

LEGISLATIVE

#120312A



Human Resources Policies

Number L-3

Replaces Policy 8

Paid Time Off Leave System (New System)

- I. All regular and probationary full-time and part-time employees hired on or after 10/1/2000 are automatically covered by the Paid Time Off (PTO) Leave System. In addition, any regular or probationary full-time and part-time employee hired prior to 10/1/2000 who made a one-time irrevocable election to select the Paid Time Off Leave System (PTO) is also covered by the Paid Time Off Leave System (PTO) rather than the Designated Leave System (Old Leave System).
- II. "Paid Time Off" is a single leave bank system that combines earned vacation time (annual leave), earned sick time and optional holidays. This system does not include City-designated holidays; nor does it include any event-based leave which may be additionally authorized based on the occurrence of specific events.
- III. Transition Plan for Employees Hired Prior to October 1, 2000:
 - A. Employees hired prior to October 1, 2000 (except employees of Gainesville Police Department Communications center who are hired by Alachua County Sheriff's Department at the time the combined communications center is activated on or about October 1, 2000) will have the option of continuing under the terms of the Policy L-4 (hereinafter the "old plan") or moving to this Policy.
 - B. An employee hired prior to October 1, 2000, may elect at any time to move to this PTO plan at the beginning of any pay period.
 - C. If an employee elects to move to this "PTO plan", the following conditions will apply:
 1. No transfer back to the "old plan" will be permitted.
 2. No loss of accrued leave will occur, meaning that all unused accrued sick leave will be transferred to the employee's Personal Critical Leave Bank (PCLB) account and all unused accrued vacation (annual leave) will be transferred to the employee's Paid Time Off (PTO) account. ~~The City will provide sixteen (16) non-cumulative employee option hours during the 2000-2001 fiscal year to all employees covered by this Policy who were hired prior to 10/1/00 and have elected the Paid Time Off (PTO) option and have either achieved permanent regular status or who have completed their initial probationary period in a permanent regular position. These hours must be taken during the fiscal year in which the employee~~

~~became eligible, after he/she attains eligibility, provided the days hours selected by the employee have prior Department Head or equivalent approval. Forty-eight (48) hours approval in advance may be required depending upon the operational needs and scheduling of the Department. The employee shall not be allowed to work during said hours. Employee option hours pay shall not count for the purpose of overtime or in the computation of overtime. After the award of sixteen optional holiday hours to eligible employees on October 1, 2000, employees will no longer receive separate optional holidays. Beginning the first full pay period next following October 1, 2000, employees will accrue Paid Time Off (PTO) at the rates reflected in Section IV. All conditions applying to other PTO hours will apply to these hours accrued after October 1, 2000.~~

3. At the employee's first anniversary date (leave progression date) after election, he/she will be eligible to select any options available under the "new plan" provided the PCLB requirements are met.
4. The PCLB requirements of the "new plan" will prevail beginning the date of election.

IV. Annual Accrual Rates:

Years of Continuous Service	Rate of Accrual Per Pay Period
0 to 5 years (1 mo. thru 59 mos.)	6 Hrs. 10 Mins.
5 to 10 years (60 mos. thru 119 mos.)	7 Hrs. 42 Mins.
10 to 15 years (120 mos. thru 179 mos.)	8 Hrs. 37 Mins.
15 to 20 years (180 mos. thru 239 mos.)	9 Hrs. 14 Mins.
20 to 25 years (240 mos. thru 299 mos.)	10 Hrs. 28 Mins.
25 years or more (300 mos. or more)	10 Hrs. 47 Mins.

- V. Scheduled Paid Time Off (PTO) may be used for any purpose an eligible employee deems necessary. PTO shall be taken in increments of not less than one (1) hour, except as otherwise provided in the Family and Medical Leave Act (FMLA). Accrued time can be used as soon as it is accrued, but in no event can it be taken prior to actual accrual.

- VI. A. Each Department shall establish and may amend reasonable written guidelines defining scheduled and unscheduled leave, based on job function and according to operational needs. In general, the City policy for use of PTO will be in quantities of not less than one hour, except as otherwise provided in the Family and Medical Leave Act (FMLA). PTO must begin or end at the start or close of the shift or work schedule unless an emergency arises. Department approval of scheduled leave will not be unreasonably withheld provided operational needs can be met, as determined by the City.
- B. Each Department may establish written guidelines for the minimum increment of leave and the time of leave use during the shift which are more flexible than those stated in Section VI.A, if operational needs so permit. The Department may amend these written guidelines at any time if operational needs so require, as long as they do not exceed the requirements in Section VI.A.
- VII. The first sixteen hours of any absence will be deducted from the employee's PTO leave account except as otherwise provided in Policy #L-2, Section II144 (Workers' Compensation), or Policy #13-L-5 (Leave of Absence With or Without Pay). Absences that do not meet the advance notice requirements of the department will be considered unscheduled leave. If an employee does not have sufficient accrued unused PTO to cover the period of absence, the employee will be put on leave without pay for the first sixteen (16) hours or that portion thereof.
- VIII. A. Whenever unscheduled leave is taken, employees will be required to notify their supervisor in accordance with departmental written guidelines. Generally, an employee will be allowed to take up to five (5) occurrences of unscheduled leave in a one-year period. After five (5) occurrences, the department head may require certification of absence for unexpected illness from a doctor or certified health professional.
- B. In the interest of keeping a healthy workforce, the employee's supervisor has the right to send an employee, who appears to be ill or who may be a health risk to co-workers, to Employee Health Services (EHS). If EHS determines that the employee should be sent home due to the illness, the time will be considered scheduled PTO leave for the first sixteen (16) hours. For after-hours and weekend shifts, the supervisor shall have the right to send the employee home due to illness as scheduled leave.
- IX. For purposes of overtime, scheduled PTO leave will be counted as hours worked and PCLB or unscheduled PTO leave will not be counted as hours worked.
- X. Maximum Accrual (Carryover Cap):

Carryover of accrued PTO is permitted as follows:

Years of Continuous Service	Carryover Permitted
0 to 5 years (1 mo. thru 59 mos.)	160 Hours
5 to 10 years (60 mos. thru 119 mos.)	200 Hours

Years of Continuous Service	Carryover Permitted
10 to 15 years (120 mos. thru 179 mos.)	224 Hours
15 to 20 years (180 mos. thru 239 mos.)	240 Hours
20 to 25 years (240 mos. thru 299 mos.)	272 Hours
25 years or more (300 mos. or more)	280 Hours

The maximum accrual shall be calculated as of the employee’s anniversary date (leave progression date). All hours over the PTO accrual cap must be either used or allocated to the options outlined below at the employee’s anniversary date (leave progression date) each year, except that, if an employee has less than 240 hours in a PCLB on his/her anniversary date, (leave progression date) he/she must first deposit the appropriate amount of time in the PCLB to meet the minimum requirement.

- XI. Upon separation from the City, an employee shall be paid for accrued unused PTO leave credits up to the maximum carryover cap as listed above. Unused PTO leave credits paid at termination shall not be included in the calculation of final average earnings for pension purposes.
- XII. Personal Critical Leave Bank (PCLB): It is recommended that the employee establish a PCLB, on his/her leave progression date, by depositing some number of hours of his/her PTO into the PCLB. The PCLB is used for the seventeenth (17) consecutive hour and beyond of absence due to any injury/illness of the employee or the employee’s immediate family (defined as spouse, dependent child[ren], mother, father, or certified or registered domestic partner) requiring the employee to be absent and may require documentation by a certified physician, hospital or Employee Health Services as determined by his/her Manager/designee.
- XIII. Employees may use a maximum of 464 hours of PCLB for family-related illness in the year between their leave progression dates. If an employee does not have sufficient PCLB to cover the absences, the employee’s time will be charged to PTO prior to entering a “no pay” status.
- XIV. A. For ~~E~~employees in the General Employees Pension Plan, ~~any may use the balance of their unused PCLB credits earned on or before September 30, 2012 shall be credited as for additional service credit for determining pension benefits~~ credit at retirement. No cash payment for unused PCLB hours will be allowed at retirement, resignation or termination.

B. For service earned on or after October 1, 2012, no additional months of service shall be credited for unused PCLB credits earned on or after October 1, 2012. In calculating credited service on or after October 1, 2012, the lesser number of months between the additional months of service credited for unused PCLB credits earned on or before September 30, 2012 and the months of unused PCLB credits available to a member at the time of his or her retirement shall be used.
- XV. There is unlimited accumulation of time in the PCLB.

- XVI. An employee may transfer any number of PTO leave hours to a PCLB account at any time during the year.

- XVII. A. In addition, provided the employee has accumulated 240 hours in a PCLB at their leave progression date, the employee will be permitted to convert up to forty (40) hours of PTO to cash on his/her anniversary date (leave progression date) to be paid via payroll check. Hours converted to cash will not be included in the pension base nor used for final average earnings calculations.

B. After initially using the conversion to cash option or any portion thereof, the employee may request to convert up to forty (40) additional hours of PTO to cash on a subsequent leave progression date, provided he/she has at least 240 hours in the PCLB at their leave progression date. In addition, the employee must demonstrate that during the past twelve-month period he/she has put at least 1% of his/her base pay into a City-sponsored deferred compensation account.

C. In order to use the conversion to cash option, the employee must submit a written request to the timekeeper on the form provided at least fourteen (14) calendar days in advance of his/her leave progression date. Failure to do so will result in the revocation of the conversion to cash option for that leave progression year.

- XVIII. Should an employee have more than the allowable carryover cap on his/her anniversary date (leave progression date) and fail to choose one of the above options, the number of hours over the allowable carryover cap will automatically default into the employee's PCLB. The only option available to an employee who has more than the allowable carryover cap on his/her anniversary date (leave progression date) but less than 240 hours in their PCLB is to deposit excess hours first into the PCLB to meet the 240-hour requirement.

- XIX. Donations to other employees:

An employee may donate time from accrued PTO leave credits to another employee for whom a leave donation fund has been established in accordance with City policy. This option does not necessarily have to occur at the employee's anniversary date (leave progression date), but rather whenever an eligible leave account is established. No minimum PCLB balance is required for donations of PTO to a leave donation fund.

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