

City of Virginia Beach Department of EMS Standard Operating Procedure

Leave for Uniformed Non-Exempt Personnel



Issue Date: 04/11/2004

Revised Date: 06/06/2023

Section: Human Resources

1. Purpose

The purpose of this standard operating procedure is to provide direction regarding departmental leave procedures for uniformed, non-exempt personnel.

2. Applicability

This standard operating procedure shall apply to City of Virginia Beach Department of Emergency Medical Services (EMS) career, uniformed non-exempt personnel.

3. Policy Statement

The Department of EMS shall follow City of Virginia Beach Human Resources Leave Policies including but not limited to: Annual and Personal Leave Policy No. 3.01, Family and Medical Leave Policy No. 3.03, Injury Leave Policy No. 3.07, Military Leave Policy No. 3.09, Sick Leave Policy, No. 3.10, Public Health Emergency Operations Policy No. 3.16, and Administrative Leave Policy No. 3.17. Career uniformed non-exempt personnel are considered "fire protection" employees per Virginia Code §9.1-702. EMS employees work a seven-day work period which commences at 12:01 a.m. Thursday and continues for 168 hours.

4. Standard Operating Procedure

- 4.1. All Career non-exempt uniformed employees are considered Alpha 1 employees by the City of Virginia Beach and are subject to recall in the event of a citywide emergency.
 - 4.1.1. This recall may include the involuntary cancellation of any approved leave.
 - 4.1.2. Employees on FML, compensatory, or a no-duty medical leave status are not affected.

- 4.2. Blackout dates where no leave is authorized may be set by the Deputy Chief of Operations with notice provided in advance.
 - 4.2.1. Blackout dates may include, but are not limited to Memorial Day and Labor Day holiday weekends, July 4th (weekend), major special events, etc.
 - 4.2.2. Employees on FML, compensatory, or a no-duty medical leave status are not affected.
- 4.3. A specific number of leave slots (Category One or Two) are authorized per shift. The Deputy Chief of Operations will announce the number of leave slots available by October 1 for the next calendar year. However, exceptions may be made for employees on FML, military leave or other required leave status.
- 4.4. Leave Request Process
 - 4.4.1. Employees must inform their immediate supervisor by submitting a request for leave via VBTime.
 - 4.4.1.1. An employee must have an accrued leave balance to cover the requested leave at the time of the leave.
 - 4.4.1.2. Consecutive leave dates within the same work period may be submitted on one request through VBTime. Separate requests shall be submitted for leave requests crossing over work periods and pay weeks.
 - 4.4.2. In the event a leave slot is not available and leave is denied, the employee has the option to resubmit the leave request if a leave slot becomes available.
 - 4.4.2.1. Standby leave requests expire 48 hours prior to the date requested.
 - 4.4.2.2. Employees denied a leave slot may utilize the Department of EMS Shift Trade/Substitution Policy .
- 4.5. Approval Authority and Supervisor Responsibility
 - 4.5.1. All leave will be approved/denied by the immediate supervisor or delegated designee in VBTime.
 - 4.5.2. Leave approval/denial must occur within two working shifts following the date the request is filed.
 - 4.5.3. Disapproved requests should include a reason why the request was denied.
 - 4.5.4. FML and no-duty medical leave requests cannot be denied.
 - 4.5.5. Compensatory leave shall be permitted unless the employee's absence from work would unduly disrupt the operation of the department.
 - 4.5.6. Approved requests for leave will also be entered on the master schedule worksheet upon approval which will be made available to all uniformed staff.
 - 4.5.7. Upon approval, the supervisor will enter leave into the Department scheduling program.

4.6. Voluntary Leave Cancellation

- 4.6.1. Employees may cancel approved leave up to the start of the granted leave date by notifying their immediate supervisor and cancelling their leave in VBTime. If the immediate supervisor is not available employees must contact their Brigade Chief.**
- 4.6.2. Employees cancelling their leave should make the cancellation and notification as soon as possible to facilitate other employees who may wish to utilize the leave slot.**
- 4.6.3. If an employee wishes to resubmit any portion of the canceled leave, the employee shall follow the standard process for requesting leave.**

4.7. Minimum Staffing Considerations

- 4.7.1. The Shift Commander role shall always be staffed by a qualified employee.**
- 4.7.2. Two of the EMS supervisor roles shall always be staffed by an EMS Captain.**
- 4.7.3. It is the responsibility of each Brigade Chief to maintain adequate staffing of all units during their shift per the Constant Staffing SOP and Field Supervisor SOG.**
- 4.7.4. During times of anticipated staffing shortages, the Deputy Chief of Operations is authorized to freeze vacant leave slots of any category and utilize the Hire Back and Recall of Career Personnel policy to implement holdovers and call backs.**
- 4.7.5. Once a shift starts, the on-duty Shift Commander has the authority to allow additional employees to take leave based on staffing levels.**
- 4.7.6. Requests for leave by Brigade Chiefs are not included in shift leave slots. Continuous coverage by these positions will be coordinated by the supervising Division Chief of Operations.**

4.8. Leave Categories/Types

4.8.1. Sick Leave

- 4.8.1.1. Requests for sick leave shall be communicated to the employee's immediate supervisor and submitted in VBTime as far in advance as possible for planned medical appointments.**
- 4.8.1.2. Same day requests for sick leave must be communicated to the employee's immediate supervisor at least one hour prior to the start of the employee's scheduled work shift and submitted in VBTime upon return to work.**
- 4.8.1.3. All employees are required to notify their immediate supervisor, or if their immediate supervisor is not available, any on-duty EMS Captain/Brigade Chief/Division Chief to request same day sick leave and specifically advise if the employee will be out sick or family sick leave.**

4.8.1.4. Supervisors may be required to submit sick leave into VBTime on behalf of the employee if not entered prior to payroll submission.

4.8.6. Category One Leave

4.8.6.1. Deputy Chiefs, or their designees, will be responsible for managing Category One leave in their respective branches.

4.8.6.2. A specific number of leave slots per shift (day/nights) are authorized. The Deputy Chief of Operations will announce the number of leave slots available by October 1 for the next calendar year. However, exceptions may be made for employees on FML, military leave or other required leave status. These leave slots will be designated as Category One until annual vacation scheduling is complete.

4.8.6.3. All EMS Captains, Paramedics, EMT-Intermediates, and Advanced EMT providers are included in the Category One positions.

4.8.6.4. No more than 50% of the Captains from the same shift may take Category One leave at the same time without approval of the supervising Division Chief of Operations.

4.8.6.5. Employees may submit multiple requests and indicate their priority order in case the employee does not receive approval for their priority choice.

4.8.6.6. A maximum of two requests per employee may be awarded in this process. All employees will have their first priority request processed before second priority requests will be processed.

4.8.6.7. All unused Category One leave slots will revert to Category Two slots once the Category 1 Leave calendar is posted unless otherwise limited by the terms of this SOP.

4.8.7. Category One submission process

4.8.7.2. Employees shall submit Category One requests to their EMS Captain during the period of November 1-15.

4.8.7.3. Requested dates must fall in the next calendar year and be at least 36 consecutive working hours in duration.

4.8.7.4. EMS Captains will prepare recommendations for the Category One leave calendar for their shift based on the submitted requests and submit to the EMS Brigade Chief.

4.8.7.5. The Category One leave calendar recommendations will be forwarded to the Division Chiefs of Operations no later than November 21st.

4.8.7.6. Priority ranking for leave slots will be based on the time of receipt of the request. In the event of a tie, seniority and the length of the request will be considered. If all factors are equal, a lottery process will be conducted.

4.8.7.7. The Division Chiefs of Operations will review and approve the Category One leave calendars.

- 4.8.7.8. Employees will be notified of approval/disapproval status no later than December 1st when the Category 1 leave calendar is posted.
- 4.8.7.9. Once approved, the employee may enter their approved leave dates in VBTime.


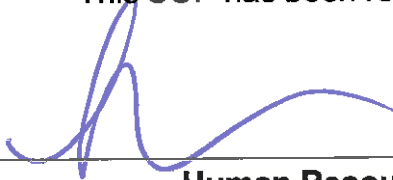

- 4.8.8. Category Two Leave is also referred to as Short Term leave.
 - 4.8.8.1. Leave slots remaining open after Category One scheduling is complete will be designated as Category Two leave.
 - 4.8.8.2. Employees may request Category Two leave slots during any period two working shifts up to 90 days in advance of the start of leave.
 - 4.8.8.3. Once leave slots are filled, no further scheduled leave may be authorized prior to the start of the shift without approval of the supervising Division Chief of Operations.
 - 4.8.8.3.1. The supervising Division Chief of Operations may approve additional Category Two leave slots based on staffing levels and other circumstances such as long-term absences.
 - 4.8.8.4. Temporary Duty Assignments and leave in the following categories: FML, compensatory, a no-duty medical, sick, funeral, or other unplanned events immediately fill any vacant Category Two slots.

- 4.8.9. Temporary Duty Assignments (TDA)
 - 4.8.9.1. TDAs take employees away from their normal duty assignments. These assignments may be necessary for transitional employment under the Human Resources Return to Work Program Policy and Procedure, No. 6.20, for training or to meet staffing needs.
 - 4.8.9.2. All TDA requests require submission at least 10 days prior to the date requested. Exceptions may be made by the supervising Division Chief of Operations.
 - 4.8.9.3. The supervising Division Chief of Operations will approve or disapprove TDA requests from shift personnel based upon the following criteria:
 - 4.8.9.3.1. Staffing Levels
 - 4.8.9.3.2. Training related to an individual's current assignment and rank.
 - 4.8.9.3.3. Departmental mandatory training and supported activities such as promotional processes, mandated programs, meetings, etc.
 - 4.8.9.3.4. Other approved activities such as EMS service-related conferences, special events, seminars, or related training.
 - 4.8.9.4. The supervising Division Chief of Operations reserves the right to cancel an approved TDA assignment due to emergent staffing limitations.

5. References and Related Policies/Procedures/Guidelines

- 5.1. Code of Virginia § 9.1-700 series - Overtime Compensation for Law Enforcement Employees, Firefighters, Emergency Medical Technicians, and other Fire Protection Employees.
- 5.2. Human Resources Policy 2.02 – Overtime
- 5.3. Human Resources Policy 6.20 – Return to Work Program Policy and Procedure
- 5.4. Human Resources Policies in Section 3. Leave
- 5.5. VBEMS SOP - Overtime and Scheduling for Uniformed Non-Exempt Personnel
- 5.6. VBEMS Policy - Constant Staffing
- 5.7. VBEMS Policy- Maximum Consecutive Shift Duty
- 5.8. VBEMS Policy – Shift Trade/Substitution

This SOP shall become effective upon the approval of the Chief of Emergency Medical Services.

 _____ EMS Chief	06/06/2023 Date Signed
This SOP has been reviewed for HR content by Human Resources.	
 _____ Human Resources	06/06/2023 Date Signed
This SOP has been approved for legal sufficiency by the City Attorney's Office.	
 _____ City Attorney	06/06/2023 Date Signed

SOP Change Log		
Created:	04/11/2004	Created on this date
Revised:	08/07/2018	Prior changes
Revised:	06/01/2021	Entered into new format. Changes regarding Code of Virginia. Incorporated VBEMS Hire Back and Recall of Career Personnel and Leave (Uniformed Staff) policies.
Revised:	2/16/2022	Formatting, terminology consistency, VBTime notations and workflows.
Revised:	06/06/2023	Separated leave and overtime. Updated for process and content.

