the accrual level drops below the 275-hour maximum, they will then accrue leave based on the accrual schedule below.*
4. Managers shall schedule vacation leave requests consistent with the operational needs of the department. Vacation schedules may be amended to allow the department to meet emergency situations.
5. An employee who has successfully completed their initial probationary period and terminates for any reason, shall be entitled to payment for accrued unused vacation leave. In no case shall payment be for more than the maximum allowable 275-hour accrual limit.
6. Employees shall accrue vacation leave according to the following schedule:

Level	Total Years of Continuous Service	Accrual Rate per hour paid	Equivalent Annual Hours for Full-time Employees working 2080 hours per year
Level 1	Date of hire through completion of 3 rd year	.0577 hours	120 hours
Level 2	4 th years through completion of 7 th year	.0692 hours	144 hours
Level 3	8 th year through completion of 11 th year	.0808 hours	168 hours
Level 4	12 th year or more	.0923 hours	192 hours

Part time eligible employees shall accrue vacation leave under the above hourly accrual rate for hours worked.

Probationary Employees

1. An employee who terminates for any reason during the initial probationary period shall not be paid out any vacation leave at time of departure.
2. Probationary employees may use accrued vacation. However, consistent with the Probation Policy, if an employee is absent from work for a total of 10 or more days during probation, the probationary period will be extended by the number of days the employee was absent.

Recruitment Incentive Vacation Leave

1. As part of an employment offer when recruiting a candidate, Department Directors with the approval of the HR Director may provide additional vacation leave as a recruitment incentive to new non-represented employees covered by this policy.
 - a. Recruitment Incentive Vacation Leave
 - i. Eligible individuals may be offered vacation leave starting at level 2 or in some instances level 3. The employee will then stay at that level until they have reached the number of years of service to move them to the next level. For example, if an employee starts at level 2, the employee will stay at that level until the start of the employee’s 8th year of employment.
2. If hiring offer is to include recruitment incentive leave, it is to be noted on New Hire Form.

PROCEDURES

1. Use of Vacation Leave:
 - a. Employees must submit requests to use vacation leave per their department or work unit procedures and receive approval prior to taking time off.
 - b. For full-time exempt employees, absences of four hours or more will be tracked in the leave management system and covered through the use of available vacation leave accruals. Part-time exempt employees and exempt employees who work a flex schedule, must enter vacation leave in the leave management system when they take vacation leave for one-half (1/2) or more of their regularly scheduled shift.
2. Infrequent Absences of Exempt Employees: When an exempt employee has an absence of four or more hours, such absences will be tracked in the leave management system and covered through the use of available leave accruals as appropriate for the situation.

Infrequent absences of less than four hours by an exempt employee that does not negatively impact expected work performance or productivity will not be covered through the use of leave accruals. In

addition, this section would not apply if an employee has received prior approval from their manager to flex their schedule in a given workweek.

3. Rate of Pay: Vacation leave will be paid at the employee's regular rate of pay for that job for the number of hours the employee requested to use.
4. Written Notification of Accruals: Metro will provide notification on employees' pay statements of the amount of accrued and unused vacation leave available for use by an employee.

Responsibilities

Employees:

- Submit request for use of vacation leave in accordance with work unit or department procedures, when possible, provide at least ten (10) business days advance notice.
- Code leave appropriately in Metro's timekeeping system.

Supervisors:

- Approve or deny advance requests for use of vacation leave and notify the employee as soon as possible.
- Notify HR of approved recruitment incentive vacation leave prior to the employee's start date.
- Notify employees as soon as possible if approved vacation schedules need to be amended for emergency reasons.
- Ensure that leave is coded appropriately in Metro's timekeeping system.

Department Director:

- Ensure supervisors are approving vacation leave equitably and in a timely manner.
- Prior to approving, consult with HR Director for requests to grant recruitment incentive vacation leave to potential new hires.

Human Resources:

- Provide guidance and information as needed.
- Consult with hiring managers and department directors on recruitment incentive vacation leave.

References

Metro Family and Medical Leave Policy

Domestic Violence, Sexual Assault, Criminal Harassment and Stalking Protections Policy

MERC STAFF REPORT

Agenda Item/Issue: For the purpose of approving MERC non-represented employees move to the metro vacation leave policy.

Resolution No.: 17-33

Presented by: Terry Smith, Employee Engagement Manager, Human Resources

Date: 10/4/17

Background and Analysis: To align the non-represented employees of Metro and MERC venues, there has been an interest in combining the vacation schedules into one. Current Metro non-reps are under the following vacation schedule:

Level	Total Years of Continuous Service	Accrual Rate per hour paid	Equivalent Annual Hours for Full-time Employees working 2080 hours per year
Level 1	Date of hire through completion of 3 rd year	.0577 hours	120 hours
Level 2	4 th years through completion of 7 th year	.0692 hours	144 hours
Level 3	8 th year through completion of 11 th year	.0808 hours	168 hours
Level 4	12 th year or more	.0923 hours	192 hours

Metro non-rep employees also receive 2 floating holidays each fiscal year. Maximum vacation accrual is 275 hours with the recent changes to the Metro Vacation Policy for non-represented employees.

The MERC vacation schedule is as follows:

1. Vacation leave with pay for full-time employees shall accrue at the rate shown below:

TOTAL YEARS OF SERVICE	ACCRUAL RATE AT 24 PAY PERIODS PER YEAR	VACATION RATE PER YEAR
0 through 4	3.34 hours	80 hours
5 through 9	5.00 hours	120 hours
10 through 14	5.84 hours	140 hours
15 through 19	6.67 hours	160 hours
20 through 24	7.50 hours	180 hours
25 or more	8.34 hours	200 hours

MERC non-rep employees also receive 3 personal days (or prorated amounts based on date of hire). Maximum vacation accrual is 250 hours.

After reviewing the MERC employees and how they would be impacted, the follow results were found:

Length of Service	# of employees impacted	Additional vacation/Personal Leave Combined
0-3 years of service	30	32
3-4 years of service	5	56
5-7 years of service	5	16
7-8 years of service	5	40
9-10 years of service	6	20
10-14 years of service	5	44
15-19 years of service	5	24
20-24 years of service	6	4
25+ years of service	14	-16

In 2016, 11 MERC employees forfeited personal leave hours due to non-use within the fiscal year.

Staff recommends the Commission adopt the updated Metro Vacation Policy for non-represented employees, which will move MERC non-represented employees to the METRO non-rep schedule. It is recommended that MERC non-represented employees with 20+ years of service will remain on the MERC schedule until they are retired or leave employment. This way, those in the 20-24 years of service range who may be anticipating increased accrual rates will not lose any benefits. The

MERC vacation schedule will sunset after the last of the 20 employees either retire or leave employment.

By adopting the new policy, this allows probation employees the ability to use earned leave before they are off probation and also allows managers to grant additional vacation as a recruitment incentive. Both of these changes have been found to be a very attractive recruitment incentives amongst those joining our workforce.

LONG RANGE FISCAL IMPACT: There is limited direct fiscal impact with the potential for non-represented employees to be paid out up to 25 additional hours of vacation leave at time of departure. There is some indirect impact in that non-represented employees will have additional time off. However, it is anticipated that both of these costs will be outweighed by the increased morale of the equity this brings amongst non-represented employees across the agency.

RECOMMENDATION: Staff recommends that the Metropolitan Exposition-Recreation Commission approve the movement of non-represented MERC employees to the METRO vacation policy effective 11/1/2017.