

RESOLUTION NO. 2026-_____

CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS

A RESOLUTION APPROVING AND ADOPTING AMENDMENTS TO CHAPTER 5 OF THE CITY OF TONTITOWN PERSONNEL HANDBOOK.

WHEREAS, the City of Tontitown previously adopted a Personnel Handbook to establish policies and procedures governing City employment; and

WHEREAS, the City Council finds it necessary and appropriate to amend certain provisions contained within Chapter 5 of the Personnel Handbook to provide clarification, correct minor errors, and update language as needed; and

WHEREAS, the City Council has reviewed the proposed revisions attached hereto as Exhibit "A" and finds that the amendments are in the best interest of the City and its employees.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TONTITOWN, ARKANSAS:

Section 1. The amendments to Chapter 5 of the City of Tontitown Personnel Handbook, attached hereto as Exhibit "A," are hereby approved and adopted.

Section 2. All provisions of the Personnel Handbook not specifically amended by this Resolution shall remain in full force and effect.

PASSED AND APPROVED on this _____ day of August 2026.

APPROVED:

Angela Russell, Mayor

ATTEST:

Rhonda Ardemagni, City Clerk-Treasurer
(SEAL)

SPONSORSHIP AND LEGISLATIVE HISTORY

Sponsor (Initiated By): _____

Motion to Introduce Made By: _____

Seconded By: _____

Adopted / Passed: _____

Vote: Ayes ____ Nays ____ Abstain ____ Absent ____

This requirement is in addition to, and does not supersede, any authentication, attestations, or signature requirements imposed by state law or other provisions of the Tontitown Municipal Code.

performance evaluation, and compliance with applicable employment laws and may be updated as operational needs change

CHAPTER 5

BENEFITS

The benefits described in this Chapter, and all other policies contained in this handbook, do not alter the at-will employment relationship between the City of Tontitown and its employees. The City reserves the right to modify, suspend, or terminate any benefit program, in whole or in part, at any time, subject to applicable law.

5.1 VACATIONS

5.1.1 POLICE DEPARTMENT

Pursuant to Ark. Code Ann. § 14-52-106, each police officer shall accrue annual vacation of not less than fifteen (15) working days with full pay.

Police department employees shall accrue vacation leave at the rate of one and one-quarter (1¼) working days for each month of service. For purposes of this section, a “working day” shall be defined as eight hours, regardless of the length of a shift typically worked by the employee.

Vacation time is accrued at the end of the month following 30 days of employment. Vacation time for December shall accrue on the first day of the month so that the employee will have the vacation time available for use before the end of the year.

All vacation leave must be approved in advance by the Police Chief. Unless otherwise approved in writing by the Police Chief, no more than thirty (30) working days of unused vacation may be carried over from one year to the next. For purposes of this section, the accrual year begins on the employee’s hire date and ends on the day preceding the employee’s next hire-date anniversary.

The Police Chief shall require that all vacation leave in excess of the approved carryover amount be used before the end of the accrual year, or shortly thereafter as operational needs permit.

Upon separation from employment or retirement, a police officer will be paid for unused accumulated vacation leave at the officer’s regular rate of pay, up to a maximum of fifteen (15) working days.

5.1.2 FIRE DEPARTMENT

Pursuant to Ark. Code Ann. § 14-53-107, each Fire Department employee shall accrue annual vacation at a rate that provides not less than fifteen (15) working days of vacation with full pay.

All Fire Department employees shall accrue vacation time at the rate of one and one-quarter (1¼) working days for each month of service. For purposes of this section, a “working day” shall be defined as eight hours, regardless of the length of a shift typically worked by the employee. Vacation time shall accrue at the end of each month following 30 days of employment. Vacation time for December shall accrue on the first day of the month so that the employee will have the vacation time available for use before the end of the year.

All vacation leave must be approved in advance by the Fire Chief. Fire Department employees may carry over no more than thirty (30) working days of vacation from one year to the next without prior written approval of the Fire Chief. For purposes of this subsection, a “year” means the twelve-month period beginning on the employee’s anniversary date of hire and ending on the anniversary date the following year. The Fire Chief may require firefighters to use all accrued vacation time in excess of the approved carryover amount before the end of the year, or within a reasonable period thereafter.

Upon separation from employment or retirement, a firefighter will be compensated for unused accumulated vacation leave at the firefighter’s regular rate of pay, up to a maximum of fifteen (15) working days.

5.1.3 VACATION TIME FOR CIVILIAN EMPLOYEES

Each full-time civilian employee shall accrue annual vacation at a rate providing not less than ten (10) working days with full pay, depending on hours worked. Vacation leave shall begin accruing at the end of the month following 30 days of employment.

No more than five (5) working days of vacation may be carried over from one year to the next without prior written approval of the employee’s department head. For purposes of this section, a “year” shall mean one calendar year. Accrued vacation leave not used or approved for carryover within this period shall be forfeited.

Upon separation from employment, a civilian employee shall be compensated for unused accrued vacation leave at the employee’s regular rate of pay.

5.1.4 VACATION ACCRUAL RATE

~~To calculate the amount of accrual per month, the rate of 6.667 hours per month for employees with less than seven years of service, or 10 hours per month for employees with seven or more years of service, will be multiplied by the employee’s regularly scheduled weekly hours and divided by 40 hours. For example, a full-time employee who is regularly scheduled to work 35 hours a week will accrue vacation time at a rate of 5.834 hours per month.~~

~~Full-time civilian shall accrue vacation leave annually as follows:~~

~~YEARS OF SERVICE VACATION~~

0 years to 5 years	2 weeks (80 hours)
5 years to 10 years	3 weeks (120 hours)
10 years or greater	4 weeks (160 hours)

Full-time civilian employees regularly scheduled to work forty (40) hours per week shall accrue vacation leave annually as follows:

<u>Years of Service</u>	<u>Annual Vacation</u>	<u>Monthly Accrual Rate</u>
<u>0 years through 5 years</u>	<u>2 weeks (80 hours)</u>	<u>6.67 hours</u>
<u>More than 5 years through 10 years</u>	<u>3 weeks (120 hours)</u>	<u>10.00 hours</u>
<u>More than 10 years</u>	<u>4 weeks (160 hours)</u>	<u>13.33 hours</u>

Full-time employees regularly scheduled to work thirty-two (32) or more hours per week but fewer than forty (40) hours per week shall accrue vacation leave on a prorated basis according to their regularly scheduled weekly hours.

5.1.5 SCHEDULING VACATIONS

Accrued vacation leave may be taken with full pay at such time as is mutually agreed upon between the employee and the employee's supervisor or department head. All vacation leave must receive advance approval by the employee's supervisor or department head so that the leave fits into the overall scheduling of the department. Employees are expected to submit vacation leave requests as far in advance as practicable. The number of employees permitted to take vacation leave at any one time shall be determined by the department head based on departmental workload, staffing requirements, and operational needs. The City reserves the right to modify or reschedule approved vacation leave when necessary to meet operational demands. Approval of vacation leave requests is within the discretion of the employee's department head, who shall evaluate each request on a case-by-case basis and determine approval based on the timeliness of the request and departmental needs. Vacation leave shall not exceed fifteen (15) consecutive working days unless advance approval is granted by the department head. If a City-observed holiday occurs within an employee's vacation period, equivalent time off with pay will be provided, or, at the employee's request, the employee's vacation may be extended for one additional working day.

5.2 HOLIDAYS AND HOLIDAY PAY

The appropriation made by the City Council for salaries shall include additional pay for holidays for all full-time employees of the City. City holidays include:

HOLIDAY	DAY/DATE
New Year's Day	January 1
Martin Luther King Jr. Day	Third Monday in January
Presidents' Day	Third Monday in February
Memorial Day	Last Monday in May
Juneteenth	June 19
Independence Day	July 4
Labor Day	First Monday in September
Veterans Day	November 11
Thanksgiving Day	Fourth Thursday in November

HOLIDAY	DAY/DATE
Day After Thanksgiving	Fourth Friday in November
Christmas Eve	December 24
Christmas Day	December 25

In addition to the holidays otherwise provided, each employee shall receive one (1) paid holiday each year in observance of the employee's birthday. The birthday holiday shall be taken on the employee's birthday or, if operational needs require, on another mutually agreed upon date approved by the employee's supervisor or department head.

In addition to holiday pay, uniformed employees shall be paid their regular rate of pay for all hours worked during a City-observed holiday. This additional pay, along with holiday pay, shall be paid in one lump sum annually during the second week of December. Holiday pay is defined for purposes of this section as pay for an eight-hour day, regardless of the length of a shift typically worked by the employee.

The City of Tontitown will publish a holiday schedule for the upcoming year. The City reserves the right to change the observance of any published holiday.

For civilian employees, when a holiday occurs on a Saturday, it will be observed on the preceding Friday. When a holiday occurs on a Sunday, it will be observed on the following Monday. For uniformed employees, the holiday will be observed on the day on which it falls.

5.3 INCLEMENT WEATHER

In the event City offices remain open during inclement weather but a non-essential employee is unable to report to work due to inclement weather conditions, the employee may elect to use accrued vacation leave. The employee must report the absence to the employee's immediate supervisor to remain in pay status for any such absence. An employee's failure to report an absence could result in disciplinary action, up to and including termination.

In the event City offices are closed due to inclement weather, only essential personnel will be required to report to work during the closure. Only essential personnel who report to work during an inclement weather closure shall be paid for hours worked during the closure. Essential personnel who work during an inclement weather closure will receive their normal rate of pay. Non-essential personnel will not be paid during an inclement weather closure unless they are required or permitted to work.

5.4 SICK LEAVE

5.4.1 POLICE DEPARTMENT SICK LEAVE

Pursuant to Ark. Code Ann. § 14-52-107, police officers, regardless of title, shall accumulate sick leave at the rate of twenty (20) working days per year beginning on the date of employment. Sick time is accrued at the end of the month following 30 days of employment. Any sick leave not used in a year may be carried over as accumulated sick leave for the succeeding calendar year, up to a maximum of sixty (60) working days, by the anniversary of the employee's hire date. A working day is defined for purposes of this section as eight hours, regardless of the length of a shift typically worked by the employee.

Sick leave may be charged only for days that an officer is scheduled to work. No sick leave, as provided in this section, shall be charged against any officer during a period of sickness, illness, or injury for days the officer is not scheduled to work.

If, upon retirement or death, whichever occurs first, a police officer has unused accumulated sick leave, the officer shall be paid for this sick leave at the regular rate of pay in effect at the time of

retirement or death. Payment for unused sick leave will not be made when the officer's employment terminates for any reason other than death or retirement. Payment for unused sick leave in the case of a police officer shall not exceed sixty (60) working days of pay.

5.4.2 FIRE DEPARTMENT SICK LEAVE

In accordance with Ark. Code Ann. § 14-53-108, all firefighters shall accumulate sick leave at the rate of ten (10) working days per year, ~~beginning one year after the date of employment~~ Sick time is accrued at the end of the month following 30 days of employment. For purposes of calculating sick days, a "working day" shall be calculated as the period of time a firefighter is on duty within a 24-hour period. If a firefighter is on duty for 12 hours or more in a 24-hour period, a working day shall not be less than 12 hours or more than 24 hours.

Any sick leave not used in a year may be carried over as accumulated sick leave for the succeeding year, up to a maximum of 1,440 hours. Unused accumulated sick leave shall not be used for the purpose of computing years of service for retirement purposes.

Time off may be charged against accumulated sick leave only for days that a firefighter is scheduled to work. No sick leave, as provided in this section, shall be charged against any firefighter during a period of sickness, illness, or injury for days the firefighter is not scheduled to work.

If, upon retirement or death, whichever occurs first, a firefighter has unused accumulated sick leave, the firefighter shall be paid for this sick leave at the regular rate of pay in effect at the time of retirement or death. Payment for unused sick leave will not be made when the firefighter's employment terminates for any reason other than death or retirement. Payment for unused sick leave upon retirement or death shall not exceed three months' rate of pay.

5.4.3 PAID LEAVE FOR OCCUPATIONALLY CAUSED CANCER

In addition to normal sick leave, a firefighter who has completed five (5) or more years of paid employment with the City and who meets the eligibility requirements set forth in Ark. Code Ann. § 21-4-107 will be entitled to 1,456 hours of paid leave upon the initiation of treatment for occupationally caused cancer, as those terms are defined by Ark. Code Ann. § 21-4-107. In certain circumstances, eligibility for workers' compensation benefits related to the treatment of occupational cancer may preclude or offset paid leave under this section, as permitted by law. Paid leave under this section does not reduce a firefighter's accrued sick leave, annual vacation leave, or any other employment benefit.

5.4.4 CIVILIAN EMPLOYEES

The City of Tontitown provides paid sick leave to full-time civilian employees. Full-time civilian employees will accrue sick leave at the rate of one working day per month multiplied by the employee's regularly scheduled weekly hours divided by forty. For purposes of this section, "working day" is defined as eight hours, regardless of the length of a shift typically worked by the employee.

Unused sick leave may be carried over from year to year and accumulated up to a maximum of sixty (60) working days, or four hundred eighty (480) hours, as of the employee's anniversary date of hire. Accrued sick leave has no cash value, and civilian employees will not be paid for unused sick leave upon separation from employment with the City.

5.4.5 SICK LEAVE PROCEDURE

A City employee may use sick leave for any of the following reasons:

- Personal illness, injury, or physical incapacity
- Quarantine of an employee by a physician or public health officer

performance evaluation, and compliance with applicable employment laws and may be updated as operational needs change

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All vacation leave must be approved in advance by the Police Chief. Unless otherwise approved in writing by the Police Chief, no more than thirty (30) working days of unused vacation may be carried over from one year to the next. For purposes of this section, the accrual year begins on the employee’s hire date and ends on the day preceding the employee’s next hire-date anniversary.

The Police Chief shall require that all vacation leave in excess of the approved carryover amount be used before the end of the accrual year, or shortly thereafter as operational needs permit.

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supervisor to remain in pay status for any such absence. An employee's failure to report an absence could result in disciplinary action, up to and including termination.

In the event City offices are closed due to inclement weather, only essential personnel will be required to report to work during the closure. Only essential personnel who report to work during an inclement weather closure shall be paid for hours worked during the closure. Essential personnel who work during an inclement weather closure will receive their normal rate of pay. Non-essential personnel will not be paid during an inclement weather closure unless they are required or permitted to work.

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Sick leave may be charged only for days that an officer is scheduled to work. No sick leave, as provided in this section, shall be charged against any officer during a period of sickness, illness, or injury for days the officer is not scheduled to work.

If, upon retirement or death, whichever occurs first, a police officer has unused accumulated sick leave, the officer shall be paid for this sick leave at the regular rate of pay in effect at the time of retirement or death. Payment for unused sick leave will not be made when the officer's employment terminates for any reason other than death or retirement. Payment for unused sick leave in the case of a police officer shall not exceed sixty (60) working days of pay.

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Any sick leave not used in a year may be carried over as accumulated sick leave for the succeeding year, up to a maximum of 1,440 hours. Unused accumulated sick leave shall not be used for the purpose of computing years of service for retirement purposes.

Time off may be charged against accumulated sick leave only for days that a firefighter is scheduled to work. No sick leave, as provided in this section, shall be charged against any firefighter during a period of sickness, illness, or injury for days the firefighter is not scheduled to work.

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5.4.5 SICK LEAVE PROCEDURE

A City employee may use sick leave for any of the following reasons:

- Personal illness, injury, or physical incapacity
- Quarantine of an employee by a physician or public health officer
- Illness, injury, or death in the employee's immediate family, as defined in this handbook, when the employee's presence is required
- Medical, dental, psychological, and optical appointments for the employee

An employee who is unable to report for work due to sick leave reasons shall notify the employee's supervisor, or someone acting for the employee's supervisor, within two (2) hours of the time the employee is expected to report for work. Sick leave with pay may not be allowed unless such report has been made. Employees who use sick leave for reasons other than those listed above may be subject to discipline, up to and including termination.

Employees who are absent more than three (3) consecutive days, or more than six (6) aggregate days during a month, due to illness or injury must submit a physician's statement to the employee's supervisor or someone acting for the supervisor. Employees absent due to illness for five (5) consecutive working days or longer, or who are under a physician's care, may be required to present a release to the employee's supervisor or department head before returning to work.

An employee who is absent from work due to illness or injury and who has used all accrued sick leave and any leave granted under Section 5.4.3 ("Paid Leave for Occupationally Caused Cancer") shall thereafter be placed on inactive without-pay status, subject to the City's obligations under the Americans with Disabilities Act.

An employee may use earned sick leave while receiving workers' compensation benefits only to the extent that the leave augments the employee's workers' compensation benefit to an amount equal to the employee's regular rate of pay. An employee may use sick leave in this fashion for a maximum of six (6) months.