



Antonio Araujo
Mayor

Leticia Miranda
Alderman Place 1

David Cantu
Alderman Place 2

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Alderman Place 3

Maria Covernall
Alderman Place 4

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Alderman Place 5

RESOLUTION NO. 1806R.05.01

A RESOLUTION BY THE CITY OF SAN ELIZARIO TO AMEND THE PERSONNEL MANUAL, ADDING SECTION 13 F, PERSONAL LEAVE OF ABSENCE WITHOUT PAY.

RECITALS

WHEREAS, the City Council of the City of San Elizario ("City") adopted a Personnel Manual in June, 2016 to provide regulations relating to City employees and officials; and

WHEREAS, the City Council has determined that enactment of an amendment is necessary to provide for certain types of personal leave without pay for employees; and

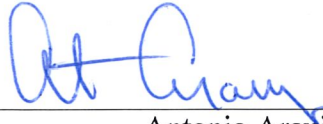
WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City Council finds that it is necessary and proper for the good government and order of the City to maintain and amend the Personnel Manual of the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of San Elizario, Texas, that:

1. The foregoing Recitals are hereby adopted as facts and are incorporated fully herein.
2. The City Council of the City of San Elizario hereby approves the amendment to the *City of San Elizario Personnel Manual*, attached hereto as "Exhibit A" and incorporated fully herein.
3. All resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters regulated, herein.
4. Should any of the clauses, sentences, paragraphs, sections or parts of this Resolution be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Resolution.
5. This Resolution shall be effective immediately upon passage and approval.

PASSED AND APPROVED this, the 13 day of November, 2018, by a vote of 5 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of San Elizario, Texas.

CITY OF SAN ELIZARIO, TEXAS



Antonio Araujo, Mayor

ATTEST:



Nancy Montes, City Clerk

13. PAID TIME OFF AND LEAVE

Adding section F:

F. PERSONAL LEAVE OF ABSENCE WITHOUT PAY

Personal Leave of Absence may be granted to full service employees. All Personal Leaves of Absence are unpaid and will be at the discretion of his or her supervisor and the City Administrator. Employees will be granted only one type of Personal Leave of Absence within any rolling twelve (12) month period. Except as specifically provided below, a Personal Leave of Absence may last up to four (4) weeks. After the maximum allowed time of intermittent or consecutive absences, an employee will be expected to return to work or will be considered to have voluntarily resigned.

An employee who makes a request for a Personal Leave of Absence for reason of (1) the birth of a child and in order to care for that child, (2) the placement of a child for adoption or foster care and to care for the newly placed child; (3) to care for a spouse, child or parent with a serious health condition, or (4) a serious health condition of the employee that makes the employee unable to perform the functions of the employee's position, may be granted a Personal Leave of Absence lasting up to twelve (12) weeks. A serious health condition is defined as a condition that requires inpatient care at a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition that requires continuing care by a licensed health care provider.

A written request including reason(s) for the leave must be submitted to the employee's direct supervisor. The more advance notice an employee can give, the easier it will be to favorably consider a request. The employee is required to exhaust all available PTO before making an official request for a Personal Leave of Absence.

The granting of a Personal Leave of Absence is strictly at the City's discretion and depends on whether an employee can be excused without adversely affecting the operations of the City. Each request will be considered on an individual basis, taking into consideration the employee's length of service, job performance, how much PTO time will be used (initial time off work) prior to the start of a Personal Leave of Absence, and the overall effect that the leave of absence will have on the City's operation.

For a Personal Leave of Absence, it is the employee's responsibility to pay the full cost of any contributory benefits. PTO accruals and other benefits related to time worked are suspended or prorated for the duration of the leave of absence.

After taking a Personal Leave of Absence, the employee may return to the same or equivalent position with the City. The City may however, fill the employee's position during the employee's absence due to business necessity.

Upon submission of a request, the supervisor will review and make a recommendation. The City Administrator and the Mayor must provide final approval for the Personal Leave of Absence. To return from a Personal Leave of Absence, an employee must contact his or her supervisor at least one week prior to return date. For employees on leave due to a medical reason, a doctor's release to work will be required the day the employee physically returns to work. If no documentation is provided, the employee will not be allowed to return to work. The employee may be given a small amount of additional time to furnish the required release.