



ORDINANCE NO. 29018

1 AN ORDINANCE relating to pay and compensation; amending Chapter 1.12 of the
2 Municipal Code, relating to the Compensation Plan, by amending Sections
3 1.12.220, 1.12.230, 1.12.232, and 1.12.248, to comply with changes to
Washington State's Paid Sick Leave law, retroactive to January 1, 2025.

4 WHEREAS the ordinance provides for language to change Tacoma
5 Municipal Code ("TMC") Section 1.12.220 Vacation allowance with pay; Section
6 1.12.230 Sick allowance with pay; Section 1.12.232 Sick allowance with pay –
7 LEOFF I Police and Fire personnel; and Section 1.12.248 Personal Time Off plan
8 to include the updated definition of family member as well as expanded use of paid
9 leave for certain business and school closures, and
10

11 WHEREAS these changes align with Engrossed Substitute Senate Bill
12 5793, which made updates to Washington State's Paid Sick Leave Law, RCW
13 49.46.210, and are effective January 1, 2025, and
14

15 WHEREAS the changes are as follows: (1) employees will be allowed to
16 use paid sick leave when the employee's place of business has been closed by
17 order of a public official for any health-related reason, or when an employee's
18 child's school or place of care has been closed for such a health-related reason or
19 after the declaration of an emergency by a local or state government or agency, or
20 by the federal government; and (2) the definition of "family member" for paid leave
21 purposes is broadened to include not just traditional familial relationships, but also
22 any individual who regularly resides in the employee's home or where the
23 relationship creates an expectation that the employee care for the person, and that
24 individual depends on the employee for care; Now, Therefore:
25
26



BE IT ORDAINED BY THE CITY OF TACOMA:

1 Section 1. That Chapter 1.12 of the Tacoma Municipal Code is hereby
2 amended, effective retroactive to January 1, 2025, as set forth in the attached
3 Exhibit "A."
4

5 Section 2. That the City Clerk, in consultation with the City Attorney, is
6 authorized to make necessary corrections to this ordinance, including, but not
7 limited to, the correction of scrivener's/clerical errors, references, ordinance
8 numbering, section/subsection numbers, and any references thereto.
9

10 Passed _____
11

12 _____
13 Mayor

14 Attest:
15 _____
16 City Clerk

17 Approved as to form:
18 _____
19 Deputy City Attorney
20
21
22
23
24
25
26



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

EXHIBIT "A"

1.12.220 Vacation allowance with pay.

A. Rate of Accrual of Vacation Leave.

1. Each regular, probationary, project, temporary pending exam, or appointive full-time employee shall accrue vacation leave hours for each biweekly pay period in which he or she has been in a paid status pursuant to the following schedule based on aggregate City service.

Completed Years of Aggregate Service	No. of 8-Hour Days per Year	Hours Earned per Pay Period ¹
Completion of years 0, 1, 2, 3	12	3.69
Completion of years 4, 5, 6, 7	15	4.60
Completion of years 8, 9, 10, 11, 12, 13	17	5.22
Completion of years 14, 15, 16, 17, 18	20	6.14
Completion of 19 years	21	6.45
Completion of 20 years	22	6.76
Completion of 21 years	23	7.07
Completion of 22 years	24	7.38
Completion of 23 years	25	7.69
Completion of 24 years	26	8.00
Completion of 25 years	27	8.31
Completion of 26 years	28	8.62
Completion of 27 years	29	8.93
Completion of 28 years or more	30	9.24

Vacation accruals based on tenure shall be credited at the first of the calendar year in which any of the above periods of aggregate City service will be completed. Eligibility for tenure-based vacation accruals shall be determined by the length of aggregate service with the City. The applicable accrual rate shall be determined as of January 1 of each calendar year and shall be based on the rate applicable to the number of years of aggregate service¹ the employee will complete within that calendar year. For example, on January 1, an employee who will complete four years of aggregate service with the City within that calendar year will begin to accrue vacation leave at a rate of 4.60 hours per pay period.

2. An eligible employee shall accrue vacation based on the above schedule beginning from the date of his or her appointment.

3. Vacation accrual balances shall not exceed an amount equal to two years' accrual.

In the event an employee is unable to use his or her vacation prior to exceeding the two-year limitation because of continued illness, with a written request submitted to the Human Resources Department, such unused days may be allowed to accumulate until the employee returns to work or is separated. Vacation in excess of two years' accrual, if not taken within 90 calendar days after an employee returns to work, shall be forfeited.

In the best interests of the City, the City Manager, for general government employees, and the Director of Utilities, for department of public utilities employees, may temporarily increase the maximum vacation accrual requirements set forth in this section.

¹ The Per Pay Period figure is based on a biweekly payroll schedule.
² See TMC 1.12.075 for the definition of "aggregate service."



4. For purposes of this section, permanent employees of the Municipal Belt Line Railway assigned to the Extra Board will be considered as full-time employees.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

B. Permissible Use of Vacation Accruals with Pay.

1. Vacation leave may not be taken without the prior approval of the appointing authority and may not be taken in the pay period in which it was earned. Vacation leave shall be scheduled so as to meet the operating requirements of the City and, as far as practicable, the preferences of the employees.

2. ~~Pursuant to RCW 49.12.270, effective January 1, 2003, vacation accruals may be used to care for: (a) a child of the employee with a health condition that requires treatment or supervision; or (b) a spouse, parent, parent-in-law, or grandparent of the employee who has a serious health condition or an emergency condition.~~ Vacation may be used to allow the employee to provide care for a family member with a mental or physical illness, injury, or health condition; or care for a family member who needs preventive medical care. For purposes of this section, "family member" means any of the following:

~~(1) "Child" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis who is: (a) Under 18 years of age; or (b) 18 years of age or older and incapable of self-care because of a mental or physical disability.~~

~~(2) "Grandparent" means a parent of a parent of an employee.~~

~~(3) "Parent" means a biological parent of an employee or an individual who stood in loco parentis to an employee when the employee was a child.~~

~~(4) "Parent-in-law" means a parent of the spouse of an employee.~~

~~(5) "Spouse" means a person legally married to a City employee and for purposes of this section includes an individual registered as the employee's domestic partner under state law or City policy.~~

~~For a period of illness or disability, employees who, at their option, elect to use vacation leave shall remain on vacation leave until exhausting such leave, returning to work, or being placed on leave without pay.~~

(1) "Family Member" means a child, grandchild, grandparent, parent, sibling, or spouse of an employee, and also includes any individual who regularly resides in the employee's home or where the relationship creates an expectation that the employee care for the person, and that individual depends on the employee for care. "Family members" includes any individual who regularly resides in the employee's home, except that that it does not include an individual who simply resides in the same home with no expectation that the employee care for the individual.

(2) "Child" means a biological, adopted, or foster child, a stepchild, a child's spouse, or a child to whom the employee stands in loco parentis, is a legal guardian, or is a de facto parent, regardless of age or dependency status.

(3) "Grandchild" means a child of the employee's child.

(4) "Grandparent" means a parent of the employee's parent.

(5) "Parent" means the biological, adoptive, de facto, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse, or an individual who stood in loco parentis to an employee when the employee was a child.

(6) "Spouse" means a husband or wife, as the case may be, or state registered domestic partner under state law or City policy.

Vacation may be used when the employee's assigned City work location has been closed by order of a public official for any health-related reason, or when an employee's child's school or place of care has been closed for such a health-related reason or after the declaration of an emergency by a local or state government agency, or by the federal government.



3. Vacation leave shall be taken in increments of one tenth (1/10) of an hour.

C. Payment for Vacation.

1. An employee, when leaving the service of the City, shall be compensated for vacation leave earned and accrued to the date of separation at the rate for the classification in which he or she was working in on the date of separation.

2. An employee shall be paid for vacation leave at the rate of pay he or she was receiving the day before the vacation leave is taken.

1.12.230 Sick allowance with pay.

A. Eligibility for Sick Leave.

The following provisions, unless otherwise specified, apply to all regular, probationary, project, temporary, temporary pending exam, or appointive full-time employees except those employees of the Tacoma Municipal Belt Line Railway set forth in Section 1.12.231 and members of the Police and Fire Departments covered by RCW 41.26 (LEOFF I Pension System) set forth in Section 1.12.232.

1. Accrual. Regular, probationary, project, temporary, temporary pending exam, or appointive full-time employees shall accrue sick leave at the rate of 3.69 hours for each 80 hours in which he or she is in paid status. Eligible employees who are on leave of absence for active duty training or for inductive purposes shall accrue sick leave.

a. Sick leave earned shall be credited to an employee's accruals after the completion of each biweekly pay period and may not be used in the pay period earned.

b. For purposes of this section, eligible permanent employees of the Municipal Belt Line Railway assigned to the Extra Board will be considered as full-time employees.

c. The Human Resources Director may authorize an adjustment to sick leave banks as provided for in a collective bargaining agreement.

2. Permissible Use of Paid Sick Leave.

a. Sick leave may be taken in tenths (0.10) of an hour increments.

b. Injury or illness of employee to such extent as to constitute a hazard to the safety or health of himself or herself or other employees.

c. Medical or dental care for the employee. Supervisors should attempt to accommodate appointments for care. Employees should attempt to schedule such appointments to minimize disruption to work.

d. Quarantine of employee due to exposure to a contagious disease.

e. On-the-job injuries during the first three days if not eligible for Workers' Compensation and as a supplement to Workers' Compensation after the 120-day supplementary on-the-job injury benefits provided under Section 1.12.090.

f. Death of a spouse, father, mother, foster parent, brother, sister, child, foster child, grandparents, or grandchildren of employee or relatives of the spouse of the employee in the same categories of relationship subject to the requirements of subsection B.5. hereinafter set forth.

g. Employees working shifts other than the regular Monday through Friday workweek shall be paid holiday pay plus paid sick leave when scheduled to work on a holiday and they are unable to work due to illness or injury. Such employees, when not scheduled to work on a holiday, shall not be entitled to paid sick leave therefor.

h. Preinduction physical for service in the Armed Forces.



i. Illness or disability due to pregnancy or conditions related thereto.

j. Sick leave may be used to allow the employee to provide care for a family member with a mental or physical illness, injury, or health condition; or care for a family member who needs preventive medical care. For purposes of this section, “family member” means any of the following:

~~(1) A child, including a biological, adopted, or foster child, a stepchild, or a child to whom the employee stands in loco parentis, is a legal guardian, or is a de facto parent, regardless of age or dependency status.~~

~~(2) A biological, adoptive, de facto, or foster parent, stepparent, or legal guardian of an employee or the employee’s spouse or registered domestic partner, or a person who stood in loco parentis to an employee when the employee was a minor child.~~

~~(3) A spouse.~~

~~(4) A registered domestic partner.~~

~~(5) A grandparent.~~

~~(6) A grandchild.~~

~~(7) A sibling.~~

~~(8) A daughter in law or son in law.~~

(1) “Family Member” means a child, grandchild, grandparent, parent, sibling, or spouse of an employee, and also includes any individual who regularly resides in the employee’s home or where the relationship creates an expectation that the employee care for the person, and that individual depends on the employee for care. “Family members includes any individual who regularly resides in the employee’s home, except that that it does not include an individual who simply resides in the same home with no expectation that the employee care for the individual.

(2) “Child” means a biological, adopted, or foster child, a stepchild, a child’s spouse, or a child to whom the employee stands in loco parentis, is a legal guardian, or is a de facto parent, regardless of age or dependency status.

(3) “Grandchild” means a child of the employee’s child.

(4) “Grandparent” means a parent of the employee’s parent.

(5) “Parent” means the biological, adoptive, de facto, or foster parent, stepparent, or legal guardian of an employee or the employee’s spouse, or an individual who stood in loco parentis to an employee when the employee was a child.

(6) “Spouse” means a husband or wife, as the case may be, or state registered domestic partner under state law or City policy.

k. Sick leave may be used when the employee’s assigned City work location has been closed by order of a public official for any health-related reason, or when an employee’s child's school or place of care has been closed ~~by order of a public official~~ for such a health-related reason or after the declaration of an emergency by a local or state government agency, or by the federal government.

B. Requirements for All Paid Sick Leave.

1. Every employee must report to the designated representative of his or her department head the reason for an absence prior to the beginning of his or her scheduled workday or such earlier time as required by his or her department or division head.

2. An employee must keep his or her department head informed of his or her condition if an absence is of more than four working days in duration.

3. For each absence an employee may be required to submit an explanation of the reason for such absence. A statement by the attending physician attesting to the nature and seriousness of said injury or illness shall be required if requested by the department head.



4. Employee must permit home visits or medical examinations at the expense and convenience of the City.

5. a. Upon approval by the department head, a maximum of four days' sick leave may be granted for the death of spouse, father, mother, foster parent, brother, sister, child, or foster child of the employee.

b. For the purpose of attending the funeral, upon approval by the department head, a maximum of one day's sick leave may be granted for the death of grandparent, grandchild, son-in-law, daughter-in-law, brother-in-law, or sister-in-law of the employee or the death of a father, mother, foster parent, brother, brother-in-law, sister, sister-in-law, child, foster child, grandparent, or grandchild of the spouse of the employee.

i. An employee in a classification represented by the Tacoma Firefighters Union, Local 31, will be allowed to take up to two full shifts (or 4 eight-hour days) of City paid leave in order to attend a funeral of a family member, as defined in subsection a or b above.

6. An employee shall be paid for sick leave at the rate he or she was receiving the day before the sick leave was taken.

7. Employees shall accrue sick leave according to the provisions of this section; provided, however, that any employee who leaves the City service during the first six months of employment shall not be compensated for any accrued sick leave.

C. Enforcement of Sick Leave Provisions.

1. Misrepresentation of any material facts in connection with paid sick leave by any employee shall constitute grounds for suspension or discharge.

2. It shall be the responsibility of the department head or his or her designated representative to:

a. Review all applications for sick leave and approve those which are bona fide and comply with the provisions of this section. Employees still absent at the end of a pay period may be certified for payment of sick leave by the department head by his or her signing the payroll timecards, subject to department head's approval for sick leave pay immediately upon the employee's return to work.

b. Investigate any suspected abuse of sick leave.

c. Withhold approval of sick leave pay in the event of unauthorized use.

d. Initiate disciplinary action if, as a result of investigation, it is determined that an employee has been guilty of willful misrepresentation in a request for sick leave pay.

D. Payments for Nonuse of Sick Leave Accruals.

1. An employee separated from the City service due to death or retirement for disability or length of service with attendant pension payments under any City employee pension system who does not qualify for a VEBA deposit under TMC Section 1.12.229 shall be compensated at a rate for the classification in which he or she was working on the date of separation to the extent of 25 percent of accrued sick leave hours.

a. An employee separated from the City service due to retirement, and represented by the Tacoma Fire Fighters Union, Local 31, shall receive a contribution into a qualified Health Reimbursement Arrangement in the amount of the sick leave payment in lieu of a cash payment, when properly authorized annually by Local 31.

b. An employee separated from service due to death or retirement for disability or length of service, and represented by the Tacoma Fire Fighters Union, Local 31, will be compensated for nonuse of sick leave accruals per the terms of the collective bargaining agreement.

2. A regular, project, temporary, temporary pending exam, or appointive employee separated in good standing from the City service for any other reason than death or retirement due to disability or length of service with attendant pension payments under any City employee pension system pursuant to



1 Section 1.12.229 who has a minimum of 10 days accrual shall be compensated at a rate for the
2 classification in which he or she was working on the date of separation to the extent of 10 percent of his
3 or her sick leave accruals up to a maximum accrual of 120 days. An employee separated from the City
4 service due to layoff may, upon reemployment from the eligible list or departmental reemployment list
5 upon which placed as provided in Section 1.24.900, have his or her sick leave accrual restored upon
6 repayment to the City of the 10 percent payment as herein provided. If appointed from other employment
7 lists within the two-year period of eligibility, such repayment may also apply.

8 E. Authorization – Police and Fire Disability Payments.

9 Certification for payment for absences due to injury or illness covered by the State of Washington Police
10 or Fire Pension Acts shall not be made by the Human Resources Director until authorization is received
11 from the appropriate Pension Board.

12 * * *

13 **1.12.232 Sick allowance with pay – LEOFF I Police and Fire personnel.**

14 It is the policy of the City of Tacoma to pay its employees on account of sickness or accident disability in
15 accordance with the provisions set forth herein.

16 A. Eligibility for Sick Leave.

17 The following provisions shall apply to all regular, probationary, or appointive Police and Fire employees
18 covered by RCW 41.26 (LEOFF I Pension System).

19 1. Accrual. Regular, probationary, or appointive full-time employees shall accrue sick leave at the rate of
20 3.69 hours for 80 hours in which he or she is in paid status. Eligible employees who are on a leave of
21 absence for active duty training or for inductive purposes shall accrue sick leave.

22 a. Sick leave earned shall be credited to an employee's accruals after the completion of each biweekly
23 pay period and may not be used in the pay period earned.

24 2. Use of Paid Sick Leave.

25 a. Sick leave may be taken in tenths (0.10) of an hour increments.

26 b. In all cases when eligible, employees shall be placed on leave pursuant to RCW 41.26 and shall not be
eligible to be paid for sick leave for an absence when there is eligibility to be paid for leave under
RCW 41.26; however, without regard to payment:

(1) When such leave is determined to be not job-connected, the sick leave accruals shall be debited hour-
for-hour for time absent from the scheduled shift;

(2) When such leave is determined to be job-connected, sick leave shall be debited for the date of injury
and up to three days when the disability leave is less than 15 calendar days;

(3) If the job-connected leave exceeds 15 calendar days but less than 120 work days, sick leave shall be
debited for the day of injury only. If the job-connected disability leave exceeds 120 work days, sick leave
shall be debited one-half day for every work day missed in excess of 120 work days;

(4) If the officer who is on leave is not able to return to work at the end of the disability leave pursuant to
RCW 41.26, that person shall be retired and paid off for any unused sick leave as provided herein. In no
such event shall an officer be placed on sick leave.

c. Death of a spouse, father, mother, foster parent, brother, sister, child, foster child, grandparents or
grandchildren of employee or relatives of the spouse of the employee in the same categories of
relationship subject to the requirements of subsection B.6. hereinafter set forth.

d. Sick leave may be used to allow the employee to provide care for a family member with a mental or
physical illness, injury, or health condition; or care for a family member who needs preventive medical
care. For purposes of this section, "family member" means any of the following:



1 ~~(1) A child, including a biological, adopted, or foster child, a stepchild, or a child to whom the employee stands in loco parentis, is a legal guardian, or is a de facto parent, regardless of age or dependency status.~~

2 ~~(2) A biological, adoptive, de facto, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis to an employee when the employee was a minor child.~~

3 ~~(3) A spouse.~~

4 ~~(4) A registered domestic partner.~~

5 ~~(5) A grandparent.~~

6 ~~(6) A grandchild.~~

7 ~~(7) A sibling.~~

8 ~~(8) A daughter in law or son in law.~~

9 (1) "Family Member" means a child, grandchild, grandparent, parent, sibling, or spouse of an employee, and also includes any individual who regularly resides in the employee's home or where the relationship creates an expectation that the employee care for the person, and that individual depends on the employee for care. "Family members includes any individual who regularly resides in the employee's home, except that that it does not include an individual who simply resides in the same home with no expectation that the employee care for the individual.

10 (2) "Child" means a biological, adopted, or foster child, a stepchild, a child's spouse, or a child to whom the employee stands in loco parentis, is a legal guardian, or is a de facto parent, regardless of age or dependency status.

11 (3) "Grandchild" means a child of the employee's child.

12 (4) "Grandparent" means a parent of the employee's parent.

13 (5) "Parent" means the biological, adoptive, de facto, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse, or an individual who stood in loco parentis to an employee when the employee was a child.

14 (6) "Spouse" means a husband or wife, as the case may be, or state registered domestic partner under state law or City policy.

15 e. Sick leave may be used when the employee's assigned City work location has been closed by order of a public official for any health-related reason, or when an employee's child's school or place of care has been closed ~~by order of a public official~~ for such a health-related reason or after the declaration of an emergency by a local or state government agency, or by the federal government.

16 f. Pre-induction physical for service in the Armed Forces.

17 B. Requirements for All Paid Sick Leave.

18 1. Every employee must report to the designated representative of his or her department head the reason for an absence prior to the beginning of his or her scheduled workday or such earlier time as required by his or her department or division head.

19 2. An employee must keep his or her department head informed of his or her condition if an absence is of more than four working days in duration.

20 3. For each absence an employee may be required to submit upon the approved form an explanation of the reason for such absence. A statement by the attending physician attesting to the nature and seriousness of said injury or illness is required if an absence extends beyond four working days, or for each absence, if requested by the department head.

21 4. Employee must permit home visits or medical examinations at the expense and convenience of the City.



1 5. a. Upon approval by the department head a maximum of four days' sick leave may be granted for the death of a spouse, father, mother, foster parent, brother, sister, child or foster child of employee.

2 b. For the purpose of attending the funeral, upon approval by the department head, a maximum of one
3 day's sick leave may be granted for the death of a grandparent, grandchild, son-in-law, daughter-in-law,
4 brother-in-law, or sister-in-law of the employee or the death of father, mother, foster parent, brother-in-
5 law, sister, sister-in-law, child, foster child, grandparent, or grandchild of the spouse of the employee.

6 6. An employee shall be paid for sick leave at the rate he or she was receiving the day before the sick
7 leave was taken.

8 7. Employees shall accrue sick leave according to the provisions of this section; provided, that any
9 employee who leaves the City service during the first six months of employment shall not be
10 compensated for any accrued sick leave.

11 C. Enforcement of Sick Leave Provisions.

12 1. Misrepresentation of any material facts in connection with paid sick leave by any employee shall
13 constitute grounds for suspension or discharge.

14 2. It shall be the responsibility of the department head or his or her designated representative to:

15 a. Review all applications for sick leave and approve those which are bona fide and comply with the
16 provisions of this section. Employees still absent at the end of a pay period may be certified for payment
17 of sick leave by the department head by his or her signing the payroll timecards, subject to department
18 head's approval for sick leave pay immediately upon the employee's return to work.

19 b. Investigate any suspected abuse of sick leave.

20 c. Withhold approval of sick leave pay in the event of unauthorized use.

21 d. Initiate disciplinary action if, as a result of investigation, it is determined that an employee has been
22 guilty of willful misrepresentation in a request for sick leave pay.

23 D. Payments for Nonuse of Sick Leave Accruals.

24 1. An employee separated from the City service due to death or retirement for disability or length of
25 service with attendant pension payments under any City employee pension system, who does not qualify
26 for a VEBA deposit under TMC Section 1.12.229, shall be compensated at the rate in effect at the time of
retirement, for the classification in which he or she was working in on the date of separation to the extent
of 25 percent of accrued sick leave hours.

2. A regular or appointive employee separated in good standing from the City service for any other reason
who has a minimum of 10 days accrual shall be compensated at his or her regular classification rate of
pay to the extent of 10 percent of accrued sick leave hours up to a maximum accrual of 960 hours. An
employee separated from the City service due to layoff may, upon reemployment from the eligible list or
departmental reemployment list upon which placed as provided in Section 1.24.900, have his or her sick
leave accrual restored upon repayment to the City of the 10 percent payment as herein provided. If
appointed from other employment lists within the two-year period of eligibility, such repayment may also
apply.

3. Sick leave accruals for each Police and Fire service employee shall be redetermined as of April 30,
1989. Such accruals shall be redetermined by charging all illness and injury claims, arising after March 1,
1970, other than claims for which leave under RCW 41.26 could have been used against sick leave credits
in the same manner as charged against other employees of the City. These sick leave accruals are
available to be drawn on for required sick leave pursuant to this chapter and are included under the
incentive payment plan referred to in D.1, above.

4. Such Police and Fire service employees shall have their sick leave accruals and charges against sick
leave determined in the manner set forth in this chapter, irrespective of any benefits to which the Police
and Fire service employees are entitled by state and federal law, as of April 30, 1989.



E. Authorization – Police and Fire Disability Payments.

Certification for payment for absences due to injury or illness covered by the State of Washington Police or Fire Pension Acts shall not be made by the Human Resources Director until authorization is received from the appropriate Pension Board.

* * *

1.12.248 Personal Time Off plan.

A. Rate of accrual of Personal Time Off.

1. Effective at the beginning of the first pay period starting in June 1998, each unrepresented regular, probationary, project, temporary pending exam, or appointive full-time employee hired after June 1, 1998, represented employees as provided for in a collective bargaining agreement, and unrepresented employees who elect to transfer from their present vacation and sick leave plans to the Personal Time Off (“PTO”) plan during a designated enrollment period shall accrue PTO hours for each biweekly pay period in which he or she has been in paid status, pursuant to the following schedule based on aggregate City service. The PTO plan is in lieu of vacation and sick leave plans.

Completed Years of Aggregate Service	No. of 8-Hour Days per Year	Hours per Pay Period ^{19F3}
Completion of years 0, 1, 2, 3	18	5.54
Completion of years 4, 5, 6, 7	21	6.46
Completion of years 8, 9, 10, 11, 12, 13	23	7.08
Completion of years 14, 15, 16, 17, 18	26	8.00
Completion 19 years	27	8.31
Completion of 20 years	28	8.62
Completion of 21 years	29	8.92
Completion of 22 years	30	9.23
Completion of 23 years	31	9.54
Completion of 24 years	32	9.85
Completion of 25 years	33	10.15
Completion of 26 years	34	10.46
Completion of 27 years	35	10.77
Completion of 28 years or more	36	11.08

2. Employees shall accrue PTO prorated on the number of hours in paid status in each pay period. The appropriate biweekly accrual shall be credited for each biweekly pay period in which the employee is in paid status. PTO accruals based on tenure shall be credited at the first of the calendar year in which any of the above periods of aggregate service^{20F23F4} will be completed. The applicable accrual rate shall be determined as of January 1 of each calendar year and shall be based on the rate applicable to the number of years of aggregate service the employee will complete within that calendar year. For example, on January 1, an employee who will complete four years of aggregate service with the City within that calendar year will begin to accrue Personal Time Off at a rate of 6.46 hours per pay period.

3. No employee shall earn more PTO in any one calendar year than the above stipulated days and new employees shall accrue PTO based on the above schedule beginning from the date of his or her appointment; provided, however, that an incoming City Manager may be credited with such PTO as the City Council may direct.

³ The Per Pay Period figure is based on a biweekly payroll schedule.
⁴ See 1.12.075 for the definition of “aggregate service.”



4. PTO earned shall be credited to an employee’s accruals after the completion of each biweekly pay period and may not be used in the pay period earned.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

B. Permissible use of PTO accruals.

1. Use of PTO.

PTO may be taken in tenths (0.10) of an hour increments.

2. Planned Use of PTO.

PTO requests may be required in writing and the appointing authority, or his or her designee, shall consider the request and shall approve or deny it.

3. Unplanned Use of PTO.

a. PTO may be used without prior approval for employee or family emergencies, including when the employee’s assigned City work location has been closed by order of a public official for any health related reason, or when an employee’s child’s school or place of care has been closed ~~by order of a public health official~~ for such a health-related reason or after the declaration of an emergency by a local or state government agency, or by the federal government. If an advance written request is not possible, the employee shall notify his or her supervisor of the need for and the request of the time off prior to the beginning of his or her shift. An employee must keep his or her department head informed of his or her condition if unplanned use of PTO is of more than four working days in duration. Unplanned use of PTO, which does not qualify for mandatory paid sick leave and which interferes with job performance or City operations may subject the employee to corrective action.

b. Unplanned PTO may be used for on-the-job injuries during the first three days if not eligible for Workers’ Compensation and after the 120-day supplementary on-the-job injury benefits provided in Section 1.12.090 of the Tacoma Municipal Code.

4. An employee is allowed to use any or all of the employee’s choice of paid sick leave or PTO to allow the employee to provide care for a family member with a mental or physical illness, injury, or health condition; or to care for a family member who needs preventive medical care. For purposes of this section, “family member” means any of the following:

~~(1) A child, including a biological, adopted, or foster child, a stepchild, or a child to whom the employee stands in loco parentis, is a legal guardian, or is a de facto parent, regardless of age or dependency status.~~

~~(2) A biological, adoptive, de facto, or foster parent, stepparent, or legal guardian of an employee or the employee’s spouse or registered domestic partner, or a person who stood in loco parentis to an employee when the employee was a minor child.~~

~~(3) A spouse.~~

~~(4) A registered domestic partner.~~

~~(5) A grandparent.~~

~~(6) A grandchild.~~

~~(7) A sibling.~~

~~(8) A daughter in law or son in law.~~

(1) “Family Member” means a child, grandchild, grandparent, parent, sibling, or spouse of an employee, and also includes any individual who regularly resides in the employee’s home or where the relationship creates an expectation that the employee care for the person, and that individual depends on the employee for care. “Family members includes any individual who regularly resides in the employee’s home, except that that it does not include an individual who simply resides in the same home with no expectation that the employee care for the individual.



1 (2) “Child” means a biological, adopted, or foster child, a stepchild, a child’s spouse, or a child to whom
2 the employee stands in loco parentis, is a legal guardian, or is a de facto parent, regardless of age or
3 dependency status.

4 (3) “Grandchild” means a child of the employee’s child.

5 (4) “Grandparent” means a parent of the employee’s parent.

6 (5) “Parent” means the biological, adoptive, de facto, or foster parent, stepparent, or legal guardian of an
7 employee or the employee’s spouse, or an individual who stood in loco parentis to an employee when the
8 employee was a child.

9 (6) “Spouse” means a husband or wife, as the case may be, or state registered domestic partner under
10 state law or City policy.

11 5. Permissible Cash-out of Accrued PTO.

12 a. A represented employee must have been enrolled in the Personal Time Off (PTO) plan for the entire
13 calendar year (January 1 to December 31) prior to requesting a cash-out payment of PTO pursuant to
14 sections b., c., and d. Effective January 1, 2022, only represented employees whose collective bargaining
15 agreements permit a PTO cash out but do not expressly provide the PTO cash out process set forth in
16 subsection e. may apply for a PTO cash out pursuant to subsections b., c., and d.; nonrepresented
17 employees and employees whose collective bargaining agreements expressly provide may only apply for
18 a PTO cash out pursuant to subsection e. below.

19 b. A represented employee who uses no more than the equivalent of two work days (regardless of length
20 of scheduled shift) of unplanned PTO in any one calendar year (January 1 to December 31), but who has
21 used less than 80 hours of planned PTO during the same calendar year, may, in January of the following
22 year, submit in writing, on the form provided by and available in the Human Resources Department, a
23 request for a payment equal to 90 percent of the cash value of up to 40 hours of accrued PTO.

24 c. A represented employee who uses no more than the equivalent of two work days (regardless of length
25 of scheduled shift) of unplanned PTO in any one calendar year (January 1 to December 31) and who uses
26 at least 80 hours of planned PTO during the same calendar year may, in January of the following year,
submit in writing, on the form provided by and available in the Human Resources Department, a request
for a payment equal to 90 percent of the cash value of up to 80 hours of accrued PTO.

d. For any request submitted pursuant to subsections b. or c. above, the cash value of the PTO shall be
based on the rate for the classification in which the employee is working at the time the request is made.
The 10 percent balance of the cash value not so paid under subsection b. or c. set forth above shall be paid
into the Employee Benefit Trust Fund.

e. A nonrepresented employee, or an employee whose collective bargaining agreement expressly
provides, may, no later than January 31 of each year, submit in writing, on the form provided by and
available from the Human Resources Department, a commitment to cash out up to 100 hours of available
accrued PTO in February of the following year. The cash value of the PTO shall be based on the rate for
the classification in which the employee is working at the time the cash out payment occurs.

6. An employee shall be paid for PTO leave at the rate of pay they were receiving the day before the PTO
leave is taken.

C. Maximum accrual of PTO.

1. Each employee may accrue a maximum of 960 hours of PTO.

2. If the appointing authority, or his or her designee, denies an employee's request for PTO and the denial
would result in the employee's accrual exceeding the maximum allowed, the employee shall not lose the
accrual at that time. The employee shall have up to 90 days to use the excess accrual.



1 In the best interests of the City, the City Manager, for general government employees, and the Director of
2 Utilities, for department of public utilities employees, may temporarily increase the maximum PTO
3 accrual requirements set forth in this section.

4 D. Compensation upon separation from City service.

5 1. An employee separated from the City service due to death or retirement based on disability or length of
6 service with attendant pension payments under any City employee pension system, who does not qualify
7 for a VEBA deposit under TMC Section 1.12.229, shall be compensated the full amount of the PTO
8 accruals up to the maximum of 960 hours at the rate for the classification in which he or she was working
9 in on the date of separation.

10 2. Upon separation from City service for any reason other than death or retirement based on disability or
11 length of service, the City shall pay an employee the full amount of the PTO accruals up to the maximum
12 of 960 hours at the rate for the classification in which he or she was working in on the date of separation.

13 Employees converting to the PTO plan who currently have vacation accruals will have those accruals
14 converted to PTO on an hour for hour basis (1:1).

15 E. Conversion of sick leave accruals.

16 Employees converting to the PTO plan who currently have sick leave accruals must specify one of the
17 following options: (1) placing accruals in a sick leave bank; (2) converting accruals to PTO; or (3) a
18 combination thereof, as set forth below.

19 1. Sick Leave Bank.

20 a. Accrued sick leave as of the last pay period, after a designated enrollment period, may be placed into a
21 sick leave bank.

22 b. Use of Sick Leave Bank. An employee may choose to use sick leave from this bank for any reason
23 specified in Sections 1.12.230 and 1.12.232 of the Tacoma Municipal Code, after an absence of more
24 than three consecutive days.

25 c. Depletion of Sick Leave Bank. Employees do not accrue any additional sick leave after the conversion
26 to the PTO plan. Once the sick leave is used from the sick leave bank, the leave used shall not be
replenished.

d. Cash Out of Sick Leave Bank.

(i) Separation from City service due to death or retirement for disability or retirement based on length of
service shall be compensated to the extent of 25 percent of an employee's sick leave accrual in his or her
sick leave bank at the rate for the classification in which he or she was working in at the date of
separation subject to the provisions of Section 1.12.229 of the Tacoma Municipal Code (VEBA).

(ii) Separation in good standing from City Service for any other reason shall be compensated to the extent
of 10 percent of an employee's sick leave accruals up to a maximum of 120 days at the rate for the
classification in which he or she was working in at the date of separation.

2. Conversion of Sick Leave to PTO.

An employee who converts to PTO during a designated enrollment period may elect to convert sick leave
accruals as of the last pay period after a designated enrollment period to PTO using a ratio of 24 hours of
sick leave to 8 hours of PTO (3:1) up to a combined (current vacation accruals and converted sick leave)
maximum of 720 hours of PTO.

3. Combination.

An employee may elect to convert some, but not all, of his or her sick leave to PTO. Any sick leave not
specifically converted during a designated enrollment period will be placed in a sick leave bank as set
forth above.

* * *