

SECTION VII
ATTENDANCE AND LEAVE

7.01 Hours of Operation

The hours of operation for each Department/Division shall be determined by the County Administrator and Department/ Division management in accordance with the needs of the County. Work schedules may vary according to the needs of the individual organization, subject to the approval of the Division Director.

7.01.1 Flexitime/Staggered Work Hours

Flexitime/staggered work hours allow employees to work around traffic congestion, school and day care schedules, etc., when it is not in conflict with the County's operations. While it is desirable to accommodate the work schedule of employees where possible, the operational needs of the County must come first. Supervisors shall ensure that a sufficient number of employees are at their work stations during normal hours to perform routine work functions and provide services to the public. Because of individual work assignments, supervisors and other employees may be subject to special restrictions being applied to their work schedules and flexitime may not be an option. Additional guidelines for EMS employees are found in the Emergency Medical Services Standard Operating Guidelines Manual.

7.01.2 Procedure: Flexitime/Staggered Work Hours

- A. All full-time career service employees are subject to working forty hours per week.
- B. In all cases, including flexitime/staggered work hour schedules, adherence to starting times, lunch periods and end of work day is required.
- C. Each Division Director is expected to institute reliable managerial controls to ensure that employees arrive and leave at their appointed time and are involved in performing their assigned duties.
- D. Flexitime/staggered work hours may be altered or canceled by supervisors as is deemed necessary to fulfill the responsibilities of the work unit.
- E. Employee abuse of flexitime/staggered work hours may result in withdrawal of flexitime privileges or more severe disciplinary actions.

7.02 Attendance and Leave Records

Finance/Payroll Division shall maintain complete and accurate attendance and leave records. The Department/Division Directors shall be responsible for forwarding all associated documentation of attendance and leave to Finance/Payroll Division. Bi-weekly timesheets

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are due in to the Finance/Payroll Division by 10:30 a.m. on Monday following the end of the bi-weekly pay period. Monthly timesheets are due in to the Finance/Payroll Division by 10:30 a.m. on the 22nd of the month or by 10:30 a.m. the preceding Friday, if the 22nd falls on a weekend or a holiday. Notification of exceptions requiring early timesheet turn-in will be made when necessary. Guidelines for EMS employees are found in the Emergency Medical Services Standard Operating Guidelines Manual.

7.03 Attendance Standards

In order to ensure the efficiency and productivity of County operations, regular attendance and arriving at work on time are requirements of continued employment. As a general guideline, over a period of not less than six (6) months, an average of over eight (8) hours a month is excessive time missed from work for whatever reason (except as noted below), regardless of whether the absences are excused, unexcused, paid or unpaid. Absences due to Disability Leave, Parental Leave, Compensatory Leave, Administrative Leave or Annual Leave, all of which have been scheduled and approved in advance shall not be counted against this standard. Lengthy periods of well documented illness, as well as other unusual circumstances, will be considered in the context of the overall attendance and employment record in applying this standard. Guidelines for EMS employees are found in the Emergency Medical Services Standard Operating Guidelines Manual.

7.04 Notification Requirement

If an absence is unavoidable, employees are required to notify their immediate supervisor of such absence no later than the beginning of their work shift. Excessive absenteeism, tardiness, and failure to notify supervision of an absence are grounds for disciplinary procedures.

Three (3) successive work days missed without notifying a supervisor shall be considered abandonment of one's position and shall be grounds for automatic termination.

Guidelines for EMS employees are found in the Emergency Medical Services Standard Guidelines Manual.

7.05 Holidays

Holidays shall be designated by the Board of County Commissioners. A Career Service employee normally scheduled to work on the designated holiday shall be paid for the number of hours normally worked that day at his or her rate of pay. When the actual holiday falls on a Career Service employee's scheduled work day, the holiday may be observed on the actual holiday instead of the designated holiday. Should the designated holiday not fall on a normal workday of a full time Career Service employee, the employee shall be paid for an additional eight (8) hours at his or her

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rate of pay for the holiday. When work schedules are adjusted by mutual agreement between employee and County Administration, Holiday Pay will be based on a 40 hour workweek. An employee who is not on approved paid leave, and fails to report on the scheduled workday before or after a holiday, shall not be paid for the holiday in proportion to their hours regularly worked during the week.

A Paramedic, Emergency Medical Technician, System Controller or Supply Technician who works on a designated Holiday will be paid double time for working on the Holiday for all hours worked on the Holiday. If an employee works the actual holiday instead of the observed holiday, then the regular employee will be paid double time for working on the actual holiday and regular time for working the observed holiday. If an employee is not scheduled to work on the actual Holiday, the employee will receive an additional 8 hours of EMS Special Leave to use at a later date. Additional guidelines are found in the Emergency Medical Services Standard Operating Guidelines Manual.

7.06 Swing Holiday

Three "Swing Holidays" each year may be scheduled at the employee's convenience, subject to the following provisions:

Upon completion of six (6) months of service, employees become eligible for three Swing Holidays during the remainder of the calendar year. Employees with six (6) or more months of service become eligible for a new Swing Holiday each January 1. Part-time employees are entitled to a prorated Swing Holiday. Temporary (O.P.S.) employees are not eligible for Swing Holiday. EMS full time employees will be eligible for 24 hours of swing holiday every calendar year.

The Swing Holiday may be scheduled at any time throughout the calendar year, but may not be carried over into the next calendar year. Approval of the holiday is required in advance and is subject to work needs and management approval. A request for the Swing Holiday shall be submitted in advance to the employee's immediate supervisor on the official Leave/Compensation Form for Senior Management Service employees and on the official timesheet for Career Service, Executive Support and EMS employees. While supervisors will attempt to accommodate employee desires in scheduling this holiday, the final approval will be reserved for management. Compensation for Swing Holiday is handled the same as Holiday Pay.

Finance/Payroll Division is responsible for maintaining records of Swing Holiday eligibility and use.

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7.07 LEAVE OF ABSENCES – STATUTORY

In order to assist employees with personal situations that occur in their lives, the Family and Medical Leave Act and the Florida Domestic Violence Act provides for unpaid leave in the event the employee meets certain eligibility requirements as defined by the regulations.

7.07.1 FAMILY AND MEDICAL LEAVE ACT:

In accordance with the Family and Medical Leave Act of 1993, eligible County employees are entitled to extended leave without pay under specified conditions. Depending upon the reason, employees may elect to substitute their accrued annual, compensatory, swing, or sick leave for any part of the 12 weeks of leave granted under the Act.

Employees must request coverage through immediate supervisors and the Human Resources Division. Human Resources will interpret provisions of the Act not stated below. In general, the Act provides for the following:

Entitlement

Eligible employees are entitled to a total of 12 workweeks of leave during any 12 month period when leave is taken for one or more of the following circumstances:

- The birth of a son or daughter of an employee and to care for the child;
- The placement of a son or daughter with an employee for adoption or foster care;
- To care for the spouse, son, daughter, or parent of an employee, if the family member has a serious health condition;
- An employee is unable to perform the functions of the position because of the employee's own serious health condition.

Eligible Employees

To be eligible for coverage, an employee must:

- Be a career service, executive support service, senior or executive management service employee, full or part-time;
- Have been working for the County for least 12 months before the leave request; and
- Have worked at least 1,250 hours during that time;

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Notice Requirement

Eligible employees are under a general duty to give 30 days notice of their intent to take leave for foreseeable events, such as the expected birth of a child or planned medical treatments. Thirty days notice is not required in all cases, but the employee must give as much notice as is possible.

Certification

Certification issued by a health care provider must be submitted to the Human Resources Division which includes a statement of:

- The date the condition began;
- Its probable duration;
- Appropriate medical facts; and
- An assertion that the employee is unable to perform the employee's job function, or that the employee is needed to care for a sick family member for a specified time.

An employee may be required to provide certification of ability to return to work.

Restoration

Eligible employees returning from family and medical leave have the right to be returned to the job position that they held when they went on leave, or they may be placed in an equivalent position with equivalent benefits, pay, and other terms and conditions of employment.

Benefits

Eligible employees retain all accrued benefits while on leave.

Health plan coverage is maintained by the County while an employee is on family and medical leave. Provisions for collection of employee contributions to health plan coverage shall be made on an individual basis.

Periodic Reporting

Employees, in consultation with their supervisor, are required to report periodically on their status and plans to return to work.

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7.07.2 Florida Domestic Violence Leave Act

In accordance with Florida Statutes, employees may be granted up to 3 days of unpaid leave in any 12 month period if the employee or a family or household member of an employee is the victim of domestic violence. Employees must exhaust the use of annual leave, compensatory leave, or swing days before going into unpaid leave status.

Eligible Employees

To be eligible for leave an employee must have 3 months of service with Leon County.

Reasons for Leave

Eligible employees may request leave for the following activities:

1. Seeking an injunction for protection against domestic violence or repeat violence, dating violence, or sexual violence;
2. Obtaining medical care or mental health counseling or both for the employee or a family or household member to address injuries resulting from domestic violence;
3. Obtaining services from victims services organizations such as a domestic violence shelter or rape crisis center;
4. making the employee's home secure from the perpetrator of domestic violence or finding a new home to escape the perpetrator;
5. seeking legal assistance to address issues arising from domestic violence or attending or preparing for court related proceedings arising from the act of domestic violence.

Notice Requirement

Except in cases of imminent danger to the health and safety of the employee or family member, the employee shall provide advance notice of the need for leave along with sufficient documentation of the act of domestic violence. This documentation may include copies of restraining orders, law enforcement reports, orders to appear in court, certification from attorney, certification from domestic violence service provider, etc; that the employee is being subjected to domestic violence. Any request for use of this leave will be kept confidential and is exempt from public disclosure until one (1) year after the leave is taken in accordance with Florida law. Employees in need of leave under this provision shall contact Human Resources for the appropriate leave request form.

7.08 Annual Leave Accrual

Annual leave is provided for the purpose of rest, recreation, time with family, travel, and other forms of renewal by getting away from the job. It also enables employees to take care of other time consuming personal matters which may arise from time to time. Annual leave is not intended as a substitute for regular on-time attendance and will not be approved by supervisors to make up for habitual lateness. All regular employees shall be entitled to earn and accrue annual leave. Employees who work less than full-time shall accrue leave in proportion to their hours worked.

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Creditable service for annual leave shall begin to accrue immediately upon employment. For employees joining the County, creditable service for accrual rate purposes shall include state, local government or special district service (only eligible service under Florida Retirement System) as long as any break in service prior to County employment does not exceed thirty (30) working days.

Credits for Career Service annual leave shall be allowed on the following basis:

- A. Eight (8) hours per calendar month effective upon employment.
- B. Ten (10) hours per calendar month after completion of five (5) years service.
- C. Twelve (12) hours per calendar month after completion of ten (10) years service.
- D. Thirteen (13) hours per calendar month after completion of fifteen (15) years service.
- E. Fourteen (14) hours per calendar month after completion of twenty (20) years service.
- F. Sixteen (16) hours per calendar month after completion of twenty-five (25) years service.

Credits for Executive Support and EMS employees (who normally work 2080 hours annually) annual leave shall be allowed on the following basis:

- A. Eight (8) hours per calendar month effective upon employment.
- B. Ten (10) hours per calendar month after completion of five (5) years service.
- C. Twelve (12) hours per calendar month after completion of ten (10) years service.
- D. Fourteen (14) hours per calendar month after completion of fifteen (15) years service.
- E. Sixteen (16) hours per calendar month after completion of twenty (20) years service.

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Sr. Management Service credits for annual leave shall be allowed on the following basis:

- A. Ten (10) hours per calendar month effective upon employment.
- B. Twelve (12) hours per calendar month after completion of five (5) years service.
- C. Fourteen (14) hours per calendar month after completion of ten (10) years service.
- D. Fifteen (15) hours per calendar month after completion of fifteen (15) years service.
- E. Sixteen (16) hours per calendar month after completion of twenty (20) years service.

Executive Service credits for annual leave shall be allowed on the following basis:

- A. Twelve (12) hours per calendar month effective upon employment.
- B. Fourteen (14) hours per calendar month after completion of five (5) years service.
- C. Fifteen (15) hours per calendar month after completion of ten (10) years service.
- D. Sixteen (16) hours per calendar month after completion of fifteen (15) years service.
- E. Seventeen (17) hours per calendar month after completion of twenty (20) years service.

EMS employees (Paramedic, EMT, Supply Technician and System Controller) who are normally scheduled to work in excess of 2080 hours annually will earn annual leave accrual per calendar month on a prorated basis based on the shift/annual hours worked and the following schedule:

Monthly Accrual:

| Years of Service | 12 Hour Shift Day/Night | 9 Hour Shift 5 Days/Week | 12 Hour Shift 4 Days/Week | 24 Hour Shift |
|---------------------|----------------------------|-----------------------------|------------------------------|---------------|
| Upon Employment | 8.5 | 9 | 10 | 11 |
| After Completion Of | | | | |
| 5 Years | 10.5 | 11 | 12 | 14 |
| 10 Years | 12.5 | 13.5 | 14 | 17 |
| 15 Years | 15 | 16 | 17 | 20 |
| 20 Years | 17 | 18 | 19 | 22 |

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Annual leave may be accumulated but may not exceed thirty (30) days or two hundred and forty (240) hours as of October 1 annually unless approved in writing by the County Administrator.

7.09 Request for Annual Leave

A request for annual leave shall be submitted to the employee's immediate supervisor on the official Leave/Compensation Form for Senior Management Service employees and the official timesheet for Career Service and Executive Support Service employees. (The official Leave/Compensation Form can be used as an internal document to request leave in advance.)

Annual leave of four (4) days or more should be requested as soon as possible, but not less than two (2) weeks in advance. Leave may be taken only after approval of supervisor. Approval or disapproval of request for three (3) days or less will be given within the same day. Requests for four (4) or more annual leave days should be given within two (2) working days.

When approved leave has been granted and a County emergency occurs requiring the employee to work, costs associated with leave travel plans which are not reimbursable, will be paid by the County. Guidelines for EMS employees are found in the Emergency Medical Services Standard Operating Guidelines Manual.

7.10 Treatment of Leave for Less Than One Day **Executive Service:**

It is not required that a member of the Executive Service complete a leave form for time less than one full day of absence.

Senior Management Service:

Supervisors may adjust work schedules for a Senior Management Service member who is absent less than one full day. The intent of this practice is by exception and not to be considered general practice. The supervisor is responsible for monitoring the practice and documenting any abuse of this privilege. In cases of abuse, the Senior Management Service member will be required to complete a leave form for time less than one full day of absence.

Executive Support Service and Career Service:

Leave sections of the official time sheet must be completed by members of Executive Support Service, Career Service and EMS for all times of absence from work.

7.11 Duration of Leave

Annual leave shall be limited to twenty-three (23) consecutive calendar days unless approved in advance by the Division Director.

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7.12 Sick Leave Accrual

All regular employees shall be entitled to accrue sick leave. Employees who work less than full time shall accrue sick leave in proportion to their hours worked.

Sick leave is credited at the rate of eight (8) hours per calendar month with no limit to accumulation. Part-time credits are prorated.

EMS employees who are normally scheduled to work in excess of 2080 hours annually will earn sick leave per calendar month on a prorated basis based on the shift/annual hours worked and the following schedule:

Monthly Accrual:

| 12 Hour Shift Day/Night | 9 Hour Shift 5 Days/Week | 12 Hour Shift 4 Days/Week | 24 Hour Shift |
|----------------------------|-----------------------------|------------------------------|---------------|
| 8.5 | 9 | 10 | 11 |

7.13 Uses of Sick Leave

Illness, debilitating injury, pregnancy, childbirth, adoption, medical or dental appointments and care for employee's immediate family are valid uses of sick leave. An employee on annual leave is allowed to convert such leave to sick leave when the employee becomes ill or injured and proper documentation is submitted to Human Resources.

When requesting sick leave for immediate family illness, the person who is ill or injured, as well as the general nature of the illness or injury, must be identified.

An employee who is to be absent from work and wishes to request sick leave shall submit an official Leave/Compensation Form in advance, when possible. Otherwise, the employee shall notify his or her supervisor at the usual reporting time, and then upon returning to work, the employee shall immediately submit to the supervisor an official Leave/Compensation Form for Senior Management Service employees or fill out the leave section of the official timesheet for Career Service, Executive Support or EMS employees. Failure to do so may result in a loss of pay for the absence.

A Supervisor may require a medical statement from a physician for use of sick leave when a pattern of abuse is indicated. Human Resources attendance records are monitored by supervisors and the Human Resources Division, for compliance with established attendance standards (See Attendance Standards in this section).

Use of sick leave under false pretenses, or non-compliance with attendance standards, may be grounds for disciplinary actions up to and including termination.

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7.14 When Earned Sick Leave is Exhausted

No sick leave in excess of the leave accumulated to the employee's credit may be granted. In instances where the illness of an employee extends beyond the employee's sick leave credits, resources through the Sick Leave Pool Program are provided. Annual leave may be approved for sick leave use by the Division Director in special cases.

In instances of illness or injury of an employee that is not a member of the Sick Leave Pool and has exhausted all of their leave balances, they may submit a request to the County Administrator through the Human Resources Director for *Contributions of Sick Leave*.

Days lost due to illness that are not credited to sick or annual leave or compensated through the Sick Leave Pool Program, may be charged as leave of absence without pay when approved by the supervisor.

7.15 Method of Leave Accumulation

- A. Upon employment, annual and sick leave shall be credited at the rate of one quarter (1/4) the appropriate monthly amount for each forty (40) hours of actual work completed during the initial month of employment.
- B. Upon separation, annual leave shall be credited at the rate of one quarter (1/4) the appropriate monthly amount for each forty (40) hours of actual work completed during the final month of employment.

Annual and sick leave shall be credited on the first day of the month following the month the leave was accrued. If an employee has insufficient leave credits to cover a period of absence, he or she shall be placed on leave without pay. In such cases, appropriate payroll adjustments shall be made for the period during which the absence occurred.

No leave shall be granted for less than one half (1/2) hour, nor in increments of less than one quarter (1/4) hour.

7.16 Transfer Credits

Regular employees hired from the state government or a local government (only eligible service under Florida Retirement System) may transfer up to thirty (30) days (240 hours) of accumulated sick leave to their sick leave account with the County, if the break in service prior to County employment does not exceed thirty (30) working days.

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7.17 Credit for Unused Sick Leave

Upon separation from County employment an employee shall be compensated for one-fourth (1/4) of his/her accumulated unused sick leave. Annually, when an employee has accumulated over 240 hours of sick leave a maximum of twenty-four (24) hours may be transferred from sick leave to annual leave or placed in a Leave bank for consideration at retirement time. An employee may choose to Bank portions of the unused sick leave, when annual leave does not exceed 240 hours. At retirement, all banked sick time, will be paid out in full. Should the employee leave the employment of the County prior to retirement, banked sick leave time is forfeited. Should the employee die while employed with the County the banked sick leave will be paid to the beneficiary.

7.18 Military Leave

Long term leave is extended to an employee who is drafted or who volunteers for active military service. This leave begins the day of induction and ends ninety (90) days after the date of separation from service or from hospitalization continuing after discharge. Active military service includes active duty with any branch of the Armed Services.

When an employee is granted military leave for active military service, the employee's position may be filled by another employee. , upon separation from the military service, not more than five (5) years from date of induction, the employee shall be eligible to return to the position held. However, the employee may be placed in another class with duties the employee is able to perform.

Application for reinstatement following extended leave must be made within ninety (90) days after completion of military service and within thirty-one (31) days after completion of initial active duty for training of not less than three (3) months.

An employee who is a member of the United States Armed Forces Reserve, including the National Guard, shall upon presentation of a copy of the employee's official orders be granted leave with pay for periods during which the employee is ordered to active duty for training. Whether continuous or intermittent, such leave with pay shall not exceed seventeen (17) working days in any one annual period.

An employee who is a member of the United States Armed Forces Reserve, including the National Guard, and is ordered to active duty (not active training) shall upon presentation of a copy of the employee's official orders, be granted military leave. The first thirty (30) calendar days of such leave shall be with pay, and the remainder without pay. Leave payment of this type shall be made upon receipt of evidence from the appropriate military authority that thirty (30) days of active military service has been completed.

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7.18.1 Disaster Leave

- A.** An employee who is a Certified Disaster Service Volunteer of the American Red Cross may be granted a leave of absence with pay for not more than 15 working days in any 12 month period to participate in specialized disaster relief services for the American Red Cross. Such leave of absence may be granted upon the request of the American Red Cross and upon the approval of the County Administrator. An employee granted leave under this section shall not be deemed to be an employee of the county for purposes of workers' compensation. Leave under this policy shall be granted only for services related to a disaster occurring within the boundaries of the State of Florida.
- B.** An employee who is a Volunteer Firefighter with a Volunteer Fire Department may be granted a leave of absence with pay for not more than 15 working days in any 12 month period to participate in specialized disaster relief services. The Volunteer Fire Department must be part of a group that has been activated by the State of Florida. The request to utilize the employee in disaster relief must be requested by the Volunteer Fire Department Chief. Upon approval of the County Administrator, the employee shall be released from duty to participate in the disaster relief. An employee granted leave under this section shall not be deemed to be an employee of the County for any purpose, including but not limited to workers' compensation laws. Leave under this policy shall be granted only for those services related to a disaster occurring within the boundaries of the State of Florida.

Employees requesting to volunteer to work in disaster relief services must contact Human Resources for the request form and obtain approval from the County Administrator

7.19 Administrative Leave

Administrative Leave is "paid leave" and will not be considered for the purposes of overtime calculation.

Approval of administrative leave is limited to an amount necessary to bring the employee to full pay (40 hours of work in the work week or pro-rated for part time employees). In no case can the approval of administrative leave cause the employee to exceed the number of hours s/he is normally scheduled in the work week. (The only exception is for those employees required to work during "state of emergency" situations, please reference Section 5.13).

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Administrative Leave may be authorized for the following reasons:

- A. **Court** - An employee who is summoned as a member of a jury panel or is subpoenaed as a witness, not involving personal litigation, shall be granted leave with pay. EMS employees who are subpoenaed as a witness for another employer will not receive Administrative Leave and will not be paid by Leon County for the time served in court. Employees shall not be reimbursed by the County for meals, lodging, or travel expenses incurred while serving as a juror or witness. The employee shall be required to submit a copy of the summons or subpoena when requesting this type of administrative leave.
- B. **Donating Blood** - An employee may be granted up to two (2) hours of leave with pay for the purpose of donating blood.
- C. **Death in Immediate Family** - An employee shall, upon request be granted three (3) days of leave with pay on the death of a member of the employee's immediate family. Sick leave may also be used for death in the immediate family. (See definition of Immediate Family in Sec. I.)

Employees must notify the supervisor of the deceased relative's name and relationship to the employee. Proof of the death may be requested by the supervisor.

- D. **Natural Disasters** - The County Administrator or designee shall have the authority to close County offices due to natural disasters such as hurricanes, tornadoes, or floods. All employees affected shall be granted administrative leave with pay for the hours they would have normally been scheduled to work during such "state of emergency". Employees, who are on previously scheduled Annual Leave or Sick Leave, will have these "Emergency" status hours converted to Administrative Leave. (For process in handling employees who are required to work during such states of emergency, reference Section 5.13, State of Emergency Pay). See Section 5.13, Emergency Guidelines for Compensation, Work Hours and Work Assignments for eligibility to receive Administrative Leave. The length of Administrative Leave granted will be determined by the County Administrator. For extended periods of disasters, employees may be required to use their own personal leave.
- E. **Leon County Employee Volunteer Services Program, "PROJECT LEAD"** (Leon Employees Are Dedicated) - Each full-time employee may be granted up to one hour of administrative leave per week, not to exceed five hours per calendar month, to participate in PROJECT LEAD.

Approved volunteer opportunities are listed on the Leon County Volunteer Services website, www.volunteerleon.org, and may include the following school or community volunteer activities; mentoring, tutoring, guest speaking, mediating, and

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Red Cross Disaster volunteering when participating in an established program serving a school district or community agency and providing any related services that meet human needs under the direction of the program or volunteer coordinator.

The supervisor may approve the aggregated use of up to four hours in any calendar month, provided the department head or the department head's designee deems such usage appropriate for the delivery of services under the paragraph above. In such cases no further administrative leave shall be granted pursuant to the paragraph above until one week has elapsed for every additional hour taken in the aggregate. For example, if an employee volunteers for four (4) hours in **one** day, he/she must wait 4 weeks before volunteering again.

In granting administrative leave for any purpose under this section, the supervisor shall take into consideration the impact of such leave on the employees' work unit.

- F. *Election Volunteer*** - Up to (8) hours of administrative leave may be granted by the County Administrator (or designee) to non-OPS employees who, on a regularly scheduled County work day, serve as an elections day poll worker for the Leon County Supervisor of Elections. Eight hours is the maximum number of administrative leave hours that will be awarded to an employee for serving as a poll worker on an elections day, regardless of the number of hours an employee is regularly scheduled to work that day. Administrative leave hours for part-time employees will be pro-rated. Each request must be submitted in writing to the employee's supervisor, who upon consideration and approval will forward it to the County Administrator (or designee). Advance approval by both the employee's supervisor and the County Administrator (or designee) is required for leave authorization. The approved request must be attached to the employee's time sheet (or leave/compensation request form) and submitted to payroll for payment.
- G. *Formal Investigations*** - An employee under formal investigation or an employee who is participating in an investigation for a violation of rules, policies or procedures for which suspension or dismissal may result, may temporarily be assigned other duties if deemed advisable, or may be placed on administrative leave with or without pay if the employee's absence from the work location is deemed appropriate. The period of the temporary assignment or the administrative leave shall not exceed 20 working days for each investigation. Administrative leave may be granted by department/division directors upon consultation and approval of the Human Resources Director. Each request shall be immediately reported in writing by the Human Resources Director to the County Administrator for approval.
- H. *Other reasons*** - Administrative Leave may be granted by the Board or by the County Administrator for education and other job related purposes not paid for or provided by the County policy, when such leave is deemed of benefit to the operations of the

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County government.

Leave shall be authorized in writing, and documented on the official Leave/Compensation Request Form or on the official time sheet.

Leave credit shall be accrued during such periods of paid leave.

If an employee does not use administrative leave as authorized in this section, the employee shall not accrue or be paid for such unused leave.

7.20 Parental Leave

Disabilities and recovery from pregnancy, miscarriage, abortion, childbirth, shall be considered temporary disabilities, and the sick leave policy shall be applied to such disability on the same terms and conditions as applied to other temporary disabilities.

Parental leave shall be granted to any regular full-time employee, for a period beyond the period of disability for the purpose of infant care, recuperation, etc. Parental leave shall also be granted on the same terms for purposes of child adoption. An employee shall be permitted to utilize accumulated sick or annual leave during the parental leave period for purposes of receiving pay during that period.

Parental leave granted for pregnancy, maternity, spouse's maternity and adoption purposes may be without pay.

At the expiration of parental leave, the employee shall be entitled to return to the position temporarily vacated.

Credit toward annual or sick leave shall not be earned during the unpaid portion of parental leave. For the portion of parental leave during which pay was received, leave credits shall be calculated by totaling the time paid, and crediting leave at the rate of one quarter (1/4) the appropriate monthly amount for each full week of pay received.

Prior to taking leave the employee shall notify the Department/Division Director in writing 30 days prior to the date the absence is expected to begin along with the official Leave/Compensation forms, and whether or not insurance coverage is desired during the leave period. The employee shall be covered by insurance benefits for the duration of the leave, provided the employee continues appropriate payment of insurance costs.

Parental leave shall not constitute a break in service.

Failure on the part of the employee to report promptly at the expiration of parental leave may be cause for termination.

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An employee whose annual performance review date occurs during parental leave shall have a Performance Evaluation within thirty (30) days of the date the employee returns to work. Any merit or general increases missed by virtue of being on leave shall then be retroactive to date of return.

An employee may continue to work as long as the condition of pregnancy does not impair work performance.

Parental leave shall not exceed ninety (90) calendar days after the date of delivery unless the employee presents a medical statement from a licensed practicing physician stating the employee is medically unable to return to work, or unless other compelling documented reasons are approved by the Division Director allowing additional leave time up to one year.

Requests for Parental leave beyond the period mentioned will be treated in the same manner as employee requests for approved leave of absence for other purposes.

An employee shall be returned to active status by submitting a Status Change Form to the Human Resources Division.

7.20.1 Procedure: Parental Leave

Upon receipt of the written request for Parental Leave, the Department/Division Director must complete a Personnel Action form spelling out the anticipated period of leave and forward it to the Human Resources Division along with a copy of the written request.

7.21 Approved Leave of Absence Without Pay

Division Directors may grant an employee approved leave of absence without pay on a full or part-time basis for a period not to exceed ninety (90) days, or up to one (1) year with approval by the County Administrator, subject to the following conditions:

Leave without pay should be granted only when it is in the interest of the County to do so. Such leave must be justified and not be detrimental to the operations of the department. Funds expended for substitute staff and related operating expenses may not exceed the amount that would be expended if the employee had remained on the job.

- A. Leave without pay may be granted for an employee to attend a college, university, or other accredited educational institution, for the purpose of receiving training and education, subject to the following guidelines:

The education to be received must be directly related to the employee's current job, or related to a job function the employee may reasonably be expected to perform, and is of apparent benefit to the department.

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The employee must have over two (2) years of service with the County, and must have met overall performance expectations for the most recent two (2) years of employment (no less than an overall "Expected" performance rating).

Upon completion of such leave, the employee will be expected to return to full-time employment with the County for a minimum length of time equal to the time spent on leave.

- B. Family Leave - Leave without pay may be granted for personal disability of the employee or disability of an employee's spouse, son, daughter, or parent(s) requiring care by the employee. Caring for elderly parents is covered under this policy.
- C. Other compelling reasons.

At the expiration of a leave of up to ninety (90) days without pay, the employee shall be returned to the position temporarily vacated.

Credit toward annual or sick leave shall not be earned during full-time leave without pay. Employees on a partial leave of absence without pay shall be paid for holidays and accrue leave benefits in proportion to their hours regularly worked during the week.

Prior to taking leave without pay in excess of twenty (20) hours a week, the employee shall notify the Department/ Division Director in writing whether or not insurance coverage is desired during the leave period. The employee shall be covered by insurance benefits for thirty (30) days from the commencement of the leave, provide the employee continues to pay any employee portion of insurance costs. After thirty (30) days, the employee pays the full cost of the insurance premiums.

Approved leave without pay shall not constitute a break in service except that creditable service for purposes of determining the employee's annual leave accrual rate shall not be earned during periods of full-time leave without pay in excess of thirty (30) days.

Request for such approved leave shall be made on the official Leave/Compensation Request Form in advance, and to be recorded on the official time sheet for career service and executive support service employees.

Failure on the part of the employee to report promptly at the expiration of approved leave without pay may be cause for termination.

7.22 Unauthorized Absence

An absence of an employee from duty, including any absence for a single day or part of a

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day, that is not authorized by a specific grant of leave of absence under the provisions of these regulations shall be deemed an unauthorized absence. Any such absence shall be without pay and may subject the employee to disciplinary action.

7.23 Workers' Compensation Leave

Workers' Compensation Leave is "paid leave" and will not be considered for the purposes of overtime calculation.

An employee who sustains a job-related disability that is compensable under the Workers' Compensation Law shall be carried in full pay status for a period not to exceed seven (7) calendar days without being required to use accrued leave credits. Such pay will be contingent upon written confirmation of inability to work from the attending physician treating the employee. If the employee receives Workers' Compensation benefits for this period of leave with pay, the employee shall reimburse the County the amount of the benefits. Such reimbursement shall not include payments for medical, surgical, hospital, nursing, or related expenses, or lump-sum or scheduled payments of disability losses.

If the employee is unable to resume work at the end of the seven (7) calendar day period:

The employee may elect to use accrued sick, compensatory, or annual leave in an amount necessary to receive salary payment that will supplement the Workers' Compensation payments to the total salary being received prior to the occurrence of the disability. If the employee elects to use accrued leave to supplement worker's compensation benefits, the employee's compensation shall revert to standard Workers' Compensation benefits when accrued leave is exhausted. In no case shall the employee's combined salary and Workers' Compensation benefits exceed the amount of the employee's regular salary payments; or

if the employee elects not to use accrued leave, the employee shall receive normal Workers' Compensation benefits; or if, in the opinion of the Accident Review Board (ARB), the employee's actions were heroic, a recommendation for 100% compensation of wages shall be forwarded to the County Administrator. Upon approval by the County Administrator, the request shall be forwarded to the Board for final approval. "Heroic Action" is defined as follows:

Heroic Action: A Heroic Action is when an employee, without regard for his/her own safety, goes beyond normal job responsibilities in an attempt to prevent an accident or correct a potential hazard of life threatening proportions for himself/herself or others, and is subsequently injured. The hazard which brought about the heroic action must be real, imminent, and life threatening. Others injured in the accident may be considered heroic if their actions, or lack thereof, did not contribute to or cause the

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accident.

Refer to the Leon County Safety Manual for Accident Report forms and procedures.

7.23.1 Reporting an Accident

At the time that an accident occurs, there is an assessment of the severity of injury sustained by the employee by the supervisor.

1. If the injury is life threatening or is of a very serious nature, the supervisor is responsible for getting the employee immediately to a hospital. Should such an accident occur away from the office, the supervisor is responsible for communicating with the office and for filing the Notice of Injury form with Risk Management within twenty-four (24) hours after the accident.
2. If the injury requires medical treatment, but is not life threatening or of a very serious nature, the supervisor is responsible for getting the employee immediately to a Physician's Care Center Patients First Medical Clinic. Should such an accident occur away from the office, the supervisor is responsible for communicating with the office and for filing the Notice of Injury form with Risk Management within twenty-four (24) hours after the accident.
3. If the injury requires no medical treatment the Notice of Injury form is completed by the employee immediately and the supervisor is responsible for filing the form in Human Resources within twenty-four (24) hours after the accident.

Accidents are investigated by the Risk Management Office with results forwarded back to the Department/Division. Identified unsafe acts by employees may be subject to disciplinary actions.

Refer to the Leon County Safety Manual for Accident Report forms and procedures.

7.23.2 Procedure: Extending Salary During Workers' Compensation Leave

In those cases where the employee has elected to use accrued leave credits, has exhausted all accrued sick leave credits, and is still unable to return to work, the Board may approve a request for an extension of disability leave with pay. In such cases, the Division Director must submit to the County Administrator, along with the request for authority to carry the employee in pay status, a medical report which gives a current diagnosis of the employee's physical condition and a prognosis regarding his or her recovery and ability to return to work. The request from the Division Director shall specify the period for which the extension of disability leave with pay is requested and shall state the reasons why the extension is

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recommended by the department and any other pertinent information so as to why such an action is in the best interests of the County.

7.24 Sick Leave Pool

Twice a year the County will offer open enrollment to the Sick Leave Pool. Notification of open enrollment will be posted. The requirements for eligibility are as follows:

- Full-time employees:**
- [1] One year of employment with the County.
 - [2] At least 64 hours of unused sick leave credit at the time of enrollment.
 - [3] Donation of 8 hours of sick leave to the pool.
- Part-time employees:**
- [1] One year of employment with the County.
 - [2] At least 32 hours of unused sick leave credit at the time of enrollment.
 - [3] Donation of hours to the sick leave pool are prorated according to number of hours worked.

A participating employee may be granted sick leave from the Pool only after depletion of all personal accrued sick, annual and compensatory leave credits.

7.24.1 Procedure: Establishing Sick Leave Pool Committee

1. The Sick Leave Pool Committee shall be elected through nomination and vote. Only members of the Sick Leave Pool may participate in the election of Sick Leave Pool committee members. The election process shall be performed through correspondence to each member of the Sick Leave Pool. Results shall be published in the next employee newsletter.

All nominations must meet established criteria to be eligible to serve as a member of the Sick Leave Pool Committee. Criteria include the following:

- (a) Must be a member of the Sick Leave Pool.
 - (b) Must have a minimum of 100 hours of sick leave accrued at the time of nomination.
2. The Sick Leave Pool Committee shall consist of 5 standing members and 2 alternates.

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Each standing member shall serve for a term of two years. Vacancies shall be filled with alternates. The alternates shall be identified as first and second alternate. Alternates shall not vote unless serving in a position vacated by a standing member.

Initial Sick Leave Pool Committee members shall serve staggered terms with three members serving for a period of two years and two members serving for a period of one year. Alternates shall serve for a term of two years. Thereafter, all terms shall be for a period of two years.

If a vacancy occurs on the committee prior to the end of the term, the committee member identified as the first alternate shall move into the vacated post. The second alternate shall then assume the role of first alternate and a second alternate shall be elected through the established process.

The Sick Leave Pool Committee shall appoint a Chairperson who will serve as spokesperson in all administrative matters.

7.24.2 Procedure: Administration of the Sick Leave Pool

1. The County Administrator or designee shall appoint a Sick Leave Pool Administrator. The Administrator of the Pool shall not be a voting member of the Sick Leave Pool Committee.
2. The Sick Leave Pool Administrator shall meet with the committee to review the petitioning employee's individual sick leave accounts. The Administrator shall also maintain accurate and reliable records relative to all functions of the Pool.
3. A standardized application for use of the Sick Leave Pool shall be utilized by all petitioners.
4. Upon receipt of a completed application, the Sick Leave Pool Committee shall approve or deny a request for use of the Pool within 3 to 5 working days. Leave may be granted retroactive and may also be granted incrementally.
5. If all criteria for use of the pool have been met, and the Committee approves the request for use of the Pool, the Committee may approve the amount of leave recommended by the physician, provided the amount does not exceed 480 hours.
 - (a) Committee procedure will include approving increments up to 240 hours. Approval for more than 240 hours, not to exceed 480 hours, will require updated physician documentation.
6. In the event the employee returns to work prior to using all leave granted, any unused

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leave shall be returned to the Sick Leave Pool.

7.24.3 Procedure: Membership Requirements

1. Participation in the Sick Leave Pool shall at all times be voluntary. Full-time employees may participate in the Sick Leave Pool after completion of one year of employment with the County, provided the employee has at least 64 hours of unused sick leave credited to his or her leave account at the time of enrollment. Part-time Career Service employees may participate in the Sick Leave Pool after completion of one year six months of employment with the County, provided the employee has at least 32 hours of unused sick leave credited to his or her account at the time of enrollment.
2. Eligible employees may request membership in the Sick Leave Pool during open enrollment periods, which occur once every six months. Membership requests shall be made in writing to the Administrator of the Pool.
3. Full-time Career Service employees, will contribute 8 hours of sick leave, and Part-time Career Service employees will contribute sick leave in proportion to their hours worked upon enrollment in the Sick Leave Pool. Thereafter, full-time employees will contribute 8 additional hours, and part-time employees will contribute in proportion to their hours worked. Each time the Pool is depleted to 200 hours or less. All sick leave contributed to the Pool shall be placed into the Sick Leave Pool account. Employees shall be notified, and must approve in writing, each contribution.
4. A participating employee shall not be allowed to "donate" to the Sick Leave Pool any unused or unpaid sick leave from their individual sick leave balance at the time of retirement or termination.
5. A participating employee shall be allowed to make a voluntary lump sum contribution, not to exceed 80 hours, during "Emergency Requests for Contributions", as outlined in 7:24D.10.

7.24.4 Procedure: Maintenance of the Sick Leave Pool

1. When 200 hours have been deposited in the Sick Leave Pool, the Pool will be activated for use by the eligible participating employees.
2. A participating employee may be granted sick leave from the Pool only after depletion of all personal accrued sick, annual and compensatory leave credits. Sick leave withdrawn from the Pool may be used only for the employee's personal illness, accident, or injury. The following occurrences or situations shall not be considered personal illness, accident, or injury for the purposes of this rule and shall not entitle participating employees to

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draw from the Sick Leave Pool:

- (a) Cosmetic surgery, unless such cosmetic surgery results in serious complications or was necessitated by an illness, accident, or injury not excluded under this subsection.
- (b) Illness, accident, or injury to a member of the employee's family.
- (c) Normal pregnancy and delivery without serious complication.

In addition, the following occurrences or situations shall be reviewed on a case-by-case basis and may entitle participating employees to draw from the Sick Leave Pool:

- (d) Participating in or voluntary commitment to a psychiatric facility, detoxification center, or similar rehabilitation program.
 - (e) Intentionally self-inflicted injuries such as injuries resulting from a suicide attempt.
3. Prior to authorizing the use of sick leave from the Pool, the Committee may/shall require medical certification of the accident, illness, or injury for which the use of sick leave is requested.
 4. At least three-fifths $3/5$ of the Committee shall vote in the affirmative on the number of hours to be granted to the requesting employee. Hours may be granted in increments up to 240 hours. After the initial 240 hours has been granted, an updated physician's documentation will be required to grant hours up to a maximum of 480 hours. However, not more than 480 hours shall be withdrawn from the Pool per full-time employee, and not more than a proportional amount shall be withdrawn from the Pool per part-time employee within a twelve month time frame from first award.
 5. A participating employee who withdraws sick leave hours from the Pool shall not be required to replace those hours, except as a regular contributing member of the Pool.
 6. If participating full-time employee's individual sick leave balances are less than 8 hours at the time the Pool is depleted (a balance of 200 hours constitutes depletion), or if participating part-time employees' individual sick leave balances are less than the proportional amount at the time the Pool is depleted, the member will be dropped from membership and must re-qualify to re-join the Pool.
 7. During a personal illness, accident, or injury covered by Workers' Compensation, an eligible employee may elect to use sick leave from the Pool in an amount necessary to receive salary payments that will increase the Workers' Compensation payments to

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the total salary being received prior to the occurrence of the illness, accident, or injury. Under no circumstances shall the employee's salary and Workers' Compensation benefits exceed the amount of the employee's regular salary payments.

8. Any sick leave contributed to the Sick Leave Pool by a participating employee shall be forfeited upon the employee's cancellation of membership in the Pool, retirement, or termination from County employment.
9. Alleged abuse of the Sick Leave Pool shall be investigated by the Administrator of the Pool, and if warranted, the participating employee shall repay all sick leave credits drawn from the Pool and may have his or her membership in the Pool canceled by majority vote of the Committee. In addition, the employee may be subject to disciplinary action.
10. Emergency Requests for Contributions. In the event that requests for Sick Leave Pool assistance exceeds available hours, an emergency request for contributions will be sent in writing to all members. Emergency contributions may not exceed 80 hours per contributing employee and may not deplete the employee's sick leave balance below 64 hours. Non-members may join the pool during emergency contribution requests providing they meet membership requirements.