

OFFICE OF THE CITY CLERK
HARTFORD, CONNECTICUT
REVISED
PUBLIC HEARING NOTICE
HARTFORD MUNICIPAL BUILDING 550 MAIN STREET

MONDAY JULY 17, 2017
7:00p.m.

Councilpersons; Bermúdez, Clarke II, Concepción, Deutsch and Gale will represent the Council at a Public Hearing to be held in the Council Chambers of the Municipal Building at 7:00 P.M., Monday July 17, 2017.

1. **ORDINANCE AMENDING CHAPTER 25, SECTION 14 CONCERNING ALARM SYSTEMS OF THE MUNICIPAL CODE OF HARTFORD.**

Referred to the Quality of Life and Public Safety Committee

2. **SUBSTITUTE ORDINANCE AMENDING CHAPTER 2, SECTION 391 CONCERNING EMPLOYEE LEAVE POLICIES AS AMENDED OF THE HARTFORD MUNICIPAL CODE**

Referred to the Operations, Management, Budget and Government Accountability Committee

For more information on committee meeting date please contact the following:

- A regular meeting of the **Operations, Management, Budget and Government Accountability Committee** will be held on the third Monday of each month at 5:30 P.M. in the Council Chambers.

Carolynn Harris (860) 757-9570
Carolynn.Harris@hartford.gov

- A regular **Quality of Life and Public Safety Committee** meeting will be held on the third Tuesday of each month at 5:30 P.M. in the Council Chambers.

Kevin L. Murray 860-757-9563
Kevin.murray@hartford.gov

Adrian Texidor 860-757-9567
adrian.texidor@hartford.gov

Attest:

John V. Bazzano
City Clerk

Introduced by:

Council President Thomas J. Clarke II

HEADING
AND
PURPOSE

AN ORDINANCE AMENDING CHAPTER 25 , SECTION 14 OF THE
MUNICIPAL CODE OF HARTFORD

COURT OF COMMON COUNCIL,
CITY OF HARTFORD

June 26, 2017

Be It Ordained by the Court of Common Council of the City of Hartford:

That Chapter 25, Section 14 ("Alarm systems."), of the Municipal Code of Hartford, is hereby amended to the extent that it is deleted in its entirety and in its place is substituted the following:

Sec. 25-14. Alarm systems.

(a) *Purpose and intent.* The purpose and intent of this section is to establish uniform standards of control and regulations for the installation, use and maintenance of burglary, hold-up or fire alarm units and systems within the City which require the dispatching or response of the police or fire personnel.

(b) *Scope.* The provisions of this section shall apply to alarm owners and operators who utilize alarm units to protect real property located within the boundaries of the City and property owners who own their own alarm systems and have direct connections from the building to the public safety communication center, except that nothing contained herein shall be construed to require the verification of fire alarms prior to the dispatch of fire or emergency medical personnel, nor shall anything contained herein be construed to require verification of a "hold up" or panic alarm prior to dispatch of police personnel.

(c) *Definitions.* For the purpose of this section, the following definitions shall apply:

Alarm administrator means the individual designated by the mayor to issue permits and enforce provisions of this section.

Alarm condition means a dangerous or unwanted condition sensed by an alarm system such as intrusion, fire or hold-up and which requires a city emergency service response from police or fire personnel.

Alarm dispatch request means a notification to the police by the alarm monitoring company that an alarm, either manual or automatic, has been activated at a particular alarm site.

Alarm installation company means a person or entity in the business of selling, providing, maintaining, servicing, repairing, altering, replacing, moving or installing an alarm system in an alarm site.

Alarm monitoring company means a business which contracts with subscribers or alarm installation companies to monitor alarm system signals which are transmitted to, recorded in and monitored from a central station and notifies the proper authorities.

Alarm operator means an individual, company or corporation that is responsible for activation or deactivation of alarm unit signals, but does not monitor alarm unit signals.

Alarm owner and/or *alarm user* means an individual, company or corporation that is the owner, operator or user of an alarm system or the permittee with the City.

Alarm permit means authorization granted by the alarm administrator to an alarm user to operate an alarm system.

Alarm site means a single premises or location served by an alarm system, or systems. Each location, if served by a separate alarm system in a multiunit building or complex, shall be considered a separate alarm site.

Alarm system means any mechanism, equipment, or device which is designated to detect an unauthorized entry into any building or onto any property, to direct attention to a robbery, burglary, or other emergency in progress, or to signal the above occurrences either by a local or audible alarm or by transmission of a signal to a remote location.

City means the City of Hartford, Connecticut or its agent.

Enhanced Call Confirmation (ECC) means an attempt by the alarm monitoring company to contact the alarm site and/or alarm user by telephone and/or other means, whether or not actual contact with a person is made, to determine whether an alarm signal is valid before requesting law enforcement response. A second call shall be made to an alternate number provided by the alarm user if the first attempt fails, EXCEPT in case of a fire, panic or robbery-in-progress alarm or in cases where a crime-in-progress has been verified.

False alarm means any alarm signal which causes an emergency response to the location of the alarm which is caused by mistake or misuse or malfunction, or unintentional activation caused by flaw or defect in design, installation, maintenance or equipment of the alarm system. Specifically excluded from this definition are acts of God or nature such as wind and rain storms, earthquakes, tornadoes, hurricanes, electrical storms or power failures.

Local alarm system means any alarm system, which is not monitored, that annunciates an alarm only at the alarm site.

Priority Response means that the agency having public safety jurisdiction to respond to verified alarms has the autonomy and authority to prioritize the response to verified alarm calls.

SIA Control Panel Standard CP-01 means the ANSI -- American National Standard Institute approved Security Industry Association -- SIA CP-01 Control Panel Standard, as may be updated from time to time, that details design features to reduce the incidence of false alarms. Control panels that comply with this standard will be marked to state: "Design evaluated in accordance with SIA CP-01 Control Panel Standard Features for False Alarm Reduction".

Verified Alarm means that an electronic security system event in which a trained central station operator utilizing a standardized protocol has determined a human presence using audio

technology, video technology and/or some other method or technology, and has determined the high probability that a criminal offense is in progress.

(d) *General provisions.*

(1) *Registration permit--Existing alarm systems.* Within ninety (90) days of the effective date of this section, any alarm owner or alarm operator must apply for an alarm permit to operate an alarm system in the City of Hartford. The alarm owner or alarm operator shall apply for such alarm permit to the City's alarm administrator. Every alarm owner or alarm operator shall be responsible for registering and obtaining an alarm permit from the alarm administrator to operate an alarm system. All such alarm permits shall expire twelve (12) months after being issued. The application should be on a form provided by the alarm administrator. A permanent registration number shall be assigned to each alarm system and the cost of registration shall be twenty-five dollars (\$25.00).

An alarm installation company may purchase blocks of registration numbers on behalf of its alarm owners from the City of Hartford and assign them to the alarm systems in existence. An alarm installation company may submit completed alarm registration forms to the alarm administrator for the alarm owner.

It shall be the responsibility of the alarm monitoring company or the alarm owner or alarm operator to notify in writing the alarm administrator of any changes in the information contained in the current registered permit on record within ten (10) working days of any changes. The fine for not registering the alarm system shall be ninety-nine dollars (\$99.00).

(2) *Registration permit--New alarm system installations.* After the effective date of this section, applications for installation of new alarm systems must be obtained prior to the installation of an alarm system as defined in this section. The alarm owner or alarm operator shall apply for such alarm permit to the City's alarm administrator. Every alarm owner or alarm operator shall be responsible for registering and obtaining an alarm permit from the alarm administrator to operate an alarm system. All such alarm permits shall expire twelve (12) months after being issued. The application shall be on a form provided by the alarm administrator. A permanent registration number shall be assigned to each alarm system and the cost of the registration shall be twenty-five dollars (\$25.00). An alarm installation company can purchase blocks of registration numbers on behalf of their alarm owners from the City of Hartford and assign them to the alarm systems being installed. An alarm installation company may submit completed alarm registration forms to the alarm administrator for the alarm owner.

It shall be the responsibility of the alarm monitoring company or the alarm owner or alarm operator to notify in writing the alarm administrator of any changes in the information contained in the current registered permit on record within ten (10) working days of any changes. The fine for not registering the alarm system shall be ninety-nine dollars (\$99.00).

In addition to applying for an alarm permit to operate an alarm system, the alarm installation company must also obtain an electrical permit from the City of Hartford. The electrical permit number shall be listed in the appropriate space on the alarm permit registration form.

(e) *Unacceptable alarm systems.* Except as provided for in subsection "o" of this section, no new alarm system may be installed in the City which is directly connected to the public safety dispatch center via common carrier lines or data circuits. No automated voice systems or devices shall be operated within the City for the purpose of obtaining a police response.

(f) *Direct connected fire systems.* Within ninety (90) days of the effective date of this section, any property owner who has a direct fire alarm box connection to the fire department shall pay an annual service fee of two hundred dollars (\$200.00) to the City of Hartford to cover maintenance of fire alarm circuits to that location and any resetting or interior alarm work done by the City. The annual service fee will be renewable on January 1 of any given year and shall not be prorated.

(g) *Monitoring company protection.* Any alarm monitoring company shall be responsible for the proper and reasonable functioning of all alarm systems located on or within their property.

(h) *Alarm dispatch requests.* Subject to (b) above concerning fire or emergency medical or hold up or panic alarms, an alarm dispatch request shall not be made to the public safety dispatch center until an attempt to verify the alarm condition has been completed, which will assist the public safety dispatch center in evaluating and conducting a priority response. The following information which is to be included in the alarm permit application is to be provided to the City when communicating an alarm dispatch request by an alarm monitoring company:

- (1) Business name of alarm monitoring company;
 - (2) Address of alarm site;
 - (3) Nature of location (type of building);
 - (4) Nature of call/type of alarm;
 - (5) Call back number;
 - (6) Any unusual or dangerous circumstances at alarmed premises;
 - (7) Other responders from the alarm monitoring company or alarmed premises in question;
 - (8) Permit number of alarmed premises;
 - (9) Nearest cross street;
 - (10) Identity of two (2) other keyholders who will respond within twenty (20) minutes and who have authority to reset the alarm and to secure the premises;
 - (11) Identification of any other responders or occupants to or at the alarm site; and
 - (12) The results of attempted enhanced call confirmation calls to the alarm owner or his agent.
- (i) *False alarm, fines.*

(1) Commencing ninety (90) days after the effective date of this section, an alarm owner or alarm operator shall be subject to fines, warnings or revocation of an alarm permit depending on the number of false alarm dispatches emitted from an alarm system within a twelve-month period based upon the following schedule:

Number of Action Taken-Fines:

False Alarm Fee Schedule:

Dispatches

1 st False Alarm = On site written notice and warning letter #1 Assessed	No Fee
2 nd False Alarm = On site written notice and warning letter #2 Assessed	No Fee
3 rd False Alarm = On site written notice	\$50.00
4 th False Alarm = On site written notice and warning letter	\$100.00
5 th False Alarm = On site written notice and revocation of permit	\$125.00

(2) In addition, any operator of a nonpermitted alarm system (whether revoked or never acquired) will be subject to a citation and assessment of one hundred-dollar (\$100.00) fine for each false alarm dispatch, in addition to any other fines. The alarm administrator may

waive this additional fine for an alarm system if the alarm owner upgrades the system to incorporate a CP -- 01 compliant control panel or some other electronic means of verification.

(3) Alarm dispatch requests, caused by actual criminal offense or which evidence a criminal attempt shall not be counted as false alarm dispatches.

(j) Appeal from fines. An alarm owner or alarm operator may appeal assessment of a fine to a hearing officer as designated in section 1-5 of the Code, by filing a written request for hearing setting forth the reasons for the appeal within ten (10) days after receipt of the assessment of the fine. The filing of a request for an appeal hearing with the hearing officer stays the assessment of the fine until the hearing officer makes a final decision.

(k) Revocation of alarm permit.

(1) In addition to revocation allowed pursuant to section (i) above the alarm administrator shall revoke an alarm permit if it is determined that:

a. There is a false statement of a material matter in the application for an alarm permit; or

b. The alarm permit holder has failed to make payment of a fine assessed under section (i)(1) within thirty (30) days of assessment of the fine or within thirty (30) days of a final decision by a hearing officer.

(2) Unless there is separate indication that there is a crime in progress, the public safety dispatch center may refuse police response to an alarm dispatch request at an alarm site for which the alarm permit is revoked.

(3) If the alarm permit is reinstated pursuant to section (m)(1), the alarm administrator may revoke the alarm permit if it is determined that three (3) subsequent false alarm dispatches occur within sixty (60) days after the reinstatement date.

(l) Appeal from denial or revocation of an alarm permit.

(1) If the alarm administrator denies the issuance or renewal of an alarm permit or revokes an alarm permit, he or she shall send written notice of his or her action and a statement of the right to a review, by certified mail, return receipt requested, to either the applicant or alarm owner.

(2) Filing of a request for review shall stay the action by the alarm administrator revoking an alarm permit until the alarm administrator has completed his/her review. If a request for review is not made within fifteen (15) days of receipt of the written notice, the action of the alarm administrator is final.

(m) Reinstatement of permit. A person or entity whose alarm permit has been revoked may be issued a new alarm permit if he/she or it:

(1) Submits a new application and pays a two hundred-dollar (\$200.00) permit fee to the City of Hartford;

(2) Pays, or otherwise resolves, all citations and fines; and

(3) Submits a certification from an alarm installation company that complies with the requirements of this section, stating that the alarm system has been inspected and, if necessary, repaired or upgraded by the alarm installation company.

(n) Central station fire. Any central station that provides fire alarm monitoring must

comply with the National Fire Protection Association's Code (pamphlet 72) entitled "National Fire Alarm and Signaling Code" 2016.

(o) Direct connection. The public safety dispatch center, in coordination with the fire chief, shall receive, issue and control applications for direct connections. It shall approve such applications if it finds:

(1) They are necessary to the proper and efficient handling of emergency calls to the specific agency.

(2) The installation of such a telephone line shall constitute no hindrance to regular city activities.

(3) The applicant seeking the installation agrees that no message will be telephoned on said lines, except by an agent of applicants with access to customer files and the means to provide access to the premises.

(4) The applicant seeking the installation maintains adequate equipment work force to repair, maintain and otherwise service alarms sold or leased by applicant.

(5) Adequate procedures to test and prevent false alarms as determined by the department head concerned are in place.

(p) Local energy systems. All fire alarm systems that are tied into the municipal fire alarm circuit must be powered by a local energy system, as defined by the National Fire Protection Association Code. All private alarm owners/operators of these fire alarm systems will be notified by the department of licenses and inspections by mail that they must convert their system to local energy within one (1) calendar year of the date of the letter. Failure to comply will result in the tie being terminated by the City.

(q) Monitoring panels. No person shall place any monitoring panels and annunciation or receiving equipment in the public safety dispatch center, other than private line telephones, as provided herein.

(r) Audible devices--Burglar alarms only. Within ninety (90) days of the effective date of this section, any alarm system that utilizes an audible device (e.g., bell, siren or horn) shall be equipped with an automatic shut-off device which will deactivate the alarm system within ten (10) minutes and shall not be equipped so as to reset itself.

(Ord. No. 32-93, 8-9-93; Ord. No. 68-93, 11-22-93; Ord. No. 3-97, 2-24-97; Ord. No. 4-97, 2-24-97; Ord. No. 12-03, 5-12-03; Ord. No. 01-05, 1-10-05)

RETURN TO EMERGENCY SERVICES & TELECOMMUNICATIONS HOME PAGE

This ordinance shall take effect upon adoption.

Introduced by:

HEADING
AND
PURPOSE

AMENDED SUBSTITUTE

Council President Thomas J. Clarke II
Councilwoman Wildaliz Bermúdez
Councilwoman rJo WINCH

AN ORDINANCE AMENDING CHAPTER 2, SECTION 391 OF THE HARTFORD
MUNICIPAL CODE

COURT OF COMMON COUNCIL,
CITY OF HARTFORD

June 26, 2017

Be It Ordained by the Court of Common Council of the City of Hartford:

That Chapter 2, Section 391 of the Municipal Code of the City of Hartford be amended as follows:

Sec. 2-391. - Employee Leave Policies.

(A) *Vacation Leave Accumulation*. Effective July 1, 2005, full-time employees in the Classified and Unclassified Service shall accumulate, during and after the Probationary Period, vacation leave with pay on July 1st according to the following vacation schedule (excluding Department Heads, Deputy Department Heads, the Corporation Counsel and the Deputy Corporation Counsel, [and others listed below] who shall receive vacation as [indicated] described separately below):

Length of Service in Months	Vacation Accumulation in Days
1	1¼
2	2½
3	3¾
4	5
5	6¼
6	7½
7	8¾
8	10
9	11¼
10	12½
11	13¾
12	15

[Deputy Department Heads shall receive four (4) weeks of vacation, at a rate of one and two-thirds ($1 \frac{2}{3}$) days per month, as of July 1st in each fiscal year.

Department Heads and the executive mayoral staff shall receive five (5) weeks of vacation, at a rate of two and one-twelfth ($2 \frac{1}{12}$) days per month, as of July 1st in each fiscal year.]

Vacation leave shall be credited on July 1st of the fiscal year following the employee's appointment[; however, the above classifications shall be credited vacation per calendar month of service]. No vacation shall be used before six (6) months of continuous service has elapsed.

Full-time employees appointed on or before July 1st and who serve continuously for one (1) full year until the following June 30th shall earn three (3) weeks' paid vacation to be granted during the following fiscal year.

Full-time employees who have completed five (5) years of full time employment as of July 1st and serve continuously for the previous twelve (12) months shall be entitled to vacation of four (4) weeks annually.

[Full-time employees who have completed fifteen (15) years of full time employment as of July 1st and served continuously for the previous twelve (12) months shall be entitled to a vacation of five (5) weeks annually.]

Department Heads, Deputy Department Heads, the Corporation Counsel, and the Deputy Corporation Counsel shall receive four (4) weeks of vacation as of July 1st in each fiscal year, at a rate of one and two-thirds ($1 \frac{2}{3}$) days per month. These classifications shall be credited vacation per calendar month of service.

For the purpose of computing vacation leave, the calendar month shall be used, except that a person appointed during the first fifteen (15) days of any month shall be considered as having been appointed on the first day of that month, and those appointed after the 15th day of any month shall be considered as having been appointed on the first day of the succeeding month.

Use of vacation leave is to be taken in units of not less than one (1) [week]hour [except when accumulated vacation time is less than one (1) week or if other arrangements are authorized by the Appointing Authority]. Employees must take all vacation leave or one (1) week whichever is less during the fiscal year following the July 1st on which it is earned. Effective June 30, 2017, [A]additional vacation leave may be carried over from one [(1)] fiscal year to the next to permit a maximum accumulation of no more than eight (8) weeks, provided that, effective December 31, 2017, the maximum accumulation of said carried-over vacation is reduced to six weeks. Effective June 30, 2018, additional vacation leave may be carried over from one fiscal year to the next to permit a maximum accumulation of no more than four (4) weeks. Use of vacation leave shall be granted by mutual agreement between the employee and the Appointing Authority; provided, however, that no Appointing Authority shall withhold vacation leave of any employee in excess of eighteen (18) months.

- (1) In computing vacation leave, legal holidays established by this Article are not to be considered as part of vacation allowance.
- (2) In the event of the death of an employee, [the employee's spouse and/or minor children shall receive] the accrued vacation pay earned by the employee[.
 - (a) Where the employee has no minor children and has notified the Department of Human Resources that a valid certificate of domestic partnership is on file with the

City of Hartford, Town Clerk, pursuant to § 2-63 of this Code, the domestic partner shall receive the accrued vacation pay earned by the employee.

(b) In the event the employee has neither a spouse, minor children, nor a domestic partner, the pay] shall be paid to the estate of the deceased employee.

(3) Employees who are separated from the City and who have accrued vacation leave to their credit at the time of separation shall be paid the salary equivalent of the accrued vacation leave in a lump sum. The effective date of the employee's separation shall be the day following the employees last day of work. Vacation leave accrued during the fiscal year in which the employee is separated will only be paid if the employee separates in good standing.

(B) *Sick Leave Accumulation.* Each full-time employee in the Classified and Unclassified Service shall earn sick leave with pay during and after the individual's Probationary Period according to the following schedule:

Length of Service in Months	Sick Leave Accumulation in Days
1	1¼
2	2½
3	3¾
4	5
5	6¼
6	7½
7	8¾
8	10
9	11¼
10	12½
11	13¾
12	15

(1) Each full-time employee appointed on or before July 1st and who serves continuously until the following June 30th shall earn three (3) weeks paid sick leave. Sick leave is to be used only for the purposes contained in this Article. Any unauthorized use of sick leave shall be cause for disciplinary action.

(2) Any unused sick leave shall accumulate from fiscal year to fiscal year to a maximum of one hundred fifty (150) days for employees hired prior to July 1, 2017. Unused sick leave shall accumulate from fiscal year to fiscal year to a maximum of eighty (80) days for employees hired on or after July 1, 2017.

[Thereafter, any unused sick leave shall accumulate from fiscal year to fiscal year at a rate of one (1) day of accumulation for each two (2) days of unused sick leave.]

Accumulated sick leave may be used for the purposes specified in this Article if and when needed.

- (3) Notwithstanding the foregoing any Classified and Unclassified Employee who has accumulated at least thirty (30) days of sick leave may donate a portion of said employee's accumulated sick leave to another employee, who through serious and protracted illness has used up all of the individual's accumulated sick leave, compensatory time and vacation leave. The Mayor (or designee) and the Director shall authorize the donation and transfer of such sick leave provided the following conditions are met:
 - (a) The donating employee shall have a minimum sick leave accumulation of thirty (30) days.
 - (b) No more than five (5) days of sick leave for every thirty (30) days of sick leave accumulated by the donating employee to a total donation of thirty (30) days shall be permitted between any two (2) employees.
 - (c) Sick leave, donated by one employee to another, when used, shall be paid at the hourly rate of the donor or donee, whichever is less.
 - (d) No more than twenty (20) days of donated leave may be allowed to accumulate in any donee's name at any given time, provided if such donated sick leave should be reduced below twenty (20) days, additional donations may be made to restore the level of accumulated sick leave to twenty (20) days.
- (4) *Sick Leave Bank.* The Director shall prepare guidelines for the establishment of a sick leave bank for full-time Classified and Unclassified Employees.
- (5) *[Advance of Sick Leave.]* Sick leave advance may be granted by the Appointing Authority with the approval of the Director. In requesting an advance of sick leave, the Appointing Authority shall submit the following information to the Director: the length of City service of the employee; the sick leave record of the employee; and a medical certificate which shall include the prognosis and the probable date when the employee will return to work.
 - (a) No advance of sick leave may be authorized unless the employee exhausts all accrued leave. In no case shall advanced sick leave exceed twenty (20) days at full pay.
 - (b) Any advanced sick leave shall be repaid by a charge against such sick leave as the employee may subsequently accrue. No repayment of advanced sick leave shall be required until the employee has first accrued five (5) days of sick leave following the employee's return to duty.
- (6) *Special Rules.*
 - (a) No refund of vacation leave shall be allowed due to illness incurred while on vacation leave.
 - (b) Holidays and regular days off shall not be counted in computing sick leave taken.
- [(7)] (6) *Use of Sick Leave.* Sick Leave may be used for the following purposes:
 - (a) Personal illness [, maternity leave,] physical incapacity, or [non-compensable bodily] injury [or disease].

- (b) [Enforced quarantine in accordance with community health regulations.] Birth of a child, bonding with a newborn child within one year of birth, or bonding with a child placed for adoption or foster care within one year of placement.
- (c) [For reasonable period of time as defined by the Director only for illness] Illness or physical incapacity in the employee's immediate family or others domiciled in the same household prior to illness for whom one is responsible and the primary care giver. Immediate family is defined for purposes of this provision to be father, mother, sister, brother, wife, husband, domestic partner or children related either by blood, marriage or adoption to the employee.
- (d) To meet medical and dental appointments of emergency nature [and Health Department referrals]. In addition, sick leave may also be granted for a limited time for normal medical and dental appointments when an employee has made reasonable efforts to secure appointments outside of normal working hours provided that the Appointing Authority is notified in advance of the day on which the absence occurs.
- (e) Death of relatives or friends, marriage in the immediate family, celebration of religious holidays and christenings, graduations and similar ceremonies, provided prior notification to the Appointing Authority is submitted in writing giving full particulars in advance, subject to approval. A maximum of three (3) days a year under this provision shall be granted except that it may be increased in situations upon approval by the Director.
- (f) [Natural fathers who are primary care givers shall be allowed to use accumulated sick leave for a maximum of ten (10) calendar days, upon the birth of a child. If accumulated sick leave is exhausted prior to the ten (10) calendar days the balance of the leave will be without pay, unless such time is extended by the Appointing Authority with the approval of the Director.

Natural fathers wishing to take such leave must provide a copy of the birth certificate as proof of paternity. Leave will not be granted without the above documentation being provided within five (5) days of the birth.

- (g) Domestic partners who are primary care givers shall be allowed to use accumulated sick leave for a maximum of ten (10) calendar days. If accumulated sick leave is exhausted prior to the ten (10) calendar days, the balance of the leave shall be without pay. In no case will a domestic partner be eligible for both maternity and primary care leave. Domestic partners wishing to take such leave must provide a copy of the birth certificate and a copy of the domestic partnership certificate to the City of Hartford, Town Clerk, pursuant to § 2-63 of this Code as proof of the relationship to the birth of the child.
- (h) Employees who are adoptive parents or the domestic partner of the adoptive parent shall be allowed to use accumulated sick leave for thirty (30) calendar days for adjustment in family living conditions. If accumulated sick leave is exhausted prior to the thirty (30) calendar days, the balance of the adoption leave will be without pay. Only the person primarily responsible for the child will be entitled to this leave.

Employees wishing to take an adoption leave must present copies of legal adoption papers as proof of such adoption. In the case of a domestic partner, proof of a valid domestic partnership certificate must also be filed with the City of Hartford, Town

Clerk, pursuant to § 2-63 of this Code. Adoption leave will not be granted without the above documentation.

- (i)] Up to three (3) sick days per year may be used for any purpose not otherwise provided above subject to the same notification requirements as in subsection (e), above.

[(8)] (7) Proof of Illness or Other Uses of Sick Leave. Departments may require proof of illness or other uses of sick leave as provided in this rule. In the judgment of the Appointing Authority or supervisor, proof of sick leave may include a doctor's certificate or other reasonable verification available to the employee.

- (a) For absences of less than three (3) workdays, proof of sick leave will not normally be required unless, in the judgment of the Appointing Authority or supervisor, there is a question of authorized usage.
- (b) For absences of three (3) consecutive workdays or more, a doctor's certificate will normally be required.
- (c) For absences exceeding five (5) workdays, a doctor's certificate indicating the probable duration of the [disability]absence may be required, and additional certificates may be required for extended illnesses.

[(9)] (8) Compliance with Sick Leave Requirements. Sick leave provided above shall be granted only if the requirements of these provisions are complied with and the [initial] report of illness is made at least one hour before the employee's scheduled start time[prior to 12:00 noon] on each[the first] day of absence[, except that where a relief employee is required, such report must be made before the hour to report for work as provided in the rules of the department concerned]. Nothing in this paragraph shall preclude the payment of sick leave to an employee who cannot comply with the provisions of this sub-section (8) due to extenuating circumstances.

[(10)] (9) Payment of Sick Leave.

(a) The City will make payment for accumulated sick leave for Classified and Unclassified Employees who have completed at least [ten (10)] five (5) years of service on or before June 30, 2017 as follows:

[(a)] (i) Full payment in case of death; fifty (50) percent payment in case of death for employees hired on or after July 1, 2005;

[(b)] (ii) Fifty (50) percent payment at time of retirement;

[(c)] (iii) Payments in case of death will be made to [the employee's spouse and/or minor children. Where the employee has no minor children and has notified the Human Resources Department that a valid certificate of domestic partnership is on file with the City of Hartford, Town Clerk, pursuant to § 2-63 of this Code, the domestic partner shall receive the payment. In the event the employee has neither a spouse, minor children, nor a domestic partner, the payment shall be made to] the estate of the deceased employee;

[(d)] (iv) For all full-time, non-bargaining unit employees who have completed at least [ten (10)] five (5) years of service on or before June 30, 2017 and who are in the administrative series, appointees of council, elected officials and unclassified appointees, the City will make payment for accumulated sick leave as follows: (1) full payment in case of death; (2) seventy-five (75) percent payment at time of

retirement; (3) employees who separate with vested rights will receive twenty-five (25) percent of accumulated sick leave to be paid at the time of separation.

(b) The City will make payment for accumulated sick leave for those Classified and Unclassified Employees hired prior to July 1, 2017 who did not complete [ten (10)] five (5) years of service on or before June 30, 2017, as follows:

(i) Fifty (50) percent payment in case of death, made to the estate of the deceased employee;

(ii) Twenty-five (25) percent payment at time of retirement.

(c) The City will make no payment of accumulated sick leave to employees hired on or after July 1, 2017.

(C) *Compensation for Injuries and Disease.* Each employee shall be compensated for any injury or occupational disease under the provisions of the Workers' Compensation Act. In addition, employees may supplement the difference between their full pay and the payments received under the Workers' Compensation Act by using accrued sick leave.

In the event of a third party claim, the employee must enter into a written contract with the City whereby the employee assigns to the City any right the individual may have against any other person who may be liable to pay damages as a result of the employee's injury or disease to the amounts actually paid under statutory compensation by the City. The City shall only be entitled to be reimbursed for amounts actually paid. The employee specifically retains any and all claims against third parties for such injuries or disease, which shall be in excess of amounts actually paid by the City.

No payments in addition to Workers' Compensation shall be paid when the personal injury was caused by the willful and serious misconduct of the injured employee or by said employee's intoxication or the improper or excessive use of drugs.

(D) *Other Leaves of Absence with Pay.* The following provisions set forth other categories of leave of absence with pay for Classified and Unclassified Employees. In the event such leave is granted, medical benefits will continue for the employee and their dependents; however, in the event the employee is entitled to military benefits there will be coordination of benefits with coverage provided by the Federal Government's military health insurance program. All other conditions of employment should be treated as other leave with pay provisions of this Article.

(1) *Mandatory Leave.*

(a) *Jury and Civic Duties Requiring Appearance before Court or Other Public Body.* Employees shall be granted a leave of absence for required jury or any other civic duty requiring appearance before a court or other public body. Such employees shall receive that portion of their regular salary which will, together with their jury pay or fees, equal their total salary for the same period, except where this rule is in conflict with state or federal law.

(b) *National Guard, Other Reserve Activities: Circumstances and Limitations.* Any full-time employee who is a member of the National Guard, or other reserve forces of the United States, and is required to undergo field training therein, shall be entitled to a leave of absence with pay for the period of such field training, to a maximum of one (1) month, provided the amount of compensation paid to such employee for such

leave of absence shall be the difference between the employee's compensation for military activities as shown by a statement by military authorities giving the employee's rank, pay and allowances and the amount of salary or wages due as an employee of the City. If the compensation for military service is equal to or greater than the salary or wages due as a City employee for the period covered by such military leave, then no payment shall be made, except that normal payroll deductions for pension and insurance purposes shall be paid by the City during such leave.

- (c) *Involuntary Activity for Military Duty.* Any full-time employee will be granted leave with pay upon involuntary activation for military duty for a period not to exceed one (1) calendar year from the date of being called to active duty. The City shall pay the difference between all military pay received and the full-time employee's base salary. Computations shall be based on weekly equivalents. Military pay will be estimated at the time of leave and the difference with actual military pay to be reconciled upon return to City service.
- (d) *Family Leave for Death in Immediate Family.* Three (3) days special leave with full pay shall be granted for death in the immediate family of an employee, or the immediate family of the employee's spouse or domestic partner. Immediate family for purposes of this clause is defined as parents, grandparents, child, son-in-law, daughter-in-law, grandchild, spouse, brother, sister, and any relation who is domiciled in the employee's household.
- (2) *Miscellaneous.* The Director, with the approval of the Mayor or designee, may authorize for the employees of all departments, except the regular fire fighting forces and members of the Police Department, either full or partial days off in addition to those already authorized in this Article to permit early closing in such instances as severe snow storms, extreme hot weather and at time of celebrations.
- (E) *Leave of Absence Without Pay.* The Mayor upon the recommendation of the Director and the Appointing Authority, may grant a Classified or Unclassified Employee unpaid leave of absence for a period up to one (1) calendar year. Upon the determination of the Mayor, unpaid leaves of absence may be extended. During an unpaid leave of absence, an employee may exercise the option of continuing all benefits normally provided by the City by paying all the required premiums for such benefits. While on unpaid leave, an individual shall remain an employee of the City; however, the period of any such leave shall not be considered a period of service for purposes of salary and fringe benefit calculation, retirement, longevity or seniority. Any family or medical leave taken pursuant to this Article shall count toward the one (1) year limit.
- (F) *Employees on Military Leave.* Qualified employees will be provided reemployment rights in accordance with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA).
- (G) *Medical Related Leaves and Family Leave.* In addition to the above leaves of absence without pay, any Classified or Unclassified Employee shall be entitled to:
 - (1) A maximum of [twenty-four (24)]twelve (12) weeks of family leave of absence within any [two-]one-year period upon the birth or adoption of a child of such employee or upon the serious illness of a child, spouse, parent, partner or domicile relative of such employee.
 - (a) Any employee requesting a leave under this section for the birth or adoption of a child must submit proof of the birth or adoption.

- (2) A maximum of [twenty-four (24)]twelve (12) weeks of medical leave of absence within any [two-]one-year period upon the serious illness of such employee.
- (3) Any employee requesting a leave under this section for reasons of serious illness may submit prior to inception of such leave written documentation from the attending physician of the employee, child, spouse, parent, partner or domicile relative of the nature and probable duration of the illness. For purposes of this section, "serious illness" is defined as an illness, injury, impairment of physical or mental condition that involves (a) inpatient care in a hospital, hospice or residential care facility or (b) continuing treatment or continuing supervision by a health care provider.

Upon expiration of any leave of absence granted under [§ 2-391(F)] this section, the employee shall be entitled to return to the original job held by the employee or, if not available, to an equivalent position with equivalent pay within the same department.

- [(3)] (4) *Intent to Return Statement.* Any employee requesting a leave under this section shall submit to the appropriate Appointing Authority prior to the inception of such leave a signed statement of the employee's intent to return to work upon the termination of such leave.
- (H) *Absence Without Leave.* An absence of an employee from duty, including any absence for a single day or part of a day, that is not authorized by a specific grant of leave of absence under the provisions of this Article shall be deemed to be an absence without leave. Any such absence shall be without pay and may be subject for disciplinary action. Any employee who absents himself for three (3) consecutive days shall be deemed to have resigned. Such action may be reconciled by the Director by a subsequent grant of leave if the conditions warrant.
- (I) *Procedure in Requesting Leaves.* A Classified or Unclassified Employee requesting a leave of absence for any reason other than sick leave shall notify the City on a form that may be prescribed by the Human Resources Department. The requested leave shall be approved by the Appointing Authority, by the employee's supervisor if the Appointing Authority so desires, and by the Director. The Director shall determine whether the employee is entitled to the leave, and send a copy of the form to the Appointing Authority who will return it to the employee. Requests for vacation leave must be made in advance to allow time to carry out this procedure.

This ordinance shall take effect June 30, 2017.