

## RESOLUTION 26-05

### A RESOLUTION OF THE SOUTH WEBER CITY COUNCIL AMENDING CITY POLICIES AND PROCEDURES

**WHEREAS**, to keep policies current with common practice and with local, state, and federal laws; City Policies and Procedures are reviewed in monthly Staff Leadership Council; and

**WHEREAS**, staff recommendations are forwarded to the Admin/Finance Committee for review; and

**WHEREAS**, the Admin/Finance is now presenting the latest draft of changes to the Council for approval;

**NOW THEREFORE BE IT RESOLVED** by the Council of South Weber City, Davis County, State of Utah, as follows:


**Section 1. Amendment:** The city Policies and Procedures are hereby amended as attached in Exhibit 1.

**Section 2: Repealer Clause:** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

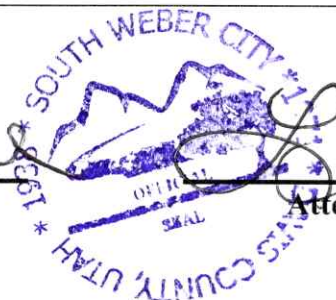
**PASSED AND ADOPTED** by the City Council of South Weber, Davis County, on the 10<sup>th</sup> day of March 2026.

Roll call vote is as follows:

Council Member Halverson	<input checked="" type="radio"/>	AGAINST
Council Member Petty	<input checked="" type="radio"/>	AGAINST
Council Member Dills	<input checked="" type="radio"/>	AGAINST
Council Member Davis	<input checked="" type="radio"/>	AGAINST
Council Member Winsor	<input checked="" type="radio"/>	AGAINST

  
Rod Westbroek, Mayor

  
Attest: Lisa Smith, Recorder



## **RES 26-05 Exhibit 1**

### **Policy and Procedures Amendments**

The following amendments will read as follows:

#### **4.090 Paid Leave**

Full-time employees are eligible to accrue vacation, sick leave, and other paid leaves as may be established by the City. Part-time employees who at the time of adoption of this Policy accrue vacation and sick leave shall continue to be afforded this benefit at the accrual rates set forth herein. No paid leave shall accrue or be granted to non-qualifying part-time and limited employees unless otherwise approved by the City Manager.

#### **4.110 Leave Procedures**

##### **A. Leave Request Form**

Except as provided in Section 4.120, employees desiring leave, whether paid or unpaid, shall submit an official leave request with his or her Supervisor in accordance with such procedures as established by the City.

#### **6.020 Americans with Disabilities Act (ADA)**

##### **H. Appeal**

Any person aggrieved by a decision of the ADA Coordinator regarding a complaint filed hereunder may appeal such decision by filing with the City Recorder a written appeal within ten (10) days from the date of the decision stating the grounds for the appeal. The City's Appeal Authority shall investigate the matter and prepare its findings and conclusions within a reasonable time from receipt of the appeal.

The proposed new section will be integrated into **Chapter 4 Compensation** which will cause multiple sections to be renumbered.

#### **Parental and Postpartum Leave Policy**

##### **1. Purpose**

The purpose of this policy is to support eligible employees who welcome a new child through birth or qualifying adoption by providing paid parental leave and paid postpartum maternity leave, while maintaining compliance with applicable federal and state laws, including the Family and Medical Leave Act (FMLA).

## **2. Scope**

This policy applies to all regular, full-time employees of the City.

## **3. Definitions**

- Parental Leave: Paid leave provided to bond with and care for a new child following birth or qualifying placement.
- Postpartum Maternity Leave: Paid leave available only to the birthing parent for physical recovery related to childbirth.
- Qualifying Placement: Placement of a child through adoption, foster care, or legal guardianship, excluding the adoption of a grandchild or a spouse's child.
- FMLA Leave: Leave taken under the federal Family and Medical Leave Act. When applicable, leave provided under this policy shall be designated and counted as FMLA leave and shall run concurrently with FMLA leave.

## **4. Eligibility**

**To be eligible for paid parental or postpartum leave under this policy, an employee must:**

1. Be a regular, full-time employee; and
2. Have completed at least six (6) months of continuous employment with the City prior to the start of leave.

## **5. Leave Entitlements (paid leave under this policy)**

### **5.1 Paid Parental Leave**

**Eligible employees may take up to 120 hours of paid parental leave per qualifying event for:**

- The birth of the employee's child; or
- A qualifying placement of a child through adoption, foster care, or legal guardianship, excluding the adoption of a grandchild or a spouse's child.

**Parental leave is intended for bonding with and caring for the child.**

### **5.2 Paid Postpartum Maternity Leave**

In addition to parental leave, a birthing parent may take up to 120 hours of paid postpartum maternity leave for physical recovery following childbirth.

A birthing parent may utilize both paid parental leave and paid postpartum maternity leave for the same qualifying event, for a combined maximum of two hundred forty (240) hours of paid leave under this policy per qualifying event.

## **6. Timing and Use of Leave**

- Leave under this policy must be taken continuously and may not be used intermittently or on a reduced schedule.
- Leave may be taken:
  - Up to two (2) weeks prior to the anticipated birth, and/or
  - Up to twelve (12) weeks following the birth or qualifying placement.
- Leave must be completed within the timeframes described above and may not be deferred or banked for later use.
- For a birthing parent, paid postpartum maternity leave and paid parental leave may be taken consecutively (if consecutive postpartum and parental leave are permitted) and shall be considered continuous leave for purposes of this policy.
- Once paid leave under this policy is exhausted, an employee may elect to use accrued vacation, sick leave (if applicable), or other available paid leave, subject to City policy and applicable law, for any remaining period of approved leave.

## **7. Coordination with FMLA**

(a) Leave taken under this policy shall run concurrently with leave taken under the Family and Medical Leave Act (FMLA) when the employee is eligible for FMLA and the reason for leave qualifies under FMLA.

(b) Paid leave provided under this policy does not increase or extend an employee's total FMLA entitlement. Any portion of paid parental or paid postpartum maternity leave that qualifies as FMLA leave will be designated as FMLA leave and will count against the employee's twelve (12)-week FMLA entitlement.

(c) Employees who are not eligible for FMLA may still utilize paid leave under this policy, provided the eligibility requirements in Section 4 are met.

## **8. Notice and Documentation**

- Employees must provide at least 30 days' advance notice when the need for leave is foreseeable.
- When leave is not foreseeable, notice must be provided as soon as practicable.
- Employees must submit required leave request forms and any supporting documentation as requested by Human Resources.

## **9. Pay and Benefits**

- Paid leave under this policy is compensated at the employee's regular rate of pay.
- Employees will continue to receive City-provided benefits during paid leave under the same terms and conditions as if actively working.
- Leave provided under this policy does not reduce accrued vacation, sick leave, or compensatory time. Vacation and sick leave shall continue to accrue during paid

leave under this policy to the same extent as if the employee were actively working, unless otherwise required by law.

## **10. Return to Work**

Upon return from leave under this policy, employees will be restored to their original position or to an equivalent position with equivalent pay, benefits, and terms of employment, consistent with applicable law.

## **11. General Provisions**

- Paid parental and postpartum leave has no cash value and will not be paid out upon separation from employment.
- Abuse or misuse of leave under this policy may result in disciplinary action.

The City reserves the right to amend or modify this policy to ensure compliance with applicable laws and operational needs.