

Memorandum



Date: October 14, 2004

B&F

To: Honorable Chairperson Barbara Carey-Shuler, Ed. D and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Resolution Amending the Leave Manual Under Chapter VI of the Miami-Dade County Personnel Rules

RECOMMENDATION

It is recommended that the Board of County Commissioners approve the attached resolution to amend the Leave Manual under Chapter VI of the Miami-Dade County Personnel Rules. This amendment will allow the County's longevity benefits to be administered consistent with the Florida Retirement System (FRS) where benefits are based on aggregate years of service, not continuous employment, and will clarify the active military duty paid leave provision.

BACKGROUND

Sections 00.02.02, 01.04.01 and 01.04.02 (d) – Most of the County's longevity benefits are based upon *continuous* years of service with two exceptions: a separation due to layoff with a recall within two years of separation and the sick leave payout for employees who have a total thirty years of service. In each instance, the separation period is treated as a leave of absence and the longevity benefit is calculated as if the employee had not experienced a service interruption.

Recognizing the value in rehiring former County employees and in order to eliminate the complete loss of previously earned longevity benefits, it is recommended that former employees who had at least a six-year tenure with the County and are rehired within two years of separation be eligible to have the previous County service period count toward the County's longevity benefits. This allows the County's longevity benefits to be administered consistent with the Florida Retirement System (FRS) where benefits are based on aggregate years of service, not continuous employment. These proposed changes do not apply to personnel who retired from the County system, to include former employees who have retired under the Deferred Retirement Option Program (DROP) and then seek re-employment.

Other proposed changes to the Leave Manual include an amendment to Section 01.04.02 (a) clarifying the requirement that an employee must complete 26 creditable pay periods in one year in order to accrue longevity annual leave during a particular leave year. In addition, Sections 10.04.01 and 10.04.03 will be amended to clarify that employees who are called to active military duty are entitled to a paid 30-day leave of absence each time they are called, regardless of the number of times, during a fiscal year.



Alex Muñoz
Assistant County Manager



MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE:

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No.

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor Agenda Item No.
Veto _____
Override _____

RESOLUTION NO. _____

RESOLUTION PROVIDING FOR AN AMENDMENT TO
THE LEAVE MANUAL AS PART OF THE MIAMI-DADE
COUNTY PERSONNEL RULES

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum from the County Manager, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the Leave Manual promulgated pursuant to Chapter VI of the Miami-Dade County Personnel Rules is hereby amended by revising sections 00.02.02, 01.04.01 (d), 01.04.02 (a), 10.04.01 and 10.04.03 as amended into the Leave Manual as indicated in the attached pages which are incorporated herein.

The foregoing resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

Dr. Barbara Carey-Shuler, Chairperson
Katy Sorenson, Vice-Chairperson

Bruno A. Barreiro
Betty T. Ferguson
Joe A. Martinez
Dennis C. Moss
Natacha Seijas
Sen. Javier D. Souto

Jose "Pepe" Diaz
Sally A. Heyman
Jimmy L. Morales
Dorrin D. Rolle
Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 16th day of November, 2004. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as
to form and legal sufficiency. Cell.

By: _____
Deputy Clerk



LEAVE MANUAL

SUBJECT DEFINITIONS	LEAVE CODE	No. 00.02.00
		DATE REVISED 10/20/1987

00.02.01

Continuous Service

Continuous Service means all Creditable Pay Periods of service as a Full-time Career Service employee between the date of hire and the date of separation.

For Full-time employees in the military service who are re-employed following such service, Continuous Service also includes the period of Military Service as specified in Section 09.06.00 and 10.06.00.

For employees reinstated from a layoff list, Continuous Service shall include all Continuous Service prior to the layoff.

For employees with at least six years of tenure with the County prior to a voluntarily resignation from County Service and who are re-employed within two years, Continuous Service shall include all Continuous Service prior to the voluntary separation for the purpose of calculations for the County's longevity benefits.



LEAVE MANUAL

SUBJECT ANNUAL LEAVE: LONGEVITY ANNUAL LEAVE	LEAVE CODE A	No. 01.04.00 DATE REVISED 3/3/1987
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01.04.01

General

To recognize the length of Continuous County Service, employees are granted additional Annual Leave on their Leave Anniversary Date. The amount of Longevity Annual Leave earned is based on the number of years of Continuous Service and the number of hours in the employee's regular work schedule. (Refer to 00.02.01 for definition of continuous service.)



SUBJECT ANNUAL LEAVE: LONGEVITY ANNUAL LEAVE	LEAVE CODE A	No. 01.04.00 DATE REVISED 3/3/1987
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Longevity Annual Leave for employees with Continuous full-time service originating before January 1, 1957, will be calculated from the beginning of the Continuous Service with proper adjustment for non-pay status periods. (Refer to 00.02.01 for definition of continuous service.) Longevity Annual Leave for such employees will be available to them each year as of the anniversary of the adjusted date on which their Continuous Service began.

01.04.02 Exceptions

- a) Partial leave years
~~Partial leave years.~~ No Longevity Annual Leave is accrued for incomplete Leave Years. To complete a Leave Year employees must complete 26 Creditable Pay Periods.
- b) Leave of Absence
Time on Leave of Absence without pay is not included in length of service toward Longevity Annual Leave, except for time on an approved Military Leave of Absence.
- c) Layoff
Employees who are re-employed from a layoff list within two years of the layoff will receive longevity credit for Continuous Service prior to the layoff, but not for the period of the layoff itself.
- d) Rehires
Employees with a least six years of tenure with the County who voluntary resign and are rehired within two years of the voluntary separation will receive longevity credit for Continuous Service prior to the separation, but not for the period of the separation itself.



SUBJECT SICK LEAVE: PAYMENTS	LEAVE CODE S	No. 02.08.00 DATE ISSUED/REVISED 3/8/2002
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02.08.03 Rate of Payment

Employees will be paid for unused Sick Leave at the employee's current rate of pay at the time of separation, excluding shift differentials, in accordance with the following schedule:

Full-time Continuous Percentage.

(Refer to 00.02.01 for definition of Continuous Service)

County Service Required

Payout



LEAVE MANUAL

SUBJECT MILITARY ACTIVE DUTY LEAVE: BENEFITS PERIOD		LEAVE CODE MA	No. 10.04.00 DATE ISSUED 3/3/1987
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10.04.01 ~~A maximum of thirty (30) days of Military Active Duty Leave in a fiscal year may be granted in addition to the seventeen (17) days of the Military Reserve Leave. Employees called to active military duty are entitled to a leave of absence, with full pay for the first 30 days.~~

Employees are entitled to the 30 days of paid leave each time they are called for activity military duty, even if they are called more than once in a fiscal year. In order to be eligible for more than one paid 30-day Military Active Duty Leave period in one fiscal year, the employee must have returned to work between deployments.

Employees whose active military leave extends beyond one fiscal year will be granted up to an additional thirty (30) days of paid Military Active Duty Leave for each additional year they are on active duty.

10.04.02 The thirty (30) day period begins on the first day of the official orders regardless of whether it is a workday or a day off; extends through to the last day of the official orders or for thirty calendar days, whichever comes first, and includes each calendar day in between.

~~10.04.03 More than one period of Military Active Leave may be granted as long as the total period of such leave does not exceed thirty (30) days.~~