

ORDINANCE-3835

AN ORDINANCE TO AMEND SECTION 2-85
OF THE CITY CODE PERTAINING TO LEAVE
CARRYOVER

SECTION AMENDED: § 2-85

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VIRGINIA BEACH,
VIRGINIA:

That Section 2-85 of the Code of the City of Virginia Beach, Virginia, is hereby
amended and reordained to read as follows:

Sec. 2-85. Leave and ~~PTO~~ carryover.

(a) No employee shall be paid for unused annual leave except upon termination of employment. Upon termination, employees shall be paid straight time for accrued annual leave, and payment shall be processed as expeditiously as possible. No employee shall be allowed to carry more than four hundred (400) hours of accumulated annual leave from one calendar year to the next if the employee is scheduled to work forty (40) hours or more per consecutive workweek, or eighty (80) hours or more per consecutive pay period if exempt under or excluded from the Fair Labor Standards Act of 1938, or is a sworn law enforcement officer assigned to a fourteen-day work period, excluding firefighters assigned to a twenty-one-day work period. No firefighter assigned to a twenty-one-day work period shall be allowed to carry more than five hundred sixty (560) hours of accumulated annual leave from one calendar year to the next, nor shall any employee who terminates employment with the city receive pay for more than four hundred (400) hours of accumulated annual leave if the employee is scheduled to work forty (40) hours or more per consecutive workweek, or eighty (80) hours or more per consecutive pay period if exempt under or excluded from the Fair Labor Standards Act of 1938, or is a sworn law enforcement officer assigned to a fourteen-day work period; or five hundred sixty (560) hours of accumulated annual leave if the employee is a firefighter assigned to a twenty-one-day work period.

(b) Part-time employees hired on or after July 1, 1996, shall not be allowed to carry more than one hundred twelve (112) hours of accumulated personal leave from one calendar year to the next. Upon termination, employees shall be paid straight time for personal leave, and payment shall be processed as expeditiously as possible.

Adopted by the City Council of the City of Virginia Beach, Virginia, on this 6th day of January, 2026.