



# **Miami-Dade County Leave Manual**



## LEAVE MANUAL

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## LEAVE MANUAL

		<b>No. 00.01.01</b>
<b>SUBJECT</b> INTRODUCTION	<b>LEAVE CODE</b>	<b>DATE ISSUED</b> 04/01/2005

This manual outlines the policy and procedures for the various types of “leave” for Miami-Dade County. Authorization for this manual is through Chapter VI of the Miami-Dade County Personnel Rules.

Except as otherwise provided for in collective bargaining agreements or as stated herein, the provisions of this manual are benefits applied equally to the entire County service.

Matters covered by this manual are subject to change by federal and state legislative and judicial authorities, as well as by negotiated collective bargaining agreements. Statutes, court decisions and collective bargaining agreements will prevail over this manual whenever there is a conflict.

The minimum period to be charged for any type of leave described in this leave manual is one quarter of an hour. Fractional amounts of hours shall be rounded to the nearest quarter hour.

All leave described in this manual must be authorized by an appropriate supervisor pursuant to the following general guidelines.

General Guidelines

Practices regarding employee leave request approvals are predicated primarily on a department’s ability to fulfill its operational requirements. Supervisory personnel, responsible for managing operational units are frequently challenged by the necessity to respond to operational demands in addition to evaluating on a timely basis leave requests from multiple personnel with competing needs. Therefore, the following criteria are offered as guidelines to assist supervisory personnel with the decision-making process as it relates to evaluating non-emergency leave requests.

1. Evaluate the operational impact first. When doing so, do not forget that eligibility and ability to take time off, as set forth in this manual, are among the benefits of employment used in recruiting qualified personnel.
2. Include among your evaluation criteria when the employee made the leave request. In other words, you could have a *first come, first served* criterion.
3. Unless it violates collective bargaining provisions, consider establishing a voluntary shift exchange program in your unit. In other words, have employees partner to work for each other when one has the need to use leave.
4. Use seniority to establish a rotating leave priority roster. For example, if three people need to be off at the same time and you can only release one, you may want to approve the leave request from the most senior of the three and then move that employee’s name to the bottom of the list for future requests.

## LEAVE MANUAL

		<b>No.</b> <b>00.02.00</b>
<b>SUBJECT</b> <b>DEFINITIONS</b>	<b>LEAVE CODE</b>	<b>DATE ISSUED</b> 04/01/2005

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 employee reinstated from a layoff list, continuous service shall include all continuous service prior to the layoff.

Administrative Office of the Court (AOC) employees who had at least six years of employment with the County and became State employees upon implementation of the revisions to Article V, July 1, 2004, and who are re-employed within two years, shall have all previous uninterrupted service with the County count toward the County's longevity benefits.

00.02.02      Creditable Pay Period

A creditable pay period is a pay period during which the employee is in pay status for more than half the number of hours in the employee's regular bi-weekly work schedule. For example, full-time employees assigned to 80-hour pay periods must be in pay status in excess of 40 hours to earn a creditable pay period. Full-time employees assigned to 96-hour pay periods must be in pay status in excess of 48 hours to earn a creditable pay period.

00.02.03      Department Director

Department director as indicated throughout this leave manual means the director of the department or his designee, in accordance with the following procedure:

The department director may request approval of the delegation of his authority in granting leave as set forth in this leave manual to the deputy department director, assistant department directors, division directors or those managers and supervisors of organizational units who report directly to the above. If clarification of these titles is required, the procedure outlined in Administrative Order 7-16, Administration and Delegation of Authority to Discipline, Section III, shall be followed.

To effect this delegation, the department director shall make a written request to the Human Resources Director with the exact title of those positions which will be authorized to grant leave, and the name of the persons holding those positions. This list shall be kept current by the department; however, the absence of a current name designation shall not void or affect any leave granted by the actual holder of the listed position.

## LEAVE MANUAL

		<b>No.</b> <b>00.02.00</b>
<b>SUBJECT</b> <b>DEFINITIONS</b>	<b>LEAVE CODE</b>	<b>DATE ISSUED</b> 04/01/2005

00.02.04     Full-time Career Service Employee

For the purposes of the benefits described in this leave manual, a full-time career service employee is an employee who is regularly scheduled to work 80 or more hours bi-weekly and is in one of the following status codes: AA, AB, AC, AF, AH, AJ, AT or AX.

00.02.05     Job Basis

Employees in classifications designated as job basis are not eligible for overtime compensation.

00.02.06     Leave Anniversary Date

An employee's leave anniversary date is the day following completion of the twenty-sixth creditable pay period. Although the date is different each year it is always the day following completion of the twenty-sixth creditable pay period.

00.02.07     Leave Year

A leave year is the basic period for maintaining employees' leave records and is comprised of twenty-six creditable pay periods.

00.02.08     Non-Job Basis

Employees in classifications designated as non-job basis are eligible for overtime compensation.

00.02.09     Non-Pay Status

Non-pay status is a period when employees are not receiving payment for time worked or paid leave time.

00.02.10     PAR

The PAR (Payroll and Attendance Record) is the document used for recording employee time worked and leave usage.

00.02.11     Pay Period

Pay period means the County's 14 calendar day payroll period.

## LEAVE MANUAL

		<b>No. 00.02.00</b>
<b>SUBJECT DEFINITIONS</b>	<b>LEAVE CODE</b>	<b>DATE ISSUED 04/01/2005</b>

00.02.12     Pay Period Number

Pay period number means the number of the creditable pay period for that leave year. The first creditable pay period after the leave anniversary date is pay period number one.

00.02.13     Pay Status

Employees are in pay status during any period for which they are receiving payment for time worked or paid leave time (annual leave, disability leave, jury duty leave, etc.). Worker’s Compensation payments alone do not constitute pay status.

00.02.13     Yearly Leave Report

The yearly leave report is given to employees each year and shows beginning balances, leave earnings, leave used, leave converted, and ending balances. The report also gives a detailed listing of leave used on a day-by-day basis.

## LEAVE MANUAL

	<b>No. 00.03.00</b>	
SUBJECT EMPLOYEE STATUS CODES	LEAVE CODE	DATE ISSUED 09/10/2010

00.03.01	<b>AA</b>	Permanent	After a probationary period is successfully served, an employee is placed in this status code. Only full-time classified service employees occupy this status code.
00.03.02	<b>AB</b>	Probationary	This status is utilized when an employee is hired into a full-time classified service position.
00.03.03	<b>AC</b>	Exempt	This status is used for full-time employees exempted from the classified service by Section 2-41 of the Miami-Dade County Code. No probationary period is served.
00.03.04	<b>AD</b>	Temporary	A provisional or short-term position (non-career service). Appointments are not to exceed six (6) months in any one year unless approved by the Human Resources Department.
00.03.05	<b>AE</b>	Part-time	A non-full-time position in which an employee works fewer than 40 hours per week. Employees usually work various schedules throughout the year.
00.03.06	<b>AF</b>	Trainee	A full-time employee who has not met all the qualifications of the specified job.
00.03.07	<b>AG</b>	Seasonal	A non-career service position for only certain periods of the year (i.e. summer help).
00.03.08	<b>AH</b>	Emergency	A full-time position where unusual conditions exist which require immediate employment. Appointments to this status code should not exceed thirty (30) days unless approved by the Human Resources Department.
00.03.10	<b>AJ</b>	Substitute	A full-time appointment. Employees assigned this status are replacing a full-time employee who is unable to be on the job.
	<b>AM</b>	Part Time Temporary / Seasonal	This status is used to identify temporary or seasonal positions that are part-time.
	<b>AO</b>	Florida Back To Work Active	This status is used to identify participants in the South Florida Workforce Board, Florida Back to Work Program.

## LEAVE MANUAL

		<b>No. 00.03.00</b>
SUBJECT EMPLOYEE STATUS CODES	LEAVE CODE	DATE ISSUED 09/10/2010

	<b>AR</b>	Work Experience Wages	SFWIB trainees. Summer enrollees, non-full-time, and non-career service.
00.03.13	<b>AT</b>	Acting Appointment (Classified)	A full-time, provisional, or short-term appointment of a current, full-time employee. Appointments should not exceed six (6) months unless approved by the Human Resources Department.
	<b>AU</b>	Pollworkers	Employees hired to work during an election. Non-full-time and non-career service.
00.03.14	<b>AW</b>	Farmworker Trainee	Non-full-time and non-career service. Department of Human Resources enrollees.
	<b>AX</b>	Acting Appointment (Exempt)	A full-time, provisional appointment of a current full-time employee to a position in the exempt service, pending recruitment. Appointments should not exceed six (6) months unless approved by the Human Resources Department.
	<b>AY</b>	Non-County Employee	This status is used to identify an individual who is being paid through the payroll system for a specific administrative reason, but is not a County employee



## LEAVE MANUAL

		<b>No.</b> <b>01.01.00</b>
SUBJECT ANNUAL LEAVE: GENERAL	LEAVE CODE A	DATE ISSUED 03/03/1987

The basic policy is to grant 80 hours annual leave for one year of continuous full-time service.

**LEAVE MANUAL**

		<b>No. 01.02.00</b>
<b>SUBJECT</b> ANNUAL LEAVE: ELIGIBILITY	<b>LEAVE CODE</b> A	<b>DATE ISSUED</b> 03/03/1987

01.02.01 Employees with the following status codes are eligible to earn annual leave benefits:

- AA Permanent
- AB Probationary
- AC Exempt
- AE Part-time
- AF Trainee
- AH Emergency
- AJ Substitute
- AT Acting Appointment Classified
- AX Acting Appointment Exempt

01.02.02 Employees with the following status codes are NOT eligible to earn annual leave benefits:

- AD Temporary – Full-time
- AG Seasonal – Full-time
- AM Temporary/Seasonal – Part-time
- AO Florida Back to Work Active
- AR Work Experience
- AW Farmworker Trainee
- AY Non-County Employee



## LEAVE MANUAL

		<b>No. 01.03.00</b>
SUBJECT ANNUAL LEAVE: ACCRUAL RATES	LEAVE CODE A	DATE ISSUED 03/03/1987

01.03.01 General Annual leave accruals are based on the number of regular hours an employee works in a pay period. No hours in excess of the regularly scheduled work week are included. Leave benefits accrue only for creditable pay periods. Worker's Compensation payments alone do not constitute or establish a creditable pay period.

01.03.02 Forty (40) Hour Work week Accruals Annual leave accrual rates per pay period for full-time employees with a regular work schedule of forty (40) hours per week are as follows:

Pay Period Number*	Annual Leave Hours Earned	Pay Period Number*	Annual Leave Hours Earned
1	3	14	3
2	3	15	3
3	3	16	3
4	3	17	3
5	3	18	3
6	3	19	3
7	3	20	3
8	3	21	3
9	3	22	3
10	3	23	3
11	3	24	3
12	3	25	3
13	4	26	4

**Total accrual: 80 hours**

\*This refers to the actual number of pay periods the employee is in pay status and does not correspond with specific County pay period numbers.

01.03.03 Forty-eight (48) Hour Work Week Accruals Annual leave accrual rates per pay period for full-time employees with a regular work schedule of forty-eight (48) hours per week are as follows: **Total accrual: 96 hours**

Pay Period Number*	Annual Leave Hours Earned	Pay Period Number*	Annual Leave Hours Earned
1	4	14	4
2	3	15	3

## LEAVE MANUAL

		<b>No. 01.03.00</b>
SUBJECT ANNUAL LEAVE: ACCRUAL RATES	LEAVE CODE A	DATE ISSUED 04/01/2005

Pay Period Number*	Annual Leave Hours Earned	Pay Period Number*	Annual Leave Hours Earned
3	4	16	4
4	4	17	4
5	3	18	3
6	4	19	4
7	4	20	4
8	4	21	4
9	3	22	3
10	4	23	4
11	4	24	4
12	3	25	3
13	4	26	4

\*This refers to the actual number of pay periods the employee is in pay status and does not correspond with specific County pay period numbers.

01.03.04 All incumbents in the Attorney or Law Clerk classifications earn 120 hours annual leave per year. Accrual rates are as follows:

Pay Period Number*	Annual Leave Hours Earned	Pay Period Number*	Annual Leave Hours Earned
1	5	14	5
2	4	15	4
3	5	16	5
4	4	17	4
5	5	18	5
6	4	19	4
7	5	20	5
8	4	21	4
9	5	22	5
10	4	23	4
11	5	24	5
12	4	25	4
13	6	26	6

**Total accrual: 120 hours**

\*This refers to the actual number of pay periods the employee is in pay status and does not correspond with specific County pay period numbers.

## LEAVE MANUAL

		<b>No.</b> <b>01.03.00</b>
SUBJECT ANNUAL LEAVE: ACCRUAL RATES	LEAVE CODE A	DATE ISSUED 04/01/2005

- 01.03.05 Employees in the occupational code 04790, Bailiff, do not accrue annual leave. However, these employees are eligible to take annual leave when their assigned judges are on vacation.
- 01.03.06 Part-time Accruals The amount of annual leave earned by a part-time employee may vary from pay period to pay period depending on the number of hours worked in each pay period as indicated on the chart below:

Hours Worked Per Pay Period	Annual Leave Hours Earned
0 – 39.99	0
40 – 59.99	1 – ½
60 – 79.99	2 – ½
80 or more	Same as a full-time employee, depending on the pay period number

## LEAVE MANUAL

		<b>No. 01.04.00</b>
<b>SUBJECT</b> ANNUAL LEAVE: LONGEVITY ANNUAL LEAVE	<b>LEAVE CODE</b> A	<b>DATE ISSUED</b> 04/01/2005

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.

01.04.02     Accrual Rates: Forty (40) Hour Work Week

Length of Service	Additional Annual Leave
0 through 5 years	0
6 years	8 hours
7 years	16 hours
8 years	24 hours
9 years	32 hours
10 through 15 years	40 hours
16 years	48 hours
17 years	56 hours
18 years	64 hours
19 years	72 hours
20 years and after	80 hours

01.04.03 Accrual Rates: Forty-eight (48) Hour Work Week

Length of Service	Additional Annual Leave
0 through 5 years	0
6 years	9 ½ hours
7 years	19 hours
8 years	29 hours
9 years	38 ½ hours
10 through 15 years	48 hours
16 years	57 ½ hours
17 years	67 hours
18 years	77 hours
19 years	86 ½ hours
20 years and after	96 hours

## LEAVE MANUAL

		<b>No.</b> <b>01.04.00</b>
<b>SUBJECT</b> ANNUAL LEAVE: LONGEVITY ANNUAL LEAVE	<b>LEAVE CODE</b> A	<b>DATE ISSUED</b> 04/01/2005

01.04.04      Part-Time Employees

Part-time employees are not eligible to earn longevity annual leave.

01.04.05      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. 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.

01.04.06      Exceptions

a) 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) Administrative Office of the Court (AOC)

Administrative Office of the Court (AOC) employees who had at least six years of employment with the County and became State employees upon implementation of the revisions to Article V, July 1, 2004, and who are reemployed within two years, shall have all previous uninterrupted service with the County count toward the County's longevity benefits.

## LEAVE MANUAL

		<b>No. 01.05.00</b>
SUBJECT ANNUAL LEAVE: WAITING PERIOD	LEAVE CODE A	DATE ISSUED 04/01/2005

01.05.01     Full-time Employees

Eligible employees begin to earn annual leave with the first creditable pay period. However, annual leave balances will not appear on the PAR or pay check stub and may not be used until the employees have completed thirteen (13) creditable pay periods.

01.05.02     Part-time Employees

Eligible part-time employees earn annual leave only during those pay periods in which they are in pay status for forty (40) hours or more. Annual leave balances will not appear on the PAR or pay check stub and may not be used until the employees have completed thirteen (13) pay periods with a minimum of forty (40) hours each.

01.05.03     Changing from Part-time to Full-time and Full-time to Part-time

Employees changing from part-time to full-time or vice versa are eligible to use annual leave after a total of thirteen (13) pay periods are earned. To earn credit for pay periods while in part-time status, employees must be in pay status for forty (40) hours or more during the pay period. When in full-time status, employees must be in pay status longer than half the number of hours in their regular biweekly work schedules.

01.05.04     Exceptions

Job basis employees shall not be subject to a waiting period for annual leave balances to appear on the PAR or pay check stub or to use accrued annual leave.

## LEAVE MANUAL

		<b>No.</b> <b>01.06.00</b>
<b>SUBJECT</b> ANNUAL LEAVE: AUTHORIZED USE	<b>LEAVE CODE</b> A	<b>DATE ISSUED</b> 04/01/2005

01.06.01 Employees wishing to use available annual leave for the reasons listed below must request advanced approval from their supervisors.

01.06.02 Annual leave may be used for the following reasons:

- a) Vacation.
- b) Absence due to the serious illness of a member of an employee's family.
- c) Absence due to the death of a person other than a member of the employee's immediate family (see Sick Leave: Authorized Use 02.05.00).
- d) Religious holidays, other than those designated as County holidays.
- e) Absence to take care of personal business which cannot be done on the employee's own time.
- f) Absence due to medical reasons when sick leave is not available.
- g) To accompany school age children on the first day of school and make parental visits to schools.

01.06.03 Negative (borrowed) Annual Leave

Job basis employees wishing to use partial days of annual leave may do so for the appropriate reasons upon approval of their supervisors regardless of whether there is sufficient accrued leave available for such absence. In the event there is insufficient leave available:

- a) All appropriate, available leave will first be charged (annual leave, holiday leave, and compensatory time).
- b) Any remaining hours for the absence will be "*borrowed*" against future annual leave accruals. A negative annual leave balance will reflect all *borrowed* annual leave hours.
- c) The employee will be paid for the *borrowed* hours in the same manner as other accrued hours.
- d) Borrowed hours will be paid back each pay period as accruals are earned, including longevity annual leave and sick leave converted to annual leave. When all borrowed hours are paid back a positive leave balance will be reflected.
- e) The employee cannot be paid for a full day's absence with borrowed hours; only partial days may be covered with borrowed leave.

In the event a job basis employee separates from service with a negative annual leave balance, no annual leave will be paid out. Borrowed hours will not be subtracted from the final pay check.

## LEAVE MANUAL

		<b>No.</b> <b>01.07.00</b>
<b>SUBJECT</b> ANNUAL LEAVE: MAXIMUM ACCUMULATION	<b>LEAVE CODE</b> A	<b>DATE ISSUED/REVISED</b> 11/08/2018

01.07.01

General

The maximum accumulation of annual leave which can be carried over to the employee's next leave year is 500 hours unless otherwise provided for in a collective bargaining agreement. Any accumulated annual leave in excess of a maximum will be forfeited at the end of the employee's leave year.

Effective November 19, 2018, the maximum accumulation of annual leave which can be carried over to the employee's next leave year is 750 hours, to include all non-bargaining unit employees and all other employees covered by a collective bargaining agreement whose agreement explicitly provides for this benefit.

01.07.02

Forty (40) Hour Work Week

Employees assigned to a forty (40) hour work week may accumulate a maximum of 500 hours of annual leave.

Effective November 19, 2018, all non-bargaining unit employees assigned to a forty (40) hour work week and all other employees covered by collective bargaining agreement whose agreement explicitly provides for this benefit, may accumulate a maximum of 750 hours of annual leave.

01.07.03

Forty-eight (48) Hour Work Week

Employees assigned to a forty-eight (48) hour work week may accumulate a maximum of 500 hours of annual leave.

Effective November 19, 2018, all non-bargaining unit employees assigned to a forty-eight (48) hour work week and all other employees covered by collective bargaining agreement whose agreement explicitly provides for this benefit, may accumulate a maximum of 750 hours of annual leave.

01.07.04

Exceptions

State of Florida employees paid by the County may accumulate a maximum of 240 hours of annual leave.

Should the annual leave balance of an employee on active military duty leave, exceed the maximum number of allowable hours (500), unless otherwise provided for in a collective bargaining agreement, on his/her anniversary date, the excess annual leave hours will not be forfeited. The excess leave hours will be preserved, and upon return from active duty service, the employee will have one year (12 months) from the date of return to work to use the excess annual leave time. (See Section 01.08.05 for payment option.)

01.07.05

Warnings

Employees whose projected annual leave balances will exceed the maximum will see a warning on each bi-weekly paycheck stub beginning with the thirteenth (13<sup>th</sup>) pay period of their leave years. This warning will give the number of hours the employee needs to use prior to the end of the leave year to avoid forfeiting annual leave. Sick leave conversions are included in the calculation in the warning. Departments with employees whose annual leave balances are nearing the maximum should encourage such employees to use the time to reduce their balances.



## LEAVE MANUAL

		<b>No. 01.08.00</b>
SUBJECT ANNUAL LEAVE: PAYMENTS	LEAVE CODE A	DATE ISSUED/REVISED 11/08/2018

- 01.08.01     Active Employees  
 Employees will not be paid for accumulated annual leave while continuing to work, unless the payment is a vacation advance. Full-time employees are eligible for vacation advances in increments of 80 hours (or the number of hours in the regular bi-weekly work schedule). Unless the department cancels the leave approval previously granted and requires an employee to work, employees must actually use the accrued leave annual, holiday, compensatory time, floating or birthday holiday) in the same number of hours paid in the vacation advance.
- 01.08.02     Leaves of Absence  
 Employees going on a leave of absence may be paid for their accumulated leave balances, including annual leave, with the last pay check prior to the effective date of the leave of absence. The hourly rate of this payout will be the current hourly rate, excluding night shift differential. The number of hours of accrued leave paid out will in no case be greater than the actual number of hours in the Leave of Absence.
- 01.08.03     Termination  
 Employees who have completed 13 creditable pay periods will be paid for unused annual leave at the time of separation. Payment will be based on the employees' hourly rate at the time of separation, except that night shift differential shall not to be used in the calculation. No employee shall receive payment for more than the 500 hours of unused annual leave at termination.
- Effective November 19, 2018, all non-bargaining unit employees, who have completed 13 creditable pay periods and all other employees covered by collective bargaining agreement whose agreement explicitly provides for this benefit will be paid for unused annual leave at the time of separation. Payment will be based on the employees' hourly rate at the time of separation, except that night shift differential shall not to be used in the calculation. No employee shall receive payment for more than the 750 hours of unused annual leave at termination.
- 01.08.04     Payments Deferred Retirement Option Program (DROP)  
 Employees in the Florida Retirement System (FRS), who are eligible to enroll and elect to participate in DROP, have the option of requesting payment for the balance of their accrued annual leave up to 500 hours or an applicable collective bargaining agreement. This payment will be reported as compensation under the FRS.
- 01.08.05     Exceptions  
 Employees who exceeded the maximum number of allowable hours of annual leave (500) on their leave anniversary date while on active military duty retain the excess leave hours in their respective leave banks. Pursuant to the provisions in Section 01.07.04, upon return to full duty, these employees have one year (12 months) to use the excess annual leave. Upon the employees' request and at the department directors' discretion, these employees may elect to be paid for the excess annual leave in lieu of using the time. Payment will be based on their current hourly rate excluding night shift differential. Employees who wish to exercise this option must do so within thirty (30) business days of returning to full duty.

## LEAVE MANUAL

		<b>No.</b> <b>01.08.00</b>
<b>SUBJECT</b> ANNUAL LEAVE: PAYMENTS	<b>LEAVE CODE</b> A	<b>DATE ISSUED/REVISED</b> 11/08/2018

01.08.05      Exceptions Cont'd

Effective November 19, 2018, all non-bargaining unit employees and all other employees covered by collective bargaining agreement whose agreement explicitly provides for this benefit who exceeded the maximum number of allowable hours of annual leave (750) on their leave anniversary date while on active military duty retain the excess leave hours in their respective leave banks. Pursuant to the provisions in Section 01.07.04, upon return to full duty, these employees have one year (12 months) to use the excess annual leave. Upon the employees' request and at the department directors' discretion, these employees may elect to be paid for the excess annual leave in lieu of using the time. Payment will be based on their current hourly rate excluding night shift differential. Employees who wish to exercise this option must do so within thirty (30) business days of returning to full duty.

The departmental personnel representative has an affirmative responsibility to inform the employee returning to full duty of the payment option. Should the employee not elect the payment option, he or she still has twelve months to use the excess annual leave hours (See Section 01.07.04.)



## LEAVE MANUAL

		<b>No.</b> <b>02.01.00</b>
SUBJECT SICK LEAVE: GENERAL	LEAVE CODE S	DATE ISSUED/REVISED 03/08/2002

The basic policy is to grant 96 hours sick leave for one year of continuous full-time service.

## LEAVE MANUAL

		<b>No.</b> <b>02.02.00</b>
<b>SUBJECT</b> SICK LEAVE: ELIGIBILITY	<b>LEAVE CODE</b> S	<b>DATE ISSUED/REVISED</b> 03/08/2002

02.02.01 Employees with the following status codes are eligible to earn sick leave benefits:

- AA Permanent
- AB Probationary
- AC Exempt
- AE Part-time
- AF Trainee
- AH Emergency
- AJ Substitute
- AT Acting Appointment Classified
- AX Acting Appointment Exempt

02.02.02 Employees with the following status codes are NOT eligible to earn sick leave benefits:

- AD Temporary – Full-time
- AG Seasonal – Full-time
- AM Temporary/Seasonal – Part-time
- AR Work Experience
- AW Farmworker Trainee
- AY Non-County Employee

02.02.03 Exceptions

Employees with the following occupational codes and job classifications earn no sick leave benefits:

- 04790 - Bailiff
- 09135 - B.I. Enrollees

## LEAVE MANUAL

<b>No. 02.03.00</b>
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<b>SUBJECT</b> SICK LEAVE: ACCRUAL RATES	<b>LEAVE CODE</b> S	<b>DATE ISSUED/REVISED</b> 03/08/2002
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**02.03.01**     General

Sick leave accruals are based on the number of regular hours an employee works in a pay period. No hours in excess of the regularly scheduled work week will be included. Leave benefits will accrue only for creditable pay periods. Worker’s Compensation payments alone do not constitute or establish a creditable pay period.

**02.03.02**     Forty (40) Hour Work Week Accruals

Sick leave accrual rates per pay period for full-time employees with a regular work schedule of forty (40) hours per week are as follows:

Pay Period Number*	Sick Leave Hours Earned	Pay Period Number*	Sick Leave Hours Earned
1	4	14	4
2	3	15	3
3	4	16	4
4	4	17	4
5	3	18	3
6	4	19	4
7	4	20	4
8	4	21	4
9	3	22	3
10	4	23	4
11	4	24	4
12	3	25	3
13	4	26	4

**Total accrual: 96 hours**

\*This refers to the actual number of pay periods the employee is in pay status and does not correspond with specific County pay period numbers.

## LEAVE MANUAL

<b>No.</b> <b>02.03.00</b>
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<b>SUBJECT</b> SICK LEAVE: ACCRUAL RATES	<b>LEAVE CODE</b> S	<b>DATE ISSUED/REVISED</b> 03/08/2002
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**02.03.03**      Forty-eight (48) Hour Work Week Accruals

Sick leave accrual rates per pay period for full-time employees with a regular work schedule of forty-eight (48) hours per week are as follows:

<b>Pay Period Number*</b>	<b>Sick Leave Hours Earned</b>	<b>Pay Period Number*</b>	<b>Sick Leave Hours Earned</b>
1	5	14	5
2	5	15	5
3	4	16	4
4	5	17	5
5	5	18	5
6	5	19	5
7	4	20	4
8	5	21	5
9	5	22	5
10	5	23	5
11	4	24	4
12	5	25	5
13	5	26	5

**Total accrual:                                124 hours**

\*This refers to the actual number of pay periods the employee is in pay status and does not correspond with specific County pay period numbers.

**02.03.04**      Status AW – Farmworker Trainee Individuals in this status code accrue sick leave at the rate of three (3) hours per sixty (60) hours worked.

**02.03.05**      Part-time Accruals - The amount of sick leave earned by a part-time employee may vary from pay period to pay period.

<b>Hours Worked Per Pay Period</b>	<b>Sick Leave Hours Earned</b>
0-39.99	0
40-59.99	2
60-79.99	3
80 or more	Same as a full-time employee, depending on the pay period number

## LEAVE MANUAL

<b>No. 02.04.00</b>
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<b>SUBJECT</b> SICK LEAVE: WAITING PERIOD	<b>LEAVE CODE</b> S	<b>DATE ISSUED/REVISED</b> 03/08/2002
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02.04.01     Full-time Employees

Eligible employees begin to earn sick leave with the first creditable pay period worked. However, sick leave balances will not appear on the PARs or pay check stubs and may not be used until the employees have completed 13 creditable pay periods.

02.04.02     Part-time Employees

Eligible part-time employees earn sick leave only during those pay periods in which they are in pay status for 40 hours or more. Sick leave balances will not appear on the PAR or pay check stub and may not be used until the employees have completed 13 pay periods with a minimum of 40 hours worked in each.

02.04.03     Changing from Part-time to Full-time and Full-time to Part-time

Employees changing from part-time to full-time or vice versa are eligible to use sick leave after a total of 13 pay periods are earned. To earn credit for pay periods while in part-time status, employees must be in pay status for 40 hours or more during the pay period. When in full-time status, employees must be in pay status longer than half the number of hours in their regular bi-weekly work schedules.

02.04.04     Exceptions

Job basis employees are not subject to any waiting period for sick leave balances to appear on the PAR or pay check stub or to be able to use accrued sick leave.

## LEAVE MANUAL

		<b>No.</b> <b>02.05.00</b>
<b>SUBJECT</b> SICK LEAVE: AUTHORIZE USE	<b>LEAVE CODE</b> S	<b>DATE ISSUED/REVISED</b> 03/08/2002

- 02.05.01 Proof of illness or disability may be required by the supervisor. If the department determines that the absence is not properly chargeable to sick leave, the employee may be placed in non-pay status for the same amount of time as the absence or other accrued leave may be charged.
- 02.05.02 Sick leave may be used for the following reasons:
- a) Absence due to personal illness or injury.
  - b) Absence due to personal medical or dental appointments, with prior approval of the supervisor.
  - c) Absence as a result of pregnancy, birth or adoption of a child, to include postpartum recovery period, infant care for natural birth and infant care for adoption. A physician's treatment statement may be requested stating the dates the employee is unable to perform the duties of the position.



## LEAVE MANUAL

		<b>No.</b> <b>02.05.00</b>
<b>SUBJECT</b> SICK LEAVE: AUTHORIZE USE	<b>LEAVE CODE</b> S	<b>DATE ISSUED/REVISED</b> 03/08/2002

02.05.03      Negative (borrowed) Sick Leave

Job basis employees wishing to use partial days of sick leave may do so for the appropriate reasons and upon approval of their supervisors regardless of whether there is sufficient accrued leave available for such absence. In the event there is insufficient leave available:

- a) All appropriate, available leave will first be charged (sick leave, annual leave, holiday leave, compensatory time).
- b) Any remaining hours for the absence will be “*borrowed*” against future sick, annual, or holiday leave and compensatory time accruals. A negative sick leave balance will reflect all *borrowed* sick leave hours.
- c) The employee will be paid for the *borrowed* hours in the same manner as other accrued hours.
- d) *Borrowed* hours will be paid back each pay period as sick, annual or holiday leave and compensatory time are earned. When all *borrowed* hours are paid back a positive leave balance will be reflected.
- e) The employee cannot be paid for a full day’s absence with *borrowed* hours; only partial days may be covered with *borrowed* leave.
- f) In the event a job basis employee separates from service with a negative sick leave balance, no sick leave, annual leave, holiday leave, and compensatory time will be paid out, nor will any borrowed hours be subtracted from the final pay check.

02.05.04      Exceptions

- a) Sick leave may NOT be used due to illness of a member of an employee’s family. Annual, holiday or Emergency Sick Leave should be used.



## LEAVE MANUAL

		<b>No.</b> <b>02.06.00</b>
<b>SUBJECT</b> SICK LEAVE: MAXIMUM ACCUMULATION	<b>LEAVE CODE</b> S	<b>DATE ISSUED/REVISED</b> 03/3/1987

Sick leave accumulates without limit.

## LEAVE MANUAL

		<b>No. 02.07.00</b>
<b>SUBJECT</b> SICK LEAVE: CONVERSION	<b>LEAVE CODE</b> S	<b>DATE ISSUED/REVISED</b> 11/08/2018

02.07.01      General

All sick leave used during the employee’s leave year is subtracted from the first 48 hours of sick leave earned during that year, until those 48 hours are exhausted. On the employee’s leave anniversary date, any unused portion of these first 48 hours of accrued sick leave is converted to annual leave.

Effective November 19, 2018, all non-bargaining unit employees and all other employees covered by collective bargaining agreement whose agreement explicitly provides for this benefit, may waive the conversion upon written request two (2) pay periods prior to the date of conversion.

Exception

Effective October 1, 2001, employees enrolled in the Deferred Retirement Option Program (DROP) of FRS may elect to stop the conversion of unused sick to annual leave. The unused portion of the first 48 hours of accrued sick leave that would have otherwise converted to annual leave will remain in the employee’s sick leave bank. This will remain in place until the employee makes a written request to the Director of the Payroll & Information Management Division of the Human Resources Department, to resume the sick leave conversion. This request must be made at least four (4) pay periods prior to the employee’s leave anniversary date.

02.07.02      The procedure for converting sick to annual leave on the employee’s leave anniversary date is as follows:

- a) Longevity annual leave which has been earned in accordance with Section 01.04.00 is added to the accrued annual leave bank’s ending balance. If this causes the annual leave balance to exceed the maximum accumulation (01.07.00), then the longevity annual leave is forfeited.
- b) Second, any unused portion of the first 48 hours of sick leave earned during the leave year is converted to annual leave and appropriate adjustments are made to the leave balances.
- c) If “b” above causes the annual leave balance to exceed the maximum accumulation (01.07.00) allowed, then that amount causing the excess will not be converted and will remain part of the employee’s sick leave bank.
- d) If 48 or more hours of sick leave were used during the leave year, there will not be a conversion to annual leave.
- e) Employees are given a yearly leave report detailing all leave used during the leave year and current balances.

## LEAVE MANUAL

		<b>No. 02.07.00</b>
<b>SUBJECT</b> SICK LEAVE: CONVERSION	<b>LEAVE CODE</b> S	<b>DATE ISSUED/REVISED</b> 11/08/2018

02.07.03      Forty-eight (48) Hour Work Week Employees

Conversion takes place for any unused portion of the first 62 hours of sick leave on the employee's leave anniversary date.

02.07.04      Part-time Employees

There is no conversion of unused sick leave to annual leave for part-time employees. When a part-time employee changes to full-time, conversion is made only after the employee completes 26 creditable pay periods as a full-time employee.

02.07.05      Job basis employees who have *borrowed* sick leave during their leave year will have the *borrowed* sick leave treated as sick leave used. If a negative sick leave balance exists on the leave anniversary date, no sick leave conversion will take place.

## LEAVE MANUAL

<b>No. 02.08.00</b>
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SUBJECT SICK LEAVE: PAYMENTS	LEAVE CODE S	DATE ISSUED/REVISED 11/08/2018
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02.08.01      General

Full-time employees who retire or resign in good standing are eligible to receive payment for accrued sick leave at the time of separation.

Exceptions:

No payment will be made for accrued sick leave to employees who terminate County service with the following status codes for separation:

- BB Resignation by abandonment of position
- D All dismissal codes

02.08.02      Maximum Payment

A maximum of 1,000 hours of accrued unused sick leave will be paid out subject to exceptions mentioned in Sections 02.08.03 and 02.08.08.

02.08.03      Rate of Payment

All non-bargaining unit employees and all other employees covered by collective bargaining agreement whose agreement explicitly provides for this benefit who were hired before January 1, 2015, or otherwise specified in a collective bargaining unit will be paid for unused sick leave at the employee's rate of pay at the time of separation, excluding shift differentials, in accordance with the following schedule:

Full-time Continuous Percentage

<u>County Service Required</u>	<u>Payout</u>
Less than 10 years	No payment
10 years but less than 11 years	25% payment
11 years but less than 12 years	30% payment
12 years but less than 13 years	35% payment
13 years but less than 14 years	40% payment
14 years but less than 15 years	45% payment
15 years but less than 16 years	50% payment
16 years but less than 17 years	55% payment



## LEAVE MANUAL

		<b>No.</b> <b>02.08.00</b>
<b>SUBJECT</b> SICK LEAVE: PAYMENTS	<b>LEAVE CODE</b> S	<b>DATE ISSUED/REVISED</b> <u>11/08/2018</u>

02.08.03      Rate of Payment Cont'd

Full-time Continuous Percentage

<u>County Service Required</u>	<u>Payout</u>
17 years but less than 18 years	60% payment
18 years but less than 19 years	65% payment
19 years but less than 20 years	70% payment
20 years but less than 21 years	75% payment
21 years but less than 22 years	77.5% payment
22 years but less than 23 years	80% payment
23 years but less than 24 years	82.5% payment
24 years but less than 25 years	85% payment
25 years but less than 26 years	87.5% payment
26 years but less than 27 years	90% payment
27 years but less than 28 years	92.5% payment
28 years but less than 29 years	95% payment
29 years but less than 30 years	97.5% payment
30 years or more	100% payment (see exception below)

Exception

Except as otherwise provided for in a collective bargaining agreement, all payments described above are based on years of continuous County service, with the exception of 30 years or more, and have a maximum payout of 1,000 hours of accumulated sick leave. Employees with 30 or more years of County service will have their entire sick leave balance paid out at termination even if the accrued time is more than 1,000 hours.

## LEAVE MANUAL

<b>No. 02.08.00</b>
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<b>SUBJECT</b> SICK LEAVE: PAYMENTS	<b>LEAVE CODE</b> S	<b>DATE ISSUED/REVISED</b> 11/08/2018
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02.08.03      Rate of Payment Cont'd

All non-bargaining unit employees and all other employees covered by collective bargaining agreement whose agreement explicitly provides for this benefit (who were hired on or after January 1, 2015, or otherwise specified in a collective bargaining unit) will be paid for unused sick leave at the employee's rate of pay at the time of separation, excluding shift differentials, in accordance with the following schedule:

Full-time Continuous Percentage

County Service Required	Payout
Less than 13 years	No payment
13 years but less than 14 years	25% payment
14 years but less than 15 years	30% payment
15 years but less than 16 years	35% payment
16 years but less than 17 years	40% payment
17 years but less than 18 years	45% payment
18 years but less than 19 years	50% payment
19 years but less than 20 years	55% payment
20 years but less than 21 years	60% payment
21 years but less than 22 years	65% payment
22 years but less than 23 years	70% payment
23 years but less than 24 years	75% payment
24 years but less than 25 years	77.5% payment
25 years but less than 26 years	80% payment
26 years but less than 27 years	82.5% payment
27 years but less than 28 years	85% payment
28 years but less than 29 years	87.5% payment
29 years but less than 30 years	90% payment
30 years but less than 31 years	92.5% payment

## LEAVE MANUAL

		<b>No. 02.08.00</b>
<b>SUBJECT</b> SICK LEAVE: PAYMENTS	<b>LEAVE CODE</b> S	<b>DATE ISSUED/REVISED</b> 11/08/2018

02.08.03      Rate of Payment Cont'd

Full-time Continuous Percentage

County Service Required	Payout
31 years but less than 32 years	95% payment
32 years but less than 33 years	97.5% payment
33 years or more	100% payment (see exception below)

Exception

Except as otherwise provided for in a collective bargaining agreement, all payments described above are based on years of continuous County service, with the exception of 33 years or more, and have a maximum payout of 1,000 hours of accumulated sick leave. Employees with 33 or more years of County service will have their entire sick leave balance paid out at termination even if the accrued time is more than 1,000 hours.

Special Risk Employees:

Except as otherwise provided for in a collective bargaining agreement, special risk employees who were hired before November 19, 2018, and retire after 20 years of full-time continuous County service are subject to the following schedule:

County Service Required	Payout
21 years but less than 22 years	80% payment
22 years but less than 23 years	85% payment
23 years but less than 24 years	90% payment
24 years but less than 25 years	95% payment
25 years or more	100% payment (see exception below)

All payments described above are based on years of continuous County service with a maximum of 1,000 hours of accumulated sick leave, with the exception of 25 years or more.

Except as otherwise provided for in a collective bargaining agreement, special risk employees who were hired on or after November 19, 2018, and retire after 20 years of full-time continuous County service are subject to the following schedule:



## LEAVE MANUAL

		<b>No. 02.08.00</b>
SUBJECT SICK LEAVE: PAYMENTS	LEAVE CODE S	DATE ISSUED/REVISED <u>11/08/2018</u>

02.08.03      Rate of Payment Cont'd

County Service Required	Payout
26 years but less than 27 years	80% payment
27 years but less than 28 years	85% payment
28 years but less than 29 years	90% payment
29 years but less than 30 years	95% payment
30 years or more	100% payment (see exception below)

All payments described above are based on years of continuous County service with a maximum of 1,000 hours of accumulated sick leave, with the exception of 30 years or more.

In accordance with the provisions contained in applicable collective bargaining agreements, special risk sworn law enforcement bargaining unit employees hired before November 19, 2018 and special risk fire fighter bargaining unit employees, who retire after 25 years of full-time County employment, will be eligible to receive 100% payment of their full balances of accrued, unused sick leave. Such payment will be made at the employee's rate of pay at the time of retirement, excluding any shift differential, and will not be subject to any maximum number of hours.

In accordance with the provisions contained in applicable collective bargaining agreements, special risk sworn law enforcement bargaining unit employees hired on or after November 19, 2018, who retire after 30 years of full-time County employment, will be eligible to receive 100% payment of their full balances of accrued, unused sick leave. Such payment will be made at the employee's rate of pay at the time of retirement, excluding any shift differential, and will not be subject to any maximum number of hours.

## LEAVE MANUAL

		<b>No.</b> <b>02.08.00</b>
<b>SUBJECT</b> SICK LEAVE: PAYMENTS	<b>LEAVE CODE</b> S	<b>DATE ISSUED/REVISED</b> 11/01/2018

- 02.08.04      Eligible service for this payout is full-time, continuous County service, except as noted. Prior military or other service is not included.
- 02.08.05      Part-time service is not credited toward service for payment.
- 02.08.06      FICA Payments on Sick Leave  
  
 Payments of accrued sick leave at the time an employee is terminated due to death or disability are not subject to FICA (Social Security) deductions or retirement contributions.
- 02.08.07      Water and Sewer employees merged from the City of Miami in 1973 are eligible to maintain up to 960 hours of sick leave from the City of Miami in a separate account. Such leave is to be paid out 100% at death or retirement at the employee’s then current rate of pay in addition to any County sick leave payout to which such an employee may be eligible. For termination other than death or retirement, employees with 10-15 years of service shall be paid 50% of accrued City of Miami sick leave at the then current rate of pay in addition to any County sick leave payout to which such an employee may be eligible.
- 02.08.08      Non-bargaining unit special risk employees and employees who occupy exempt executive Group 1, 2 and 3 level County positions, who retire after 25 or more years of full-time County employment, will be eligible to receive 100% payment for all accrued, unused sick leave. Such payment will be made at the employee’s rate of pay at the time of retirement, excluding any shift differential, and will not be subject to a maximum number of hours.
- 02.08.09      Sick Leave Death Benefit  
  
 The beneficiary of a deceased County employee will be paid 100% of the deceased employee’s accumulated sick leave.



# LEAVE MANUAL

**No.**  
**03.01.00**

<b>SUBJECT</b> FLOATING HOLIDAY: GENERAL	<b>LEAVE CODE</b> FH	<b>DATE ISSUED/REVISED</b> 01/22/2020
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Effective January 23, 2020, all eligible non-bargaining unit employees and all other employees covered by collective bargaining agreements whose agreement explicitly provides for this benefit are eligible for three (3) floating holidays each fiscal year (October 1 – September 30).

The Mayor or appointing authorities of departments or offices not under the Mayor’s purview shall have the discretion to authorize furlough days or to suspend holiday pay (holiday furlough) in lieu of a floating holiday.

Furlough days or unpaid holidays may be authorized in lieu of a floating holiday by the terms and conditions of an employee’s collective bargaining agreement.

## LEAVE MANUAL

		<b>No.</b> <b>03.02.00</b>
<b>SUBJECT</b> FLOATING HOLIDAY: ELIGIBILITY	<b>LEAVE CODE</b> FH	<b>DATE ISSUED/REVISED</b> 01/22/2020

- 03.02.01      Employees with the following status codes are eligible for the floating holiday:
- AA Permanent
  - AB Probationary
  - AC Exempt
  - AF Trainee
  - AH Emergency
  - AJ Substitute
  - AT Acting Appointment Classified
  - AX Acting Appointment Exempt
- 03.02.02      Employees with the following status codes are NOT eligible for the floating holiday:
- AD Temporary - Full-time
  - AE Part-time
  - AG Seasonal - Full-time
  - AW Farmworker Trainee
  - AY Non-County Employee
- 03.02.03      Eligible employees must complete nine (9) pay periods to receive pay for the floating holiday.
- 03.02.04      Eligible employees must be in pay status for a full day on the assigned work days immediately before and after the day in which the floating holiday is observed in order to be paid for the holiday. Any amount of unpaid time will cause the employee to lose the holiday.
- 03.02.05      Job basis employees who have any amount of unauthorized time off (U or UN) on the work days immediately preceding or following the day in which the floating holiday is observed will not be paid for the holiday.



## LEAVE MANUAL

		<b>No.</b> <b>03.03.00</b>
<b>SUBJECT</b> FLOATING HOLIDAY: WAITING PERIOD	<b>LEAVE CODE</b> FH	<b>DATE ISSUED/REVISED</b> 11/01/2018

Employees are eligible to use the floating holiday at any time after completion of nine (9) pay periods.

## LEAVE MANUAL

		<b>No. 03.04.00</b>
<b>SUBJECT</b> FLOATING HOLIDAY: AUTHORIZED USE	<b>LEAVE CODE</b> FH	<b>DATE ISSUED/REVISED</b> 11/01/2018

- 03.04.01      The floating holiday may be observed on any regularly scheduled work day.
- 03.04.02      The department may require as much as four (4) weeks' notice of the employee's desire to use the floating holiday.
- 03.04.03      Exceptions
- a) The floating holiday may NOT be added to holiday leave accruals.
  - b) The floating holiday may NOT be accumulated or transferred from one fiscal year to the next.
  - c) The floating holiday may NOT be taken in hourly segments.



## LEAVE MANUAL

		<b>No.</b> <b>03.05.00</b>
SUBJECT FLOATING HOLIDAY: ACCUMULATION	LEAVE CODE FH	DATE ISSUED/REVISED 11/01/2018

Floating holidays cannot be accumulated or accrued.



## LEAVE MANUAL

		<b>No.</b> <b>03.06.00</b>
<b>SUBJECT</b> FLOATING HOLIDAY: PAYMENTS	<b>LEAVE CODE</b> FH	<b>DATE ISSUED/REVISED</b> 11/08/2018

03.06.01 The floating holiday is paid only when used, and is NOT compensable upon termination.

1. The floating holiday is paid only to eligible employees who are in full pay status on the assigned work days immediately before and after the day on which the holiday is observed.
2. Each year the County observes the eleven (11) scheduled holidays in addition to the floating holiday(s) (see 03.01.00) and the birthday holiday (see 04.01.00).



## LEAVE MANUAL

		<b>No.</b> <b>04.01.00</b>
<b>SUBJECT</b> HOLIDAYS: GENERAL	<b>LEAVE CODE</b> H	<b>DATE ISSUED</b> 9/25/2024

- New Year's Day
- Martin Luther King's Birthday
- President's Day
- Law Enforcement Appreciation Day
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Columbus Day
- Veteran's Day
- Thanksgiving Day
- Friday after Thanksgiving
- Christmas Day

04.01.02      Holidays falling on Saturdays are normally observed on the preceding Friday. Holidays falling on Sundays are normally observed on the following Monday. In such cases, the day on which the holiday is observed is considered the paid holiday, and not the day on which it actually falls.

- The Law Enforcement Appreciation Day Holiday, is to be observed on the Friday before National Police Week.
- In the event June 19 is on a Saturday or Sunday in any given year, the paid County holiday shall be observed on the following business day.

04.01.03      The Mayor or appointing authorities of departments or offices not under the Mayor's purview shall have the discretion to authorize furlough days or to suspend holiday pay (holiday furlough) in lieu of holiday leave.

04.01.04      Furlough days or unpaid holidays in lieu of holiday leave may be authorized by the terms and conditions of an employee's collective bargaining agreement.

## LEAVE MANUAL

		<b>No.</b> <b>04.02.00</b>
<b>SUBJECT</b> HOLIDAYS: ELIGIBILITY	<b>LEAVE CODE</b> H	<b>DATE ISSUED</b> 11/13/2009

04.02.01 Employees with the following status codes are eligible for the eleven (11) scheduled holidays:

- AA Permanent
- AB Probationary
- AC Exempt
- AD Temporary – Full-time
- AF Trainee
- AH Emergency
- AJ Substitute
- AT Acting Appointment Classified
- AX Acting Appointment Exempt

04.02.02 Employees with the following status codes are NOT eligible for the eleven (11) scheduled Holidays:

- AE Part-time
- AG Seasonal – Full Time
- AM Temporary/Seasonal – Part-time
- AO Florida Back to Work – Active
- AQ Manpower Allowance
- AR Work Experience
- AW Farmworker Trainee
- AY Non-County Employees

04.02.03 Holidays NOT Worked

To receive holiday pay or holiday leave, eligible employees must be in pay status for a full day on the assigned work day immediately before and immediately after the day in which the holiday is observed.

Job basis employees who have any amount of unauthorized time off (U or UN) on the work days immediately preceding or following the holiday will not receive holiday pay or holiday leave.

This benefit shall not be available to employees whose appointing authority chooses to furlough employees on holidays or to employees subject to collective bargaining agreements with different provisions.

## LEAVE MANUAL

<b>No.</b> <b>04.02.00</b>
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<b>SUBJECT</b> HOLIDAYS: ELIGIBILITY	<b>LEAVE CODE</b> H	<b>DATE ISSUED</b> 11/13/2009
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04.02.04      Holidays Worked

Non-job basis employees who actually work on the holiday are eligible for holiday pay or holiday leave for any hours worked, provided that there was no amount of unauthorized time off (U or UN) on the work days immediately preceding or following the holiday. In these cases the employees are not eligible for holiday pay or holiday leave regardless of the amount of time worked on the day the holiday was observed.

This benefit shall not be available to employees whose appointing authority chooses to furlough employees on holidays or to employees subject to collective bargaining agreements with different provisions.

Non-job basis, non-bargaining unit employees who are covered by a holiday furlough provision, shall be paid straight time for hours worked on the holiday and will not be permitted to accrue (bank) holiday leave. All wage and hours laws shall apply. Bargaining unit employees shall be paid in accordance with the holiday furlough provision of their collective bargaining agreement.

04.02.05      Holidays Worked

Job basis employees are not eligible to be paid for working on the holiday, but may accrue holiday leave instead, provided that there was no amount of unauthorized time off (U or UN) on the work days immediately preceding or following the holiday. In these cases the employees are not eligible for holiday leave regardless of the amount of time worked on the day the holiday was observed.

This benefit shall not be available to employees whose appointing authority chooses to furlough employees on holidays or to employees subject to collective bargaining agreements with different provisions.

In the event that a job basis, non-bargaining unit employee who is covered by a holiday furlough provision works a holiday, the employee will be paid straight time for the hours worked and will be treated as non-job basis for the remainder of the work week in accordance with wage and hour laws. Job basis employees will not be permitted to accrue (bank) holiday time. Bargaining unit employees shall be paid in accordance with the holiday furlough provision of their collective bargaining agreement.



## LEAVE MANUAL

		<b>No.</b> <b>04.03.00</b>
<b>SUBJECT</b> HOLIDAYS: WAITING PERIOD	<b>LEAVE CODE</b> H	<b>DATE ISSUED</b> 03/03/1987

There is no waiting period for eligible employees to receive pay for holidays.

## LEAVE MANUAL

		<b>No.</b> <b>04.04.00</b>
<b>SUBJECT</b> HOLIDAYS: PAYMENT	<b>LEAVE CODE</b> H	<b>DATE ISSUED</b> 11/13/2009

04.04.01      Holidays not worked are compensated only when eligible employees are in pay status the full day on the assigned work days immediately before and after the day on which the holiday is observed.

04.04.02      Holidays NOT Worked Which Fall on Employee's Regular Day Off, Non-Job Basis

When a holiday falls on an employee's day off and the employee does not work that day, the employee is credited with one hour of holiday leave for each hour in the employee's normal work day. If the employee's work days are irregular in length, the number of hours of holiday leave credited is the average of the number of hours worked per day in the employee's bi-weekly work schedule.

This benefit shall not be available to employees whose appointing authority chooses to furlough employees on holidays or to employees subject to collective bargaining agreements with different provisions.

04.04.03      Holidays Worked Which Fall on Employee's Regular Day Off, Non-Job Basis

In addition to appropriate pay for the pay period, the employee receives the following:

- a) Holiday leave or pay at the rate of time and one half times the number of hours in the employee's regularly scheduled work day; otherwise one and one half times the average number of hours per day in the employee's bi-weekly work schedule; AND
- b) Appropriate pay for hours worked on the holiday. Employees required to work fewer than four hours on the holiday, will be paid for a minimum of four hours.

This benefit shall not be available to employees whose appointing authority chooses to furlough employees on holidays or to employees subject to collective bargaining agreements with different provisions.

04.04.04      Holidays NOT Worked Which Fall on Employee's Regular Work Day

Employees whose regularly scheduled days off fall on the day a holiday is observed and do not work the holiday, receive straight-time pay for the number of hours in their normal work days.

This benefit shall not be available to employees whose appointing authority chooses to furlough employees on holidays or to employees subject to collective bargaining agreements with different provisions.

## LEAVE MANUAL

		<b>No. 04.04.00</b>
<b>SUBJECT</b> HOLIDAYS: PAYMENT	<b>LEAVE CODE</b> H	<b>DATE ISSUED</b> 11/13/2009

04.04.05      Holidays Worked Which Fall on Employee’s Regular Work Day, Non-Job Basis

Employees receive the following:

- a) Straight-time pay for the number of hours in the employee’s regular shift; AND
- b) One hour holiday leave for each hour actually worked, to a maximum of eight hours (or the number of hours in the employee’s normal shift) OR straight-time pay for each hour actually worked, to a maximum of eight hours (or the number of hours in the employee’s normal shift). Should employees be required to work fewer than four (4) hours on the holiday, they will be paid or receive holiday leave for a minimum of four (4) hours; AND
- c) Pay at time and one half for every hour worked in excess of 40 in that work week.

This benefit shall not be available to employees whose appointing authority chooses to furlough employees on holidays or to employees subject to collective bargaining agreements with different provisions.

04.04.06      Non-job basis employees have the option at the time holiday leave is earned of either being paid or accruing holiday leave. If the employee elects pay instead of holiday leave, the appropriate space on the PAR must be marked for the pay period in which the holiday occurs. Otherwise holiday leave will accrue.

This benefit shall not be available to employees whose appointing authority chooses to furlough employees on holidays or to employees subject to collective bargaining agreements with different provisions.

04.04.07      Job-basis employees are not eligible to be paid for working a holiday and will accrue holiday leave, instead. Holiday leave is credited on an hour for hour basis not to exceed the number of regularly scheduled hours for the day on which the holiday falls.

This benefit shall not be available to employees whose appointing authority chooses to furlough employees on holidays or to employees subject to collective bargaining agreements with different provisions.

04.04.08      Status AW – Farmworker Trainee

Individuals in this status code are eligible for pay for holidays not worked, but are not eligible for holiday leave for holidays worked.

04.04.09      No leave will be charged on a holiday.

## LEAVE MANUAL

		<b>No. 05.01.00</b>
<b>SUBJECT</b> BIRTHDAY HOLIDAY: GENERAL	<b>LEAVE CODE</b> BH	<b>DATE ISSUED</b> 11/13/2009

Eligible employees are entitled to a holiday on their birthday each year.

The Mayor or appointing authorities of departments or offices not under the Mayor’s purview shall have the discretion to authorize furlough days or to suspend holiday pay (holiday furlough) in lieu of a birthday holiday.

Furlough days or unpaid holidays may be authorized in lieu of a birthday holiday by the terms and conditions of an employee’s collective bargaining agreement.

## LEAVE MANUAL

		<b>No. 05.02.00</b>
<b>SUBJECT</b> BIRTHDAY HOLIDAY: ELIGIBILITY	<b>LEAVE CODE</b> BH	<b>DATE ISSUED/REVISED</b> 03/08/2002

05.02.01 Employees with the following status codes are eligible for the birthday holiday:

- AA Permanent
- AB Probationary
- AC Exempt
- AD Temporary – Full-time
- AF Trainee
- AH Emergency
- AJ Substitute
- AT Acting Appointment Classified
- AX Acting Appointment Exempt

05.02.02 Employees with the following status codes are NOT eligible for the birthday holiday:

- AE Part-time
- AG Seasonal
- AM Part-time Temporary/Seasonal
- AO Florida Back to Work – Active
- AQ Manpower Allowance
- AR Work Experience
- AY Non-County Employee

05.02.03 Eligible employees must be in pay status for a full day on the assigned work days immediately before and immediately after the day in which the birthday holiday is observed in order to be paid for the holiday. Any amount of unpaid time will cause the employee to lose the holiday.

05.02.04 Job basis employees who have any amount of unauthorized time off (U or UN) on the work days immediately preceding or following the day in which the birthday holiday is observed will not be paid for the holiday.





## LEAVE MANUAL

		<b>No.</b> <b>05.03.00</b>
<b>SUBJECT</b> BIRTHDAY HOLIDAY: WAITING PERIOD	<b>LEAVE CODE</b> BH	<b>DATE ISSUED</b> 03/03/1987

There is no waiting period for eligible employees to use the birthday holiday.

## LEAVE MANUAL

		<b>No. 05.04.00</b>
<b>SUBJECT</b> BIRTHDAY HOLIDAY: AUTHORIZED USE	<b>LEAVE CODE</b> BH	<b>DATE ISSUED</b> 09/26/1989

05.04.01      The birthday holiday should be observed on the employee’s birthday. If that day is not a normal work day, then it will be observed on the next regular work day following the birthday.

05.04.02      If the employee’s birthday falls on the same day as a County holiday and the employee is not required to work, the birthday holiday will be charged, and the County holiday will be added to holiday leave accrual.

05.04.03      For any reason the department may allow employees to delay their birthday holiday for up to six months.

05.04.04      Exceptions

a) If the birthday holiday is not used within six (6) months of the employee’s actual birthday, the holiday is forfeited.

**10)** This holiday may not be added to holiday leave, except as stated in Section 05.04.02.

b) This holiday may not be taken in hourly segments.

**10)** Unless specifically authorized to the contrary by the department, if the employee’s birthday falls during a time when the employee is in non-pay status, the birthday holiday is forfeited.



## LEAVE MANUAL

		<b>No.</b> <b>05.05.00</b>
<b>SUBJECT</b> BIRTHDAY HOLIDAY: ACCUMULATION	<b>LEAVE CODE</b> BH	<b>DATE ISSUED</b> 03/03/1987

Birthday holidays cannot be accumulated.



## LEAVE MANUAL

**No.**  
**05.06.00**

SUBJECT BIRTHDAY HOLIDAY: PAYMENTS	LEAVE CODE BH	DATE ISSUED 09/26/1989
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- 05.06.01      The birthday holiday is paid only when used, and is not compensable on termination.
  
- 05.06.02      The birthday holiday is paid only to eligible employees who are in pay status for the full day on the assigned work days immediately before and after the day in which the holiday is observed.



## LEAVE MANUAL

		<b>No.</b> <b>06.01.00</b>
<b>SUBJECT</b> HOLIDAY LEAVE: GENERAL	<b>LEAVE CODE</b> HJ	<b>DATE ISSUED</b> 03/03/1987

Holiday leave is used to credit employees who are required to work on a holiday or when a holiday falls on the employee's day off.

## LEAVE MANUAL

		<b>No. 06.02.00</b>
<b>SUBJECT</b> HOLIDAY LEAVE: ELIGIBILITY	<b>LEAVE CODE</b> HJ	<b>DATE ISSUED/REVISED</b> 03/08/2002

06.02.01 Employees with the following status codes are eligible to earn holiday leave:

- AA Permanent
- AB Probationary
- AC Exempt
- AD Temporary – Full-time
- AF Trainee
- AH Emergency
- AJ Substitute
- AT Acting Appointment Classified
- AX Acting Appointment Exempt

06.02.02 Employees with the following status codes are NOT eligible to earn holiday leave:

- AE Part-time
- AG Seasonal – Full-time
- AM Temporary/Seasonal – Part-time
- AO Florida Back to Work Active
- AQ Manpower Allowance
- AR Work Experience
- AW Farmworker Trainee
- AY Non-County Employee

06.03.03 Any employee who has accrued holiday leave is eligible to use it.

## LEAVE MANUAL

		<b>No.</b> <b>06.03.00</b>
<b>SUBJECT</b> HOLIDAY LEAVE: WAITING PERIOD	<b>LEAVE CODE</b> HJ	<b>DATE ISSUED</b> 03/03/1987

There is no waiting period for employees to use accrued holiday leave. Holiday leave may be used for the same purposes as annual leave (see Section 01.06.00).



## LEAVE MANUAL

		<b>No.</b> <b>06.04.00</b>
<b>SUBJECT</b> HOLIDAY LEAVE: AUTHORIZE USE	<b>LEAVE CODE</b> HJ	<b>DATE ISSUED</b> 03/03/1987

Holiday leave may be used for the same purposes as annual leave (see Section 01.06.00)



## LEAVE MANUAL

		<b>No.</b> <b>06.05.00</b>
<b>SUBJECT</b> HOLIDAY LEAVE: ACCUMULATION	<b>LEAVE CODE</b> HJ	<b>DATE ISSUED/REVISED</b> 03/08/2002

06.05.01      Non-Job Basis Employees

Except as otherwise provided for in a collective bargaining agreement, holiday leave can be accrued to a maximum of 80 hours for non-job basis employees. Any hours above the standard pay period should be paid to the employee at the time they are earned.

06.05.02      Job-Basis Employees

Job-basis employees may accrue holiday leave without limit.

## LEAVE MANUAL

<b>No.</b> <b>06.06.00</b>
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<b>SUBJECT</b> HOLIDAY LEAVE: PAYMENT	<b>LEAVE CODE</b> HJ	<b>DATE ISSUED</b> 03/08/2002
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06.06.01     Active Employees

Employees will not be paid for accumulated holiday leave while continuing to work, except as otherwise provided for in a collective bargaining agreement.

06.06.02     Leaves of Absence

Employees taking a leave of absence may be paid their accumulated leave balances, including holiday leave, with the last pay check prior to the effective date of the leave of absence. The hourly rate of this payment will be the current hourly rate, excluding night shift differential. The number of hours of accrued leave paid out will in no case be greater than the actual number of hours in the leave of absence.

06.06.03     Termination

Employees will be paid for accrued unused holiday leave at the time of separation. Payment will be at the current rate of pay, excluding night shift differential. Payment for holiday leave earned in the eleven months directly preceding the month in which payout is made, will be reported as compensation under the FRS.

Non-job basis employees will not receive payment for more than the maximum accumulation of 80 hours.

06.06.04     Deferred Retirement Option Program (DROP)

Employees enrolled in the Florida Retirement System (FRS) who are eligible to enroll and elect to participate in the DROP, shall have the option of requesting payment for their accrued holiday leave that has been earned in the eleven months directly preceding the month in which the payout is made. Payment for holiday leave earned in the eleven months directly preceding the month in which payout is made, will be reported as compensation under the FRS.



## LEAVE MANUAL

		<b>No.</b> <b>07.01.00</b>
<b>SUBJECT</b> DISABILITY LEAVE: GENERAL	<b>LEAVE CODE</b> D	<b>DATE ISSUED</b> 03/03/1987

Disability leave provides short-term benefits for eligible employees who are injured while performing their jobs and are unable to work.

## LEAVE MANUAL

		<b>No. 07.02.00</b>
SUBJECT DISABILITY LEAVE: ELIGIBILITY	LEAVE CODE D	DATE ISSUED/REVISED 03/08/2002

07.02.01 Employees with the following status codes may be eligible for disability leave benefits:

- AA Permanent
- AB Probationary
- AC Exempt
- AF Trainee
- AH Emergency
- AJ Substitute
- AT Acting Appointment Classified
- AX Acting Appointment Exempt

07.02.02 Employees with the following status codes are NOT eligible for disability leave benefits:

- AD Temporary – Full-time
- AE Part-time
- AG Seasonal – Full-time
- AM Temporary/Seasonal – Part-time
- AO Florida Back to Work Active
- AR Work Experience
- AW Farmworker Trainee
- AY Non-County Employees

07.02.03 Eligible injuries and disabilities are those which:

- a) Are approved by the Risk Management Division of the Internal Services Department;  
AND
- b) Occur as a result of accidents arising out of and in the actual performance of job duties.

07.02.04 Exceptions

Benefits shall NOT be approved for the following circumstances:

- When it has been determined that the disability was caused by the employee's negligence or willful misconduct.

## LEAVE MANUAL

		<b>No.</b> <b>07.03.00</b>
<b>SUBJECT</b> DISABILITY LEAVE: APPLICATION PROCEDURE	<b>LEAVE CODE</b> D	<b>DATE ISSUED</b> 03/03/1987

07.03.01 All on-the-job injuries must be reported to the Risk Management Division of the Internal Services Department on both the *First Report of Injury* and the *Supervisor's Report of Employee Job Injury or Disease* forms. Each time the employee returns to work and then loses time again due to this injury, the department must submit a *Supplemental Report of Injury* to Risk Management.

07.03.02 PAR Codes

- a) On the day of the injury, code "DA" should be used whether or not time is lost.
- b) If the employee continues to be absent due to this injury, sick injury (SI) should be used to show that the employee is absent due to an on-the-job injury.
- c) If the employee has exhausted all sick leave and continues to be absent due to this injury, annual injury (AI), holiday injury (HI) and compensatory injury (CI) should then be used until exhausted.
- d) After all leave has been exhausted and the employee continues to be absent due to this injury, code "DW" should be used.

07.03.03 Approval of Disability Leave

Upon approval of disability leave:

- a) All codes described above will be changed to "D"
- b) All leave balances and monies lost, if any, will be restored; and
- c) Code "D" for job injury should be used for future absences related to the injury

07.03.04 Denial of Disability Leave

- a) Employees denied disability leave:
  - 1) May be granted a leave of absence without pay by their department director; OR
  - 2) Shall use sick leave or all other accrued leave to supplement Worker's Compensation benefits for a total payment of the employee's regular biweekly salary.
- b) Employees receiving Worker's Compensation benefits and not disability leave are in non-pay status unless other accrued leave is used. These employees should be placed in leave of absence status (CF or CH).

## LEAVE MANUAL

		<b>No. 07.04.00</b>
<b>SUBJECT</b> DISABILITY LEAVE: WAITING PERIOD	<b>LEAVE CODE</b> D	<b>DATE ISSUED</b> 03/03/1987

- 07.04.01      For employees in eligible status codes for nine (9) pay periods or more, there is no waiting period.
- 07.04.02      For employees in eligible status codes for less than nine (9) pay periods, there is a fifteen (15) calendar day waiting period before benefits can begin.

## LEAVE MANUAL

		<b>No. 07.05.00</b>
<b>SUBJECT</b> DISABILITY LEAVE: BENEFITS PERIOD	<b>LEAVE CODE</b> D	<b>DATE ISSUED</b> 03/03/1987

07.05.01      Benefits may be approved for a period of 120 consecutive calendar days, beginning with the first day of time lost after the day of injury. For employees with less than nine pay periods in an eligible status code, the 15-day waiting period is included in the 120-day benefit period so that benefits are actually paid for 105 days.

07.05.02      Extension of Benefits

- a) If at the end of the 120-day period the employee is unable to return to work, the employee's department shall request an extension of disability leave for a maximum of 120 calendar days additional benefits.
- b) This extension requires the approval of the Risk Management Division of the Internal Services Department and the County Manager.
- c) Special Risk or Special Risk Administrative Support Class employees under the Florida Retirement System who are disabled as a result of an assault and battery to their person in the performance of job duties may receive an additional extension of up to one month. In no case shall the total extension of benefits exceed five months.

07.05.03      Termination of Benefits

Benefits shall be terminated when:

- a) The employee is able to return to the job, as determined by a medical examination, and the employee does not return to work; OR
- b) Benefits have been paid for the maximum period, including any applicable extensions.

## LEAVE MANUAL

		<b>No.</b> <b>07.06.00</b>
<b>SUBJECT</b> DISABILITY LEAVE: BENEFITS AMOUNT	<b>LEAVE CODE</b> D	<b>DATE ISSUED</b> 03/03/1987

07.06.01      Benefits are 100% of the employee’s regular biweekly salary as of the date of the injury, reduced by the amount of Worker’s Compensation payments except as provided for in certain collective bargaining agreements.

07.06.02      Annual and Sick Leave

- a) Employees approved for disability leave shall continue to earn annual and sick leave during this period.
- b) No annual or sick Leave shall be charged for employees approved for disability leave, except for those employees for whom the disability leave benefits are less than 100% of the regular biweekly salary.

07.06.03      No employee shall receive more than his regular biweekly salary while off duty because of a job-related injury.

07.06.04      Day of Injury

Eligible employees shall be paid for their full regular work day on the day of the injury and the code “DA” shall be used on the PAR for that day.

Employees who work on their regular day off and are injured are paid for the number of hours in their regularly scheduled work day, subject to overtime rules.

Employees, who work beyond their regular work shift and are injured, are paid for any time actually worked, subject to overtime rules. No overtime will be paid after the injury occurs if the employee does not return to work.

07.06.05      Holidays

When a holiday falls during a period of approved disability leave, the employee is charged the holiday.



## LEAVE MANUAL

		<b>No. 08.01.00</b>
<b>SUBJECT</b> LEAVE OF ABSENCE: GENERAL	<b>LEAVE CODE</b>	<b>DATE ISSUED</b> 03/01/1996

A leave of absence is an approved absence without pay for a maximum period of one year. Before granting or denying any leave of absence under this Section 8, the department director must review Section 27, *Family Medical Leave*, to determine if such leave applies. Leave of absence under this Section 8 shall be granted only at expiration of family medical leave or when the provisions of family medical leave do not apply.

## LEAVE MANUAL

		<b>No.</b> <b>08.02.00</b>
<b>SUBJECT</b> LEAVE OF ABSENCE: ELIGIBILITY	<b>LEAVE CODE</b>	<b>DATE ISSUED/REVISED</b> 03/08/2002

08.02.01 Employees with the following status codes are eligible for a Leave of Absence:

- AA Permanent
- AB Probationary
- AC Exempt
- AF Trainee
- AH Emergency
- AJ Substitute
- AT Acting Appointment Classified
- AX Acting Appointment Exempt

08.02.02 Employees with the following status codes are NOT eligible for a leave of absence, except as defined in Section 27, *Family Medical Leave*:

- AD Temporary – Full-time
- AE Part-time
- AG Seasonal – Full-time
- AM Temporary/Seasonal – Part-time
- AR Work Experience
- AW Farmworker Trainee
- AY Non-County Employee

08.02.03 Exception

For non-medical leave of absence employees must also:

- a) Have attained permanent status in their current classifications; OR
- b) Have previously attained permanent status in another classification; OR
- c) Have completed a period of service comparable to the probationary period for their classification or similar classifications.

08.02.04 Family Leave

Employees who have met the following requirements are eligible for family leave as provided for by Miami-Dade County Code 11A-29.

- a) Must be employed by the County for at least 12 months; and
- b) Must be employed by the County for 1,250 hours or more during the 12 calendar months prior to the commencement date of the requested leave; and
- c) Must not have taken family leave as provided for by Ordinance within the 12-month period ending on the commencement date of the requested leave.

## LEAVE MANUAL

		<b>No.</b> <b>08.03.00</b>
<b>SUBJECT</b> LEAVE OF ABSENCE: AUTHORIZED USE	<b>LEAVE CODE</b>	<b>DATE ISSUED/REVISED</b> 03/08/2002

08.03.01      A leave of absence may be granted for the following reasons:

a) Medical Reasons

- 1) Personal illness or disability (Status Code: CD or CH)
- 2) Maternity (Status Code: CB)

b) Job-related Reasons

- 1) Education related to the job (Status Code: CC)
- 2) To serve as a full-time representative of an organization composed entirely of County employees
- 3) To accept an exempt position
- 4) For other job-related reasons in the best interest of the County service (Status Code: CF)

c) Personal Reasons

- 1) Education not related to the job (Status Code: CG)
- 2) Dependent care for a child, spouse, parent or other dependent for federal income tax purposes who is physically or mentally incapable of caring for himself (Status Code: CG)
- 3) For other personal reasons in the best interest of the County service (Status Code: CG)

d) Military

When called to active or inactive duty in the armed forces, the National Guard or the reserves (Status Code: CA)

08.03.02      A leave of absence may NOT be granted to permit an employee to accept employment elsewhere or to establish a business, except with the written approval from the County Manager.

## LEAVE MANUAL

		<b>No.</b> <b>08.04.00</b>
<b>SUBJECT</b> LEAVE OF ABSENCE: APPLICATIN PROCEDURE	<b>LEAVE CODE</b>	<b>DATE ISSUED</b> 03/01/1996

- 08.04.01      Employees seeking a leave of absence must make a written request to their department director, stating the reason for the request and the beginning and ending date of the requested leave of absence.
- 08.04.02      Requests for leave of absence for medical reasons must be accompanied by a physician's statement.
- 08.04.03      The department director may request any additional information supporting the request for the leave of absence, including but not limited to: additional diagnostic statements from County appointed physicians and affidavits certifying to the fact that any dependent for dependent care leave of absence (08.03.01 c) 3) is a dependent for federal income tax purposes.
- 08.04.04      The department director may approve or deny requests based on the facts of each case. Approval or denial by the department director must be applied consistently and on the same terms within categories a, c and d of *Leave of Absence* (Section 08.03.01) although the terms for each separate category may be different. Thus, all medical leave of absence must be treated the same, etc. All requests in category d) military must be approved.
- 08.04.05      Approval may be for the full period requested by the employee or any portion of such period.
- 08.04.06      The department director may request medical verification if during the period of a leave of absence for medical reasons it is felt that the status of the qualifying illness or disability has improved.
- 08.04.07      Before granting or denying any leave of absence under this Section 08, the department director must review the circumstances surrounding the request for leave and determine whether such leave qualifies for *Family Medical Leave* under Section 27.

At the department director's discretion, and in accordance with this Section 08, additional time off may be granted as a leave of absence to commence at the conclusion of any family medical leave.

## LEAVE MANUAL

		<b>No.</b> <b>08.05.00</b>
<b>SUBJECT</b> LEAVE OF ABSENCE: BENEFITS PERIOD	<b>LEAVE CODE</b>	<b>DATE ISSUED</b> 03/01/1996

- 08.05.01      A leave of absence may be granted for a maximum period of one year, including any period of family medical leave and a minimum period of one pay period.
- 08.05.02      Extension of Benefits
- a) An extension of a leave of absence beyond one year may be granted for a maximum of one more year.
  - b) The employee must request such an extension in accordance with the application procedures (section 08.04.00).
  - c) An extension requires the approval of the department director and the Human Resources Department.
- 08.05.03      Exception
- Leave of absence to enter the exempt service shall be of indefinite length.
- 08.05.04      Failure of the employee to return from the leave of absence on the date specified by the department director shall be considered as position abandonment.

## LEAVE MANUAL

		<b>No.</b> <b>08.06.00</b>
<b>SUBJECT</b> LEAVE OF ABSENCE: BENEFITS AMOUNT	<b>LEAVE CODE</b>	<b>DATE ISSUED</b> 03/01/1996

08.06.01      An employee beginning a leave of absence may elect to be paid for any available annual leave, holiday leave or compensatory time on the last pay period before the leave of absence.

08.06.02      The amount of leave paid out may not exceed the number of hours in the leave of absence and may not exceed any maximum accumulation specified for any such leave.

08.06.03      Employees on approved leave of absence for medical reasons or family medical leave may continue group insurance coverage by paying the employee contributions, if any, and the County will continue to pay the County contribution. Employees on family medical leave are entitled to complete restoration of benefits upon return. Refer to the *Rules and Guidelines* section of the Benefits Handbook for specific information.

Employees who are called to active duty in the armed forces or National Guard and who are eligible for military active duty leave may continue any group insurance coverage for up to one year by paying the employee contributions, if any, and the County will continue to pay the County contributions. For other leaves of absence, employees must pay both the employee and the County portion in order to maintain coverage. In any event, the Risk Management Division of the Internal Services Department must be notified.

## LEAVE MANUAL

		<b>No.</b> <b>09.01.00</b>
<b>SUBJECT</b> MILITARY RESERVE LEAVE: GENERAL	<b>LEAVE CODE</b> MR	<b>DATE ISSUED</b> 03/03/1987

Military reserve leave was designed to pay the employee his normal salary for the two weeks summer camp.

This section dealing with military reserve leave is based on Florida and federal statutes pertaining to military veterans and is subject to change in the event those statutes are amended, appealed or interpreted by judicial decision.

## LEAVE MANUAL

		<b>No.</b> <b>09.02.00</b>
<b>SUBJECT</b> MILITARY RESERVE LEAVE: ELIGIBILITY	<b>LEAVE CODE</b> MR	<b>DATE ISSUED</b> 03/08/2002

09.02.01      Employees with the following status codes are eligible for military reserve leave:

- AA Permanent
- AB Probationary
- AC Exempt
- AD Temporary – Full-time
- AE Part-time
- AF Trainee
- AG Seasonal – Full-time
- AH Emergency
- AJ Substitute
- AM Temporary/Seasonal – Part-time
- AT Acting Appointment Classified
- AX Acting Appointment Exempt

09.02.02      Employees with the following status codes are NOT eligible for military reserve leave:

- AR Work Experience
- AW Farmworker Trainee
- AY Non-County Employee

09.02.03      Eligible employees must be a member of the armed forces reserve or the National Guard.



## LEAVE MANUAL

		<b>No. 09.03.00</b>
<b>SUBJECT</b> MILITARY RESERVE LEAVE: APPLICATION PROCEDURE	<b>LEAVE CODE</b> MR	<b>DATE ISSUED</b> 03/03/1987

- 09.03.01      The employee must present official orders and a leave request to his supervisor for approval.
- 09.03.02      A copy of the official orders must be attached to the PAR form, which is sent to the Human Resources Department for processing.

## LEAVE MANUAL

		<b>No.</b> <b>09.04.00</b>
<b>SUBJECT</b> MILITARY RESERVE LEAVE: BENEFITS PERIOD	<b>LEAVE CODE</b> MR	<b>DATE ISSUED</b> 03/03/1987

- 09.04.01      A maximum of thirty (30) working days of military reserve leave may be granted in a fiscal year.
- 09.04.02      Shifts of twelve (12) hours or less shall be counted as one working day. All other shifts over twelve (12) hours and up to twenty-four (24) hours shall be counted as two working days.
- 09.04.03      More than one period of military reserve leave may be granted during a fiscal year as long as the total period of all such leaves does not exceed thirty (30) working days.
- 09.04.04      Exclusions  
 Weekend drills or training meetings shall NOT be used as part of the thirty (30) day period of military reserve leave. Employees called to active-duty training on weekends should provide official orders to show that they were called to active or inactive duty.

## LEAVE MANUAL

		<b>No. 09.05.00</b>
<b>SUBJECT</b> MILITARY RESERVE LEAVE: BENEFITS AMOUNT	<b>LEAVE CODE</b> MR	<b>DATE ISSUED</b> 03/03/1987

- 09.05.01      The employee will be paid for the number of working days occurring during the period of military reserve leave, according to the employee’s regular work schedule.
- 09.05.02      Once the thirty (30) working days military reserve leave is used, the employee may use any accrued annual leave, compensatory time or holiday leave or may go without pay (for less than one pay period) or may request a military leave of absence. (See Section 08.03.01).

## LEAVE MANUAL

		<b>No.</b> <b>09.06.00</b>
<b>SUBJECT</b> MILITARY RESERVE LEAVE: RE-EMPLOYMENT RIGHTS	<b>LEAVE CODE</b> MR	<b>DATE ISSUED</b> 03/03/1987

09.06.01     Pay

Upon return from the military, employees will be reinstated to the same step of the pay plan at which they were situated at the time of the military service. Thus, separated employees or employees on a leave of absence will receive any general salary adjustments that were granted to their job classification during their absence.

09.06.02     Service

Employees retain previously attained seniority that they had at the time of separation or leave of absence. Employees in this category continue to earn seniority credit toward longevity annual leave, longevity bonus, retention rights and promotional examinations for the period of their military service.

09.06.03     Exception

Employees in the following status codes are eligible for military reserve leave and entitled to time off without pay to fulfill their military obligations but are NOT subject to the re-employment rights in this section:

- AD Temporary – Full-time
- AG Seasonal – Full-time
- AM Temporary/Seasonal Part-time
- AW Farmworker Trainee

Employees in the aforementioned status codes work for the County for brief periods of time with no reasonable expectation of continuance for a significant period of time, therefore, they do not have reemployment rights under USERRA.



## LEAVE MANUAL

		<b>No. 10.01.00</b>
<b>SUBJECT</b> MILITARY ACTIVE DUTY LEAVE: GENERAL	<b>LEAVE CODE</b> MA	<b>DATE ISSUED</b> 03/03/1987

Military active-duty leave was designed to pay the employee his normal salary for thirty (30) days during a state of emergency or time of war.

This section dealing with military active-duty leave is based on Florida and federal statutes pertaining to military veterans, and is subject to change in the event those statutes are amended, appealed or interpreted by judicial decision.

## LEAVE MANUAL

		<b>No. 10.02.00</b>
<b>SUBJECT</b> MILITARY ACTIVE DUTY LEAVE: ELIGIBILITY	<b>LEAVE CODE</b> MA	<b>DATE ISSUED/REVISED</b> 03/08/2002

10.02.01 Employees with the following status codes are eligible for military active-duty leave:

- AA Permanent
- AB Probationary
- AC Exempt
- AE Part-time
- AF Trainee
- AH Emergency
- AJ Substitute AT Acting Appointment Classified
- AX Acting Appointment Exempt

10.02.02 Employees with the following status codes are NOT eligible for military active-duty leave:

- AD Temporary – Full-time
- AG Seasonal – Full-time
- AM Temporary/Seasonal Part-time
- AR Work Experience
- AW Farmworker Trainee
- AY Non-County Employee

10.02.03 Eligible employees must either:

- a) Be a member of the armed forces reserve or the National Guard and be activated or whose active duty is extended during a period when an appropriate public official declares a state of emergency during peacetime; OR
- b) Enter the armed forces during a period of declared war between the United States and a foreign government; OR
- c) Be called to active duty in the armed forces or National Guard during wartime; OR
- d) Be ordered to duty out of the country.

## LEAVE MANUAL

		<b>No. 10.03.00</b>
<b>SUBJECT</b> MILITARY ACTIVE DUTY LEAVE: APPLICATION PROCEDURE	<b>LEAVE CODE</b> MA	<b>DATE ISSUED</b> 03/03/1987

- 10.03.01      The employee must present official orders and a leave request to his supervisor for approval.
- 10.03.02      A copy of the official orders must be attached to the PAR form, which is sent to the Human Resources Department for processing.

## LEAVE MANUAL

		<b>No.</b> <b>10.04.00</b>
<b>SUBJECT</b> MILITARY ACTIVE DUTY LEAVE: BENEFITS PERIOD	<b>LEAVE CODE</b> MA	<b>DATE ISSUED</b> 04/01/2005

10.04.01 Employees called to active military duty are entitled to a leave of absence, with full pay for the first thirty (30) days.

Employees are entitled to thirty (30) days of paid leave each time they are called for activity military duty, even if they are called more than once in a single fiscal year. In order to be eligible for more than one paid thirty-day (30) 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.



## LEAVE MANUAL

		<b>No.</b> <b>10.05.00</b>
<b>SUBJECT</b> MILITARY ACTIVE DUTY LEAVE: BENEFITS AMOUNT	<b>LEAVE CODE</b> MA	<b>DATE ISSUED</b> 11/08/2018

- 10.05.01    The employee will be paid for the number of working days occurring in the thirty (30) day period, according to the employee’s regular work schedule.
- 10.05.02    Upon expiration of the thirty (30) days military active-duty leave, if the employee does not return to work, the employee will be placed in a military leave of absence status until his return.
- 10.05.03    An employee granted an extended military leave of absence may elect to be paid for any available annual leave, holiday leave or compensatory time on the last pay period before the leave of absence.
- 10.05.04    The employee may continue any group insurance coverage for up to one year by paying the employee contribution, if any, and the County will continue to pay the County contribution.

Should the annual leave balance of an employee on active military duty leave exceed the maximum number of allowable hours (500), 750 – if included in a CBA on his/her anniversary date, the excess annual leave hours will not be forfeited. The excess leave hours will be preserved, and upon return from active-duty service, the employee will have at least one year (12 months) from the date of return to work to use the excess annual leave time. Upon the employees’ request and at the department director’s discretion, these employees may elect to be paid for the excess annual leave in lieu of using the time. Payment will be based on the current hourly rate excluding night shift differential. Employees who wish to exercise this option must do so within thirty (30) business days of returning to full duty.

The departmental personnel representative has an affirmative responsibility to inform the employee returning to full duty of the department option, he or she still retains twelve (12) months to use the excess annual leave hours.

## LEAVE MANUAL

		<b>No.</b> <b>10.06.00</b>
<b>SUBJECT</b> MILITARY ACTIVE-DUTY LEAVE: RE-EMPLOYMENT RIGHTS	<b>LEAVE CODE</b> MA	<b>DATE ISSUED</b> 03/03/1987

10.06.01     Pay

Upon return from the military, employees will be reinstated to the same step of the pay plan at which they were situated at the time of the military service. Thus, separated employees or employees on a military leave of absence will receive any general salary adjustments that were granted to their job classification during their absence. Such salary adjustments shall not be retroactive.

10.06.02     Service

Employees retain previously attained seniority that they had at the time of separation or military leave of absence. Employees in this category continue to earn seniority credit toward longevity annual leave, longevity bonus, retention rights and promotional examinations for the period of their military service.



## LEAVE MANUAL

		<b>No.</b> <b>11.01.00</b>
<b>SUBJECT</b> BEREAVEMENT LEAVE: GENERAL	<b>LEAVE CODE</b> F	<b>DATE ISSUED</b> 03/03/1987

Bereavement leave provides leave with pay in the event of a death in the employee's immediate family.

## LEAVE MANUAL

		<b>No. 11.02.00</b>
<b>SUBJECT</b> BEREAVEMENT LEAVE: ELIGIBILITY	<b>LEAVE CODE</b> F	<b>DATE ISSUED/REVISED</b> 04/01/2005

11.02.01      Employees with the following status codes are eligible for bereavement leave:

- AA Permanent
- AB Probationary
- AC Exempt
- AF Trainee
- AH Emergency
- AJ Substitute
- AT Acting Appointment Classified
- AX Acting Appointment Exempt

11.02.02      Employees with the following status codes are NOT eligible for bereavement leave:

- AD Temporary – Full-time
- AE Part-time
- AG Seasonal – Full-time
- AM Temporary/Seasonal – Part-time
- AO Florida Back to Work Active
- AW Farmworker Trainee
- AY Non-County Employee



## LEAVE MANUAL

		<b>No.</b> <b>11.03.00</b>
<b>SUBJECT</b> BEREAVEMENT LEAVE: WAITING PERIOD	<b>LEAVE CODE</b> F	<b>DATE ISSUED</b> 03/03/1987

Employees may be granted bereavement leave if they have been in an eligible status code and in pay status for one full workday.

## LEAVE MANUAL

		<b>No.</b> <b>11.04.00</b>
<b>SUBJECT</b> BEREAVEMENT LEAVE: AUTHORIZED USE	<b>LEAVE CODE</b> F	<b>DATE ISSUED/REVISED</b> 05/19/2006

11.04.01      Bereavement leave shall be granted in the event of a death in the immediate family.

11.04.02      Immediate family includes only the following:

- Spouse
- Children
- Stepchildren
- Mother or father
- Stepmother or stepfather
- Sister or brother
- Stepsister or stepbrother
- Grandmother or grandfather
- Grandchildren
- Registered domestic partner \*
- Child of a registered domestic partner
- Any person in the general family whose ties would normally be considered immediate family and who is living within the same household (proof may be required)

**\*Note:** A domestic partner of a County employee is a person with whom the employee shares a residence and with whom the employee has established a mutual caring relationship.

11.04.03      The supervisor in authorizing bereavement leave should obtain the following information from the employee:

- Name of deceased
- Relationship of the deceased to the employee
- Copy of an obituary, memorial folder, or other documentation confirming the death and the deceased's relationship to the employee

## LEAVE MANUAL

		<b>No. 11.05.00</b>
<b>SUBJECT</b> BEREAVEMENT LEAVE: BENEFITS PERIOD	<b>LEAVE CODE</b> F	<b>DATE ISSUED</b> 04/16/2010

- 11.05.01      Five (5) workdays of bereavement leave shall be granted when authorized.
- 11.05.02      Absences in addition to the five workdays bereavement leave may be charged to sick or annual leave.
- 11.05.03      More than one period of bereavement leave may be granted in a year.



## LEAVE MANUAL

		<b>No.</b> <b>11.06.00</b>
<b>SUBJECT</b> BEREAVEMENT LEAVE: BENEFITS AMOUNT	<b>LEAVE CODE</b> F	<b>DATE ISSUED</b> 04/16/2010

- 11.06.01      Bereavement leave provides pay for five (5) workdays for the number of regularly scheduled hours for the employee.
  
- 11.06.02      Bereavement leave is not charged to any accrued leave.



## LEAVE MANUAL

		<b>No. 12.01.00</b>
<b>SUBJECT</b> EMERGENCY BEREAVEMENT LEAVE: GENERAL	<b>LEAVE CODE</b> FE	<b>DATE ISSUED/REVISED</b> 04/16/2010

Emergency bereavement leave provides leave with pay in the event of the death of an employee's mother-in-law or father-in-law, or the parents of a registered domestic partner.

**\*Note:** A domestic partner of a County employee is a person with whom the employee shares a residence and with whom the employee has established a mutual caring relationship.

## LEAVE MANUAL

		<b>No.</b> <b>12.02.00</b>
<b>SUBJECT</b> EMERGENCY BEREAVEMENT LEAVE: ELIGIBILITY	<b>LEAVE CODE</b> FE	<b>DATE ISSUED/REVISED</b> 04/01/2005

12.02.01      Employees with the following status codes are eligible for emergency bereavement leave:

- AA Permanent
- AB Probationary
- AC Exempt
- AF Trainee
- AH Emergency
- AJ Substitute
- AT Acting Appointment Classified
- AX Acting Appointment Exempt

12.02.02      Employees with the following status codes are NOT eligible for emergency bereavement leave:

- AD Temporary – Full-time
- AE Part-time
- AG Seasonal – Full-time
- AM Temporary/Seasonal – Part-time
- AO Florida Back to Work Active
- AR Work Experience
- AW Farmworker Trainee
- AY Non-County Employee



## LEAVE MANUAL

		<b>No.</b> <b>12.03.00</b>
<b>SUBJECT</b> EMERGENCY BEREAVEMENT LEAVE: WAITING PERIOD	<b>LEAVE CODE</b> FE	<b>DATE ISSUED</b> 03/03/1987

Employees may be granted emergency bereavement leave if they have been in an eligible status code and in pay status for one day.

## LEAVE MANUAL

		<b>No.</b> <b>12.04.00</b>
<b>SUBJECT</b> <b>EMERGENCY BEREAVEMENT LEAVE:</b> <b>AUTHORIZED USE</b>	<b>LEAVE CODE</b> <b>FE</b>	<b>DATE ISSUED/REVISED</b> 05/19/2006

12.04.01      Emergency bereavement leave shall be granted in the event of a death of the employee's mother-in-law or father-in-law, or the parents of a registered domestic partner.

12.04.02      The supervisor in authorizing emergency bereavement leave should obtain the following information from the employee:

- Name of deceased
- Relationship of the deceased to the employee
- Copy of an obituary, memorial folder, or other documentation confirming the death and the deceased's relationship to the employee.

## LEAVE MANUAL

		<b>No.</b> <b>12.05.00</b>
<b>SUBJECT</b> <b>EMERGENCY BEREAVEMENT LEAVE:</b> <b>BENEFITS PERIOD</b>	<b>LEAVE CODE</b> <b>FE</b>	<b>DATE ISSUED/REVISED</b> 04/16/2010

- 12.05.01      Five (5) workdays of emergency bereavement leave shall be granted when authorized.
- 12.05.02      Absences in addition to the five (5) days emergency bereavement leave may be charged to annual leave.
- 12.05.03      More than one period of emergency bereavement leave may be granted in a year.

## LEAVE MANUAL

		<b>No.</b> <b>12.06.00</b>
<b>SUBJECT</b> <b>EMERGENCY BEREAVEMENT LEAVE:</b> <b>BENEFIT AMOUNT</b>	<b>LEAVE CODE</b> <b>FE</b>	<b>DATE ISSUED/REVISED</b> 04/16/2010

- 12.06.01      Emergency bereavement leave provides pay for five (5) workdays for the number of regularly scheduled hours for that employee.
- 12.06.02      Emergency bereavement leave is charged to sick leave if available. When calculating the sick leave conversion (section 02.07.00), emergency bereavement leave is not charged to the first forty-eight (48) hours of sick leave if a prior balance is available.

## LEAVE MANUAL

		<b>No.</b> <b>13.01.00</b>
SUBJECT EMERGENCY SICK LEAVE: GENERAL	LEAVE CODE SE	DATE ISSUED 03/03/1987

Emergency sick leave provides leave with pay for life-threatening illness in the immediate family.

## LEAVE MANUAL

		<b>No.</b> <b>13.02.00</b>
<b>SUBJECT</b> EMERGENCY SICK LEAVE: ELIGIBILITY	<b>LEAVE CODE</b> SE	<b>DATE ISSUED/REVISED</b> 03/08/2002

13.02.01      Employees with the following status codes are eligible for emergency sick leave:

- AA Permanent
- AB Probationary
- AC Exempt
- AF Trainee
- AH Emergency
- AJ Substitute
- AT Acting Appointment Classified
- AX Acting Appointment Exempt

13.02.02      Employees with the following status codes are NOT eligible for emergency sick leave:

- AD Temporary – Full-time
- AE Part-time
- AG Seasonal – Full-time
- AM Temporary/Seasonal – Part-time
- AO Florida Back to Work Active
- AR Work Experience
- AW Farmworker Trainee
- AY Non-County Employee



## LEAVE MANUAL

		<b>No. 13.03.00</b>
<b>SUBJECT</b> EMERGENCY SICK LEAVE: WAITING PERIOD	<b>LEAVE CODE</b> SE	<b>DATE ISSUED</b> 03/03/1987

13.03.01      There is no special waiting period for the use of emergency sick leave. However, since the emergency sick leave is charged to sick leave, there must be sick leave available in order to use emergency sick leave.

## LEAVE MANUAL

		<b>No.</b> <b>13.04.00</b>
<b>SUBJECT</b> EMERGENCY SICK LEAVE: AUTHORIZED USE	<b>LEAVE CODE</b> SE	<b>DATE ISSUED</b> 03/03/1987

13.04.01      Emergency sick leave shall be granted in the event of life-threatening illnesses in the employee's immediate family.

13.04.02      Immediate family includes only the following:

- Spouse
- Children
- Mother or father
- Sister or brother
- Grandmother or grandfather
- Grandchildren
- Any person in the general family whose ties would normally be considered immediate family and who is living within the same household (proof may be required).

13.04.03      The supervisor in authorizing emergency sick leave should obtain the following information from the employee:

- Name of the person critically ill
- Relationship to employee
- Nature of the illness or injury

## LEAVE MANUAL

		<b>No.</b> <b>13.05.00</b>
<b>SUBJECT</b> EMERGENCY SICK LEAVE: BENEFITS PERIOD	<b>LEAVE CODE</b> SE	<b>DATE ISSUED</b> 03/03/1987

- 13.05.01      Three (3) workdays of emergency sick leave may be granted per leave year unless specified otherwise by the bargaining unit.
- 13.05.02      Absences in addition to the three (3) days emergency sick leave or for non-life-threatening illnesses of immediate family members may be charged to annual leave.
- 13.05.03      More than one period of emergency sick leave may be granted in a year, but the maximum benefit per leave year is three (3) days.

## LEAVE MANUAL

		<b>No. 13.06.00</b>
<b>SUBJECT</b> EMERGENCY SICK LEAVE: BENEFITS AMOUNT	<b>LEAVE CODE</b> SE	<b>DATE ISSUED</b> 03/03/1987

- 13.06.01      Emergency sick leave provides pay for three (3) workdays per leave year for the number of regularly scheduled hours for that employee.
- 13.06.02      Emergency sick leave is chargeable to sick leave if available. When calculating the sick leave conversion (02.07.00), emergency sick leave is not charged to the first forty-eight (48) hours of sick leave if a prior balance is available.



## LEAVE MANUAL

		<b>No.</b> <b>14.01.00</b>
<b>SUBJECT</b> JURY DUTY LEAVE: GENERAL	<b>LEAVE CODE</b> J	<b>DATE ISSUED</b> 03/03/1987

Jury duty leave provides time off with pay for employees to serve on a jury.

## LEAVE MANUAL

		<b>No. 14.02.00</b>
<b>SUBJECT</b> JURY DUTY LEAVE: ELIGIBILITY	<b>LEAVE CODE</b> J	<b>DATE ISSUED/REVISED</b> 03/08/2002

14.02.01 Employees with the following status codes are eligible for jury duty leave:

- AA Permanent
- AB Probationary
- AC Exempt
- AD Temporary – Full-time
- AE Part-time
- AF Trainee
- AG Seasonal – Full-time
- AH Emergency
- AJ Substitute
- AM Part-time Temporary/Seasonal
- AT Acting Appointment Classified
- AW Farmworker Trainee
- AX Acting Appointment Exempt

14.02.02 Employees with the following status codes are NOT eligible for jury duty leave:

- AR Work Experience
- AY Non-County Employee

## LEAVE MANUAL

		<b>No.</b> <b>14.03.00</b>
<b>SUBJECT</b> JURY DUTY LEAVE: AUTHORIZED USE	<b>LEAVE CODE</b> J	<b>DATE ISSUED</b> 03/03/1987

- 14.03.01      Employees who are called to serve on jury duty are entitled to this benefit upon presentation of the official notice and a *certificate of jury duty attendance* from the jury pool supervisor.
- 14.03.02      Employees who are dismissed from jury duty are to report to work and complete their normal shift.
- 14.03.03      Jury duty leave shall not be authorized for:
  - 1) Testifying as a witness under subpoena.
  - 2) The principles or litigants in any legal action.



## LEAVE MANUAL

		<b>No.</b> <b>14.04.00</b>
<b>SUBJECT</b> JURY DUTY LEAVE: BENEFITS PERIOD	<b>LEAVE CODE</b> J	<b>DATE ISSUED</b> 03/03/1987

Jury duty leave shall be paid without limit.



## LEAVE MANUAL

		<b>No.</b> <b>14.05.00</b>
<b>SUBJECT</b> JURY DUTY LEAVE: BENEFITS AMOUNT	<b>LEAVE CODE</b> J	<b>DATE ISSUED</b> 03/03/1987

- 14.05.01      Employees on jury duty leave shall be paid for the number of regularly scheduled work hours for which they participate in jury duty.
- 14.05.02      Employees who are dismissed from jury duty before the end of their regularly scheduled work shift for that day are to report to work and complete their shift.
- 14.05.03      Employees on afternoon or night shift who participate in a full day of jury duty are not expected to report for work that day.
- 14.05.04      Holidays
  - a) Holidays falling during a period of jury duty will be paid as holidays falling on a regular workday when the employee does not work (section 05.04.04), unless the employee is called in to work on the holiday and does not serve on a jury.
  - b) For birthday holidays falling during a period of jury duty, the department shall permit the birthday holiday to be postponed for up to six (6) months (Section 05.04.03).
- 14.05.05      Jury Fees  
 Jury fees shall be retained by the employee.
- 14.05.06      Overtime will NOT be paid for time served on jury duty.



## LEAVE MANUAL

		<b>No.</b> <b>15.01.00</b>
<b>SUBJECT</b> COURT WITNESS LEAVE: GENERAL	<b>LEAVE CODE</b> CW	<b>DATE ISSUED</b> 03/03/1987

Court witness leave provides time off with pay for employees to serve as witnesses in court.

## LEAVE MANUAL

		<b>No.</b> <b>15.02.00</b>
<b>SUBJECT</b> COURT WITNESS LEAVE: ELIGIBILITY	<b>LEAVE CODE</b> CW	<b>DATE ISSUED/REVISED</b> 03/08/2002

15.02.01      Employees with the following status codes are eligible for court witness leave:

- AA Permanent
- AB Probationary
- AC Exempt
- AD Temporary – Full-time
- AE Part-time
- AF Trainee
- AG Seasonal – Full-time
- AH Emergency
- AJ Substitute
- AM Temporary/Seasonal Part-time
- AT Acting Appointment Classified
- AW Farmworker Trainee
- AX Acting Appointment Exempt

15.02.02      Employees with the following status codes are NOT eligible for court witness leave:

- AR Work Experience
- AY Non-County Employees

## LEAVE MANUAL

		<b>No.</b> <b>15.03.00</b>
<b>SUBJECT</b> COURT WITNESS LEAVE: AUTHORIZED USE	<b>LEAVE CODE</b> CW	<b>DATE ISSUED</b> 03/03/1987

15.03.01      Employees who are subpoenaed as a witness are entitled to this benefit upon presentation of the subpoena.

15.03.02      Exceptions

Court witness leave shall NOT be authorized for:

- a) Employees subpoenaed as witnesses where such testimony is a function of their official job duties. Such time should be recorded as time worked.
- b) The principles or litigants in any legal action.



# LEAVE MANUAL

		<b>No.</b> <b>15.04.00</b>
<b>SUBJECT</b> COURT WITNESS LEAVE: BENEFITS PERIOD	<b>LEAVE CODE</b> CW	<b>DATE ISSUED</b> 03/03/1987

Court witness leave shall be paid without limit.

## LEAVE MANUAL

		<b>No.</b> <b>15.05.00</b>
<b>SUBJECT</b> COURT WITNESS LEAVE: BENEFITS AMOUNT	<b>LEAVE CODE</b> CW	<b>DATE ISSUED</b> 03/03/1987

- 15.05.01 Employees on court witness leave shall be paid for the number of regularly scheduled work hours for which they are required to appear in court.
- 15.05.02 Employees who are dismissed from court before the end of their regularly scheduled work shift are to report to work and complete their shift.
- 15.05.03 Witness Fees
- a) Employees testifying for the State, County or other official governmental jurisdiction while on court witness leave shall not accept witness fees.
  - b) Employees subpoenaed by a private party to litigation and released from duty with pay under court witness leave, may accept witness fees and shall turn them over to their County departments. However, if an employee's appearance as a witness is in no way related to the employee's position with the County, with the department director's permission the employee may use other accrued leave, such as annual or holiday leave, to participate in court proceedings and may accept and retain the witness fee.
  - c) Employees subpoenaed as expert witnesses where such testimony is not a function of their official job duties may choose, with the approval of the department director, to use any accrued annual leave, holiday leave, or compensatory time and retain any witness fees. The department director, in granting approval, should determine if there is any conflict of interest and whether such an outside employment activity is appropriate.

## LEAVE MANUAL

		<b>No.</b> <b>16.01.00</b>
SUBJECT EDUCATIONAL LEAVE: GENERAL	LEAVE CODE E	DATE ISSUED 03/03/1987

Educational leave provides time off with pay for eligible employees to attend training or educational courses.

## LEAVE MANUAL

		<b>No. 16.02.00</b>
<b>SUBJECT</b> EDUCATIONAL LEAVE: ELIGIBILITY	<b>LEAVE CODE</b> E	<b>DATE ISSUED/REVISED</b> 03/08/2002

16.02.01      Employees with the following status codes are eligible for educational leave:

- AA Permanent
- AB Probationary
- AC Exempt
- AD Temporary – Full-time
- AE Part-time
- AF Trainee
- AG Seasonal – Full-time
- AH Emergency
- AJ Substitute
- AM Temporary/Seasonal – Part-time
- AT Acting Appointment Classified
- AW Farmworker Trainee

16.02.02      Employees with the following status codes are NOT eligible for educational leave:

- AO Florida Back to Work
- AR Work Experience
- AY Non-County Employee



## LEAVE MANUAL

		<b>No.</b> <b>16.03.00</b>
<b>SUBJECT</b> EDUCATIONAL LEAVE: AUTHORIZED USE	<b>LEAVE CODE</b> E	<b>DATE ISSUED</b> 03/03/1987

- 16.03.01      Educational leave may be taken only when authorized by the department director.
- 16.03.02      Educational leave may be approved for an employee to attend training and educational courses, conferences, and seminars, where such attendance is expected to benefit the County. Educational leave is considered as time worked.
- 16.03.03      Participation in County produced training programs should be recorded as time worked.



## LEAVE MANUAL

		<b>No.</b> <b>16.04.00</b>
<b>SUBJECT</b> EDUCATIONAL LEAVE: BENEFITS PERIOD	<b>LEAVE CODE</b> E	<b>DATE ISSUED</b> 03/03/1987

Educational leave shall be paid without limit.

## LEAVE MANUAL

		<b>No. 16.05.00</b>
<b>SUBJECT</b> EDUCATIONAL LEAVE: BENEFITS AMOUNT	<b>LEAVE CODE</b> E	<b>DATE ISSUED</b> 03/03/1987

Employees on educational leave are paid for the number of regularly scheduled work hours for which they attend the educational program.



## LEAVE MANUAL

		<b>No.</b> <b>17.01.00</b>
<b>SUBJECT</b> ADMINISTRATIVE LEAVE: GENERAL	<b>LEAVE CODE</b> AD	<b>DATE ISSUED</b> 03/03/1987

Administrative leave is defined as time excused from work with pay.



## LEAVE MANUAL

		<b>No.</b> <b>17.02.00</b>
<b>SUBJECT</b> ADMINISTRATIVE LEAVE: ELIGIBILITY	<b>LEAVE CODE</b> AD	<b>DATE ISSUED</b> 03/03/1987

Employees in ALL status codes are eligible for administrative leave.

## LEAVE MANUAL

		<b>No. 17.03.00</b>
<b>SUBJECT</b> ADMINISTRATIVE LEAVE: AUTHORIZED USE	<b>LEAVE CODE</b> AD	<b>DATE ISSUED/REVISED</b> 07/06/2023

17.03.01      Administrative leave must be authorized by the department director.

17.03.02      Administrative leave may be granted only for the following purposes:

- a) To apply for County positions, take County civil service exams, appear for interviews in County departments or receive counseling from the Recruitment, Compensation and Testing Division.
- b) To grant time off with pay for job basis employees who have worked in excess of their normal work schedule. However, this is discretionary on the part of the department director, and administrative leave is not “earned” on an hour for hour basis.
- c) To authorize the paid absence of an employee for the good of the County service, where any such absence exceeding one workday is approved by the department director. Examples of this use of administrative leave are granting an employee reasonable time off to vote not to exceed one hour if the employee is a registered voter in the jurisdiction holding an election or granting time off to attend the funeral of a fellow employee.
- d) To permit time off with pay for non-essential employees during extreme weather or other emergency situations, as authorized by the County Manager.
- e) To permit employees to take the citizenship qualification examination given by the Department of Homeland Security to become a United States citizen and to permit them to appear for the final hearing in the citizenship process.
- f) To take physical examinations as required by the County.
- g) To pollworkers and election support personnel in accordance with Administrative Order 4-76.
- h) Up to three (3) hours of administrative leave may be granted for the initial evaluation session under the Employee Support Services.
- i) An employee who is a member of the Florida National Guard shall, upon presentation of a copy of official orders issued pursuant to Florida statutes, be granted administrative leave for the time the employee is ordered to active state service by the Governor of Florida. Such leave will not exceed thirty (30) calendar days at any time.
- j) Non-bargaining County employees and all other employees covered by collective bargaining agreements whose agreement explicitly provide for this benefit, who are appointed and serve as a scoring member of a Competitive Selection Committee under Implementing Order No. 3-34 are granted one (1) day of administrative leave, to be used within one (1) year from the date that the employee completes his or her service on the committee, provided that the employee was a scoring member of the committee and timely completed all committee-related duties.

## LEAVE MANUAL

		No. 17.03.00
SUBJECT ADMINISTRATIVE LEAVE: AUTHORIZED USE	LEAVE CODE AD	DATE ISSUED/REVISED 11/07/2023

- Non-bargaining County employees and all other employees covered by collective bargaining agreements whose agreement explicitly provide for this benefit, shall be granted two (2) hours of administrative leave per week, up to a maximum of ten (10) hours per month, for Community Mentoring Initiative under Administrative Order No.7-40, to volunteer at one or more of the following activities assuming that such volunteer work is performed during normal scheduled work hours:
  - Community volunteer activities such as mentoring, tutoring, guest speaking or providing any related services at the direction of the program or volunteer coordinator;
  - Community service programs that meet child, elder or other human needs, including but not limited to, Guardian Ad Litem, Big Brother/Big Sister, Senior Corps and Adult Literacy.



## LEAVE MANUAL

		<b>No.</b> <b>17.04.00</b>
<b>SUBJECT</b> ADMINISTRATIVE LEAVE: BENEFITS PERIOD	<b>LEAVE CODE</b> AD	<b>DATE ISSUED</b> 03/03/1987

Administrative leave may be paid without an annual limit.



## LEAVE MANUAL

		<b>No.</b> <b>17.05.00</b>
<b>SUBJECT</b> ADMINISTRATIVE LEAVE: BENEFITS AMOUNT	<b>LEAVE CODE</b> AD	<b>DATE ISSUED</b> 03/03/1987

Employees on administrative leave are paid for the number of regularly scheduled work hours from which they are excused from work.



## LEAVE MANUAL

		<b>No.</b> <b>18.01.00</b>
<b>SUBJECT</b> COMPENSATORY TIME: GENERAL	<b>LEAVE CODE</b> C	<b>DATE ISSUED</b> 03/03/1987

18.01.00      Compensatory time is time off with pay in lieu of overtime pay.

18.02.01      Compensatory time may no longer be granted in lieu of overtime payment.



## LEAVE MANUAL

		<b>No.</b> <b>18.02.00</b>
SUBJECT COMPENSATORY TIME: ELIGIBILITY	LEAVE CODE C	DATE ISSUED 03/03/1987

18.02.02      Any employee who has earned compensatory time is eligible to use it.



## LEAVE MANUAL

		<b>No.</b> <b>18.03.00</b>
<b>SUBJECT</b> COMPENSATORY TIME: AUTHORIZED USE	<b>LEAVE CODE</b> C	<b>DATE ISSUED</b> 03/03/1987

Compensatory time may be used for the same purposes as annual leave (see Section 01.06.02).

**LEAVE MANUAL**

<b>No.</b> <b>18.04.00</b>
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<b>SUBJECT</b> COMPENSATORY TIME: PAYMENT	<b>LEAVE CODE</b> C	<b>DATE ISSUED/REVISED</b> 03/01/1999
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18.04.01      Non-Job Basis Employees

Non-job basis employees shall be paid for all outstanding compensatory time at the time of separation at the current rate of pay, excluding night shift differential.

18.04.02      Job Basis Employees

Job-basis employees shall be paid for all outstanding compensatory time at the time of separation at the rate of pay the employee was earning in the last eligible job classification immediately prior to the promotion to the job basis position, excluding night shift differential.

Budget permitting, a department director may pay a job basis employee during the course of his regular employment for compensatory time earned prior to becoming job basis. Such compensatory time shall be paid at the rate of pay the employee was earning in the last eligible job classification immediately prior to the promotion to the job basis position, excluding night shift differential.

18.04.03      Deferred Retirement Option Program (DROP)

Employees enrolled in the Florida Retirement System (FRS) who are eligible to enroll and elect to participate in the DROP, have the option of requesting payment for compensatory time that was earned in the eleven months directly preceding the month in which the payout is made. Payment for compensatory time earned in the eleven months directly preceding the month in which payout is made, will be reported as compensation under the FRS.



## LEAVE MANUAL

		<b>No.</b> <b>19.01.00</b>
<b>SUBJECT</b> UNION ACTIVITY LEAVE: GENERAL	<b>LEAVE CODE</b> Y	<b>DATE ISSUED</b> 03/03/1987

Union activity leave provides authorized employees with time off with pay to participate in union activities.

## LEAVE MANUAL

		<b>No.</b> <b>19.02.00</b>
<b>SUBJECT</b> UNION ACTIVITY LEAVE: ELIGIBILITY	<b>LEAVE CODE</b> Y	<b>DATE ISSUED</b> 03/03/1987

Employees certified as employee union stewards, employee union officers and authorized union representatives are eligible for union activity leave in accordance with the applicable provision of their respective collective bargaining agreements.

## LEAVE MANUAL

		<b>No. 19.03.00</b>
<b>SUBJECT</b> UNION ACTIVITY LEAVE: AUTHORIZED USE	<b>LEAVE CODE</b> Y	<b>DATE ISSUED</b> 03/03/1987

- 19.03.01      Authorized employees may participate in labor management committee meetings, collective bargaining sessions, the processing of an employee grievance, or other activities as specified by collective bargaining agreement.
- 19.03.02      Authorized employees are subject to any approval rules or procedures called for in the collective bargaining agreement.
- 19.03.03      Employees may use union activity leave only with prior approval of their supervisors.





## LEAVE MANUAL

		<b>No.</b> <b>19.04.00</b>
<b>SUBJECT</b> UNION ACTIVITY LEAVE: BENEFITS PERIOD	<b>LEAVE CODE</b> Y	<b>DATE ISSUED</b> 03/03/1987

Union activity leave may be paid in accordance with the applicable provision of the respective collective bargaining agreements.

## LEAVE MANUAL

		<b>No. 19.05.00</b>
<b>SUBJECT</b> UNION ACTIVITY LEAVE: BENEFITS AMOUNT	<b>LEAVE CODE</b> Y	<b>DATE ISSUED</b> 03/03/1987

Employees on union activity leave are paid for the number of regularly scheduled work hours for which they attend an authorized activity.



## LEAVE MANUAL

		<b>No.</b> <b>20.01.00</b>
<b>SUBJECT</b> RELIEVED FROM DUTY LEAVE: GENERAL	<b>LEAVE CODE</b> R	<b>DATE ISSUED</b> 03/03/1987

Relieved from duty leave provides for time off with pay for employees under investigation.



## LEAVE MANUAL

		<b>No.</b> <b>20.02.00</b>
<b>SUBJECT</b> RELIEVED FROM DUTY LEAVE: ELIGIBILITY	<b>LEAVE CODE</b> R	<b>DATE ISSUED</b> 03/03/1987

Employees in all status codes are eligible for relieved from duty leave.

## LEAVE MANUAL

		<b>No.</b> <b>20.03.00</b>
<b>SUBJECT</b> RELIEVED FROM DUTY LEAVE: AUTHORIZED USE	<b>LEAVE CODE</b> R	<b>DATE ISSUED</b> 03/03/1987

- 20.03.01      Relieved from duty leave is used to pay for regularly scheduled work time to an employee under investigation by the department director when it is in the County's best interest not to permit the employee to report to work.
- 20.03.02      Use of relieved from duty leave must be approved by the department director.



## LEAVE MANUAL

		<b>No.</b> <b>20.04.00</b>
<b>SUBJECT</b> RELIEVED FROM DUTY LEAVE: BENEFITS PERIOD	<b>LEAVE CODE</b> R	<b>DATE ISSUED</b> 03/03/1987

Relieved from duty leave may be paid without limit, at the discretion of the department director.

## LEAVE MANUAL

		<b>No.</b> <b>20.05.00</b>
<b>SUBJECT</b> RELIEVED FROM DUTY LEAVE: BENEFITS AMOUNT	<b>LEAVE CODE</b> R	<b>DATE ISSUED</b> 03/03/1987

- 20.05.01      Employees placed on relieved from duty leave shall be paid for the number of regularly scheduled work hours they are not permitted to work.
- 20.05.02      Employees placed on relived from duty leave shall, for administrative and record keeping purposes only, be assigned to normal business hours Monday through Friday with Saturday and Sunday off. Such employees are expected to be available to the department during normal business hours.

## LEAVE MANUAL

		<b>No.</b> <b>21.01.00</b>
<b>SUBJECT</b> COMPULSORY LEAVE: GENERAL	<b>LEAVE CODE</b>	<b>DATE ISSUED</b> 03/03/1987

Compulsory leave indicates the authority of the department director to require certain employees to take paid or unpaid leave.





## LEAVE MANUAL

		<b>No.</b> <b>21.02.00</b>
<b>SUBJECT</b> COMPULSORY LEAVE: ELIGIBILITY	<b>LEAVE CODE</b>	<b>DATE ISSUED</b> 03/03/1987

Employees in ALL status codes are eligible for compulsory leave.

## LEAVE MANUAL

		<b>No.</b> <b>21.03.00</b>
<b>SUBJECT</b> COMPULSORY LEAVE: AUTHORIZED USE	<b>LEAVE CODE</b>	<b>DATE ISSUED/REVISED</b> 09/26/1989

- 21.03.01      When, in the opinion of the department director, an employee is unable to perform the duties of a position due to illness, injury, mental incapacitation or pregnancy, or where an examination has been legally mandated, the department director may require the employee to submit to a medical or psychological examination by a physician, psychologist or other appropriately licensed health-care professional designated by the County. The department director may require that the employee not return to work until such examination is completed and a written evaluation is available for review. The department director shall place the employee on administrative leave until such time as he has reviewed the evaluation and has made a determination of whether the employee can continue to work.
- 21.03.02      If the licensed professional’s report of the evaluation indicates that the employee is unable to perform the job duties effectively, the department director may direct the employee not to return to work until the situation has been resolved, the employee is healthy and able to perform the job duties and the licensed professional has released the employee to return to work, in writing.

## LEAVE MANUAL

		<b>No. 21.04.00</b>
<b>SUBJECT</b> COMPULSORY LEAVE: BENEFITS PERIOD	<b>LEAVE CODE</b>	<b>DATE ISSUED</b> 03/03/1987

- 21.04.01      The period of compulsory leave is the period of time medically determined to return the employee to normal health. This period begins when the department director reviews the medical/psychological evaluation and decides not to permit the employee to return to work and ends when the employee is released by his/her physician to return to full duty.
- 21.04.02      The employee may return to work only when it has been medically determined that the employee has returned to normal health and is able to perform job duties.

## LEAVE MANUAL

		<b>No. 21.05.00</b>
<b>SUBJECT</b> COMPULSORY LEAVE: BENEFITS AMOUNT	<b>LEAVE CODE</b>	<b>DATE ISSUED</b> 03/03/1987

During the period of compulsory leave, at the discretion of the department director, the employee may use any accrued sick leave, annual leave, holiday leave, or compensatory time; or the employee may take an unpaid leave of absence.

## LEAVE MANUAL

		<b>No.</b> <b>22.01.00</b>
<b>SUBJECT</b> SUGGESTIONS AWARD DAY: GENERAL	<b>LEAVE CODE</b> SA	<b>DATE ISSUED</b> 03/03/1987

Suggestion award day provides time off with pay to employees for a qualifying employee suggestion.



## LEAVE MANUAL

		<b>No.</b> <b>22.02.00</b>
<b>SUBJECT</b> SUGGESTIONS AWARD DAY: ELIGIBILITY	<b>LEAVE CODE</b> SA	<b>DATE ISSUED</b> 03/03/1987

Employees are eligible for a suggestion award day provided they meet the requirements of Administrative Order 7-8.

## LEAVE MANUAL

<b>No.</b> <b>22.03.00</b>
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SUBJECT	LEAVE CODE	DATE ISSUED
SUGGESTIONS AWARD DAY: AUTHORIZED USE	SA	03/03/1987

- 22.03.01      The suggestion award day may be used for the same purpose as annual leave (see Section 01.06.02).
- 22.03.02      The suggestion award day may not be taken in hourly segments.
- 22.03.03      The suggestion award day must be used within one year from the date of the award or it is forfeited.



## LEAVE MANUAL

		<b>No.</b> <b>22.04.00</b>
<b>SUBJECT</b> SUGGESTIONS AWARD DAY: BENEFITS AMOUNT	<b>LEAVE CODE</b> SA	<b>DATE ISSUED</b> 03/03/1987

Employees qualifying for a suggestion award day shall receive eight (8) hours of time off with pay.



## LEAVE MANUAL

		<b>No.</b> <b>22.05.00</b>
<b>SUBJECT</b> SUGGESTIONS AWARD DAY: PAYMENTS	<b>LEAVE CODE</b> SA	<b>DATE ISSUED</b> 03/03/1987

The suggestion award day is paid only when used and is not paid on termination.

## LEAVE MANUAL

		<b>No.</b> <b>23.01.00</b>
SUBJECT LEAVE WITHOUT PAY: GENERAL	LEAVE CODE W, SW	DATE ISSUED 03/03/1987

Leave without pay is for authorized time off without pay when no appropriate accrued leave is available.

## LEAVE MANUAL

		<b>No.</b> <b>23.02.00</b>
SUBJECT LEAVE WITHOUT PAY: ELIGIBILITY	LEAVE CODE W, SW	DATE ISSUED 03/03/1987

Employees in ALL status codes are eligible for leave without pay.

## LEAVE MANUAL

		<b>No.</b> <b>23.03.00</b>
<b>SUBJECT</b> LEAVE WITHOUT PAY: AUTHORIZED USE	<b>LEAVE CODE</b> W, SW	<b>DATE ISSUED/REVISED</b> 03/08/2002

- 23.03.01      Leave without pay is used for an authorized absence when no appropriate accrued leave, birthday holiday, or floating holiday is available.
- 23.03.02      Leave without pay is not intended to allow an employee to take time off without pay when appropriate leave is available. The proper method to account for long absences without pay is to grant a leave of absence (see section 08.03.00).
- Under certain extenuating circumstances, a department director may formally approve, on an individual case basis, the use of leave without pay where appropriate leave is available. The formal approval for each individual situation must be attached to the PAR.
- 23.03.03      Employees who are utilizing short-term or long-term disability income protection, or who are on an approved leave under Section 27, family medical leave, may choose not to be paid for their annual leave after exhausting their sick leave benefits.
- Employees are required to send a written request to their DPRs stating that they wish their remaining annual leave balances not be used. The DPRs will forward the request to the Payroll and Information Management Division of the Human Resources Department. No department director’s signature is required.
- 23.03.04      Job basis employees will be paid for a partial day’s absence regardless of whether appropriate accrued leave is available in compliance with the Fair Labor Standards Act. The employee will “*borrow*” annual leave or sick leave as appropriate. (See sections 01.06.03 and 02.06.03).

## LEAVE MANUAL

		<b>No. 24.01.00</b>
SUBJECT UNAUTHORIZED TIME OFF: GENERAL	LEAVE CODE U, UN	DATE ISSUED 03/03/1987

Unauthorized time off is an unexcused absence without pay.

LEAVE MANUAL

		<b>No. 24.02.00</b>
SUBJECT UNAUTHORIZED TIME OFF: ELIGIBILITY	LEAVE CODE U, UN	DATE ISSUED 11/08/2018

Employees in ALL status codes may be charged with unauthorized time off without pay, unless otherwise specified in a collective bargaining agreement.

## LEAVE MANUAL

		<b>No. 24.03.00</b>
<b>SUBJECT</b> UNAUTHORIZED TIME OFF: AUTHORIZED USE	<b>LEAVE CODE</b> U, UN	<b>DATE ISSUED/REVISED</b> 03/08/2002

- 24.03.01      Unauthorized time off is used when the department or supervisor wishes to dock an employee. It is to be used for unexcused absences and may be associated with disciplinary action.
- 24.03.02      Should a department wish to distinguish between those employees taking unauthorized time off who called their supervisors and those who simply did not show up for work, unauthorized no call (UN) should be used to mark the distinction.
- 24.03.03      Job basis employees who are charged with unauthorized time off for a partial day will be paid for the full day in compliance with the Fair Labor Standards Act. However, the PAR should still indicate unauthorized time off for disciplinary purposes. The employee will “borrow” annual leave. (See section 01.06.03.)

## LEAVE MANUAL

		<b>No. 25.01.00</b>
SUBJECT EARNED LEAVE POOL: GENERAL	LEAVE CODE SP	DATE ISSUED/REVISED 03/08/2002

An *Earned Leave Pool* is an optional department benefit for employees who wish to participate in the donation and distribution of leave for assistance following a serious illness or injury according to earned leave pool guidelines.

*Special Leave Donation Pools* may be established on an ad hoc basis by a department to assist an employee who has experienced a serious illness or injury and who has exhausted all appropriate leave available.



## LEAVE MANUAL

		<b>No. 25.02.00</b>
<b>SUBJECT</b> EARNED LEAVE POOL: DEPARTMENTAL LEAVE POOL	<b>LEAVE CODE</b> SP	<b>DATE ISSUED/REVISED</b> 03/08/2002

The earned leave pool is an optional department benefit for all employees who desire to participate in the program.

a) Requirement for Individual Department Participation

1. The department will determine the minimum balance the earned leave pool must have in order for the pool to be established and replenished.

b) Requirement for Employee Membership

1. Be employed in a departmental budgeted or overage position for and have completed thirteen (13) pay periods in a position eligible to accrue leave.
2. Contribute a minimum of eight hours of earned annual, holiday, or compensatory leave to the Earned Leave Pool by completion of a Leave Request form.
3. Full-time employees must contribute a minimum of eight (8) hours of earned annual, holiday or compensatory leave to the earned leave pool by completion of a leave request form. Part-time employees must donate leave at a rate equal to the average number of hours worked per day per pay period over the past 13 pay periods.
4. Enter on the Leave Request form a personal statement attesting that the employee is unaware of any existing condition for which Earned Leave Pool membership could be denied.
5. Donations from other departments are not permitted.
6. Applications will be screened by the Earned Leave Pool Committee which may deny membership or benefits to any applicant predicated on prior usage of sick leave or a history of a recurring major injury or illness.

c) Notification of Employee Membership

1. Within ten working days following completion of the applicant's 13<sup>th</sup> pay period; or
2. Thereafter, when members are solicited by a memorandum from the department personnel section. The memorandum will designate the contribution enrollment period. Employees on leave of absence (LOA) will be granted a thirty (30)-day extension for enrollment purposes upon reinstatement from LOA.

## LEAVE MANUAL

		<b>No. 25.02.00</b>
<b>SUBJECT</b> EARNED LEAVE POOL: DEPARTMENTAL LEAVE POOL	<b>LEAVE CODE</b> SP	<b>DATE ISSUED/REVISED</b> 03/08/2002

d) Contribution Requirements to Replenish Pool

1. An initial contribution of eight (8) hours leave to the Earned Leave Pool.
2. When the earned leave pool is reduced to the minimum balance established by the department for replenishing the pool, each full-time participant will be required to donate an additional eight (8) hours. Part-time employees must donate leave at a rate equal to the average number of hours worked per day per pay period over the past thirteen (13) pay periods. A memorandum announcing the requirement will be published by the department personnel section.
3. Failure to contribute additional hours when requested will result in membership termination.
4. Leave contributed to the Pool will not be returned unless the program is discontinued at which time the return would be predicated on a prorata basis.
5. Departments must notify employees that leave contributed to the pool will not be returned.
6. Time donated will be recorded on the Payroll Attendance Record (PAR) as Sick Pool (SP) for employees receiving Earned Leave Pool benefits.

e) Benefits

1. Benefits may not be applied for until an employee has completed five (5) pay periods as a member of the earned leave pool.
2. Application for benefits shall not be submitted for any illness or disability which existed prior to membership.
3. Requests shall not be submitted nor considered for short term benefits resulting from common ailments; e.g., flu, colds, doctor or dentist appointments, routine maternity leave or elective surgery. Supervisors are directed to reject requests of this nature.
4. Applicants must deplete all accrued leave benefits prior to requesting earned leave pool benefits.
5. Applicants must have made application for any available Short and/or Long-Term Disability Income Protection benefits for which they may be eligible. The Department Personnel Representative (DPR) shall determine whether the employee has enrolled for any Short and/or Long-Term Disability Income Protection benefits and facilitate the application process as needed.

## LEAVE MANUAL

		<b>No. 25.02.00</b>
<b>SUBJECT</b> EARNED LEAVE POOL: DEPARTMENTAL LEAVE POOL	<b>LEAVE CODE</b> SP	<b>DATE ISSUED/REVISED</b> 03/08/2002

- I. If the employee seeking additional leave has enrolled for Disability Income Protection benefits through the Flexible Benefits Program, application for disability benefits must be completed and denial received prior to donated leave being used, however,
  - II. Earned Leave Pool hours may be used to provide assistance to an employee during the required elimination period prior to the start of Long-Term Disability Income benefits (180 days), or Executive Long Term Disability Insurance benefits (90 days).
6. Benefits may be awarded for a time period which is greater or lesser than that recommended by the attending physician but shall not to exceed 90 calendar days within any 12-month period.
  7. Benefits may be awarded for partial days for non-job basis employees.
  8. Benefits may be extended for an additional 90 days.
    - I. Upon recommendation by the Earned Leave Pool Committee and approval by the department director; and
    - II. When the extension is necessary to qualify the member for minimum retirement at the conclusion of the extension.
  9. The recipient employee shall notify the department personnel section via the supervisor, when the status of the qualifying illness or disability has improved and the employee is able to perform in at least a limited duty capacity.
  10. The recipient employee's supervisor shall request a review of the benefits awarded when it is felt that the status of the qualifying illness or disability has improved.
  11. Earned leave pool benefits will not be granted nor continued to an employee in the event of one of the following:
    - I. When an employee is assigned to compulsory leave or leave without pay.
    - II. When light (limited) duty is offered to and refused by the concerned individual and physical ability is not a contentious point.
    - III. Effective the date the employee initiates litigation against the County relative to injury or illness.
    - IV. When an employee is injured on duty and is subsequently denied disability leave benefits.

## LEAVE MANUAL

		<b>No.</b> <b>25.02.00</b>
<b>SUBJECT</b> EARNED LEAVE POOL: DEPARTMENTAL LEAVE POOL	<b>LEAVE CODE</b> SP	<b>DATE ISSUED/REVISED</b> 03/08/2002

f) Benefit Applications

- 1) Applications shall be forwarded via memorandum through the respective supervisor to the department personnel section. The memorandum must be signed by the applicant or immediate supervisor and include the following:
  - I. Applicant's name, classification, and departmental assignment.
  - II. Commencement date of illness or disability.
  - III. A physician's statement describing the illness or disability and date the applicant will be permitted to return to duty.
    1. The director reserves the right to designate a physician from whom diagnostic statement will be accepted.
    2. The department personnel section will process the application for committee review.

g) Committee

The earned leave pool committee is comprised of the department director or assistant director (chairperson), department personnel representative, and a division director.

h) Records and Accounting

- 1) The department personnel section shall maintain all records relative to earned leave pool contributions and benefits expended.
- 2) The earned leave pool will be maintained in dollar value terms. Hours will be multiplied by the hourly rate when placed in the earned leave pool.
- 3) Employees are in an active pay status while using earned leave pool benefits.
- 4) Time donated will be recorded on the Payroll Attendance Record (PAR) as sick pool (SP) for employees receiving earned leave pool benefits and should be recorded as actual time off.
- 5) Time donated is to be used within a twelve (12)-month period. Any donated time remaining at the close of the twelve (12)-month period for an employee should be retained for future department leave pools. Departments should use this pool time first for future sick leave pools. Employees become eligible for another twelve (12)-week period of donated time upon the expiration of any twelve (12)-month period.

## LEAVE MANUAL

		<b>No.</b> <b>25.02.00</b>
<b>SUBJECT</b> EARNED LEAVE POOL: DEPARTMENTAL LEAVE POOL	<b>LEAVE CODE</b> SP	<b>DATE ISSUED/REVISED</b> 03/08/2002

i) Notification Process

- 1) The department personnel section will notify the Payroll & Information Management Division of the Human Resources Department of employees wishing to donate time. The notifying memorandum should contain employees' name, social security number, type of leave donated, number of hours donated and current hourly rate.

## LEAVE MANUAL

		<b>No. 25.03.00</b>
<b>SUBJECT</b> EARNED LEAVE POOL: SPECIAL LEAVE DONATION	<b>LEAVE CODE</b> SP	<b>DATE ISSUED/REVISED</b> 03/08/2002

Special leave donation pool may be established on an ad hoc basis via departmental solicitation for employees who have experienced a serious illness or injury for which the use of sick leave would be appropriate. Special leave donation pool may also be established on behalf of employees who are in need of leave to care for an immediate family member with a serious illness; time donated will be recorded on the Payroll Attendance Record (PAR) as sick pool (SP) for such employees.

a) Eligibility Requirements

In order to be eligible to receive a special leave donation, an employee must:

- 1) Be employed by the County and have earned thirteen (13) pay periods,
- 2) Be eligible to accrue leave,
- 3) Have exhausted all available appropriate leave balances,
- 4) Expect to be absent from work for at least one (1) pay period, and
- 5) Not be a member in good standing eligible for benefits from a department earned leave pool.

b) Exceptions

Earned leave pool benefits will not be granted to or continued for an employee in the event of one of the following:

- 1) When an employee is assigned to compulsory leave or leave without pay,
- 2) When light (limited) duty is offered to and refused by the concerned individual and physical ability is not a contentious point,
- 3) Effective the date the employee initiates litigation against the County relative to injury or illness, and
- 4) When an employee is injured on duty and is subsequently denied disability leave benefits.

## LEAVE MANUAL

		<b>No. 25.03.00</b>
<b>SUBJECT</b> EARNED LEAVE POOL: SPECIAL LEAVE DONATION	<b>LEAVE CODE</b> SP	<b>DATE ISSUED/REVISED</b> 03/08/2002

c) Use of Special Leave Donations

- 1) Applications for special leave donations will not be considered for absences resulting from common illnesses such as the flu, colds, doctor or dentist appointments, routine maternity leave or elective surgery.
- 2) Hours donated through special leave donations may be used by non-job basis employees for partial days.
- 3) Part-time employees will use donated hours at a rate equal to the average number of hours worked per day per pay period over the past thirteen (13) pay periods.

d) Notification of Need for Special Leave Donations

- 1) Department personnel representatives (DPR) shall be notified via memorandum when an employee, or an immediate family member of an employee, has experienced a serious illness or injury where it is expected that the employee will be absent from work for at least two (2) pay period and is ineligible for earned leave pool benefits.

Applications for special leave donations shall be forwarded via memorandum through the respective supervisor to the department's personnel section. The memorandum must be signed by the applicant or immediate supervisor and include the following:

- i. Applicant's name, classification, and departmental assignment,
  - ii. Commencement date of illness or injury, and
  - iii. A physician's statement describing the applicant's illness or injury and date the applicant will be able to return to duty, or describing the illness or injury of the family member for whom care is needed, and the date that the employee will be able to return to work.
- 2) The DPR shall inform the department director via memorandum of the employee's circumstances, the date that the employee's available leave is expected to be exhausted, or has been exhausted, and the amount of time that has been requested, if available.
  - 3) Approval for the special leave donation solicitation is to be requested via memorandum by the department director to the Director of the Human Resources Department.

## LEAVE MANUAL

		<b>No.</b> <b>25.03.00</b>
<b>SUBJECT</b> EARNED LEAVE POOL: SPECIAL LEAVE DONATION	<b>LEAVE CODE</b> SP	<b>DATE ISSUED/REVISED</b> 03/08/2002

e) Solicitation of Leave within Department

- 1) When approval for the solicitation is received from the Director of the Human Resources Department, the department may proceed to notify its employees of the special solicitation of leave. This may be accomplished by memorandum, e-mail, or whatever means is considered expedient and appropriate.
  - i. Employees may donate annual, holiday, or compensatory time.
  - ii. Employees must submit a completed leave slip, specifying the number of hours and the type of accrued leave that is being donated.
  - iii. The minimum amount of time that may be donated is one hour.
  - iv. Employees must specify on the leave slip to whom the leave is being donated.
  - v. Both, the employee donating the leave and his/her supervisor must sign the leave slip.
- 2) Departmental employees should be informed that the date on which leave balances will be reduced cannot be guaranteed, and, should any donated hours not be used for the named employee, the hours cannot be returned and will remain available for departmental use for other leave pools at a future date.

f) Leave Donations from other Departments

Employees may donate earned annual, holiday, and compensatory leave to an eligible employee in another department.

Employees wishing to donate leave time may send a memorandum to the DPR stating their intent to donate leave time which will be forwarded to the DPR of the intended recipient's department.

- 1) Employees may donate annual, holiday, or compensatory time.
- 2) Employees must include a brief memorandum stating their intent to donate leave and to whom.
- 3) The minimum amount of time that may be donated is one hour.
- 4) Employees must attach a completed leave slip specifying the number of hours and the type of accrued leave that is being donated.
- 5) The DPR will forward this information to the DPR of the recipient employee.



## LEAVE MANUAL

		<b>No. 25.03.00</b>
<b>SUBJECT</b> EARNED LEAVE POOL: SPECIAL LEAVE DONATION	<b>LEAVE CODE</b> SP	<b>DATE ISSUED/REVISED</b> 03/08/2002

g) Tabulating and Accounting

The DPR will tabulate the number of hours donated by each employee and determine the total dollar value. A list of the employees donating time, their social security number, the type of leave being donated, and the number of hours per person must be sent to the Director of the Payroll & Information Management Division of the Human Resources Department, so that each employee's leave balance may be reduced appropriately.

- 1) The DPR of the recipient's department will calculate the dollar value of the leave used by the recipient each pay period and deduct it from the total value.
- 2) Any donated time will be held in reserve by the department for use in future leave pools.

h) Benefits Period

Benefits may be awarded for a time period of twelve (12) weeks within a twelve (12) month period. The number of hours of leave for the 12 weeks in the 12-month period shall be based on the number of hours in the employee's regular schedule.

- 1) For part-time employees and those who work variable hours, regular work schedule is based on the average biweekly hours worked during the twelve (12)-week period prior to the start of the period of leave.
- 2) Benefits may be awarded for partial days for non-job basis employees. Leave pool donated time may be used and recorded in hours on the PAR as sick pool (SP) and should be recorded as actual time off.
- 3) Time donated is to be used within a twelve (12) month period. Any donated time remaining at the close of the 12-month period for an employee should be retained for future department leave pools. Departments should use this pool time first for future sick leave pools. Employees become eligible for another 12-week period of donated time upon the expiration of any 12-month period.

i) Extension

Benefits may be extended for an additional 12 weeks:

- 1) Upon recommendation by the department director and approval by the director of the Human Resources Department; or
- 2) When the extension is necessary to qualify the member for minimum retirement at the conclusion of the extension.

**LEAVE MANUAL**

		<b>No. 25.03.00</b>
SUBJECT EARNED LEAVE POOL: SPECIAL LEAVE DONATION	LEAVE CODE SP	DATE ISSUED/REVISED 03/08/2002

j) Review Period

In keeping with policies established in the Family and Medical Leave Act and various disability plans, the need for continued use of donated time shall be reviewed every thirty (30) days. If medical necessity is no longer evident, the employee shall return to work.

## LEAVE MANUAL

		<b>No. 25.04.00</b>
<b>SUBJECT</b> EARNED LEAVE POOL: AUTHORIZED USE	<b>LEAVE CODE</b> SP	<b>DATE ISSUED</b> 03/03/1987

- 25.04.01      Eligible employees must have an extended illness or disability.
- 25.04.02      Benefits shall be approved or disapproved in accordance with the conditions specified in the earned pool resolution.
- 25.04.03      Employees must deplete all accrued leave benefits in order to qualify for benefits.

## LEAVE MANUAL

		<b>No. 25.05.00</b>
<b>SUBJECT</b> EARNED LEAVE POOL: BENEFITS PERIOD	<b>LEAVE CODE</b> SP	<b>DATE ISSUED</b> 03/03/1987

- 25.05.01      Earned leave pool benefits may be approved for ninety (90) calendar days in a twelve (12)-month period, subject to the conditions specified in the earned leave pool resolution.
- 25.05.02      Benefits may be extended for an additional 90 days subject to the conditions specified in the earned leave pool resolution.



## LEAVE MANUAL

**No.**  
**25.06.00**

SUBJECT EARNED LEAVE POOL: BENEFITS AMOUNT	LEAVE CODE SP	DATE ISSUED 03/03/1987
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- 25.06.01 Employees approved for benefits shall be in active pay status.
  
- 25.06.02 Since employees receiving earned leave pool benefits are in pay status, they accrue annual and sick leave. These accruals should be charged to the employee as accrued, thus decreasing the amount of benefits paid from the earned leave pool.



## LEAVE MANUAL

		<b>No.</b> <b>26.01.00</b>
<b>SUBJECT</b> LAYOFF RIGHTS: GENERAL	<b>LEAVE CODE</b>	<b>DATE ISSUED</b> 03/03/1987

The purpose of this section is to outline the special handling of any leave benefits in the event of a layoff.

## LEAVE MANUAL

		<b>No.</b> <b>26.02.00</b>
<b>SUBJECT</b> LAYOFF RIGHTS: ELIGIBILITY	<b>LEAVE CODE</b>	<b>DATE ISSUED</b> 03/03/1987

- 26.02.01      Employees must have attained permanent status in their current classification or a prior classification to be eligible for layoff rights.
- 26.02.02      Employees must actually be laid off, as represented by a letter from the Human Resources Department, in order to have any layoff rights. A layoff list will be generated.
- 26.02.03      Employees who are laid off have rights to their classification for two (2) years. If they are rehired within the two (2) years to their former classification from which they were laid off, they preserve their prior service.

## LEAVE MANUAL

		<b>No.</b> <b>26.03.00</b>
<b>SUBJECT</b> LAYOFF RIGHTS: PAYMENT OF LEAVE	<b>LEAVE CODE</b>	<b>DATE ISSUED</b> 03/03/1987

26.03.01      Employees who are laid off and are placed in a layoff status code because they are no longer working will be paid out all accrued leave, subject to any established maximums or payment schedules. This includes sick leave for employees with ten (10) or more years of continuous full-time service.

26.03.02      Employees who are laid off and immediately begin part-time employment with the County will not be paid any accrued leave until placed in a layoff status code because they are no longer working for the County or until they separate from County service.

Any period of part-time service during the two (2) year period of the layoff will be treated as a leave of absence for determining continuous full-time service for purposes of sick leave payment on termination. These employees retain their rights to the classification from which they were laid off for two years regardless of any part-time or temporary employment.



## LEAVE MANUAL

		<b>No.</b> <b>26.04.00</b>
<b>SUBJECT</b> LAYOFF RIGHTS: REINSTATEMENT	<b>LEAVE CODE</b>	<b>DATE ISSUED</b> 03/03/1987

- 26.04.01      Employees reinstated from a layoff will begin to accrue leave immediately, and there will be no waiting period for the use of accrued leave.
- 26.04.02      Employees who are laid off, paid out all leave and then subsequently reinstated to any full-time position within the two (2) years of the layoff, are eligible to have their entire sick leave balance restored by paying back the full amount paid out at the time of the layoff. Otherwise, the sick leave balance will begin at zero (0).
- 26.04.03      Employees who are laid off, paid out all leave, who worked in a part-time or temporary position and are subsequently reinstated during the two-year period of the layoff, and also have the option of restoring sick leave. Such employees must pay back the full amount paid out at the time of the layoff. The entire sick leave balance will then be restored and added to any sick leave accruals as a part-time employee.
- 26.04.04      Employees who have been laid off but have no layoff rights shall be eligible for the reinstatement of leave benefits if they are re-employed within two (2) years following the layoff. Such re-employment shall be treated as a reinstatement.

## LEAVE MANUAL

		<b>No. 27.01.00</b>
<b>SUBJECT</b> FAMILY MEDICAL LEAVE: GENERAL	<b>LEAVE CODE</b> AF, DF, SF, YF,	<b>DATE ISSUED/REVISED</b> 06/18/2010

Family medical leave encompasses time off, with or without usage of accrued leave, required under the Family and Medical Leave Act of 1993 (FMLA) and related U.S. Department of Labor rules, and the Family Leave Ordinance (FLO) as authorized by Ordinance 91-142 and 93-118 of Miami-Dade County.

Generally, the leave referenced in this section is required under the FMLA, with additional coverage adopted by the Miami-Dade Board of County Commissioners. Effective November 13, 1993, with the enactment of Ordinance 93-118 amending Ordinance 91-142 which originally established family leave, the County FLO was amended to be consistent with the FMLA, except that the FLO requires employers to extend family leave benefits to employees to care for grandparents who have serious health conditions. Effective May 30, 2008, with the enactment of Ordinance 08-61, County leave benefits, including family leave, were extended to parties to a registered domestic partnership relationship.

The following provisions summarize the requirements of the FMLA and the FLO as they apply to County employees. The County's Family Medical Leave provisions are intended merely to reflect the requirements of these laws. Changes in the FMLA or FLO will result in changes to these provisions. In the event of any inadvertent conflict between these provisions and the requirements of either the FMLA or the FLO, the requirements of the FMLA and FLO apply.

## LEAVE MANUAL

		<b>No. 27.02.00</b>
<b>SUBJECT</b> FAMILY MEDICAL LEAVE: ELIGIBILITY	<b>LEAVE CODE</b> AF, DF, SF, YF,	<b>DATE ISSUED/REVISED</b> 06/18/2010

27.02.01 Employees in ALL status codes are eligible for family medical leave if they meet the following requirements:

- a) Must be employed by the County for at least twelve (12) months (need not be consecutive months), and
- b) Must have worked for the County at least 1,250 hours during the twelve (12) months immediately preceding the commencement date of the requested leave (leave taken during the qualification period, regardless of pay status, will NOT be included in any calculation of the required 1,250 hours of service), and
- c) To be eligible for family leave to care for a grandparent who has a serious health condition, or to care for a registered domestic partner or a child or parent of a registered domestic partner, the employee must not have exhausted leave under the FLO or FMLA within the same calendar year.

For the purposes of administering benefits pursuant to the FMLA, any leave taken to care for a grandparent provided for under the Family Leave Ordinance (FLO), or any leave taken to care for a domestic partner or a child or parent of a domestic partner is not considered FMLA leave in computing the benefit periods provided by the FMLA.

27.02.02 Definitions

- a) **Spouse** means a husband or wife as defined or recognized in the state where the individual was married and includes individuals in a same-sex marriage or common law marriage.
- b) **Registered Domestic Partner** means one of two adults who are parties to a valid domestic relationship as established pursuant to section 11A-72 of the Miami-Dade County Code.
- c) **Parent** means a biological, adoptive, step or foster parent or an individual who stands or stood in loco parentis to an employee when the employee was a child. This does not include *parents-in-law*.
- d) **Grandparent** means a biological, adoptive, or step grandparent for whom the employee has assumed primary financial responsibility.
- e) **Child** means a biological, adopted or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis. For purposes of FMLA taken for adoption of a child or to care for a child with a serious health condition, the child must be under age 18 or age 18 or older and incapable of self-care because of a mental or physical disability.

For purposes of FMLA taken to care for a covered service member with a serious injury or illness, or because of a qualifying exigency, the child may be of any age.

**LEAVE MANUAL**

<b>No. 27.02.00</b>
<b>DATE ISSUED/REVISED 06/18/2010</b>

<b>SUBJECT</b> FAMILY MEDICAL LEAVE: ELIGIBILITY
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- f) **Incapable of self-care** means that the individual requires active assistance or supervision to provide daily self-care in several of the activities of daily living (e.g., grooming and hygiene, bathing, dressing, eating, cooking, cleaning, shopping, taking public transportation, paying bills, maintaining residence, using telephones and directories, using a post office, etc.)
- g) **Foster care** means twenty-four (24)-hour care for children in substitution for, and away from, their parents or legal guardians. Such placement with the family for the child’s care is made by or with the agreement of the state.
- h) **Physical or mental disability** means a physical or mental impairment that substantially limits one or more of the major life activities of an individual.
- i) **In Loco Parentis** refers to a person who has put himself in the situation of a lawful parent by assuming the obligations incident to a parental relationship without going through the formalities of legal adoption. It includes assuming parental status and discharging parental duties such as individuals with day-to-day responsibilities to care for and financially support a child either now as an employee, or who had such responsibility when the employee was a child. A biological or legal relationship is not necessary.
- j) **Next of kin** means the nearest blood relative other than the covered servicemember’s spouse, parent or child. A covered service member may designate a blood relative as next of kin.
- k) **Serious Injury or illness** means, under Military Caregiver leave, that which may render the servicemember medically unfit to perform duties of his/her office, grade, rank or rating.
- l) **Serious health condition** means an illness, injury, impairment or physical or mental condition that involves:
  - 1) Inpatient care (i.e., an overnight stay) in a hospital, hospice or residential medical care facility, including any period of incapacity (for purposes of this section defined to mean inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment for or recovery from), or any subsequent treatment in connection with such inpatient care; or
  - 2) Continuing treatment by a health care provider.

## LEAVE MANUAL

		<b>No. 27.02.00</b>
<b>SUBJECT</b> FAMILY MEDICAL LEAVE: ELIGIBILITY	<b>LEAVE CODE</b> AF, DF, SF, YF,	<b>DATE ISSUED/REVISED</b> 06/18/2010

- m) ***Continuing treatment by a health care provider*** means one or more of the following:
- 1) A period of incapacity (i.e., inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment for or recovery from) of more than three (3) consecutive calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves:
    - i. Treatment two (2) or more times by a licensed health care provider, by a nurse or physician’s assistant under supervision of another health care provider, or by a provider of auxiliary health care services (e.g., physical therapist) pursuant to orders or referral by a licensed health care provider; or
    - ii. Treatment by a licensed health care provider on at least one occasion which results in a regimen of continuing treatment under his or her supervision.
  - 2) Any period of incapacity due to pregnancy or prenatal care.
  - 3) Any period of incapacity or treatment for such incapacity due to a chronic serious health condition. A *chronic serious health condition* is one which:
    - i. Requires periodic visits for treatment by a licensed health care provider or by a nurse or physician’s assistant under his or her supervision;
    - ii. Continues over an extended period of time including recurring episodes of a single underlying condition; and
    - iii. Causes episodic rather than permanent incapacity (e.g., asthma, diabetes, epilepsy, etc.)
  - 4) A period of incapacity which is permanent or long-term due to a condition for which treatment may be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer’s, a severe stroke or the terminal stages of a disease.
  - 5) Any period of absence to receive multiple treatments (including any period of recovery) by a licensed health care provider or pursuant to orders or referral from another licensed health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), and kidney disease (dialysis).

**LEAVE MANUAL**

<b>No. 27.02.00</b>
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<b>SUBJECT</b> FAMILY MEDICAL LEAVE: ELIGIBILITY	<b>LEAVE CODE</b> AF, DF, SF, YF,	<b>DATE ISSUED/REVISED</b> 06/18/2010
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n) **Licensed health care provider means:**

- 1) A doctor of medicine or osteopathy who is authorized to practice medicine or surgery by the state in which services are rendered;
- 2) Podiatrists, dentists, clinical psychologists, optometrists and chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated to exist by X-ray) licensed to practice in the state and performing within the scope of their fields as defined by state law;
- 3) Nurse practitioners, nurse-midwives and clinical social workers who are licensed to practice and who are performing within the scope of their fields as defined by state law;
- 4) Christian Science practitioners listed with the first Church of Christ, Scientist in Boston, Massachusetts;
- 5) Any health care provider from whom an employer or group health plan's benefits manager will accept certification of the existence of a serious health condition to substantiate a claim for benefits; and
- 6) A health care provider as defined above who practices in a country other than the United States, who is licensed to practice in accordance with the laws and regulations of that country.

o) **Equivalent position** means a position with the same pay, benefits and working conditions, including privileges, perquisites, and status, which involves the same or substantially similar duties and responsibilities, and entails substantially equivalent skill, effort, responsibility and authority. The equivalent position must be at the same work site or at a geographically proximate site, and must be at the same shift or equivalent schedule. Equivalent position does not extend to perceived loss of or potentially diminished opportunities for promotion.

p) **Intermittent leave** means time off from work taken in separate periods of time due to a single illness or injury, rather than for one continuous period of time and may include leave of periods from an hour or more to several weeks. Examples of intermittent leave would include leave taken on an occasional basis for medical appointments, or leave taken several days at a time spread over a period of six months, such as for chemotherapy.

q) **Reduced leave schedule** means a leave schedule that reduces the usual number of hours per work week or hours per workday of an employee.

## LEAVE MANUAL

		<b>No. 27.02.00</b>
SUBJECT FAMILY MEDICAL LEAVE: ELIGIBILITY	LEAVE CODE AF, DF, SF, YF,	DATE ISSUED/REVISED 06/18/2010

- r) **Qualifying exigency** is a non-medical activity that is directly related to the covered military member's active duty or call to active-duty status. It helps families of members of the National Guard and Reserves manage their life affairs while the member is on active duty in support of a contingency operation.
  
- s) **Covered servicemember or Military caregiver leave** allows eligible employees who are family members of covered servicemembers to take up to twenty-six (26) workweeks of leave in a "single 12-month period" to care for a covered service member with a serious illness or injury incurred in the line of duty on active duty.

## LEAVE MANUAL

		<b>No. 27.03.00</b>
<b>SUBJECT</b> FAMILY MEDICAL LEAVE: AUTHORIZED USE	<b>LEAVE CODE</b> AF, DF, SF, YF,	<b>DATE ISSUED/REVISED</b> 06/18/2010

27.03.01 Family Medical Leave shall be granted for the following reasons:

- a) For the birth of an employee’s child (including incapacity due to pregnancy) or to care for the newborn child;
- b) For the placement of a child with the employee for adoption or state approved foster care;
- c) Because of a serious health condition that makes the employee unable to perform the functions of the employee’s job; and
- d) To care for the employee’s spouse, child, registered domestic partner or parent with a serious health condition;
- e) To care for the employee’s grandparent with a serious health condition for whom the employee has assumed primary financial responsibility.
- f) For Military Caregiver to care for a covered servicemember with a serious injury or illness occurred in the line of duty who is the employee’s child, spouse, parent, or next of kin.
- g) For a Qualifying Exigency arising out of the fact that a family member (child, spouse, or parent) is on active duty or called to active-duty status in support of a contingency operation as a member of the National Guard or Reserves.

27.03.02 Leave to care for the employee’s grandparent is provided under the FLO and shall be granted under the same terms and conditions as leave is permitted under the FMLA to care for a parent with a serious health condition.

27.03.03 The right to take family medical leave for the birth of a child or the placement of a child for adoption applies equally to male and female employees.

27.03.04 Family medical leave may commence prior to the birth or adoption of a child.

- a) An expectant mother may take family medical leave before the birth of the child for prenatal care if her condition makes her unable to work.
- b) An employee can take family medical leave before the placement or adoption of the child if absence from work is required for the placement for adoption or foster care to proceed, such as for counseling sessions, to appear in court, consult with attorney or doctor representing birth parent, etc.



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- 27.03.05      An employee’s entitlement to family medical leave, under 27.03.01 a) or b) above, for the birth of a child, or placement of a child for adoption or foster care expires at the end of the 12-month period beginning on the date of the birth or placement. Any such FMLA leave must be concluded within this one-year period.
- 27.03.06      An employee who qualifies for family medical leave and must be away from work for more than twelve (12) weeks must first be placed on family medical leave under status code CM. When the family medical leave expires at the end of twelve (12) weeks, if the employee has not returned to work the employee may be placed on a leave of absence pursuant to the provisions of section 08 of this manual.
- 27.03.07      An employee may be permitted to take intermittent leave or leave on a reduced leave schedule:
- a) When medically necessary to care for a sick family member or for the employee’s own serious health condition, an employee shall be granted intermittent leave or a reduced leave schedule:
  - b) An employee may take intermittent leave or go on a reduced leave schedule for the birth or placement of a child at the department director’s discretion.
- 27.03.08      A husband and wife who are both employed by the County and are eligible for family medical leave are permitted to take only a combined total of twelve (12) weeks of leave during any twelve (12)-month period if the leave is taken:
- a) For birth of a son or daughter or to care for the child after birth;
  - b) For placement of a son or daughter for adoption or foster care, or to care of the child after placement; or
  - c) To care for a parent (but not a parent-in-law) with a serious health condition.
  - d) To care for a grandparent with a serious health condition. Where the husband and wife both use a portion of the total twelve week period of family medical leave for one of the purposes above in 27.03.04, the husband and wife would each be entitled to the difference between the amount he or she has taken individually and twelve weeks of family medical leave (or 26 weeks for Military Caregiver leave) for a purpose other than those listed above in this section.

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**27.03.09**      Military Caregiver Leave also known as Covered Servicemember Leave

Family Medical Leave includes a special leave provision that permits eligible employees to take up to 26 weeks of leave during a single 12-month period to care for a “covered servicemember.” A covered servicemember is the employee’s spouse, son, daughter, parent or “next of kin” who is a member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty for which the covered servicemember is undergoing medical treatment, recuperation or therapy; or is on the in outpatient status, temporary disability retired list.

The “single 12-month period” begins on the first day that the employee takes military caregiver leave and is measured forward from that date, regardless of the calendar method otherwise used by the County to determine the employee’s leave period for other FMLA qualifying reasons.

Military Caregiver Leave must meet all of the following conditions:

- a) The serious injury or health condition must have occurred in the line of duty on active duty for which the servicemember is undergoing medical treatment, recuperation, therapy, on outpatient status or is on the temporary disability retired list); and
- b) The employee must be the spouse, parent, son or daughter or next of kin (nearest blood relative other than the servicemember’s spouse, parent, son or daughter) of a covered servicemember; and
- c) The servicemember must be either:
  - 1. a current member of the National Guard or Reserves, or
  - 2. a member of the Armed Forces, the National Guard or Reserves who is on the temporary disability retired list.

The employee is required to provide medical certification by an authorized military-related health care provider such as Department of Defense, Veterans’ Administration, or Tricare. No second opinion or recertification is required under this leave.

During any single 12-month period, an employee’s maximum leave entitlement under the Military Caregiver provision is limited to no more than 26 weeks for all qualifying reasons, and no more than 12 weeks may be taken for leave for other reasons unrelated to military caregiver. If all 26 weeks of leave are not taken during this 12-month period, the unused portion is forfeited, and does not carry forward to the next 12-month period. However, after the 12-month period expires, the employee would be eligible to care for the same covered servicemember for subsequent injury or illness or for a different covered servicemember.

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- a) The maximum of 26 weeks of leave in a single 12-month period for all reasons combined; however, employee is limited to 12 weeks maximum for non-military caregiver leave.
- b) Care for a former member of the military or member on the permanent disability retired list is not permitted by this leave.
- c) In the event that both military caregiver leave and serious health condition of a family member apply, the leave should be designated only as Military Caregiver Leave.
- d) Under the Military Caregiver Leave, there is no age limitation if the leave is to care for a son or daughter.

### 27.03.10 Qualifying Exigency Leave

Family Medical Leave provides up to 12 weeks of job-protected leave for a qualifying exigency. This provision makes the normal 12 weeks of FMLA job-protected leave available to eligible employees with a spouse, son, daughter, or parent who is a member of the National Guard or Reserves to manage their affairs while the member is on active duty or call to active-duty status in support of a contingency operation. An employee is NOT entitled to this leave if the service member is a member of the Regular Armed Forces.

A “qualifying exigency” may include:

1. Short notice deployment - (7 days’ notice or less)
2. Attending military events and related activities in connection with active duty or call to active duty
3. Arranging for alternative childcare or schooling or providing urgent, temporary childcare
4. Addressing certain financial and legal arrangements (execute power of attorney, modify bank account signature authority, to act as military member’s representative)
5. Attending counseling sessions
6. Spending time with a military member who is on temporary rest and recuperation leave (up to five days)
7. Attending post deployment activities and re-integration briefings
8. Additional related activities agreed to by the employer and employee

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27.04.01      Required Notice

Employees seeking family medical leave must provide the department director at least thirty (30)-days advanced notice before the leave is to begin if the need for the leave is foreseeable based on an expected birth, placement for adoption or foster care, or planned medical treatment for a serious health condition of the employee or of a family member.

27.04.02      If thirty (30)-days' notice is not practicable, notice must be given as soon as practicable.

27.04.03      An employee shall provide at least verbal notice sufficient to make the department director aware that the employee needs family medical leave and the anticipated timing and duration of the leave.

27.04.04      When medical emergencies are involved, notice may be given in person or by phone, and may be given by the employee's spouse or other family member if the employee is unable to do so due to a serious health condition. Written notice cannot be required in the case of a medical emergency.

27.04.05      The employee need not expressly assert rights under family medical leave or even mention FMLA or FLO, but may state only that leave is needed for the expected reason. Once it is determined that the condition or reason qualifies for family medical leave, the department must notify the employee within five (5) business days (absent extenuating circumstances) that the leave is designated family medical leave and counts toward his or her twelve (12)-week allocation.

27.04.06      Employees seeking family medical leave should complete the Request for FMLA form and submit it to their department directors, stating the reason for the request and the beginning and ending dates of the requested leaves of absence. However, failure by an employee to provide this written notice shall not result in the department director denying the time off if the employee gives timely verbal or other notice.

27.04.07      When planning medical treatment, the employees should consult with the department directors and make reasonable efforts to schedule the leave so as not to disrupt unduly the department's operations, subject to the approval of the health care provider.

27.04.08      If an employee fails to give thirty (30)-days' notice for foreseeable leave with no reasonable excuse for the delay, the department director may deny granting family medical leave benefits until at least thirty (30)-days after the date the employee provides notice of the need. However, it must be clear that the employee had actual notice of the family medical leave requirements (by posting of a notice at the worksite), and the need for leave clearly foreseeable thirty (30) days in advance of the requested commencement day.

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27.04.09      Certification of Health Care Provider

The department director may require that the employee’s request for leave due to the employee’s own serious health condition or leave to care for a seriously ill family member be supported by a certification issued by the health care provider of the employee or of the employee’s ill family member. Such certification may be provided by having the health care provider complete either the *Certification of Health Care Provider for Employee’s Serious Health Condition*, or the *Certification of Health Care Provider for Family Member’s Serious Health Condition* (available online) within fifteen (15) days after the department director’s request, unless it is not practicable under the particular circumstances to do so despite the employee’s diligent, good faith efforts.

At the time the department director requests medical certification, he or she must also advise the employee of the anticipated consequences of the employee’s failure to provide adequate certification. The department director shall advise the employee whenever he or she finds the certification incomplete and provide the employee a reasonable opportunity to cure any such deficiency.

27.04.10      Certification for Covered Servicemember (Military Caregiver Leave)

Leave to care for a covered service member with a serious injury or illness must be supported by a certification completed by an “authorized” health care provider (i.e. Department of Defense, Department of Veterans Affairs).

- a) The department director is permitted to obtain the name and contact information of the health care provider, the type of medical practice, and whether the provider is “authorized.”
- b) Information may also be obtained on whether the injury occurred in the line of duty, when it occurred, its probable duration, and other information sufficient to determine need for care, and the amount of time the servicemember will require care.
- c) The department director may also request information from the employee on the relationship between the employee and the service member, the covered servicemember’s military branch, and information concerning the covered servicemember’s condition and care.

In lieu of completing a Medical Certification, the employee may provide a copy of the Invitational Travel Order (ITO) or Invitational Travel Authorization (ITA) issued to any member of the covered servicemember’s family. An ITO or ITA alone is a “complete and sufficient” certification for an employee entitled to take FMLA leave to care for a covered servicemember regardless of whether the employee is named in the order or authorization, and no further documentation (including second opinions or re-certification) is required under this type of leave.

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27.04.11      Certification of Qualifying Exigency for Military Family Leave  
 Employees seeking FMLA due to a qualifying exigency must provide a “complete and sufficient” certification to support the request for leave. This may include:

- a) copy of the covered servicemember’s active-duty orders; or
- b) Any other military-issued documentation which indicates that the covered service member is on active duty or call to active-duty status in support of a contingency operation.

Recertification under Qualifying Exigency Leave is not required; therefore, the employee only has to provide this information once. A copy of new active-duty orders or other military-issued documentation must be provided if the need for a leave arises out of a **different** active duty or call to active-duty status.

27.04.12      Fitness For Duty  
 If a department director has reason to doubt the validity of the medical certification submitted by an employee requesting leave due to a serious health condition which makes the employee unable to perform the functions of his position, the department director may require, at the department’s expense, that the employee submit to a fitness for duty physical examination to be conducted by the County’s physical examination provider and scheduled through the Human Resources Department. A third physician may be consulted if there is a conflict between the findings of the employee’s own physician and that of the County’s physical examination provider.

The department director may require that the employee obtain re-certification every thirty (30) days upon receipt of information casting doubt upon the continued validity of the original certification.

27.04.13      Authenticating or Clarifying a Medical Certification  
 The department may contact the healthcare provider to authenticate the certification (i.e. confirm that its contents were completed and/or authorized by the healthcare provider) or, with the employee’s consent, to clarify the certification (i.e. get an understanding of the handwriting or a response on the form). However, contact only for the purpose of clarification cannot be made unless the employee has first been given the opportunity to cure any deficiencies.

Because contact to an employee’s health care provider must comply with Health Insurance Portability and Accountability Act (HIPAA) privacy regulations, only the following individuals are authorized to contact an employee’s health care provider: (a) a human resources professional, (b) a leave administrator, (c) a management official, or (d) another health care provider.

The employee’s direct supervisor may NEVER contact the employee’s health care provider. The employee must furnish the health care provider with a written authorization allowing the health care provider to disclose such information to the employer.

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27.04.14      Recertification

A department director may exercise the option of requesting a new medical certification or recertification in accordance with the following guideline:

- a) A new certification may be requested every 30 or more days.
- b) Recertification may be requested in less than 30 days (a) if the employee requests an extension of leave, or (2) if the circumstances described in the previous certification have changed significantly, or (3) if the department receives information that casts doubt upon the employee's stated reason for the absence or the continuing validity of the certification.
- c) For medical conditions certified as expecting to last longer than 30 days, the department director must wait until the specified period has passed prior to requesting a new certification.
- d) In all cases, the department director may request recertification every six months.
- e) For medical conditions that last longer than one year a new medical certification may be requested each leave year

Employees must be allowed at least fifteen (15) days within which to provide a re-certification. New medical certifications are subject to the same authentication and clarification procedures as the initial medical certification.

27.04.15      Intermittent Leave or Reduced Leave Schedule

When requesting intermittent leave or leave on a reduce leave schedule which is medically necessary, an employee shall advise the department director when making the request of the reasons why the intermittent/ reduced leave schedule is necessary and of the treatment schedule, if applicable. The employee and department director shall attempt to work out a schedule that meets the employee's needs without unduly disrupting the department's operations, subject to the approval of the health care provider.

If an employee requests intermittent leave or leave on a reduced leave schedule that is foreseeable based on planned medical treatment, including during a period of recovery from a serious health condition, the department director may require the employee to transfer temporarily to an available, alternative position for which the employee is qualified and which better accommodates recurring periods of leave than does the employee's regular position. The alternative position must have equivalent pay and benefits. The alternative position does not have to have equivalent duties. The department director may also transfer the employee to a part-time job with the same hourly rate of pay and benefits, provided the employee is not required to take more leave than is medically necessary.

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27.04.16      The number of hours of time off in the twelve (12)-week period of family medical leave shall be based on the number of hours in the employee’s regular work schedule.

For part-time employees and those who work variable hours, regular work schedule is based on the average bi-weekly hours worked during the twelve (12) week period prior to the start of the family medical leave.

27.04.17      Nothing in this family medical leave policy shall prevent an employee who is otherwise eligible for a leave of absence (section 08) from applying for such leave in addition to any family medical leave to which the employee may be entitled and to be taken at the conclusion of the family medical leave.

27.04.18      Designation Notice  
 Once it has been determined that family medical leave will be granted, the department director must notify the employee in writing within five (5) business days absent extenuating circumstance, as to whether or not the leave will be designated as FMLA leave and provide the employee with notice detailing the specific expectations of the employer and explaining any consequences of a failure to meet these obligations. Such notice shall include, as appropriate:

- a) that the leave will be counted against the employee’s annual family medical leave entitlement;
- b) any requirements for the employee to furnish medical certification of a serious health condition and the consequences of failing to do so;
- c) the employee’s rights to substitute paid leave and the conditions related to such substitution;
- d) any requirement for the employee to make any premium payments to maintain benefits and the arrangements for making such payments;
- e) any requirement for the employee to submit to a fitness for duty physical examination to be restored to employment;
- f) his status as a “key employee” and the potential consequence that restoration may be denied following family medical leave, explaining the conditions required for such denial;
- g) the employee’s rights to restoration to the same or an equivalent job upon return from leave;
- h) the employee’s potential liability for payment of health insurance premiums paid by the employer during the employee’s unpaid family medical leave if the employee fails to return to work after taking family medical leave.



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Such employer notice may also include: whether the department director will require periodic reports of the employee's status and intent to return to work or recertification relating to a serious health condition.

- 27.04.19      The department director may not designate an absence as family medical leave once the employee has returned to work.

## LEAVE MANUAL

		<b>No. 27.05.00</b>
<b>SUBJECT</b> FAMILY MEDICAL LEAVE: BENEFITS PERIOD	<b>LEAVE CODE</b> AF, DF, SF, YF,	<b>DATE ISSUED/REVISED</b> 06/18/2010

27.05.01 Employees meeting all conditions required by family medical leave including notice and certification requirements in section 27.04.00 shall be entitled to twelve (12) weeks of leave within each calendar year (26 weeks for Military Caregiver Leave) beginning January 1 and concluding on December 31, of unpaid, job-protected leave which may include:

- a) annual leave used; and
- b) sick leave used, where permissible; and
- c) holiday or compensatory time used; and
- d) administrative leave used.

All leave entitlements, except FMLA leave to provide care for an injured or ill military service member, are based on a calendar year basis for all employees.

27.05.02 The use of any and all permissible accrued leave may be applied towards the twelve (12)-week requirement. Any leave in connection with an employee's on-the-job injury that otherwise qualifies for FMLA will be applied towards the twelve (12)-week entitlement. It is the Department Personnel Representative responsibility to ensure that the application of such accrued leave is noted.

27.05.03 When the employee has used all permissible accrued leave, the department shall change the employee's status code to CM for the remainder, if any, of the twelve (12)-week period.

27.05.04 An employee should never be left in CM status for more than twelve 12-weeks in any calendar year, except if the employee had previously been approved for family medical leave under the FLO and subsequently requests family medical leave under the FMLA.

27.05.05 Nothing in this family medical leave policy shall prevent an employee who is otherwise eligible for a leave of absence (section 08) from applying for such leave in addition to any family medical leave to which the employee may be entitled and which may be taken at the conclusion of the family medical leave period. Family medical leave, however, shall be counted in determining the maximum amount of leave to which the employee would otherwise be entitled. For example, if the employee takes twelve (12) weeks of family medical leave, a one-year leave of absence would be reduced by the twelve (12) weeks.

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		<b>No.</b> <b>27.06.00</b>
<b>SUBJECT</b> FAMILY MEDICAL LEAVE: BENEFITS AMOUNT	<b>LEAVE CODE</b> AF, DF, SF, YF,	<b>DATE ISSUED/REVISED</b> 06/18/2010

27.06.01      During any single “12-month period” an employee’s maximum leave entitlement is limited to no more than 12 weeks for non-military caregiver reasons, and no more than 26 weeks for all reasons combined if one or more reason is for leave related to military caregiver. If all 12 or 26 weeks of leave are not taken during this 12-month period, the unused portion is forfeited, and does not carry forward to the next 12-month period. After the 12-month period expires, the employee would be eligible to care for the same covered servicemember for subsequent injury or illness or for a different covered servicemember provided the eligibility requirements are met.

An employee entitled to family medical leave may elect to be paid for any available annual leave, holiday leave or compensatory time during the period of his family medical leave. An employee may elect to be paid any available sick leave, where applicable.

27.06.02      Employees on family medical leave may continue any group insurance, flexible benefits coverage or group legal services by paying the employee contributions, if any, and the County will continue to pay the County contributions. Refer to the *rules and guidelines* section of the annual benefits handbook.

27.06.03      Employees on family medical leave who fail to remit any portion of the employee contributions for any group insurance, flexible benefits, executive benefits or group legal services coverage will experience a lapse in coverage and may, after the thirty (30)-day grace period and written notification, have their coverage canceled.

27.06.04      Restoration from Family Medical Leave

Except as noted in section 27.04.17, any eligible employee who takes family medical leave shall be entitled, on return from such leave:

- a) to be restored to the position of employment held by the employee when the leave commenced; or
- b) to be restored to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment. If special qualifications required for the position have lapsed during the employee’s leave, the employee must be given a reasonable opportunity to fulfill the requirements after returning to work.

Exemption of Certain Key Employees

A department director may deny restoration of employment rights to an employee under this section on the following conditions:

- a) the key employee is otherwise eligible for family medical leave benefits and is a job basis employee among the highest paid 10 percent of all County employees;
- b) the denial of restoration is necessary to prevent substantial and grievous economic injury to the department’s operations;

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- c) the department director notifies the employee of his/hers intent to deny restoration on such basis at the time the department director determines that such injury would occur; and
- d) in any case in which leave has commenced, the employee elects not to return to employment after receiving such notice;
- e) even though an employee meets the conditions **a** through **d** above and will not be restored, the employee is still entitled to medical and dental insurance coverage during the twelve-week period.

27.06.06      The taking of family medical leave shall not result in the loss of any employment benefit accrued prior to the date on which the leave commenced.

27.06.07      Any group insurance, flexible benefits, executive benefits or group legal services coverage which lapsed due to the employee's failure to remit contributions will be restored to the employee if the employee returns to work immediately upon completion of the family medical leave (12 weeks).

27.06.08      Nothing in this family medical leave section shall be construed to entitle any restored employee to:

- a) the accrual of any seniority or employment benefits during any period of leave; or
- b) any right, benefit or position of employment other than any right, benefit or position to which the employee would have been entitled had the employee not taken the leave.

		<b>No. 27.07.00</b>
SUBJECT FAMILY MEDICAL LEAVE: RELATED FORMS	LEAVE CODE AF, DF, SF, YF,	DATE ISSUED/REVISED 06/18/2010

**FMLA - RELATED FORMS**

The following forms are available on the Human Resources website:

- Employee Request for Family Medical Leave - Employees complete this form to request FMLA leave.
- Certification by Health Care Provider for Employee's Serious Health Condition – The employee's health care provider must complete this form to certify the employee's serious health condition. It is the employee's responsibility to return this completed form to the Department Personnel Representative within the required time frame.
- Certification by Health Care Provider for Family Member's Serious Health Condition -The employee's family member's health care provider must complete this form to certify the family member's serious health condition. The employee is responsible for returning this completed form to the Department Personnel Representative within the required time frame.
- Certification of Qualifying Exigency for Military Family Leave - The employee must complete this form to certify the exigency that was created because a family member was called to active military duty from a reserve status.
- Certification of Serious Injury or Illness of Covered Servicemember for Military Leave. The employee must complete this form in order to use FMLA leave to care for a covered military service member who is a family member or next of kin and who is seriously ill or injured due to military service.
- Designation Notice –This form advises the employee whether the leave was approved under FMLA and/or if the employee needs to submit any additional information before the leave can be approved.

## LEAVE MANUAL

		<b>No.</b> <b>28.02.00</b>
<b>SUBJECT</b> DOMESTIC LEAVE: ELIGIBILITY	<b>LEAVE CODE</b> WB	<b>DATE ISSUED/REVISED</b> 03/01/1999

28.02.01 Employees who have been employed for ninety (90) days and have worked for at least 308 hours during the immediately preceding ninety (90) days shall be entitled to a total of thirty (30) workdays of unpaid domestic leave during any twelve (12) month period.

Domestic leave may be taken in addition to the twelve (12) weeks allowed under the Family and Medical Leave Act (FMLA) and the Family Leave Ordinance (FLO).

28.02.02 Definitions

- a) *Employee* shall mean a person who has been employed by Miami-Dade County for at least ninety (90) days and has worked for at least three hundred and eight (308) hours during the immediately preceding ninety (90) days.
- b) *Domestic violence* shall mean a pattern of coercive behavior used by one person to control another such as but not limited to: physical, sexual, emotional and psychological violence and abuse; threats, intimidation; verbal abuse; economic control; stalking; and as defined in Sections 741.28, 784.046 and 784.048 of the Florida Statutes.
- c) *Victim of domestic or repeat violence* shall mean a person who is subjected to domestic or repeat violence by a perpetrator.

## LEAVE MANUAL

		<b>No. 28.03.00</b>
<b>SUBJECT</b> DOMESTIC LEAVE: AUTHORIZED USE	<b>LEAVE CODE</b> WB	<b>DATE ISSUED/REVISED</b> 03/01/1999

- 1) Domestic leave may be used for one or more of the following:
  - a) To obtain and receive medical and/or dental assistance for a medical and/or dental problem resulting from domestic or repeat violence, including obtaining such services for the employee's dependent children;
  - b) To obtain and receive legal assistance relating to domestic or repeat violence, including but not limited to criminal prosecution, a protective order, divorce, custody of children, and child support;
  - c) To attend court appearances relating to domestic violence or repeat violence, including but not limited to criminal prosecution, protective order, divorce, custody of children and child support;
  - d) To attend counseling or support services, including counseling or support services for dependent children;
  - e) Any other arrangements necessary to provide for the safety and well-being of an employee subject to domestic or repeat violence.
  
- 2) Domestic leave may be taken by an employee intermittently or on a reduced leave schedule. However, if an employee requests intermittent leave or reduced leave that is foreseeable based on a planned schedule, his/her department may require the employee to transfer temporarily to an available alternative position for which the employee is qualified and that has equivalent pay, benefits, and better accommodates periods of leave.
  
- 3) Domestic leave may be taken in addition to the twelve (12) weeks allowed for under the Family and Medical Leave Act (FMLA) outline in Section 27 of this manual.
  
- 4) An employee who has exhausted his/her applicable leave balances must be granted unpaid domestic leave up to thirty (30) days during any twelve (12) month period.
  
- 5) Any eligible employee who takes domestic leave shall on return from leave, be entitled to:
  - a) Restoration by the employer to the position of employment held by the employee when leave commenced; or
  - b) Restoration to an equivalent position with equivalent employment benefits, pay and other terms and conditions of employment.
  
- 6) The taking of leave shall not result in the loss of any employment benefits accrued prior to the date on which the leave commenced.

## LEAVE MANUAL

		<b>No.</b> <b>28.03.00</b>
<b>SUBJECT</b> DOMESTIC LEAVE: AUTHORIZED USE	<b>LEAVE CODE</b> WB	<b>DATE ISSUED/REVISED</b> 03/01/1999

- 7) During any period when the eligible employee takes leave, the County shall maintain coverage under any group health plan for the duration of such leave at the level and under the conditions of coverage that would have been provided if the employee had continued in employment continuously for the duration of such leave. The County may recover its portion of the insurance premium for maintaining coverage for the employee during any period of unpaid leave if:
- a) The employee fails to return from leave after a period of leave to which the employee is entitled has expired; and
  - b) The employee fails to return to work for a reason other than continuance or recurrence of domestic or repeat violence or other circumstances beyond the control of the employee.



## LEAVE MANUAL

		<b>No.</b> <b>28.04.00</b>
<b>SUBJECT</b> DOMESTIC LEAVE: CERTIFICATION	<b>LEAVE CODE</b> WB	<b>DATE ISSUED/REVISED</b> 03/01/1999

28.04.01      Certification

A department director may require that a request for domestic leave be supported by certification issued by an authorized person from a health care provider, attorney of record, counselor, law enforcement agency, clergy, domestic violence advocacy agency, domestic violence center, or domestic violence shelter. The certification shall be sufficient if it indicates that the employee is being subjected to domestic or repeat violence and needs time off to attend to one of the matters described in Section 28.02.00 (Eligibility).

28.04.02      Domestic leave shall be recorded on the payroll and attendance record (PAR) as “WB.” To the extent permissible by law, the confidentiality of any employee utilizing domestic leave must be maintained.

## LEAVE MANUAL

		<b>No. 29.01.00</b>
<b>SUBJECT</b> FURLOUGH DAYS	<b>LEAVE CODE</b> FD	<b>DATE ISSUED/REVISED</b> 11/13/2009

The Mayor or appointing authorities of departments or offices not under the Mayor’s purview shall have the discretion to authorize furlough days or to suspend holiday pay (holiday furlough) in lieu of a holiday.

Furlough days or unpaid holidays may be authorized in lieu of a holiday by the terms and conditions of an employee’s collective bargaining agreement.



## LEAVE MANUAL

		<b>No. 30.01.00</b>
<b>SUBJECT</b> PAID PARENTAL LEAVE: GENERAL	<b>LEAVE CODE</b> PF	<b>DATE ISSUED /REVISED</b> 11/16/2024

Paid Parental leave provides leave with pay for the purpose of caring for a newborn, newly adopted child, or newly-placed foster child or children.



## LEAVE MANUAL

		<b>No. 30.02.00</b>
<b>SUBJECT</b> PAID PARENTAL LEAVE: ELIGIBILITY	<b>LEAVE CODE</b> PF	<b>DATE</b> ISSUED/REVISED 11/16/2024

30.02.01 All exempt/non-bargaining employees are eligible for paid parental leave and all other employees covered by collective bargaining agreements whose agreement explicitly provide for this benefit for the employee.



## LEAVE MANUAL

		<b>No. 30.03.00</b>
<b>SUBJECT</b> PAID PARENTAL LEAVE: WAITING PERIOD	<b>LEAVE CODE</b> PF	<b>DATE ISSUED/REVISED</b> 11/16/2024

Employees may be granted paid parental leave if they have worked for Miami-Dade County for a minimum of one year.

## LEAVE MANUAL

		<b>No. 30.04.00</b>
<b>SUBJECT</b> PAID PARENTAL LEAVE: AUTHORIZED USE	<b>LEAVE CODE</b> PF	<b>DATE ISSUED/REVISED</b> 11/16/2024

Paid parental leave shall be up to twelve weeks long, and may be taken by day or week during the first year after the birth, adoption, or foster care intake of the child or children. The leave period is fixed regardless of the number of children born, adopted by the employee, or placed in the employee’s home through foster care.

30.04.01      During the leave period, the employee shall be paid 100 percent of his or her base wages for the first six weeks, and 50 percent of his or her base wages for the remaining six weeks..

Employees shall be eligible to use any accrued leave in order to receive compensation up to 100 percent of base pay during the weeks reimbursed at the rates of 50 percent.

This leave shall occur concurrently with, count against, and not be added to periods of unpaid or job protected leave for which the employee may also be eligible, including the federally-mandated 12 weeks of Family Medical Leave Act (FMLA) leave, and/or any other unpaid leave offered by the County due to childbirth or adoption, included under Chapter 11A, Article V of this Code (Family Leave).

If both parents work for the County, each is entitled to a twelve-week leave period, and they may take their parental leave period concurrently, subsequently, or in any other combination they wish if the leave is taken:

- a) For birth of a son or daughter or to care for the child after birth;
- b) For placement of a son or daughter for adoption or foster care.

## LEAVE MANUAL

		<b>No.</b> <b>30.05.00</b>
<b>SUBJECT</b> PAID PARENTAL LEAVE: APPLICATION PROCEDURE	<b>LEAVE CODE</b> PF	<b>DATE ISSUED/REVISED</b> 11/16/2024

30.05.01      Required Notice

Employees seeking paid parental leave must provide their respective department director, through the Department Personnel Representative, at least thirty (30) days advanced notice before the leave is to begin if the need for the leave is foreseeable based on an expected birth, placement for adoption or foster care.

30.05.02      If thirty (30) days' notice is not practicable, notice must be given as soon as practicable.

30.05.03      An employee shall provide at least verbal notice to sufficiently make the department director aware that the employee needs paid parental leave and the anticipated timing and duration of the leave.

30.05.04      When medical emergencies are involved, notice may be given in person or by telephone, and may be given by the employee's spouse or other family member if the employee is unable to do so due to a serious health condition. Written notice cannot be required in the case of a medical emergency.

30.05.05      Employees seeking paid parental leave should complete the Request For FMLA form and Certification of Health form and submit it to their Department Personnel Representative, stating the reason for the request, and the beginning and ending dates of the requested leave. However, failure by an employee to provide this written notice shall not result in the department director denying the time off if the employee gives timely verbal or other notice.

30.05.06      Designation Notice

Once it has been determined that paid parental leave will be granted, the Department Personnel Representative must notify the employee in writing within five (5) business days absent extenuating circumstance, as to whether or not the leave will be designated as paid parental leave and provide the employee with notice detailing the specific expectations of the employer and explaining any consequences of a failure to meet these obligations.

## LEAVE MANUAL

<b>No.</b> <b>30.06.00</b>
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<b>SUBJECT</b> PAID PARENTAL LEAVE: BENEFITS PERIOD	<b>LEAVE CODE</b> PF	<b>DATE ISSUED/REVISED</b> 11/16/2024
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30.06.01 Employees meeting all conditions required by paid parental leave, including notice and certification requirements in section 30.05.00 shall be entitled to up to twelve (12) weeks of paid leave at:

- 100 percent of base wages for the first six (6) weeks, and
- 50 percent of base wages for the remaining six (6) weeks

30.06.02 Paid Parental Leave may be taken by day or week anytime during the first year after the birth, adoption, or foster care intake of the child or children. The leave period is fixed regardless of the number of children born, adopted by the employee, or placed in the employee’s home through foster care.





## LEAVE MANUAL

<b>No.</b> <b>30.07.00</b>
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SUBJECT	LEAVE CODE	DATE ISSUED/REVISED
PAID PARENTAL LEAVE: BENEFITS AMOUNT	PF	11/16/2024

- 30.07.01      The number of paid parental leave period employees may take is unlimited over the duration of their employment with the County, but employees are only eligible for one twelve-week paid leave per birth or adoption.
  
- 30.07.02      If both parents work for the County, each is entitled to a twelve-week leave period, and they may take their parental leave period concurrently, subsequently, or in any other combination they wish.

		<b>No. 30.08.00</b>
SUBJECT PAID PARENTAL LEAVE: RELATED FORMS	LEAVE CODE PF	DATE ISSUED/REVISED 11/16/2024

**FMLA - RELATED FORMS**

The following forms are available on the Human Resources website:

- Employee Request for Paid Parental Leave - Employees complete this form to request Paid Parental Leave.
  
- Certification by Health Care Provider for Employee's Serious Health Condition – The employee's health care provider must complete this form to certify the employee's serious health condition. It is the employee's responsibility to return this completed form to the Department Personnel Representative within the required time frame.
  
- Applicable Documentation for newly adopted, or newly-placed foster child or children.
  
- Designation Notice – This form advises the employee whether the leave was approved under Paid Parental Leave and/or if the employee needs to submit any additional information before the leave can be approved.