

## **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, Bereavement 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 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. "Regularly appointed employee" shall mean an individual with a probationary, regular, or exempt appointment to a position of City employment.
- D. "Relative" shall mean any person related to the employee by blood, marriage, adoption, fostering, guardianship, in loco parentis, or domestic partnership.

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

- A. The provisions of this Rule apply to regularly appointed employees and temporary workers who are eligible for fringe benefits as defined under Personnel Rule 11.2 (H).
- 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 and who are not eligible for fringe benefits, 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. Eligibility & Entitlement**

1. 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 relative. The amount of bereavement leave shall be pro-rated for part-time employees.
2. Bereavement leave may be taken in full-day increments or increments of one (1) hour.
3. Employees shall be paid at the same rate of pay they would have been paid had they been assigned to work when using bereavement leave.
4. Employees may take bereavement leave intermittently, in increments of one (1) hour for full-time employees.
5. Additional time off for bereavement may be charged to an employee's vacation, personal holidays, compensatory time off, or executive and merit leave, or be unpaid, with supervisory approval.
6. Bereavement leave must be used within one year of the death of the employee's relative; after such time, the ability to use such leave is forfeited. However, employees may request, and appointing authorities or their designees may grant, extensions of ability to use such leave if the employees submit such request within 30 days of the relative's death.

#### **B. Notice & Certification Requirements**

1. Where use of bereavement leave is foreseeable, employees shall notify supervisors of the need to use bereavement leave as soon as practicable.
2. Employees shall provide such documentation as is reasonably necessary to substantiate the need for bereavement leave.