



# DEATH IN FAMILY LEAVE

PM-46-06

Section: 46-00, LEAVE WITH PAY

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## **I. PURPOSE AND SCOPE**

Employees occupying regular, full-time positions with the City of Memphis Government, including those in their initial probationary period, shall be granted time off from scheduled work because of a death in the employee's immediate family.

## **II. POLICY**

An employee who works a standard City workweek shall be granted up to three (3) days off from work at his/her regular rate of pay in the event of a death of an immediate relative or up to two (2) days off from work at his/her regular pay in the event of a death of an "other" relative. A 56 hour employee will receive up to two 24 hour duty days off from work in the event of a death of an immediate relative or up to one (1) 24 hour duty day off in the event of a death of an "other" relative at his/her regular rate of pay.

## **III. RELATIVE DEFINED**

A relative shall be defined as a blood relative or relative by legal marriage. This policy treats relationships created by legalized adoption in the same manner as blood relatives.

### **A. Immediate Relative (Three Days Off)**

For the purpose of this policy, "immediate" relative is defined as:

|                            |                                     |
|----------------------------|-------------------------------------|
| Legal spouse               | Children of legal spouse            |
| Legal children             | Brothers, sisters (blood/step/half) |
| Legal parents (blood/step) | Mother, father of legal spouse      |
| Legal grandparents         | Properly established foster parents |
| Legal grandchildren        |                                     |

### **B. Other Relative (Two Days Off)**

For the purpose of this policy, other relative is defined as:

Son-in-law or daughter-in-law of employee or of employee's legal spouse,  
Brother-in-law or sister-in-law of employee or of employee's legal spouse,  
Grandparents of employee's legal spouse,



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Grandchildren of employee's legal spouse, or Relationship listed above that are created by legal adoption.

**NOTE: An employee has the option to choose which mother relationship and which father relationship he/she wants to allocate as an "immediate" relative or an "other" relative for purposes of time off work. (i.e. blood, step, foster, etc.).**

### **IV. INTERRUPTION OF VACATION, BONUS OR SICK LEAVE**

If a death of those listed above interrupts an employee's scheduled vacation, bonus day or sick leave. The employee has the option of charging those days to applicable unused accrued vacation, bonus days, or sick leave, or to charge those days to DEATH IN FAMILY LEAVE. If the employee elects DEATH IN FAMILY LEAVE, the vacation or bonus day leave shall be rescheduled at the convenience of the City, and the employee's sick leave day(s) will be restored to the employee's accrued sick leave balance. Holidays that occur while an employee is on DEATH IN FAMILY LEAVE shall be charged as holiday leave only. Regardless of the option chosen, the maximum amount of leave allowed the eligible employee for DEATH IN FAMILY LEAVE is three (3) days for an employee who works the City's standard work week, or two (2) 24 hour duty days off scheduled work for the 56 hour employee.

### **V. EMPLOYEE ABSENT BEYOND ALLOWABLE LEAVE**

If the death of those listed above results in the employee necessarily being absent beyond the allowable DEATH IN FAMILY LEAVE, the employee shall immediately notify the employee's Division Director or designee requesting consideration for additional time off. If the Division Director or designee grants additional time off, the employee may elect to use accumulated vacation, bonus day, previously earned compensatory time, or to be docked in pay for the time off.

### **VI. DEATH OF INDIVIDUALS NOT LISTED IN THIS POLICY**

If an employee is affected by a death or funeral of an individual not included in the provisions of this policy, a request for time off from scheduled work shall be considered by the employee's Division Director or designee. If the Division Director or designee grants additional time off, the employee may elect to use accumulated vacation, bonus day, previously earned compensatory time, or to be docked in pay for the time off.



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## VII. VERIFICATION OF DEATH OR FUNERAL

In all provisions of this entire policy, the City maintains the right to request verification of a death or funeral and the employee's relationship to the deceased. Verification may be, but is not limited to, the following:

1. Copy of death certificate
2. Program of eulogy
3. Statement from funeral home
4. Newspaper death notice

Failure to provide the requested verification within ten (10) calendar days upon demand shall result in either the loss of wages from time taken in connection with the death or funeral, or disciplinary action up to and including termination.

## VII. MISCELLANEOUS:

In all provisions of this entire policy, when employees find it necessary to avail themselves of the leave provided herein, they shall immediately notify their respective Division Director or designee through their designated supervisor in accordance with the employee's Division rules and regulations.

**NOTE:** Where differences exist between the Personnel Manual Policies and Procedures and the Memoranda of Understanding, the Memoranda of Understanding will supersede.