

## **Personnel Rule 7.8 – Bereavement Leave**

### **7.8.0 Authority**

SMC 4.04.040 and subsequent revisions thereto, Administration

SMC 4.04.050 and subsequent revisions thereto, Rule-Making Authority

SMC 4.28 and subsequent revisions thereto, Funeral Leave

SMC 4.30 and subsequent revisions thereto, Documentation of Eligibility for Certain Uses of Sick Leave and Funeral Leave

### **7.8.1 Definitions**

- A. "Appointing authority" shall mean the head of an employing unit authorized by ordinance or City Charter to employ others on behalf of the City, or a designated management representative. The term includes and can be used interchangeably with department head, department director, superintendent, and chief.
- B. "Bereavement leave" shall mean time off without loss of pay or reduction of any accrued paid leave in the event of the death of a close relative. Possible uses of bereavement leave include, but are not limited to, attending a funeral or memorial service, tending to the family member's estate, or grieving the loss of the family member.
- C. "Close relative" shall mean the employee's spouse/domestic partner, or the child, parent, sibling, grandparent or grandchild of the employee or the employee's spouse/domestic partner, or legal guardian, ward or any person over whom the employee or employee's spouse/domestic partner has legal custody..
- D. "Regularly appointed employee" shall mean an individual with a probationary, regular or exempt appointment to a position of City employment.
- E. "Relative other than a close relative" shall mean the following relatives of the employee or the employee's spouse/domestic partner: cousin, parent's sibling, parent's sibling's child, spouse or domestic partner of a sibling, child, or grandchild.

### **7.8.2 Application of this Rule**

- A. The provisions of this Rule apply to regularly appointed employees.
- B. For regularly appointed employees who are represented under the terms of a collective bargaining agreement, this Rule prevails except where it conflicts with the collective bargaining agreement, any memoranda of agreement or understanding signed pursuant to the collective bargaining agreement, or any recognized and established practice relative to the members of the bargaining unit.
- C. This Rule does not apply to individuals who are employed under the terms of a grant that includes bereavement leave provisions that conflict with this Rule.

- D. This Rule does not apply to individuals hired by the City on a temporary, intermittent or seasonal basis, or for a work schedule of fewer than 20 hours per week, nor does it apply to individuals hired under contract to the City.
- E. Appointing authorities may establish written policies and procedures for the implementation and administration of this Rule to facilitate the management of the personnel system within their employing units, provided that such policies and procedures do not conflict with the provisions of this Rule.

### **7.8.3 Bereavement Leave**

- A. The appointing authority shall afford up to 40 hours of bereavement leave per occurrence for a full-time employee in the event of the death of a close relative. The amount of leave shall be pro-rated for part-time employees.
  - 1. Employees shall be paid at the same rate of pay they had been assigned to work when using bereavement leave.
  - 2. Where use of bereavement leave is foreseeable, employees shall notify supervisors of the need to use the leave as soon as practicable.
  - 3. Employees may take bereavement leave intermittently.
- B. The appointing authority may approve up to 40 hours of sick leave per occurrence for the bereavement of a relative other than a close relative, for a full-time employee. The amount of sick leave available to a part-time employee shall be pro-rated based on his or her normal work schedule.
- C. Additional time off for bereavement may be charged to vacation, personal holidays, compensatory time off, or executive and merit leave, or be unpaid, with supervisory approval.
- D. Employees shall provide such documentation as is reasonably necessary to substantiate the need for bereavement leave.
- E. Bereavement leave or sick leave used for bereavement purposes must be used within one year of the death of the employee's qualifying family member; after such time, the ability to use such leave is forfeited.