

Attendance and Leave

NOTE: This Section refers to positions designated as "included" and "excluded" for deciding hours of work and overtime. Contact the Personnel Office to get the correct designation for your position.

Hours of Work

The normal work schedule is 8:00 a.m. to 5:00 p.m., Monday through Friday. The official work week is Friday through Thursday. All personnel may take a one hour lunch period and may be granted a 15 minute break in the morning and afternoon. Lunch periods and breaks may not be saved or accumulated to allow longer absences or to compensate for arriving late or leaving early.

An accurate record of all hours worked as well as a complete and accurate record of all authorized leave must be kept by each employee. Employees should ask for leave and receive approval in advance whenever possible. Timesheets must be turned in at the end of each month.

Flexible Hour Work Schedule

An employee may be authorized to change from the normal schedule by having an individual flextime schedule approved.

The flexible schedule must be based upon the understanding the work must be accomplished in an effective and efficient manner. Flextime schedules agreed upon by the immediate supervisor must be approved by the unit director and are subject to the following:

1. The employee must work 40 hours per week if in a position designated as "included", or the required hours for the month if in a position designated as "excluded".
2. The employee's regular schedule must be Friday through Thursday
3. No employee arrives prior to 7:00 a.m. or departs later than 6:00 p.m. or has a lunch less than 30 minutes or longer than 2 hours.
4. The unit must be staffed during normal business hours, i.e., 8:00 a.m. to 5:00 p.m.
5. Break time cannot be used to cover late arrivals or early departures from duty.

For employees who are allowed to use flextime, it is to be considered a privilege and may be stopped at any time. The privilege must be removed when:

1. There are excessive requests for changes of the previously agreed upon flextime schedule.
2. The employee fails to accomplish his/her work in an effective and efficient manner.
3. The employee fails to follow the agreed upon flextime schedule hours and may be subject to disciplinary action.)

Overtime - Pay Plan 07 Employees

Included" Classes - Overtime is the hours of work, excluding holidays and leave with pay, that must be performed by the employee over forty (40) hours work during the established work week.

Excluded" Classes - Overtime is the hours of required work, excluding holidays and leave with pay, in excess of the number of hours in the month.

The Executive Office of the Governor prohibits any overtime unless prior approval is obtained by the Director of Administration or the Chief of Staff.

Employees in an "included" position will be paid for all overtime at one and one-half times the employee's hourly rate of pay Exceptions are if the overtime hours are worked in a week where there is a holiday. Employees in an "excluded" position will receive compensatory leave credits on an hour-for-hour basis for the overtime worked.

Regular Compensatory Leave

Excluded employees are given regular compensatory leave credits on an hour-for-hour basis for all hours that must be worked over the number of hours needed for the month.

Employees may not have more than 240 hours of regular compensatory leave credits.

No cash payments will be made to employees for unused regular compensatory leave.

Regular compensatory leave credits cannot be transferred from the Office of the Governor to another State agency or to another pay plan.

Special Compensatory Leave

Any qualified employee who must work on a State holiday, or who must work in excess of the required number of hours during a week (for included employees) or month (for excluded employees) in which there is a State holiday, will be eligible to accrue special compensatory leave credits on an hour-for-hour basis.

As of November 1, 2012, any special compensatory leave credits earned must be used by the April 30th or October 31st that immediately follow the work period in which the leave credits were earned.

On appointment to a position in the Selected Exempt Service or Senior Management Service, or upon separation from the Office of the Governor, employees will be paid for all unused special compensatory leave credits earned through November 1, 2012.

For all employees of the Office of the Governor, special compensatory leave credits must be used before any other compensatory or annual leave credits.

Overtime-Senior Management Service and Selected Exempt Service Employees

Senior Management Service and Selected Exempt Service employees are expected to work the necessary hours

required by their position and no overtime or compensatory leave may be earned or paid.

Types of Leave Available to All Employees

The types of leave available to all employees are annual leave, sick leave, administrative leave, parental leave, and family medical leave, administrative leave for family responsibility, family leave for family responsibility, leave without pay, and military leave.

Annual Leave - General

Annual leave is used to offer periodic vacations; however, it may be used for other purposes when approved in advance by the appropriate supervisor.

Annual Leave - Pay Plan 07 Employees

Full-time employees in established positions earn annual leave as follows:

| <u>Creditable Years of Service</u> | <u>Hours Accrued</u> |
|---|-----------------------------|
| 5 Years | 8.667 |
| Over 5 Years | 10.833 |
| Over 10 Years | 13.000 |

Annual leave is credited on the last day of each month and may not be used until credited. Any annual leave balance over 360 hours as of December 31 of each calendar year will be transferred to sick leave. An employee may, however, be allowed to carry-over up to 360 hours annual leave credits if requested by the unit director and approved by the Chief of Staff's designee. The reason for the annual leave carry-over is to give the employee additional time to lower his/her annual leave balance to 240 hours.

An employee is allowed to carry-over up to 360 hours of annual leave hours past December 31. Employees may, however, request to have all annual leave hours over 240 at December 31 be moved to their sick leave account on an hour-for-hour basis. The request must be received by the processing of December's leave balance. Any annual leave hours over 360 hours at the close of business on December 31 of each calendar year will be transferred to sick leave on an hour-for-hour basis.

The maximum lifetime annual leave payment allowed is 240 hours. When an employee terminates during the calendar year the annual leave payment will not exceed 240 hours. Any excess annual leave hours over 240 will be forfeited.

The carry-over of annual leave hours in excess of 240 hours does not obligate the Office of the Governor to allow an employee to use excess annual leave hours in conjunction with their resignation when the employee terminates.

Annual Leave - Senior Management Service and Selected Exempt Service Employees

Full-time employees in established positions in these Services receive 176 hours annual leave in a lump-sum

amount when hired to the Service and each anniversary date.

Any annual leave hours over 480 hours at the close of business the day before an employee's anniversary date will be transferred to sick leave on an hour-for-hour basis.

When an employee transfers to a position in State government outside of their service, annual leave credits will be transferred.

Annual leave credits earned on the employee's last anniversary date will be prorated on transfer and/or termination from State government for each month worked.

When leaving State government an employee will be paid for annual leave up to 480 hours.

Sick Leave - General

Sick leave is used for personal illness, injury, or exposure to a contagious disease which would endanger others. Personal illness includes disability caused or contributed to by pregnancy, miscarriage, abortion, childbirth, and recovery; the employee's personal appointments with a doctor, dentist, or other recognized practitioner; and illness, injury, or well care check-ups of the employee's spouse, the children or parents of the employee or the spouse, or a person the employee or spouse has a caretaker responsibility for when the employee's presence is necessary. Caretaker responsibility applies to an individual who stands or stood in "loco parentis" to an employee when the employee was a child; an adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in "loco parentis", who is either under age 18, or age 18 or older and "incapable of self-care because of a mental or physical disability". Caretaker responsibility also applies to the grandchildren, brothers, sisters, and grandparents of both the employee and the spouse.

Medical certification is discretionary with the unit director after 3 workdays of absence in any thirty (30) calendar day period. Medical certification is mandatory after ten (10) consecutive days of absence.

Sick leave will be transferred when an employee moves to another State agency provided there is no break in service of more than thirty-one (31) calendar days.

An employee will be paid for unused sick leave credits when he or she has completed ten (10) years of creditable State service and leaves State government because of retirement (for other than disability reasons), termination, or death. Payment for a part of unused sick leave is made (1/8 of the amount accrued before October 1, 1973 and 1/4 of the amount accrued after October 1, 1973) up to a maximum of 480 hours.

Sick Leave - Pay Plan 07 Employees

Full-time employees in established positions earn 8.667 hours of sick leave per month. ***Sick leave is credited on the last day of each month and may not be used until credited.*** There is no limit to the amount of sick leave hours that may be accumulated.

Sick Leave - Senior Management Service and Selected Exempt Service Employees

Full-time employees in established positions in these Services receive 104 hours sick leave in lump-sum amount on appointment to the Service and each anniversary of their appointment as follows:

When an employee transfers to a position in State government outside of their service sick leave credits will be

transferred.

Administrative Leave

Administrative leave is a leave of absence with pay and may be approved only in certain instances. This type of leave is not earned and will not be paid for as unused leave.

The uses of administrative leave are:

- jury duty (a copy of the jury summons must be provided);
- subpoenaed as a witness, or to give a deposition, in a court or an administrative hearing, not involving personal litigation or service as a paid expert witness (a copy of the subpoena must be provided.);
- examinations for military service (appropriate military certification must be provided);
- death in family - includes employee's spouse, and the parents, grandparents, brothers, sisters, children, and grandchildren of both the employee and the spouse (2 days maximum);
- closing facilities under emergency conditions;
- civil disorder or disaster (volunteers);
- athletic competition;(not to exceed 30 calendar days in a calendar year);
- formal investigation for violation of a rule or statute for which dismissal is a penalty;
- disabled veterans reexamination or treatment (a copy of the appointment papers must be provided);
- to vote when the employee lives at such distance from assigned work location as to preclude voting outside of working hours (maximum of 2 hours);
- examinations and job interviews before a state agency;
- National Guard State Service (not to exceed 17 calendar days at any one time. Two copies of the official orders must be provided.); and
- Military Reserve Training and National Guard Training (not to exceed 17 work days in any one annual period. A copy of the official orders must be provided.)

Administrative Leave for Family Responsibilities

Each employee may use one hour of administrative leave per month to participate in their child's activities at local schools and child care centers.

Administrative Leave for Mentoring

Each employee may use up to one hour of administrative leave per week, not to exceed five hours per calendar month, to take part in the Governor's Mentoring Initiative including the following school or community voluntary activities:

1. Mentoring, tutoring, guest speaking and, when participating in an established mentoring program serving a school district, provide any related services at the direction of the program or volunteer coordinator.
2. Participating in community service programs that meet child, elder, or human needs, including Guardian Ad Litem, Big-Brother/Big Sister, Senior Corps, and Adult Literacy.

The total use of up to five hours in any calendar month, when deemed appropriate, may be approved for an employee. The employee in this case will not be allowed further administrative leave until one week has passed for every additional hour taken in total.

Parental Leave

Parental leave is maternity or paternity leave for the mother or father of a child who is born or adopted by that parent. Parental leave will be approved for a period of up to six months. A copy of the approved leave request with the terms and conditions of the approval will be given to the employee.

During the parental leave period, annual leave may be used to cover any part of the six-month period. An employee, however, is not required to use annual leave.

Any absence due to illness caused by or contributed to by pregnancy, miscarriage, abortion, childbirth, and recovery, may be charged to sick leave, when it is certified by a physician that the illness was due to one of these reasons.

If any portion of the parental leave is paid leave, the employee will be able to use all the benefits granted under paid leave.

The State Health Insurance contribution will be paid for up to six months for any employee who has been granted an approved parental leave of absence without pay.

Other leave without pay prior to or after the period of parental leave may be requested. This leave is optional.

Family Medical Leave

Family medical leave is leave without pay requested by an employee for serious family illnesses including an accident, disease, or condition that poses imminent danger of death, requires hospitalization involving an organ transplant, limb amputation, or other procedure of similar severity, or any mental or physical condition that requires constant in-home care. This request must be made in writing. If approved, a copy of the leave request and approval with the terms and conditions of the approval will be given to the employee.

Sick leave will be approved for illness or injury of a member of the employee's immediate family when the employee's presence with the family member is necessary according to a physician's certification. Immediate family is defined as the spouse and the grandparents, parents, brothers, sisters, children, and grandchildren of both the employee and the spouse. (See Sick Leave-General for further definition.)

Annual leave may be approved beginning on the date decided by the employee to cover any part of the six-month period until all or any part of the employee's accrued annual leave credits have been used.

If any part of the family medical leave is paid leave, the employee will be able to accumulate all benefits granted under paid leave.

Family Leave for Family Responsibilities

Employees will be given, if requested, family leave without pay for family responsibilities other than family medical leave for a period not to exceed thirty (30) calendar days, provided the approval of such leave would have minimum impact on the employees' work unit. Family responsibilities in this area may include, but are not limited to caring for aging parents, involvement in settling parents' estate upon their death, relocating dependent children into schools, or visiting family members in places which require a lot of travel time.

Leave Without Pay

Employees are encouraged to accrue sufficient annual, sick or compensatory leave credits to cover periods of absence without the need for leave without pay. Leaves of absence without pay of forty (40) or more consecutive hours must be approved in advance by the unit director or his/her designated representative. Leave without pay may not be approved unless there is sound justification.

An employee may, upon request, be granted leave without pay for other reasons for a period not exceeding twelve (12) calendar months provided the unit director feels the leave is justified and not detrimental to the operations of the Office of the Governor. The unit director has the authority to approve a leave of absence without pay up to six months.

Requests for extensions over six months up to twelve (12) months must be approved by the Chief of Staff.

Requests for extensions beyond twelve months must be approved by the Department of Management Services.

The State Health Insurance contribution will be paid for up to six months for any employee who has been granted an approved medical leave of absence without pay.

Time while on leave without pay when the leave is over five workdays during any period will not count toward eligibility for merit salary increases and salary increases of any type will not be granted while on leave of absence without pay.

An employee who has been out on a leave of absence without pay and is in non pay status for the entire day before a holiday will not be able to receive payment for this holiday or any other holiday observed.

Military Leave

Any employee, except an employee who is a commissioned reserve officer or reserve enlisted personnel in the United States military or naval service or member of the National Guard, or employed in a temporary position or employed on a temporary basis, who is drafted or who volunteers for active military service will be given leave beginning with the date of induction and ending up to one year after the date of separation from the military service or from hospitalization continuing after discharge. Active military service includes active duty with any branch of the army of the United States, the Air Force of the U.S., the U.S. Navy, the Marine Corps of the U.S., the Coast Guard of the U.S., National Guard of the State, or other service as provided in Section 115.08 and Section 115.09, Florida Statutes. The leave of absence must be verified by official orders or appropriate military certification.

Military Reserve Training and National Guard Training Leave

An employee who is a commissioned reserve officer or reserve enlisted personnel in the United States military or naval service or a member of the National guard, shall, upon presentation of a copy of the employee's official orders issued pursuant to the authority of Title 10 or Title 32 of the United States Code, be given administrative leave on all days during the time the employee is ordered to active or inactive duty for training. Employees shall not be required to work or use accrued personal leave on any day they are engaged in training under official orders as stated above. Whether continuous or intermittent, such leave with pay shall not exceed 17 working days in any one annual period beginning on October 1 and ending September 30, of the following year.

National Guard State Service Leave

Any employee who is a member of the Florida National Guard shall, upon proof of the employee's official orders issued pursuant to Chapter 250, Florida Statutes be given administrative leave during periods in which the employee is ordered to active State service by the Governor.. Such leave with pay will not exceed 30 calendar days at any time.

Active Military Service Leave

Any employee, except an employee employed in a temporary position or employed on a temporary basis, who is a commissioned reserve officer or reserve enlisted personnel in the United States military or naval service or member of the National Guard, who is ordered to active military duty under Title 10 of the United States Code, Section 673b, not active duty training, shall be granted leave beginning with the day ordered to duty and ending up to 31 days after the date of release from the military service or from hospitalization continuing after discharge. Active military service includes active duty with any branch of the Army of the United States, the Air Force of the United States, the U.S. Navy, the Marine Corps of the U.S., the Coast Guard of the U.S., National Guard of the State or other service as provided in Sections 115.08 and 115.09, Florida Statutes. The leave of absence must be verified by official orders or appropriate military certification.