

CITY OF GAINESVILLE


Inter-Office Memorandum

Human Resources Department
Box 20

334-5077
fax 334-2291

TO: Paula Delaney
Mayor

Edward L. Jennings, Sr.
Commissioner

FROM: Tom Motes 
Human Resources Director

DATE: March 29, 2000

SUBJECT: Summary of Revisions to Policies 8,10,11,18,26 and 29

Policy #8 Sick Leave – Strikeout Version

Section 1 – Change reflects what is the current practice. Our Payroll system was converted in 1996 and the new system tracks in hours/minutes.

Section 2 – Change reflects legal issue that employees are regular and not permanent.

Section 3

- Subsection A - Change reflects language that is similar to CWA contract.
- Subsection B - Change reflects language that is similar to CWA contract.
- Subsection C - Change reflects language that is similar to CWA contract.
- Subsection D – Change reflects new Domestic Partner language.
- Subsection E - Change reflects language that is similar to CWA contract.
- Subsection F - Change reflects language that is similar to CWA contract.
- Subsection G - Change reflects language that is similar to CWA contract.
- Subsection H - Change reflects language that is similar to CWA contract.
- Subsection I - Change reflects language that is similar to CWA contract.
- Subsection J - Change reflects language that is similar to CWA contract.
- Subsection K - Change reflects language that is similar to CWA contract.
- Subsection L - Change reflects language that is similar to CWA contract.

Section 4 - Change reflects language that is similar to CWA contract.

Section 5 - Change reflects language that is similar to CWA contract.

Section 6 - Change reflects language that is similar to CWA contract.

Section 7 - Change reflects language that is similar to CWA contract.

Section 8 - Change reflects language that is similar to CWA contract.

Section 4 - No change.

Section 5 - No change.

Policy #18, Employment of Relatives - Strikeout Version

Section 1 - Change reflects new Domestic Partner language.

Section 2 - No change.

Policy #26, Employee Assistance Program - Strikeout Version

Section 1 - No change.

Section 2 - No change.

Section 3 - No change.

Section 4 - Change reflects new Domestic Partner language.

Section 5

Subsection 5.1 – Changed to alpha lettering rather than numbers.

Subsection 5.12 - Changed to alpha lettering rather than numbers.

Subsection 5.2 - Changed to alpha lettering rather than numbers.

Subsection 5.21 - Changed to alpha lettering rather than numbers.

Subsection 5.22 - Changed to separate paragraph and added language for need to know on supervisory referrals.

Subsection 5.23 - Changed to separate paragraph.

Policy #29, Leave Bank - Strikeout Version

Section 1 - Change reflects new Domestic Partner language and clarification in paragraphs 4 and 5.

Section 2 - No change.



MEMORANDUM

Office of the City Attorney

Phone: 334-5011/Fax 334-2229
Box 46

DATE: March 24, 2000

TO: TOM MOTES
Human Resource Director

FROM: CHARLES L. HAUCK,
Sr. Assistant City Attorney

SUBJECT: DOMESTIC PARTNER BENEFITS

Following up on the P & O discussion, I believe the following changes could be made to Policy 8 and Policy 29 to effectuate what I now understand to be the City Manager's and Committee members' apparent intentions.

In Policy 8, the last sentence of the first paragraph of Subsection d, and in the last sentence of the first paragraph of Policy 29, the following language should be inserted in lieu of that contained in the proposal presented to P & O Committee:

For the purposes of this policy, dependent children are defined as the employee's unmarried, natural, adopted, or step-child(ren), or a child for whom the employee has been appointed legal guardian, or the natural or adopted child(ren) of the employees' current certified domestic partner, who are under the age of nineteen and dependent upon the employee for over half of his/her support.

It appeared to be the consensus that age nineteen was an appropriate cut-off age (i.e. disregard the issue of older college students), and that distinguishing between unmarried and married children was desired. I understand that this distinction is premised on a dependency concept, and for this reason I expressly included a reference to dependency. This also covers the occasional comparable situation involving children in a domestic partner relationship.

I have further discussed the issue of marital status with Dana Baird, the General Counsel for the Florida Commission on Human Relations. We have agreed there is no Florida case law, or decision by the Florida Commission on Human Relations, or even an opinion issued by the General Counsel's office, which holds that this type of plan design is in contravention of Florida's prohibition against discrimination on the basis of marital status. In my discussion with Ms. Baird, I noted that in its regulations, the state of Florida provided for a similar distinction in its health insurance plan design for state employees.

To deal with the City Manager's desire to not replicate language in personnel policy that is covered in ordinance or collective bargaining agreement, and not yet eliminate a benefit available to professionals and managers, I suggest revising what would now be paragraph 9 of Policy 8, to read in it's entirety as follows:

Except as otherwise provided in collective bargaining agreement or ordinance, upon termination of employment each day of accumulated unused sick leave shall be converted to one (1) full day of credited service, which shall be used in calculating credited service under the City's defined benefit pension plans and for determining eligibility for City contributions toward retiree health insurance premium payments, and the amount of such contributions.

If you believe that this does not accurately reflect the discussion at the P & O meeting, or is otherwise inconsistent with your desires, please let me know and we can discuss the matter further.

cc: Wayne Bowers, City Manager

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Effective Date: 01/01/65
Date Issued: 02/23/65
Date Revised: 10/01/76
Date Revised: 11/07/88
Date Revised: 07/26/99
Date Revised: TBD

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SICK LEAVE

1. Sick Leave:

Employees earn sick leave at the rate of 1.51 hours/minutes per pay period until their second anniversary. After two (2) years of service, employees will earn sick leave at the rate of 2.46 hours/minutes per pay period and after four (4) years of service at the rate of 3.42 hours/minutes per pay period.

2. Eligibility:

All regular full-time employees are eligible to earn sick leave. Regular part-time employees earn sick leave proportionate to their work schedule. Sick leave is earned without limitations.

3. Use of Sick Leave:

Sick leave will be granted upon approval of the Department Head, or his/her designee, for the following reasons:

- A. For absence due to personal illness, injury or temporary disability. (Doctor's statement is required for temporary disability indicating approximate length of absence due to disability).
- B. For personal medical and dental appointments.
- C. For absence due to a compensable injury arising out of the course of City employment (employee may request the Department Head, or his/her designee, to allow him/her to remain on full pay for the period which can be covered by sick leave balance when prorated with the amount being paid by Workers' Compensation).

- D. An employee may use up to twelve (12) days of accrued sick leave or fifty percent (50%) of the employee's currently accrued sick leave, whichever is greater, for illness of a member of an employee's immediate family (defined as spouse, certified domestic partner, dependent child[ren], mother or father) living in the same domicile. For the purposes of this policy, dependent children are defined as the employee's unmarried, natural, adopted, or step-child(ren), or a child for whom the employee has been appointed legal guardian, or the natural or adopted child(ren) of the employees' current certified domestic partner, who are under the age of nineteen and dependent upon the employee for over half of his/her support. Management may require confirmation of the illness from the employee by furnishing a doctor's certificate, or any other means deemed appropriate.
- E. All employees are required to notify the designated supervisor on duty as early as possible; in the case of non-shift employees, no later than the starting of his/her scheduled workday, and in the case of shift employees, no later than sixty (60) minutes prior to the starting of his/her scheduled workday, when he/she is unable to report for work because of illness or injury, giving the reason for absence. Employees failing to comply with this provision shall not be allowed to charge their absence to sick leave unless waived by the Department Head. All shift employees will notify the designated supervisor at least nine (9) hours in advance of their intent to return to work following absence due to illness or injury of more than two (2) days. Sick leave will not be granted for any sickness, injury or disability arising from a felonious act on the part of the employee. Sick leave will be charged only against the employee's regular workday and shall not be charged for absences on overtime or stand-by time.
- F. An employee absent for three (3) or more consecutive workdays shall be required to report to Employee Health Services prior to returning to work to verify that the employee is fit to work. An employee shall remain in sick leave status until he/she is released by Employee Health Services and reports to his/her work site. This provision may be waived temporarily by Management for employees returning to work anytime that Employee Health Services is not open, except in cases of injury in which this provision shall apply. Such absence shall require a doctor's written statement of diagnosis verifying the employee's illness or injury, which will be turned in to Employee Health Services, or a similar statement from the City's Occupational Health Nurse which will be turned in to the appropriate supervisor, or sick leave will not be allowed.

- G. A doctor's written statement of diagnosis verifying illness or injury of less than three (3) consecutive day(s) shall be required by the City in cases of frequent use of sick leave or when the pattern of sick leave usage indicates potential abuse of sick leave privileges. If this doctor's statement is to be required on a continual basis, the employee shall be so notified, in writing, prior to the imposition of such requirement. The duration of each such requirement shall not exceed one (1) year. A copy of such notice shall be placed in the employee's master personnel file.
- H. The employee may be required by the appropriate Department Head, or his/her designee, to obtain a written statement of diagnosis verifying illness or injury from the City's doctor prior to returning to work. Expenses of obtaining a statement from the City's doctor shall be borne by the City. Expenses of a doctor other than the City's doctor, if any, resulting from verification of illness or injury, shall be the responsibility of the employee.
- I. When a diagnosis and verification of illness or injury is required, the following shall apply: The doctor's written statement, will be turned in to Employee Health Services before the employee returns to work, which statement shall detail the employee's illness, the treatment made and any restrictions on the employee's ability to perform all the duties normally assigned to the employee's classification. Failure to provide such a statement shall preclude the use of sick leave and the employee returning to work. Excessive absenteeism due to illness and injury may result in discipline being imposed.
- J. If the appropriate supervisor determines from personal observation that an employee reporting to duty may be too sick to work, he/she may be required to report to the City's doctor or nurse to determine whether the employee is fit to work.
- K. In all cases where an employee is required to report to the City's doctor to obtain a written statement of diagnosis verifying illness or injury, the failure by the doctor to substantiate the employee's claim of illness or injury will preclude use of sick leave. In all cases where the employee is required to report to Employee Health Services, failure to do so will preclude the use of sick leave.
- L. Sick leave shall continue to accrue during periods of absence on which the employee is in pay status.

4. Holidays During Sick Leave:

Should a holiday occur during an employee's sickness, the sick day shall be charged as a holiday provided the employee is in a pay status the day before and after the holiday.

5. Advance Sick Leave Credit Not Permitted:

Sick leave may not be charged in increments of less than two (2) hours without prior approval by the Department Head, or his/her designee. Sick leave shall not be granted in advance of being earned. Vacation leave may be used in lieu of sick leave, however, the employee shall be considered sick and not on vacation and the time used shall be treated as sick leave for all purposes. When an employee has insufficient sick leave credit to cover a period of absence, vacation leave will be used and, if none is available, the employee shall be in a no pay status. This section pertains to unscheduled absences and is not intended to prevent advance scheduling of vacation as outlined in Policy 9.

6. Transfers:

Employees who are transferred from one department to another shall have their sick leave credits transferred with them.

7. Termination:

Unused sick leave is forfeited upon termination from the City's service, except as provided in Section 11.

8. Sick Leave Incentive Awards:

The incentive award will be credited to an employee's accrued vacation leave and may be used as set forth in Article 11. The incentive award is computed on the following basis for each year of eligibility:

<u>Sick Leave, or Vacation in Lieu of Sick Leave, Used</u>	<u>Work Hours Awarded</u>
2 hrs or less	32
More than 2 thru 10	24
More than 10 thru 20	16
More than 20	None

9.

Credited Service

Except as otherwise provided in collective bargaining agreement or ordinance, upon termination of employment each day of accumulated unused sick leave shall be converted to one (1) full day of credited service, which shall be used in calculating credited service under the City's defined benefit pension plans and for determining eligibility for City contributions toward retiree health insurance premium payments, and the amount of such contributions.



PERSONNEL POLICIES AND PROCEDURES

POLICY NUMBER 8

Effective Date: 01/01/65

Date Issued: 02/23/65

Date Revised: 10/01/76

Date Revised:

09/25/80

Date Revised: 11/07/88

Date Revised: 07/26/99

Date Revised:

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SICK LEAVE

1. Sick Leave:

~~Employees hired prior to October 1, 1980, the basic sick leave policy of the City shall be to earn eight (8) hours of sick leave time per month. Employees hired after October 1, 1980, will earn sick leave at the rate of forty eight (48) hours annually until their second anniversary. Between two (2) and four (4) years of service, employees shall earn sick leave at the rate of seventy two (72) hours annually. After four (4) years service, employees shall earn sick leave at the rate of ninety six (96) hours annually.~~

Employees earn sick leave at the rate of 1.51 hours/minutes per pay period until their second anniversary. After two (2) years of service, employees will earn sick leave at the rate of 2.46 hours/minutes per pay period and after four (4) years of service at the rate of 3.42 hours/minutes per pay period.

2. Eligibility:

~~All permanent regular full-time employees are eligible to earn sick leave. Permanent Regular part-time employees earn sick leave proportionate to their work schedule. Sick leave is earned without limitations.~~

3. Use of Sick Leave:

~~Sick leave will be granted upon approval of the Department Head for the following reasons:~~

- A. ~~For absence due to personal illness, injury or temporary disability. (includes pregnancy complications, child delivery, and up to six weeks after child delivery. (Doctor's statement required for temporary disability indicating approximate length of absence due to disability):~~

~~B. For personal medical and dental appointments.~~

~~C. For absence due to a compensable injury arising out of the course of City employment (employee may request the Department Head to allow him to remain on full pay for the period which can be covered by sick leave balance when pro-rated with the amount being paid by workers' compensation).~~

~~D. Illness of an employee's immediate household family defined as spouse, dependent children or mother or father living in the same domicile provided their presence is needed. (Any employee may use up to 50% of accrued sick leave for illness under this proposal; however, this limitation does not apply to less than 24 days accrued sick leave, which is to say regardless of the 50% limitation an employee may use 12 days of accrued sick leave which is described in this paragraph.)~~

~~The supervisor may require confirmation of the illness from the employee by furnishing a doctor's certificate or any other means necessary.~~

~~Sick leave will be granted upon approval of the Department Head, or his/her designee, for the following reasons:~~

~~A. For absence due to personal illness, injury or temporary disability. (Doctor's statement is required for temporary disability indicating approximate length of absence due to disability).~~

~~B. For personal medical and dental appointments.~~

~~C. For absence due to a compensable injury arising out of the course of City employment (employee may request the Department Head, or his/her designee, to allow him/her to remain on full pay for the period which can be covered by sick leave balance when prorated with the amount being paid by Workers' Compensation).~~

~~D. An employee may use up to twelve (12) days of accrued sick leave or fifty percent (50%) of the employee's currently accrued sick leave, whichever is greater, for illness of a member of an employee's immediate family (defined as spouse, certified domestic partner, dependent child[ren], mother or father) living in the same domicile. For the purposes of this policy, dependent children are defined as the employee's unmarried, natural, adopted, or step-child(ren), or a child for whom the employee has been appointed legal guardian, or the natural or adopted child(ren) of the employees' current certified domestic partner, who are under the age of nineteen and dependent upon the employee for over half of his/her support. Management may require confirmation of the illness from the employee by furnishing a doctor's certificate, or any other means deemed appropriate.~~

~~E. All employees are required to notify the designated supervisor on duty as early as possible; in the case of non-shift employees, no later than the starting of his/her scheduled workday, and in the case of shift employees, no later than sixty (60) minutes prior to the starting of his/her scheduled~~

workday, when he/she is unable to report for work because of illness or injury, giving the reason for absence. Employees failing to comply with this provision shall not be allowed to charge their absence to sick leave unless waived by the Department Head. All shift employees will notify the designated supervisor at least nine (9) hours in advance of their intent to return to work following absence due to illness or injury of more than two (2) days. Sick leave will not be granted for any sickness, injury or disability arising from a felonious act on the part of the employee. Sick leave will be charged only against the employee's regular workday and shall not be charged for absences on overtime or stand-by time.

- F. An employee absent for three (3) or more consecutive workdays shall be required to report to Employee Health Services prior to returning to work to verify that the employee is fit to work. An employee shall remain in sick leave status until he/she is released by Employee Health Services and reports to his/her work site. This provision may be waived temporarily by Management for employees returning to work anytime that Employee Health Services is not open, except in cases of injury in which this provision shall apply. Such absence shall require a doctor's written statement of diagnosis verifying the employee's illness or injury, which will be turned in to Employee Health Services, or a similar statement from the City's Occupational Health Nurse which will be turned in to the appropriate supervisor, or sick leave will not be allowed.
- G. A doctor's written statement of diagnosis verifying illness or injury of less than three (3) consecutive day(s) shall be required by the City in cases of frequent use of sick leave or when the pattern of sick leave usage indicates potential abuse of sick leave privileges. If this doctor's statement is to be required on a continual basis, the employee shall be so notified, in writing, prior to the imposition of such requirement. The duration of each such requirement shall not exceed one (1) year. A copy of such notice shall be placed in the employee's master personnel file.
- H. The employee may be required by the appropriate Department-Head, or his/her designee, to obtain a written statement of diagnosis verifying illness or injury from the City's doctor prior to returning to work. Expenses of obtaining a statement from the City's doctor shall be borne by the City. Expenses of a doctor other than the City's doctor, if any, resulting from verification of illness or injury, shall be the responsibility of the employee.
- I. When a diagnosis and verification of illness or injury is required, the following shall apply: The doctor's written statement, will be turned in to Employee Health Services before the employee returns to work, which statement shall detail the employee's illness, the treatment made and any restrictions on the employee's ability to perform all the duties normally assigned to the employee's classification. Failure to provide such a

statement shall preclude the use of sick leave and the employee returning to work. Excessive absenteeism due to illness and injury may result in discipline being imposed.

J. If the appropriate supervisor determines from personal observation that an employee reporting to duty may be too sick to work, he/she may be required to report to the City's doctor or nurse to determine whether the employee is fit to work.

K. In all cases where an employee is required to report to the City's doctor to obtain a written statement of diagnosis verifying illness or injury, the failure by the doctor to substantiate the employee's claim of illness or injury will preclude use of sick leave. In all cases where the employee is required to report to Employee Health Services, failure to do so will preclude the use of sick leave.

4. Accrual Rate:

Employees shall accrue sick leave based on their employment date or seniority date, whichever is appropriate:

<u>Scheduled Hours</u>	<u>Rate of Accrual</u>
<u>Per Week</u>	<u>Hours Per Month</u>
56-52	12
40	8

Effective 10/01/80:

40 (0-2 years)	4
40 (2-4 years)	6
40 (greater than 4 years)	8

~~Employees paid on the job basis earn sick leave on the basis of a forty (40) hour week. Employees taking sick leave shall be compensated at their straight time hourly rate of pay for the time off work.~~

L. Sick leave shall continue to accrue during periods of absence on which the employee is in pay status.

5. Payment of Sick Leave:

~~A. All employees are required to notify the appropriate supervisor as early as possible and no later than the starting of his/her normal workday when he/she is unable to report for work because of illness or injury, giving reason~~

~~for absence. Employees failing to comply with this provision may not be allowed to charge their absence to sick leave unless waived by the Division Head or Section Head. Rotating shift employees, where required, will notify the appropriate supervisor at least two (2) hours in advance of their intent to return to work following an illness or any injury. The appropriate supervisor should determine to his/her satisfaction that an employee was actually too sick to remain at work. Unless he/she can determine that fact from personal observation or otherwise, it will be his/her duty to require that a doctor's certificate or a statement from the City's Occupational Nurse be furnished before the sick leave compensation is granted. Sick leave will not be granted for any sickness, injury or disability arising from a felonious act on the part of the employee. Sick leave will be charged only against an employee's regular workday and shall not be charged for absences on overtime or premium time.~~

~~B. Any absence may require a doctor's statement or a statement from the City's Occupational Health Nurse in writing to be turned in to the appropriate supervisor before the employee returns to work or sick leave will not be allowed. An employee absent for three (3) or more consecutive workdays shall be required to report to Employee Health Services prior to returning to work. Such absences shall require a doctor's statement verifying illness or injury or a similar statement from the City's Occupational Health Nurse in writing to be turned in to the appropriate supervisor before the employee returns to work or sick leave will not be allowed.~~

~~The doctor's or nurse's statement shall also contain information as to any restrictions to the performance of all duties normally assigned to the employee's classification.~~

64. Holidays During Sick Leave:

Should a holiday occur during an employee's sickness, the sick day shall be charged as a holiday provided the employee is in a pay status the day before and after the holiday.

75. Advance Sick Leave Credit Not Permitted:

~~Sick leave shall not be granted in advance of being earned. If an employee has insufficient sick leave credit to cover a period of absence, vacation leave may be used or a deduction for the time involved shall be made on the current payroll.~~

Sick leave may not be charged in increments of less than two (2) hours without prior approval by the Department Head, or his/her designee. Sick leave shall not be granted in advance of being earned. Vacation leave may be used in lieu of sick leave, however, the employee shall be considered sick and not on vacation and the

time used shall be treated as sick leave for all purposes. When an employee has insufficient sick leave credit to cover a period of absence, vacation leave will be used and, if none is available, the employee shall be in a no pay status. This section pertains to unscheduled absences and is not intended to prevent advance scheduling of vacation as outlined in Policy 9.

86. Transfers:

Employees who are transferred from one department to another shall have their sick leave credits transferred with them.

97. Termination:

Unused sick leave is forfeited upon termination from the City's service, except as provided in Section 11.

~~Employees who are reappointed or reinstated shall be credited with their unused sick leave at termination provided this action takes place within ninety (90) days of termination.~~

108. Sick Leave Incentive Awards:

A. ~~This incentive award will be given by Department Heads to employees who use little or no sick leave during a period of one (1) year. The eligibility for the incentive award is to be based on:~~

- ~~1. Anniversary date of employment or seniority date.~~
- ~~2. The amount of sick leave used in previous anniversary year.~~

~~The incentive award is computed on the following basis for each anniversary year:~~

<u>Sick Leave Used</u>	<u>Work Hours Awarded</u>
0 hours to 2 hours	32
3 hours through 10 hours	24
11 hours through 20 hours	16
More than 20 hours	None

The incentive award will be credited to an employee's accrued vacation leave and may be used as set forth in Article 11. The incentive award is computed on the following basis for each year of eligibility:

<u>Sick Leave, or Vacation in Lieu of Sick Leave, Used</u>	<u>Work Hours Awarded</u>
2 hrs or less	32
More than 2 thru 10	24
More than 10 thru 20	16
More than 20	None

11. Credited Service for Pension Benefits

~~B. Except as provided below, upon termination of employment accumulated, unused sick leave appearing on the employee's record in the Human Resources Department shall be converted to additional service credit for determining pension benefits. Each such day of unused sick leave shall be converted to one (1) full day of additional employment or service credit. Upon entering into the (DROP), employees may elect to apply unused sick leave hours to attain the requisite years of credited service for eligibility, to provide for additional credited service, or retain some or all of their unused sick leave for use during their employment while participating in the DROP. Sick leave hours used in computing cash outs of sick leave balances upon retirement are considered already "used" and may not be converted to credited service, or used as sick leave during participation in the DROP. Any unused sick leave remaining at the expiration of the DROP participation or period will be forfeited.~~

9. Credited Service

Except as otherwise provided in collective bargaining agreement or ordinance, upon termination of employment each day of accumulated unused sick leave shall be converted to one (1) full day of credited service, which shall be used in calculating credited service under the City's defined benefit pension plans and for determining eligibility for City contributions toward retiree health insurance premium payments, and the amount of such contributions.



PERSONNEL POLICIES AND PROCEDURES POLICY NUMBER 29

Effective Date: 05/20/92

Date Revised: 10/01/98

Date Revised: TBD

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LEAVE BANK

1. For Use as Sick Leave

A regular employee having successfully completed the initial probationary period and having used all his/her applicable sick and vacation leave may receive vacation leave, donated on a strictly voluntary basis by fellow employees, due to absence resulting from a serious illness, accident or disability of the employee, or of the employee's immediate household family where the employee's presence is needed. Immediate household is defined as spouse or certified domestic partner or dependent children or mother or father, living in the same domicile. For the purposes of this policy, dependent children are defined as the employee's unmarried, natural, adopted, or step-child(ren), or a child for whom the employee has been appointed legal guardian, or the natural or adopted child(ren) of the employees' current certified domestic partner, who are under the age of nineteen and dependent upon the employee for over half of his/her support.

Donations: Fellow employees may contract to donate a minimum of two (2) hours of their vacation leave time to be used as sick leave by the affected employee. The maximum number of hours an employee may donate is 40 hours for employees working a 40-hour week and 52 hours for employees working a 52-hour week. The total donated time from fellow employees shall not exceed three (3) calendar months.

Donated vacation leave will not be credited to the sick leave of the employee until such time as the employee's own paid leave has been exhausted. The employee's continued absence from work, required return to work, or subsequent separation from employment shall be governed by other applicable policies and procedures.

If the illness or accident of the employee is total and permanent, employee should file for disability retirement with the Social Security Administration and the City of Gainesville.

During the time in which the employee is using donated vacation leave from fellow employees, he/she will not be eligible to earn (accrue) sick leave or vacation leave.

Should an employee return to work prior to exhausting all donated hours, unused hours shall be returned to the donors.

2. To Achieve Normal Retirement Eligibility:

In addition to the procedures described in item 1 above, an employee may, with the following additional restrictions, receive voluntarily donated vacation leave in advance of having used up all of his or her sick leave. Utilization of donated vacation leave in this manner is limited to those situations in which the employee, at the time the authorization to create a Leave Bank is given, had at least eighty percent (80%) of the credited service needed for normal service retirement and was otherwise eligible for normal retirement.

There shall be no restrictions on the amount of hours that may be donated or the length of a required absence before a leave bank may be established if an employee is absent due to serious illness, accident or disability, which condition is expected, based upon reasonable medical probability, to result in death within one (1) year from the creation of the Leave Bank, or otherwise dies. In the event of an employee's death prior to a leave bank being established, the leave bank must be established within 15 calendar days of the date of death. Donated vacation may be collected up to 90 days following the death of an employee so that sufficient donations may be obtained to qualify the employee for normal service retirement.

Should more hours be donated than are required to reach normal retirement, hours in excess of those required will be returned to the donors. If a sufficient number of hours is not donated within the 90-day period described above, the beneficiary of the employee shall receive a full refund of the employee's contributions to the pension plan in lieu of receiving a retirement benefit and all donated hours will be returned to the donors.



PERSONNEL POLICIES AND PROCEDURES POLICY NUMBER 29

Effective Date: 05/20/92

Revision Date Revised: 10/01/98

Date Revised: TBD

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LEAVE BANK

1. For Use as Sick Leave

A regular employee having successfully completed the initial probationary period and having used all his/her applicable sick and vacation leave may receive vacation leave, donated on a strictly voluntary basis by fellow employees, due to absence resulting from a serious illness, accident or disability of the employee, or of the employee's immediate household family where the employee's presence is needed. Immediate household is defined as spouse or certified domestic partner or dependent children or mother or father, living in the same domicile. For the purposes of this policy, dependent children are defined as the employee's unmarried, natural, adopted, or step-child(ren), or a child for whom the employee has been appointed legal guardian, or the natural or adopted child(ren) of the employees' current certified domestic partner, who are under the age of nineteen and dependent upon the employee for over half of his/her support.

Donations: Fellow employees may contract to donate a minimum of two (2) hours of their vacation leave time to be used as sick leave by the affected employee. The maximum number of hours an employee may donate is 40 hours for employees working a 40-hour week and 52 hours for employees working a 52-hour week. The total donated time from fellow employees shall not exceed three (3) calendar months.

Donated vacation leave will not be credited to the sick leave of the employee until such time as the employee's own paid leave has been exhausted. The employee's continued absence from work, required return to work, or subsequent separation from employment shall be governed by other applicable policies and procedures.

If the illness or accident of the employee is total and permanent, employee should file for disability retirement with the Social Security Administration and the City of Gainesville.

During the time in which the ~~sick or disabled~~ employee is ~~receiving~~ using donated vacation leave from fellow employees, he/she will not be eligible to earn (accrue) sick leave or vacation leave.

Should an employee return to work prior to exhausting all donated hours, unused hours shall be returned to the donors.

2. To Achieve Normal Retirement Eligibility:

In addition to the procedures described in item 1 above, an employee may, with the following additional restrictions, receive voluntarily donated vacation leave in advance of having used up all of his or her sick leave. Utilization of donated vacation leave in this manner is limited to those situations in which the employee, at the time the authorization to create a Leave Bank is given, had at least eighty percent (80%) of the credited service needed for normal service retirement and was otherwise eligible for normal retirement.

There shall be no restrictions on the amount of hours that may be donated or the length of a required absence before a leave bank may be established if an employee is absent due to serious illness, accident or disability, which condition is expected, based upon reasonable medical probability, to result in death within one (1) year from the creation of the Leave Bank, or otherwise dies. In the event of an employee's death prior to a leave bank being established, the leave bank must be established within 15 calendar days of the date of death. Donated vacation may be collected up to 90 days following the death of an employee so that sufficient donations may be obtained to qualify the employee for normal service retirement.

Should more hours be donated than are required to reach normal retirement, hours in excess of those required will be returned to the donors. If a sufficient number of hours is not donated within the 90-day period described above, the beneficiary of the employee shall receive a full refund of the employee's contributions to the pension plan in lieu of receiving a retirement benefit and all donated hours will be returned to the donors.



Effective Date: 01/01/65
Date Issued: 01/17/65
Date Revised: 05/15/75
Date Revised: 09/25/80
Date Revised: 11/07/88

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HOLIDAYS

1. Holidays Observed by the City:

The City observes the following paid holidays but reserves the right to schedule work on these days if City business demands:

New Year's Day	Observance Date
Martin Luther King, Jr.'s Birthday	January-scheduled observance date
Memorial Day	Last Monday in May
Independence Day	Observance Date
Labor Day	First Monday in Sept.
Veterans' Day	November-scheduled observance date
Thanksgiving Day	Fourth Thurs. in Nov.
Day after Thanksgiving	Day after Thanksgiving Day
Christmas Day	December Observance Date
One Additional Holiday	(See paragraph 2)
Two Employee Option Days	(As follows)

The City will provide two (2) non-cumulative employee option days during the fiscal year to all employees who have achieved permanent status or who have completed their initial probation period in a regular position. This day must be taken as one normal workday and may be taken at any time during the fiscal year provided the day

selected by the employee has prior Department Head or equivalent approval. Said day shall not be used for the purpose of overtime or premium time. Therefore, the employee shall not be allowed to work on said day.

2. Additional Holidays:

During budget preparations, the City Administration will determine the one (1) additional holiday for the next fiscal year.

3. Holiday Policy:

All regular full-time employees are entitled to the above paid holidays. Regular part-time employees earn holiday leave proportionate to their work schedule.

4. Holiday Eligibility Requirement:

To be eligible for a paid holiday, an employee must be in pay status for a full day on his/her assigned workdays immediately before and after the day on which the holiday is observed.

5. Holidays Not Worked Which Fall on Employee's Regular Day Off:

Should a holiday fall on an employee's day off and the employee does not work thereon, the employee shall receive a straight time hourly rate for the holiday for his/her normal workday.

6. Work Performed on a Holiday Falling on Employee's Workday:

Work on a holiday falling on an employee's regular scheduled workday shall be paid for the hours worked plus pay at the straight time hourly rate of pay for the holiday.

7. Work Performed on a Holiday Falling on Employee's Day Off:

Should an employee be required to work on a holiday falling on his/her day off, the employee shall be paid for the hours worked plus the number of hours of the normal workday at the straight time hourly rate of pay for the holiday.

8. Authorization for Holiday Work:

No work shall be scheduled on a holiday unless approved in advance by the Department Head.

9. Employee's Sickness:

Should a holiday occur during an employee's sickness, the sick day shall be charged as a holiday.



PERSONNEL POLICIES AND PROCEDURES

Policy Number 10

Effective Date: 01/01/65
Date Issued: 01/17/65
Date Revised: 05/15/75
Date Revised: 09/25/80
Date Revised: 11/07/88

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HOLIDAYS

1. Holidays Observed by the City:

The City observes the following paid holidays but reserves the right to schedule work on these days if City business demands:

New Year's Day	January 1 <u>Observance Date</u>
Martin Luther King, Jr.'s Birthday	January-scheduled observance date
Memorial Day	Last Monday in May
Independence Day	July 4 <u>Observance Date</u>
Labor Day	First Monday in Sept.
Veterans' Day	November-scheduled observance date
Thanksgiving Day	Fourth Thurs. in Nov.
Day after Thanksgiving	Fourth Friday in Nov. <u>Day after Thanksgiving Day</u>
Christmas Day	December 25 <u>Observance Date</u>
One Additional Holiday	(See paragraph 2)
Two Employee Option Days	(As follows)

The City will provide two (2) non-cumulative employee option days during the fiscal year to all employees who have achieved permanent status or who have completed ~~the first six (6) months of an original~~ their initial probation period in a ~~permanent~~ regular position ~~by the beginning of the fiscal year~~. This day must be taken as one normal workday and may be taken at any time during the fiscal year

provided the day selected by the employee has prior Department Head or equivalent approval. Said day shall not be used for the purpose of overtime or premium time. Therefore, the employee shall not be allowed to work on said day.

2. Additional Holidays:

During budget preparations, the City Administration will determine the one (1) additional holiday for the next fiscal year.

3. Holiday Policy:

All ~~permanent-regular~~ full-time employees are entitled to the above paid holidays. ~~Permanent~~Regular part-time employees earn holiday leave proportionate to their work schedule.

~~Whenever any of the above listed holidays fall on a Sunday (or Monday for employees whose regular day off is Monday), the following workday shall be observed as the official holiday; whenever any of the listed holidays occur on a Saturday (or Friday for employees whose regular day off is Friday), the preceding workday shall be observed as the official holiday. In such cases, the day on which the holiday is observed shall be considered to be the paid holiday and not the regular day.~~

4. Holiday Eligibility Requirement:

To be eligible for a paid holiday, an employee must be in pay status for a full day on his/her assigned workdays immediately before and after the day on which the holiday is observed.

5. Holidays Not Worked Which Fall on Employee's Regular Day Off:

Should a holiday fall on an employee's day off and the employee does not work thereon, the employee shall receive a straight time hourly rate for the holiday for his/her normal workday.

6. Work Performed on a Holiday Falling on Employee's Workday:

Work on a holiday falling on an employee's regular scheduled workday shall be paid for the hours worked plus pay at the straight time hourly rate of pay for the holiday.

7. Work Performed on a Holiday Falling on Employee's Day Off:

Should an employee be required to work on a holiday falling on his/her day off, the employee shall be paid for the hours worked plus the number of hours of the normal workday at the straight time hourly rate of pay for the holiday.

8. Authorization for Holiday Work:

No work shall be scheduled on a holiday unless approved in advance by the Department Head.

9. Employee's Sickness:

Should a holiday occur during an employee's sickness, the sick day shall be charged as a holiday.

~~No work shall be scheduled on a holiday unless approved in advance by the Department Head.~~

~~10. Work Performed on a Holiday Falling on Regular Workday for 56-Hour Shift Employees:~~

~~A 56-hour shift employee whose shift begins on the actual holiday shall be paid for the hours worked plus 11.2 hours pay at the regular straight time hourly rate of pay; provided, in order to be eligible for holiday pay, the 56-hour shift employee must be physically present on the job and work the entire shift beginning on the actual holiday.~~

~~11. Holiday Not Worked on Regular Day Off for 56-Hour Employees:~~

~~Whenever an observed holiday occurs on a 56-hour shift employee's scheduled day off and the employee does not work thereon for the entire shift beginning on the actual holiday, the 56-hour shift employee shall receive eight (8) hours pay at his/her regular straight time hourly rate of pay for the holiday.~~



Effective Date: 01/01/70

Date Issued: 06/21/70

Date Revised: 10/01/76

Date Revised: 09/23/80

Date Revised: 09/23/96

Date Revised: TBD

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BEREAVEMENT LEAVE

1. Number of Days:

In the event of death in an employee's immediate family, he/she shall be granted bereavement leave with pay by the employee's Department Head for three (3) working days. The employee shall be required to furnish such information as may be requested to properly administer this policy. Leave granted above the three days or in the event of death of the relative other than those in the immediate family shall be charged as vacation or annual leave.

2. Immediate Family:

For the purpose of this policy, the following relationships shall be considered immediate family: father, mother, foster parent, brother, sister, spouse, certified domestic partner, son, daughter, natural or adopted children of certified domestic partner, current father-in-law, father of certified domestic partner, current mother-in-law, mother of certified domestic partner, grandfather, grandmother, current step-mother and current step-father, current certified domestic partner of employee's natural mother or father. Step-children and foster children of the employee, spouse, or certified domestic partner living in the same domicile.

3. Eligibility:

Regular employees are eligible to receive bereavement leave proportionate to their work schedule.

4. Rate of Pay:

Employees taking bereavement leave shall be compensated at their regular base rate of pay for the time off work.

5. Bereavement Leave Period:

Bereavement leave must be taken within five (5) days after the death or funeral.



Effective Date: 01/01/70

Date Issued: 06/21/70

Date Revised: 10/01/76

Date Revised: 09/23/80

Date Revised: 09/23/96

Date Revised: TBD

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BEREAVEMENT LEAVE

1. Number of Days:

In the event of death in an employee's immediate family, he/she shall be granted bereavement leave with pay by the employee's Department Head for three (3) working days. The employee shall be required to furnish such information as may be requested to properly administer this policy. Leave granted above the three days or in the event of death of the relative other than those in the immediate family shall be charged as vacation or annual leave.

2. Immediate Family:

For the purpose of this policy, the following relationships shall be considered immediate family: father, mother, foster parent, brother, sister, spouse, certified domestic partner, son, daughter, natural or adopted children of certified domestic partner, current father-in-law, father of certified domestic partner, current mother-in-law, mother of certified domestic partner, grandfather, grandmother, current step-mother and current step-father, current certified domestic partner of employee's natural mother or father, and Step-children and foster children of the employee, spouse, or certified domestic partner living in the same domicile.

3. Eligibility:

~~Permanent~~ Regular employees are eligible to receive bereavement leave proportionate to their work schedule.

4. Rate of Pay:

Employees taking bereavement leave shall be compensated at their regular base rate of pay for the time off work.

5. Bereavement Leave Period:

Bereavement leave must be taken within five (5) days after the death or funeral.



PERSONNEL POLICIES AND PROCEDURES POLICY NUMBER 18

Effective Date: 11/21/67

Date Issued: 11/29/67

Date Revised: TBD

Page 1 of 1

EMPLOYMENT OF RELATIVES

1. Policy Statement:

It shall be the policy of the City of Gainesville to regulate employment of persons related to City officials or employees. For the purpose of this policy, the term related shall mean brothers, sisters, children, certified domestic partners, natural or adopted children of certified domestic partners, husbands and wives.

2. Supervisory Relationship:

After the effective date of this policy, no person shall be employed in the same department or division when he is related to a person where one should be in a supervisory or administrative capacity over the other.



PERSONNEL POLICIES AND PROCEDURES POLICY NUMBER 18

Effective Date: 11/21/67

Date Issued: 11/29/67

Date Revised:

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EMPLOYMENT OF RELATIVES

1. **Policy Statement:**

It shall be the policy of the City of Gainesville to regulate employment of persons related to City officials or employees. For the purpose of this policy, the term related shall mean brothers, sisters, children, certified domestic partners, natural or adopted children of certified domestic partners, husbands and wives.

2. **Supervisory Relationship:**

After the effective date of this policy, no person shall be employed in the same department or division when he is related to a person where one should be in a supervisory or administrative capacity over the other.



PERSONNEL POLICIES AND PROCEDURES POLICY NUMBER 26

Effective Date: 11/14/88

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EMPLOYEE ASSISTANCE PROGRAM:

1. PROGRAM DESCRIPTION

The Employee Assistance Program (EAP), described herein applies to all regular full-time and part-time City employees except employees of the Gainesville Police Department which has a separate arrangement. The EAP offers professional services free to City employees and family members. Services provided will be information, problem assessment and general counseling including, but not limited to the following areas: marital/family, drug and alcohol dependency, emotional, financial, and occupational problems. Although primarily a referral service, counseling services free of charge up to three visits may be provided for short-term therapy. Long-term or recurrent treatment is not provided free of charge. However, a portion of the cost of all such therapy may be covered under the City's group benefit plan.

2. PURPOSE

The intent is to provide an easily accessible, confidential* program providing early intervention for a wide range of problems which may adversely impact employee health, safety and productivity.

3. POLICY

Each of us, regardless of our position in the organization, faces a variety of problems in our daily lives. Usually we work them out. Sometimes our problems become too much for us to handle and they affect our personal happiness or family relations, our performance at work and even our health. The Employee Assistance Program is intended as a helping hand - not an attempt to pry or punish. Employee evaluations are not to be affected by the employee's participation or non-participation in the EAP. Employee evaluations will be affected by the employee's work performance.

4. ELIGIBILITY

Those eligible include all regular full-time and part-time employees and their spouses, certified domestic partner, own children, legally adopted children, step children, children of current certified domestic partner for whom they are financially responsible and any other children for whom they have established legal guardianship in accordance with Chapter 744, Florida Statutes, and can furnish a court document as proof of such guardianship. The employee's significant other not included in the latter may be involved if important to the goals of problem assessment or short-term therapy.

5. REFERRAL - Self-referrals are preferred. Early intervention, should problems arise is encouraged.

A. Self-referral - Employees or family members may refer or be referred by others aware of the program.

i. Such referrals are maintained in strict confidentiality*.

ii. Supervisory referrals - can be informal or formal.

B. Informal referrals may be made by a supervisor who has an employee who requests assistance or who observes overt signs of distress or a decline in the work performance of an employee.

C. Formal referrals may be made for deteriorating work performance in addition to other documented corrective procedures.

The employee is offered, in writing, a referral. The appointment with the EAP provider is made by the supervisor.

The supervisor is notified:

i. Whether the employee kept the appointment

ii. Whether a treatment plan has been recommended and if so, whether the employee is following the treatment plan.

iii. Whether the employee is fit for duty.

The supervisor will not be given any information about the nature of the problem unless the employee consents, or such is related to necessary restrictions on the work or other duties of an employee and/or necessary accommodations.

6. Employees are not excused from any of their work responsibilities or from compliance with any personnel policies or procedures because they are undergoing treatment for behavioral or substance abuse problems.

7. In instances where it is necessary, leave may be granted for time spent to obtain help or treatment on the same basis as it is for ordinary personal business or health problems. (Consideration could be given for the use of sick and vacation leave or medical leave without pay.)

*According to law, confidentiality may be waived only under the following conditions:

- 1) When the person licensed or certified under this chapter is a party defendant to a civil, criminal or disciplinary action arising from a complaint filed by the patient or client, which case the waiver shall be limited to that action.
- 2) When the patient or client agrees to the waiver, in writing, or, when more than one person in a family is receiving therapy, when each family member agrees to the waiver, in writing.
- 3) When there is a clear and immediate probability of physical harm to the patient or client, to other individuals, or to society and the person licensed or certified under this chapter communicates the information only to the potential victim, appropriate family member, or law enforcement or other appropriate authorities.