



PROCEDURES MANUAL

SUBJECT: Leaves of Absence - Other Leaves of Absence

NUMBER:

905

APPROVED:

FIRE CHIEF

TYPE: Procedure

EFFECTIVE DATE: 5/2020

Page 1 of 5

REVISED DATE: 5/2020

905.01 Objective

Establish a policy regarding the following types of leaves of absence; Union Leave, Trades, Jury Duty, Court Appearances, Appearances at Hearings and Retirement. This shall provide members with information on proper procedures for requesting these types of leaves.

905.02 Vacation, Holiday, and Compensatory Leaves

- A. Annual leave shall be requested and granted in accordance with the current Labor Management Agreement (LMA) Article 29.
- B. Additional leaves will be requested by following Cincinnati Fire Department General Order #2 and in accordance with the current LMA.
- C. It is the member's responsibility to monitor their leave balances and ensure they have a sufficient amount of leave hours prior to making a request. Members can access their pay advices and check their leave balances through the CHRIS system.
- D. A member that requests, is granted and takes leave with an insufficient balance, may be subject to progressive discipline.
- E. A member that has schedule leave and realizes that they do not have a sufficient balance **PRIOR** to taking the leave, **MUST** immediately notify their Officer and have them notify the District Fire Chief. If a member does not have an adequate balance in his Vacation, Holiday or Compensatory Time bank to cover his selected leave, another time bank of the members choice may be utilized provided that a revised Form 25s is provided to the member's District Chief **PRIOR** to the leave being taken. The District Chief can then change the type of leave to a leave type that the member has a sufficient balance or can cancel the leave.

905.03 Union Leave

Union Leave is a negotiated item; see current Labor-Management Agreement (LMA) for specific details.

905.04 Trades

- A. Members shall be permitted to trade working time within the boundaries of the current Labor Management Agreement and the Procedures Manual.
- B. Request for Trades must be submitted on a F-76, partial tour or one tour trades must be approved by the District Fire Chief. (See current Labor-Management Agreement).
- C. When a member has agreed to trade with another member and that member fails to report for duty, the member that agreed to work will be AWOL, absent extenuating and mitigating circumstances.
- D. When a member agrees to work for another member and for any reason fails to do so, the member who agreed to work the trade will owe the Fire Department the time not worked.
 - 1. District 4 shall maintain records of all trade time owed.
 - 2. Any member who cannot fulfill an obligated trade due to injury or illness shall notify the District Chief and obtain a medical verification (sick note) of injury or illness. The physician's verification of injury or illness must be obtained three days prior to, or three days after the day the member requested sick leave. The verification must be submitted within 14 days from the date the member returns to duty. Refer to the current Labor Management Agreement (LMA) for proper language used on the sick note.
 - 3. Trade time owed to the Department shall be repaid as soon as possible after returning to full firefighting duty status. District Chiefs shall have full discretion in the scheduling of missed trade obligations.
 - 4. Members will be given seventy-two (72) hours notice prior to being required to repay trade hours owed the Department.
 - 5. Upon two (2) occurrences of failure to fulfill an obligated trade within a twelve (12) month period, the member's trade privilege may be revoked for twelve (12) months from the date of the second occurrence. Members losing trade privileges may not originate trades or participate in new trades, but are responsible for repayment of trades. Members who fail to fulfill two (2) or more trade obligations due to the same injury or illness

may appeal the twelve (12) month trade revocation to the Human Resource Division Assistant Chief for reinstatement of trade privileges.

6. Any member who agrees to a trade and is absent or late in reporting to duty for any reasons other than those stated in paragraph #2 above shall be considered AWOL.

905.05 Jury Duty

- A. Members of the Fire Department are not exempt from Jury Duty and should not forward the Questionnaire Card through channels.
- B. See the current Labor/Management Agreement for information regarding pay while on Jury Duty.
- C. Per the current Labor-Management Agreement, members who are required to serve on any jury shall receive their regular salary during the period of jury service, provided they remit compensation for such on-duty jury service to the City.
- D. In an effort to maximize daily manpower the following guidelines have been established while members are required to serve on a jury.
 1. The specific and individual schedules will be developed and implemented by the respective District Chiefs when their members request leave for jury duty.
 2. Members may be required at any time to document any hours served on a jury on a specific day or their total time served on the jury.
 3. Members will be released from Regular Fire Duty at 1900 hours on days preceding a scheduled jury duty day.
 4. Members will report to duty when released from jury duty on any day **NOT** followed by a scheduled jury duty day.
 5. Members released from jury duty prior to 1500 hours on any day will be required to report for regular fire duty.
 - a. If the member is required to serve jury duty the next day they will be released at 1900 hours.
 - b. If the member is not required to serve on a jury the next day the member will work the remainder of the tour.
 6. After the member's commitment to serve on the jury is completed, the member will submit a Form 47 that reflects the actual days off due to jury duty. The member must attach a check to the F- 47 for the appropriate amount paid by the court to the member for those days the member served on a jury on their regular duty days.

905.06 Court Appearances and Appearances at Hearings

- A. Members that are required to appear at hearings or subpoenaed to court a result of a matter directly related to their City employment, shall notify their immediate supervisor. Pay compensation for such appearances shall be made according to the current Labor/Management Agreement. An F-47 shall be submitted giving details of the required appearance. Also the member will attach an endorsed witness fee check received for any appearances, and an electronic F-212 if applicable.
- B. Operations Division members shall appear at hearings or in court in the Class A uniform when representing the City of Cincinnati.
- C. Members served a subpoena or required to appear at hearings as a private citizen, shall notify their immediate supervisor if the required appearance will involve on-duty time. Members must use vacation, holiday, or Comp Time leave if the appearance is required while on-duty. No pay compensation will be given for appearances not related to City employment. Members appearing at hearings at the request of a member in defense of that member against the Fire Department shall not be entitled to compensation for off-duty appearances. A Chief's Report F-47 shall be submitted providing complete details of the hearing or court appearance, if the member is required to use leave time to appear while on-duty.
- D. The District Chief will be notified ASAP so adjustments to staffing can be made.
- E. Any required Chief's Report F-47 shall be submitted to the member's immediate supervisor on the member's first duty day after completion of required appearances.
- F. The current Labor-Management Agreement shall prevail in all incidents

905.07 Retirement

- A. In regard to members accepting terminal leave lump sum benefit payments nothing herein shall be construed to supersede or control policies and procedures of the Police and Firemen's Disability and Pension Fund as established and operating under Chapter 742 of the Ohio Revised Code.

- B. To assist in a smooth transition into retirement, members should notify and schedule a meeting with Risk Management District Fire Chief at least 30 days in advance of the intended retirement date. The Risk Management District Chief will assist the member with completing the appropriate forms.
- C. Members may elect a lump sum settlement or elect to utilize Terminal Leave as outlined in the Labor-Management Agreement.
- D. Members working out of classification or overtime during their final pay period should submit the request for above-grade or overtime promptly, otherwise the lump sum payment may be delayed.