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## Human Resources Policies

Number L-2

Replaces policies 11, 14, 16, 22 and 32

# General Leave Policies

## I. Bereavement Leave

### A. 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, and shall have immediate access to PCLB hours for up to an additional two (2) 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 a relative other than those in the immediate family shall be charged as vacation or PTO.

### B. Immediate Family:

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

### C. Eligibility:

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

### D. Rate of Pay:

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

### E. Bereavement Leave Period:

Bereavement leave must be taken within five (5) days of the death, funeral or memorial service.

## II. Workers' Compensation

### A. Eligibility:

Payment of workers' compensation benefits to all employees who are disabled because of an injury arising out of, and in the course of performing their duties

with the City will be governed by full workers' compensation benefits as provided in accordance with the Workers' Compensation Law, Chapter 440, Florida Statutes.

**B. Number of Days:**

Whenever an employee is absent due to a compensable injury, he/she shall receive his/her regular pay for the first 15 calendar days of such absence. But such payment shall not, when added to workers' compensation benefits, total more than the normal take home pay (gross base pay minus taxes), received by the employee immediately prior to such absence.

**C. Available Leave:**

An employee sustaining a lost-time injury in excess of the time in Section II, may use available sick leave or PCLB. If sick leave and PCLB are exhausted, the employee may use PTO or vacation. The request must be made to the Department Head to allow the employee to remain on full pay for the period which can be covered by the sick leave, PCLB, PTO or vacation balance when prorated with the amount being paid by workers' compensation as set forth in Section I. An employee who has elected the PTO program will not be required to use the first sixteen (16) hours of supplement as PTO, but instead may access the PCLB hours directly. If the employee has no PCLB hours, he/she may access his/her PTO.

**D. Return to Work:**

After employees are authorized to return to rehabilitative duty, they shall receive no further benefits under this article nor shall they be entitled to elect to take sick leave, vacation, PTO or PCLB in lieu of returning to work.

**III. Jury Duty or Witness Appearance**

**A. General Statement:**

The City encourages employees to accept and properly discharge their civic responsibility when called upon for jury duty.

**B. Salary:**

In order to prevent a financial burden resulting from the performance of such duty, the City will pay an employee his/her regular salary for the period of such service.

**C. Jury Notice and Approval of Time Off:**

An employee who is required to perform jury service during his/her normal working hours in a City, County, or Federal court shall be paid his/her regular straight time hourly rate for the period of such service. Employees receiving a summons for jury duty must notify their immediate supervisors promptly or as soon as possible after receiving such notice. Any employee failing to make such notification will not be paid for the period of said absence. A Leave

Request Form must be completed by the employee with a copy of the court summons attached and must be approved by the Department Head or appropriate authority prior to payment of such time off.

**D. Witness Subpoena and Approval of Time Off:**

An employee who is required to appear in a legal proceeding during his/her normal working hours in response to a legally valid subpoena shall be paid his/her regular straight time hourly rate for those hours absent from work; provided that either the employee is required to testify on behalf of the City, or that the City be a party to the case and the employee is required to testify because of conduct arising out of and in the course of his/her employment with the City while actually on duty. . The employee receiving said subpoena must notify his/her immediate supervisor promptly and submit evidence of such service as a witness. Any witness fee which the employee receives shall be endorsed and promptly transmitted by the employee to his/her appropriate supervisor for forwarding to the Finance Department provided the employee was paid his/her straight time hourly rate for those hours absent from work when required to testify on behalf of the City, or the employee is required to testify because of conduct arising out of and in the course of his/her employment with the City while actually on duty.

**E. Reporting for Work:**

An employee who is excused from jury duty or from appearance as a witness during his/her normal working hours must report to his/her supervisor to determine if he/she will be required to work the remainder of his/her normal work schedule.

**IV. Administrative Leave**

**A. Objective:**

This policy recognizes that those regular employees classified as members of the Managerial or Administrative and Professional Pay Plans, hereafter called "covered employees", are responsible to carry out management policies of the City Commission. These employees exercise delegated authority in the management and administration of service delivery to the citizens of the City of Gainesville. They are required to conform to the ethical standards of public service and are subject to the Human Resources Policies and Procedures as adopted by the City Commission.

The intent of this policy is to establish a means by which covered employees can be partially compensated for the contribution of an unusual number of hours beyond the normal workweek as outlined in the *Eligibility and Requirements for Approval* listed below. Such leave is discretionary and non-cumulative.

This revised policy supersedes any previous policies, procedures (written or unwritten) or memorandums which dealt with compensatory time or

Administrative Leave for covered employees for hours worked in excess of the normal workweek.

**B. Eligibility:**

1. All covered employees shall be eligible to earn up to one work week of Administrative Leave with pay in a fiscal year. This time must be used within 180 days of the activity as listed in item 3 below. Extraordinary cases may be considered for Administrative Leave above this cap up to one additional work week with pay at the discretion of the City Manager or other Charter Officer.
2. To be eligible, covered employees must be performing their duties at a satisfactory or above average level.
3. Examples of types of activity for which administrative leave is intended to be granted, include but are not limited to:
  - a. Recurring meetings outside of normal working hours.
  - b. Special projects with deadlines that require substantial employee time beyond normal working hours to complete.
  - c. Seasonal activities that require extensive time to meet established deadlines beyond normal work hours.
  - d. Frequent appearances before civic/community groups outside of normal working hours.
  - e. Unscheduled or scheduled operational contingencies; e.g., natural disasters, repairs and maintenance, major systems failure, etc.

**C. Requirements for Approval:**

All requests (standard Leave Request Form) for such leave must be approved as follows:

<u>Position</u>	<u>Approval Required</u>
Charter Officers' Staff	Charter Officers
Assistant City Managers	City Manager
Assistant General Managers	General Manager for Utilities
Department Heads	City Manager or Assistant City Manager
Division Heads	Department Head or Assistant General Manager
Administrative and Professional Positions	Department Head or Assistant General Manager

**D. Restrictions for Approval:**

1. There shall be no payment for non-use or non-request.

**V. Domestic/Sexual Violence Leave****A. Eligibility:**

Employees who have been employed by the City for at least three (3) months shall be granted up to three (3) working days of leave in any 12-month period if the employee or a family or household member of the employee is the victim of domestic violence or sexual violence. This leave is available to an employee to engage in activities needed because of the domestic/sexual violence, such as seeking an injunction, obtaining medical care, seeking shelter services, securing his/her home, or seeking legal services.

**B. Available Leave:**

Employees in need of Domestic or Sexual Violence Leave may use available PTO or vacation leave. Available sick leave or PTO may be used in circumstances where medical attention is needed. If the employee has no available paid leave, leave without pay will be granted.

**C. Notice:**

Except in cases of imminent danger to the health or safety of the employee, or to the health or safety of a family or household member, an employee seeking leave under this section must provide his/her Department notice of the leave in accordance with the Department's guidelines for leave requests.

**D. Confidentiality:**

The City must keep information relating to an employee's leave under this section confidential and exempt from disclosure to the extent authorized by Florida law.

**VI. Paid Parental Leave****A. Purpose:**

The purpose of this section is to provide eligible employees with certain amounts of paid leave for the birth and care of the newborn child of an employee, as well as for the placement of a child for adoption or foster care with the employee.

**B. Eligibility:**

All non-represented regular employees who have been employed by the City for at least one (1) year and have worked for 1250 hours over the twelve (12) months previous to the leave, are eligible to receive paid parental leave.

Collective bargaining agreements establish the paid leave available for represented employees and take precedence over this policy.

C. Paid Parental Leave:

“Paid Parental leave” is any leave taken by an eligible employee under this provision for the birth and care of the newborn child of an employee or placement of a child for adoption or foster care with an employee within twelve (12) months following the birth or placement.

D. Available Paid Leave:

Whenever an eligible employee takes paid parental leave, he/she is eligible to receive his/her regular base rate of pay for up to twelve (12) weeks.

Paid leave under this Section must be taken in increments of at least one (1) day and if applicable used concurrently with FMLA.

E. Notice:

Employees must provide at least thirty (30) days advance notice of the intent to take paid parental leave when the need is foreseeable. When thirty (30) days notice is not foreseeable, the employee must provide notice as soon as practicable.