



To the Honorable Council  
City of Norfolk, Virginia

November 24, 2020

**From:** Marva A. Smith  
Director of Department of Human  
Resources

**Subject:** Annual Leave Buy Back

**Reviewed:**

\_\_\_\_\_  
Catheryn R. Whitesell, Deputy City  
Manager

**Ward/Superward:** Citywide

**Approved:**

\_\_\_\_\_  
Dr. Larry H. Filer II, City Manager

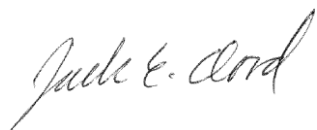
**Item Number:** R-4

- I. **Recommendation:** Adopt Ordinance
- II. **Applicant:** City of Norfolk
- III. **Description:**  
This agenda item is an ordinance to enact an annual leave “buy back” plan for the City of Norfolk’s (the “City’s”) staff.
- IV. **Analysis:**  
The City’s annual leave runs on a calendar basis of January 1 to December 31, and at the end of the calendar year any hours an employee maintains over the Maximum Leave Carryforward (384 hours for general employees or 499.2 hours for some sworn Fire-Rescue staff) are forfeited by the employees. In calendar year 2020, a larger number of staff have not been able to take their annual leave due to COVID-19 and the ensuing disruption of travel plans or staffing needs to meet unexpected demands in critical services. In this exceptional circumstance, if an employee is over the Maximum Leave Carryforward, the Council will allow staff to “buy back,” or pay the employee for up to 50 hours.
- V. **Financial Impact:**  
Estimated Cost is \$760,000 to the General Fund and \$150,000 to the Non-General Fund.

- VI. **Environmental:**  
N/A
- VII. **Community Outreach/Notification:**  
Public notification for this agenda item was conducted through the City's agenda notification process.
- VIII. **Board/Commission Action:**  
N/A
- IX. **Coordination/Outreach:**  
This letter and ordinance have been coordinated with the Department of Human Resources and the City Attorney's Office.

Form and Correctness Approved: *BAP*

Contents Approved:

**Marva A. Smith**By: \_\_\_\_\_  
Office of the City AttorneyBy: \_\_\_\_\_  
DEPT. Human Resources

NORFOLK, VIRGINIA

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**Ordinance No.**

AN ORDINANCE AUTHORIZING THE PURCHASE OF UP TO 50 HOURS OF ANNUAL LEAVE ACCUMULATED ABOVE THE CURRENT MAXIMUMS SET OUT IN THE CITY CODE AS OF DECEMBER 30, 2020 BY CITY OR CONSTITUTIONAL OFFICERS AND EMPLOYEES.

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WHEREAS, the Norfolk City Code Sections 2-49 and 2-49.1 establish the benefit of annual leave, regulate the rate of its accumulation, place caps on how many hours of it may be carried over from year to year, and provide for any excess above those caps to be automatically lost on December 31<sup>st</sup> of each calendar year;

WHEREAS, the employees of the City of Norfolk and of its Constitutional Officers have worked diligently to provide the citizens of the City with undiminished services during the crisis of the COVID-19 pandemic, and so in many cases have been unable to take annual leave; and

WHEREAS, if the Council takes no action, those employees will lose that excess annual leave accumulated above the statutory caps on December 31, 2020; now, therefore,

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a sum sufficient from funds previously appropriated for salaries and benefits is hereby authorized for expenditure for the purpose of purchasing back from those officers and employees of the City of Norfolk and the Constitutional Officers of the City, including those popularly elected officers authorized to receive and accumulate annual leave, Council appointed officers and all employees hired by them, of up to fifty (50) hours of annual leave accumulated as of December 30, 2020 in excess of their applicable caps as of the effective date of this ordinance, as set out in City Code Sections 2-49 or 2-49.1. No one is eligible for a purchase back exceeding fifty (50) hours. The cost per hour of each individual purchase back shall be calculated based on that person's gross annual salary. Pursuant to the purchase back, a person's accumulated annual leave within the City's system will be reduced by the number of hours purchased back.

Section 2:- That the city manager is hereby authorized to do all things necessary to carry out this ordinance.

Section 3:- That this ordinance shall be in effect from and after its adoption until December 31, 2020.