

## Rule 4. Time Off

All forms of accumulated or gained leave shall be exhausted prior to the request and use of leave without pay, except as provided in the Pinellas County Family Medical Leave Act Handbook (FMLA Handbook); in a Declared Emergency as provided in Rule 3; or approved by the Appointing Authority.

### A. Recognized Holidays

Eligible County employees will be allowed holiday leave with pay on the following recognized County holidays:

New Year's Day	January 1
Martin Luther King Jr. Holiday	Third Monday in January
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veterans Day	November 11
Thanksgiving Day	Fourth Thursday in November
Friday after Thanksgiving	
Christmas Day	December 25

If Christmas or New Year's Day falls on Tuesday or Thursday, the preceding Monday or following Friday will also be recognized as a holiday.

If any recognized holiday falls on a Saturday, the preceding Friday will be observed as a holiday and if any recognized holiday falls on a Sunday, the following Monday will be observed as a holiday.

#### 1. Eligibility:

- Regular status employees of the Unified Personnel System.
- Temporary employees with 30 days or more of continuous service.
- For those employees working part-time, holiday pay will be computed according to the ratio that the employee's normally scheduled workweek bears to a 40 hour workweek.
- Airport Firefighters and Fire Lieutenants assigned to a work week schedule of 48 hours will earn 14.4 hours for each of the recognized holidays.

#### 2. Exceptions:

For purposes of this rule, non-pay status shall mean an employee who is not receiving any pay or whose only source of pay is Workers' Compensation or short term disability.

- Employees in a non-pay status for the entire pay period during which the holiday falls will not be eligible for holiday leave with pay.
- Employees receiving Workers' Compensation or short term disability during a week that includes a holiday and who are also in a paid status during that week will have holiday pay prorated pursuant to the rules of those respective benefits.

### **3. Application:**

- a. Classified employees who are required to work the calendar holiday, the observed holiday, or both will be compensated for all hours worked on those days at the overtime rate of pay, regardless of the actual number of hours worked in the week and in addition to being compensated for the County observed holiday at the regular rate of pay. At the discretion of the Appointing Authority, compensation may be in cash or as compensatory time.
- b. In the event a recognized holiday is observed while an employee is on leave with pay, the recognized holiday will not be charged against the employee's accumulated leave and the employee will be compensated for the holiday.
- c. Employees whose standard work day is greater than eight hours may add the necessary number of hours from any accumulated leave to bring the total number of hours to that of their standard work day unless doing so causes the number of hours in the workweek to exceed their normally scheduled workweek. These additional hours will be considered scheduled leave. Departments may also offer additional work hours during the week chosen in order to make up the difference if such is deemed in the interest of the department.

### **B. Floating Holidays**

Eligible regular status County employees will be allowed floating holidays with pay on dates selected by the employee each payroll year as follows:

#### **1. Eligibility:**

- a. Regular status employees will be allowed three floating holidays with pay.
- b. Employees who have completed 25 years of service will be allowed two additional floating holidays beginning with the next payroll year and each payroll year thereafter.
- c. New hires into permanent positions entitled to floating holidays based on their hire date from the beginning of the payroll year:
  - Two floating holidays – hire date from beginning of payroll year through April 30
  - One floating holiday – hire date of May 1 through August 31
  - No floating holidays – hire date of September 1 through the end of the payroll year
- d. Airport Firefighters and Fire Lieutenants assigned to a 48 hour work week will earn 14.4 hours for each floating holiday.

#### **2. Application:**

- a. Floating holidays for employees with a normally scheduled workweek of at least 40 hours are for eight hours pay, and a prorated number of hours for employees with a workweek of fewer than 40 hours computed according to the ratio that the employee's workweek bears to a 40 hour workweek.
- b. Employees whose standard work day is greater than eight hours may add the necessary number of hours from any accumulated leave to bring the total number of hours to that of their standard work day unless doing so causes the number of hours in the workweek to exceed their normally scheduled workweek. These additional hours will be considered scheduled leave. Departments may also offer additional

work hours during the week chosen in order to make up the difference if such is deemed in the interest of the department.

- c. Floating holidays must be scheduled and approved in accordance with the Appointing Authority's established guidelines for scheduled annual leave.
- d. Floating holidays must be used during the payroll year in which they are gained.
- e. Holiday overtime provisions do not apply to floating holidays.
- f. Floating holidays may be taken in two hour increments.

### C. Annual Leave

Annual leave is provided for the purpose of vacation, personal business, emergencies, illness, medical and dental appointments, and any other reason an employee cannot be present at work.

#### 1. Eligibility:

Annual leave is accumulated in accordance with the following schedule:

Employee Category	Hours of Annual Leave Earned per Year					
Years of Service	1 – 2	3 - 4	5 - 9	10 - 14	15 - 19	20+
Classified Service and Temporary Exempt Service <sup>1 2 3</sup>	120	136	160	184	208	232
Airport Firefighters and Airport Fire Lieutenants <sup>4</sup>	144	164	192	221	250	279
Exempt Service <sup>2 3</sup>	144	160	184	208	232	256
<p>1 Excludes temporary Classified employees with less than 30 days of continuous service.</p> <p>2 Partial accumulation of annual leave is authorized for employees who are generally scheduled for less than a 40 hour workweek in a ratio which reflects the direct proportion that the generally scheduled hours bear to a 40 hour workweek.</p> <p>3 No accumulation of annual leave is authorized for any time worked beyond a 40 hour workweek.</p> <p>4 No accumulation of annual leave is authorized for any time worked beyond the 159 hours during the established 21 consecutive work day period.</p>						

#### 2. Application:

- a. Up to one year of continuous temporary service immediately preceding appointment to a permanent position will be counted for purposes of seniority in accruing annual leave.

- b. Having annual leave in one's leave bank does not guarantee that requested time off will be approved. Managers and supervisors may deny an employee's request for time off for business reasons.
- c. Except as provided within the FMLA Handbook or during a Declared Emergency, all annual leave must be expended prior to the use of leave without pay.
- d. Annual leave is not earned when an employee is in a non-pay status.
- e. There is no limitation on the number of annual leave hours which may be accrued.
- f. Advance payment for annual leave is prohibited.
- g. Annual leave must be scheduled in advance according to the Appointing Authority's requirements. Leave not requested and approved in accordance with such requirements will be considered unscheduled and may result in disciplinary action.
- h. When an employee is transferred within the Unified Personnel System the employee's accumulated annual leave will also be transferred and such leave, when taken, will be chargeable to the department to which the transfer was made.
- i. Annual leave will not be earned when used in conjunction with a resignation, retirement or other separation from service.
- j. Payment for annual leave will be made on the regular pay date at the employee's applicable rate of pay when used.
- k. Upon separation, employees shall receive lump sum payment for all unused annual leave up to a maximum of three times the employee's annual leave accrual rate. Such payment shall be made at the employee's regular rate of pay at the time of separation. Payment for such leave shall be made in accordance with the Florida Statutes.

**D. Extended Illness Leave** *(This provision applies only to employees hired before 1995 who have an Extended Illness Leave balance.)*

Accrued extended illness leave may be granted for any absence.

**1. Disposition Upon Separation**

- a. Upon separation, employees shall receive lump sum payment for 50% of all unused extended illness leave. Such payment shall be made at the employee's base rate of pay at the time of separation. Payment for such leave shall be made in accordance with the Florida Statutes.
- b. Payments made pursuant to this section shall not be considered in any State-administered retirement system as salary payments, and shall not be used in determining the average final compensation of an employee in any State-administered retirement system.

**2. Disposition for Transferred Employees**

When an employee is transferred within the Unified Personnel System, the employee's accumulated extended illness leave shall also be transferred and such leave, when taken, shall be chargeable to the department to which the transfer was made.

**3. Coordination with Disability Income Plans**

The County offers Short Term Disability (STD) as well as Long Term Disability Insurance. Benefits are governed by the plans in place at the time of disability. An

employee is not eligible for STD benefits until exhausting all extended illness leave. In no event shall an employee receive any combination of extended illness and STD for longer than the employee would have been eligible to receive STD.

## **E. Personal Day**

### **1. Eligibility:**

Employees in permanent positions will be allowed one 8 hour Personal Day, except that Classified employees serving their first year of employment in a permanent position are not eligible for the Personal Day.

### **2. Application:**

- a. The Personal Day is for eight hours pay for employees with a generally scheduled workweek of at least 40 hours and a prorated number of hours for employees with a workweek of fewer than 40 hours computed according to the ratio that the employee's workweek bears to a 40 hour workweek.
- b. Employees whose standard work day is greater than eight hours may add the necessary number of hours from any accumulated leave to bring the total number of hours to that of their standard work day unless doing so causes the number of hours in the workweek to exceed their generally scheduled workweek. These additional hours will be considered scheduled leave. Departments may also offer additional work hours during the week chosen in order to make up the difference if such is deemed in the interest of the department.
- c. The Personal Day may be used in four hour increments.
- d. Employees must notify their supervisor of their intent to use the Personal Day as soon as practicable. The Personal Day will not be considered when evaluating the employee's attendance.
- e. If taken immediately before or after a recognized holiday, the Personal Day must be scheduled and approved in advance in accordance with department requirements for other schedule leave or will be considered unscheduled.
- f. The Personal Day must be used in the payroll year in which it is gained.

## **F. Funeral Leave**

Eligible employees may be granted three days leave of absence with pay in the event of the death of any person residing in the employee's household or any member of the employee's immediate family.

### **1. Eligibility:**

Employees in a permanent position including those in a probationary status.

### **2. Application:**

- a. Immediate family shall mean spouse, child, parent, sister, brother, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, stepfather, stepmother, stepchildren, grandparents, grandparent-in-law or grandchildren of the employee.
- b. At the discretion of the Appointing Authority, additional time may be granted as scheduled leave. The time will be chargeable to any accumulated leave the employee has, or if the employee has no accumulated leave, to leave without pay.

#### **G. Jury Duty and Witness Duty**

Leave of absence with pay will be granted to an employee to perform jury duty or testify as a witness when legally required unless the employee is the plaintiff or defendant. Presentation of a summons or subpoena to appear in court is required before such leave is granted.

#### **H. Injury**

An employee who has sustained a compensable workers' compensation injury, has not reached maximum medical improvement (MMI) and has returned to work but whose injury necessitates that palliative or remedial care from their authorized physician be continued will be allowed reasonable leave with pay of up to 10 hours per pay period for treatment and travel to and from the authorized physician. Payment for absences beyond a total of 10 hours per pay period will be offset by the use of any accumulated leave.

#### **I. Other Leave of Absence With Pay**

Upon approval of the Appointing Authority, other leaves of absence with pay may be allowed if such leave is deemed to be in the best interests of the organization.

#### **J. Other Leave of Absence Without Pay**

Upon request of an employee, an Appointing Authority may grant a leave of absence without pay for any reason deemed to be in the best interest of the organization and may require presentation of appropriate documentation in support of such request.

#### **K. Military Training/Duty**

Leave of absence for military training and duty will be granted in accordance with Florida and Federal law.

#### **L. Unauthorized Absence**

Unauthorized absences from work for a period of three consecutive working days may be considered as the employee's voluntary resignation by the Appointing Authority.