

**Chapter IX Leaves of Absence/Employee Health Service**

**Subject 5 Other Leaves of Absence**

905.01 Objective

- A. To establish policy regarding leaves of absence, providing members with information on proper procedures for requesting leaves.

905.03 Union Leave

- A. Union Leave is a negotiated item; see current Labor-Management Agreement for specific details.

905.05 Trades

- A. Members shall be permitted to trade working time within the boundaries of the current Labor/Management Agreement and the Procedures Manual.
- B. Request for Trades must be submitted on a F-76, partial tour or one tour trades must be approved by the District Chief. (See current Labor-Management Agreement).
- C. When a member has agreed to trade with another member and that member fails to report for duty, the member that agreed to work will be AWOL, absent extenuating and mitigating circumstances.
- D. When a member agrees to work for another member and for any reason fails to do so, the member who agreed to work will owe the Fire Department the time. District four shall maintain records of all trade time owed. Trade time shall be repaid within four weeks. Members will be given seventy-two (72) hours notice prior to being required to repay trade hours. Upon two (2) occurrences of failure to repay trade hours within four weeks, members may have their trade privileges revoked for twelve (12) months. During this time, members will be required to repay any trades already owed, but will not have the privilege of initiating any trades until their trade privileges are restored.

### 905.07 Jury Duty

- A. Members of the Fire Department are not exempt from Jury Duty and should not forward the Questionnaire Card through channels.
- B. See the current Labor/Management Agreement for information regarding pay while on Jury Duty.
- C. Per the current Labor-Management Agreement, members who are required to serve on any jury shall receive their regular salary during the period of jury service, provided they remit compensation for such on-duty jury service to the City.

In an effort to maximize daily manpower the following guidelines have been established while members are required to serve on a jury.

- The specific and individual schedules will be developed and implemented by the respective District Chiefs when their members request leave for jury duty.
- Members may be required at any time to document any hours served on a jury on a specific day or their total time served on the jury.
- Members will be released from Regular Fire Duty at 1900 hours on days preceding a scheduled jury duty day.
- Members will report to duty when released from jury duty on any day NOT followed by a scheduled jury duty day.
- Members released from jury duty prior to 1500 hours on any day will be required to report for regular fire duty.
  - If the member is required to serve jury duty the next day they will be released at 1900 hours.
  - If the member is not required to serve on a jury the next day the member will work the remainder of the tour.
- After the member's commitment to serve on the jury is completed, the member will submit a Form 47 that reflects the actual days off due to jury duty. The member must attach a check to the F- 47 for the appropriate amount paid by the court to the member for those days the member served on a jury on their regular duty days.

**905.9 Court Appearances and Appearances at Hearings**

- A. Members that are required to appear at hearings or subpoenaed to court as a result of a matter directly related to their City employment, shall notify their immediate supervisor. Pay compensation for such appearances shall be made according to the current Labor/Management Agreement. An F-47 shall be submitted giving details of the required appearance. Also the member will attach an endorsed witness fee check received for any appearances, and an electronic F-212 if applicable.
- B. Operations Division members shall appear at hearings or in court in the Class A uniform of the season when representing the City of Cincinnati.
- C. Members served a subpoena or required to appear at hearings as a private citizen, shall notify their immediate supervisor if the required appearance will involve on-duty time. Members must use vacation, holiday, or Comp Time leave if the appearance is required while on-duty. No pay compensation will be given for appearances not related to City employment. Members appearing at hearings at the request of a member in defense of that member against the Fire Department shall not be entitled to compensation for off-duty appearances. A Chief's Report F-47 shall be submitted providing complete details of the hearing or court appearance, if the member is required to use leave time to appear while on-duty.
- D. The District Chief will be notified ASAP so adjustments to staffing can be made.
- E. Any required Chief's Report F-47 shall be submitted to the member's immediate supervisor on the member's first duty day after completion of required appearances.
- F. The current Labor-Management Agreement shall prevail in all incidents.

**905.11 Retirement**

- A. In regard to members accepting terminal leave lump sum benefit payments, nothing herein shall be construed to supersede or control policies and procedures of the Police and Firemen's Disability and Pension Fund as established and operating under Chapter 742 of the Ohio Revised Code.
- B. Members should notify and schedule a meeting with SO-1 at least 30 days in advance of the intended retirement date. SO-1 will assist the member with completing the appropriate forms.
- C. Members may elect a lump sum settlement or elect to utilize Terminal Leave as outlined in the Labor-Management Agreement.
- D. Members working out of classification or overtime during their final pay period should submit the request for above-grade or overtime promptly, otherwise the lump sum payment may be delayed.