

Proposal made by IFPTE Local 21 to the City of San Jose

The provisions contained herein are individual proposals. Language not changed herein will remain unchanged. The Union reserves the right to amend, withdraw, or add to this proposal.

Proposal #11

Submitted on: 03/11/2026 @_____

AEA, AMSP, CAMP

ARTICLE [NEW]: Use Of Accrued Leave During Approved Leaves Of Absence

Section 1. Purpose

The purpose of this Article is to establish clear and consistent rules regarding the use of accrued paid leave during approved leaves of absence. The Parties agree that the use of accruals should be administered in a manner that is transparent, equitable, and allows employees reasonable flexibility in the use of their earned leave.

Section 2. Applicability

This Article applies to employees who are required or elect to use accrued paid leave during an approved leave of absence.

Nothing in this Article is intended to limit or reduce any rights or benefits provided under federal or state law, including but not limited to the Family and Medical Leave Act (FMLA), the California Family Rights Act (CFRA), or applicable workers' compensation statutes.

Section 3. Order of Accrual Usage

When an employee is required or elects to use accrued paid leave during an approved leave of absence, accruals shall be elected to use in the following manner.

1. If eligible for sick leave, the employee may elect to use accrued Sick Leave first.
2. After the use or exhaustion of Sick Leave, the employee may elect to use Executive Leave, Personal Leave, Compensatory Time, or Vacation Leave in any order of the employee's choosing. The City shall not require an employee to use Vacation Leave before utilizing Executive Leave, Personal Leave, or Compensatory Time.
3. Vacation Leave shall only be used after the accruals listed above have been exhausted or when an employee voluntarily elects to use Vacation Leave.

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Section 4. Administration

The City shall administer the use of accruals in a consistent and equitable manner. Employee requests to utilize Executive Leave, Personal Leave, Compensatory Time, or Vacation Leave pursuant to this Article shall not be unreasonably denied or delayed.

Any denial shall be based on legitimate operational necessity.