

MEMORANDUM

TO: The Honorable Village Commission
CC: Maria Camara, Interim Village Manager
FROM: John J. Hearn, Village Attorney
RE: Employment Agreement/Section 12, "Time Off"
DATE: August 30, 2016

At the last Commission meeting, the Village Commission voted to approve the proposed Village Manager Contract. The proposed language before the Commission on August 24, 2016 concerning the amount of annual personal time off (PTO) was as follows:

D. Annually, on October 1 of each year, the Village Manager will be credited with a total of twenty four (24) days of PTO, which is inclusive of and not in addition to both vacation and sick leave. The Village Manager will not receive PTO until October 1st 2016.

E. On or before September 30 of each year, the Village Commission may elect to either carry over into the next fiscal year any unused accrued PTO leave or make payment to the Village Manager for the cash value of the same at the Village Manager's salary in effect on September 30 of that year.

Ms. Ragoonan had requested that the annual leave be increased from 24 days to 30 days. The Village Commission agreed to increase the PTO days to 28 days per year. However, the accrual was changed from an immediate accrual of all days on October 1st of each year to a monthly accrual of 2.33 days (28 days each 12 months) as shown below:

D. The Village Manager shall not accrue vacation or sick time. Instead, commencing on October 1, 2016 and the 1st of each month thereafter, the Village Manager will be credited with 2.33 days of PTO (28 days each 12 months), which is inclusive of and not in addition to both vacation and sick leave.

E. Any PTO that is unused and has accrued as of September 30th of each year must be used on or before December 31st of that year. If not used, the PTO expires on December 31st of that year.

Ms. Ragoonan has proposed that those sections be amended to one of the following two accrual alternatives:

Alternative 1:

D. The Village Manager shall not accrue vacation or sick time. Annually, on October 1 of each year, the Village Manager will be credited with a total of twenty eight (28) days of PTO, which is inclusive of and not in addition to both vacation and sick leave. The Village Manager will not receive PTO until October 1 2016.

E. On or before September 30 of each year, the Village Commission may elect to either carry over into the next fiscal year any unused accrued PTO leave or make payment to the Village Manager for the cash value of the same at the Village Manager's salary in effect on September 30 of that year.

Alternative 2:

D. The Village Manager shall not accrue vacation or sick time. Instead, on each October 1st, the Village Manager will be credited with 14 days of PTO and additionally, on each month thereafter, the Village Manager will be credited with 1.67 days of PTO (cumulatively totaling 28 days each 12 months), which is inclusive of and not in addition to both vacation and sick leave.

E. Any unused PTO will not expire at the end of that fiscal year. Instead, it will be considered carry over PTO that can be used anytime during the next fiscal year.

Ms. Ragoonan prefers Alternative 1 above, however, is agreeable to Alternative 2. This is the only term that is left to be considered by the Village Commission at its Special Commission meeting this Wednesday. As always, if you have any questions concerning the above, please do not hesitate to contact me.