

RESOLUTION 2018-03

A RESOLUTION OF THE CITY COMMISSION OF POLK CITY, FLORIDA; AMENDING SECTION 313 SICK LEAVE BENEFITS AND SECTION 317 VACATION BENEFITS OF POLK CITY EMPLOYEE HANDBOOK; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of Polk City have reviewed Polk City Personnel handbook and requested that certain sections be updated; and

WHEREAS, the City Commission of Polk City have found certain benefits which require clarification, and

WHEREAS, the City Commission of Polk City finds it necessary and in the public good to amend the Employee Handbook in order to attract and retain quality employees.

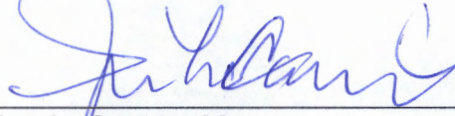
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF POLK CITY, FLORIDA:

SECTION 1. AMENDMENT TO EMPLOYEE HANDBOOK. The City Commission hereby amends Polk City Employee Handbook, Section 313 Sick Leave Benefits and Section 317 Vacation Benefits as set forth in Exhibit A attached to and incorporated in this Resolution. All sections or text of prior resolutions in conflict with these amendments are hereby repealed and amended consistent with this resolution.

SECTION 2. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

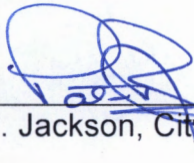
INTRODUCED AND PASSED by Polk City Commission on this the 15th day of October, 2018

POLK CITY



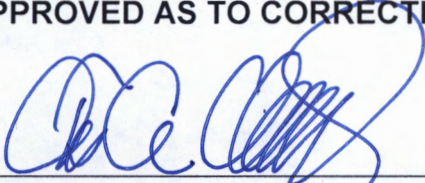
Joe LaCascia, Mayor

ATTEST:



Patricia R. Jackson, City Clerk/City Manager

APPROVED AS TO CORRECTNESS AND FORM:



Thomas A. Cloud, Esquire, City Attorney

317 Vacation Time and Leave Bank

Effective: 1/10/01
Revised: 2/2/07
Revised 10/___/18

Vacation time off with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Employees in the following employment classification(s) are eligible to earn and use vacation time as described in this policy:

- Regular full-time employees
- Regular part-time employees

Except for the first year of employment, vacation time for the benefit year is credited to an employee on the employee's anniversary date and in advance of the vacation being accrued and earned for the current (upcoming) benefit year. Vacation time is accrued and earned incrementally each payroll period to be used during the employees current benefit year. The amount of paid vacation time employees are eligible to receive each year increases with the length of employment as shown in the following schedule:

- Employees will begin accruing vacation on their first payroll and employees may request the use of vacation after it is earned, so long as the employee has completed six (6) months of continuous service (full-time or part-time as applicable). In the first year of service an employee is eligible to earn up to five (5) vacation days, to be used after 6 months of service.
- After one (1) year of eligible service, the employee is eligible to earn up to ten (10) vacation days each year.
- After five (5) years of eligible service, the employee is eligible to earn up to fifteen (15) vacation days each year.
- After ten (10) years of eligible service, the employee is eligible to earn up to twenty (20) vacation days each year.

The City of Polk City is aware that exempt positions ordinarily work over and above the normal forty (40) hour workweek. In recognition of this, exempt positions within the City earn five (5) vacation days in addition to those prescribed above.

The length of eligible service is calculated based on the employee's anniversary date which is also referred to as a "benefit year." An employee's benefit year may be extended for any significant leave of absence except military leave of absence. Military leave has no effect on this calculation. (See individual leave of absence policies for more information.) Vacation time will be pro-rated in any benefit year where the employee does not work his or her assigned schedule on a continuous active basis. For example, when an employee is on an extended unpaid leave of absence vacation time will not continue to accrue as the benefits are earned based on active employment. Active employment includes when the employee is out on paid sick time or vacation time, but not when the employee is using any sick leave bank or other leave bank (see below). The City can require an employee to use available vacation time or leave bank time, for

any absence from work.

Employees earn paid vacation time according to their employment classification and the above schedule and so long as they remain in their employment classification as an active employee. Employees can request use of vacation time after it has been credited even if not yet earned and so long as they have completed six (6) months of continuous service (full-time or part-time as applicable)

Paid vacation time can be used in minimum increments of one-half day. To take vacation, employees must request advance approval from the direct supervisor. Requests will be reviewed based on a number of factors, including business needs and staffing requirements. No vacation time shall be approved if doing so adversely affects the essential services of the department.

Vacation time as well as the banked time is paid at the employee's base pay rate at the time of its use. The pay does not include overtime or special forms of compensation such as incentives, commissions, bonuses, or shift differentials.

If a non-exempt employee exhausts all available earned vacation time, unless the employee has available leave bank benefits, the employee will be paid only for actual hours worked. Exempt employees will be paid, and deductions from pay made, as required and allowed by the Fair Labor Standards Act. A request for time off without pay will not be authorized unless the employee has used all earned paid time (vacation time and leave bank benefits).

In the event that earned unused vacation time is not used by the end of the employee's benefit year, employees may carry over earned unused time to a leave bank up to a maximum of maximum of 240 hours. If the employee reaches the maximum of 240 hours in the leave bank then no further time can be added to the leave bank until the employee has reduced the leave bank below the hour limit. If at the end of the benefit year the employee has unused vacation time and the leave bank is at the maximum hours then any vacation time not taken in that benefit year is lost and has no cash or other value. Time in the leave bank can be used by the employee for vacation, sick (including that of an ill family member), extended leave of absence, or military leave.

Upon termination of employment, employees will be paid for unused vacation time that has been earned through the last day of work at 100%, and will be paid for any leave bank time at 50%, with all sums being paid at the base pay rate at the time of termination.

For any vacation time taken by and employee before the time has been accrued and earned, the payment of the vacation is considered a cash advance against future wages and is subject to repayment if the employee's employment ends and they have taken more vacation than has been earned as of the date of termination. At the time of termination the City will deducted from the employee's wages some or all of the balance remaining in the amounts as allowed by law, including the Fair Labor Standards Act (applicable to exempt and non-exempt employees) and the Florida Minimum Wage laws

(applicable to non-exempt employees). Any deduction(s) made by the City will not reduce an employee's pay below any statutorily-required minimum wage or overtime premium that is due to a non-exempt employee. For exempt employees, deductions from salary, or other monies owed to the exempt employee, will be made only as allowed by law.