

**AN ORDINANCE TO AMEND CHAPTER 40 OF THE CITY CODE REGARDING BEREAVEMENT LEAVE**

#0341

Sponsor:

Council Member Johnson

Co-Sponsors:

Council President Congo

Council Members Oliver Bracy

**WHEREAS**, the City believes that it would be beneficial to provide its employees with an additional day of bereavement leave when a death occurs in an employee's family; and

**WHEREAS**, the City also believes that it would be beneficial to expand (i) the categories of persons that qualify as family for which its employees may take bereavement leave and (ii) the timeframe during which its employees make take bereavement leave; and

**WHEREAS**, the City would like to require its employees to provide supporting documentation to take bereavement leave in order to prevent abuse; and

**WHEREAS**, in light of the foregoing, City Council deems it necessary and appropriate to amend Section 40-336 of the City Code regarding bereavement leave.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF WILMINGTON HEREBY ORDAINS:**

**SECTION 1.** Section 40-336 of the City Code is hereby amended by deleting the stricken language and adding the underlined language to read as follows:

**Sec. 40-336. – Bereavement leave.**

(a) All regular city employees shall be granted up to ~~four~~ five working days paid leave for a death in the employee's ~~extended~~ family. This leave shall commence when requested by the employee, but in no event later than ~~one~~ two weeks after the death. In exceptional circumstances, the director of ~~personnel~~ human resources may grant the leave request at a later date outside of the two weeks specified above. One additional day of paid leave may be granted at ~~management's~~ the discretion of the director of human resources for necessary travel to distant states for funeral services. The time off allowed in the case of a death in the employee's ~~immediate~~ family shall not be charged either as combined leave or vacation time.

(b) For purposes of this section, the employee's ~~extended~~ family includes husband, wife, children (including the loss of an unborn

child), grandchildren, parents, brothers, sisters, grandparents, great-grandparents, step-parents, spouses' parents and grandparents, and great-grandparents, sons-in-law, daughters-in-law, brothers-in-law, and sisters-in-law, and any person for whom the employee acts in loco parentis.

(c) Upon the death of a near relative not listed above, an eligible employees may take up to three days of vacation time with departmental approval from the employee's department head.

(d) Supporting documentation deemed sufficient by the director of human resources is required to take any leave under this section.

**SECTION 2.** This Ordinance shall not apply to any bargaining unit employee, as such term is defined in Section 40-6 of the City Code, unless and until the bargaining unit employee's respective union agrees to the provisions contained in this Ordinance.

**SECTION 3.** This Ordinance shall become effective upon its passage by City Council and approval by the Mayor.

First Reading.....August 31, 2023  
Second Reading.....August 31, 2023  
Third Reading.....

Passed by City Council,

\_\_\_\_\_  
President of City Council

ATTEST: \_\_\_\_\_  
City Clerk

Approved this \_\_\_\_ day of \_\_\_\_\_, 2023.

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Mayor

**SYNOPSIS:** This Ordinance amends Section 40-336 of the City Code regarding bereavement leave to: (1) provide for an additional day of bereavement leave; (2) expand the definition of family for which bereavement leave may be taken; (3) expand the timeframe during which bereavement leave may be taken; and (4) require supporting documentation to take bereavement leave. This Ordinance also performs some housekeeping matters such as updating the terminology for the Director of Human Resources and adding certain language for clarification purposes. This Ordinance shall not apply to any bargaining unit employee, as such term is defined in Section 40-6 of the City Code, unless and until the bargaining unit employee's respective union agrees to the provisions contained in this Ordinance.

**FISCAL IMPACT STATEMENT:** This Ordinance has no significant anticipated fiscal impact.

W0122239