

Board of County Commissioners

Bay County, Florida

Title: Paid Time Off (PTO) Policy
 Date Adopted: September 20, 2016
 Effective Date: January 1, 2017

A. Purpose and Accumulation of Paid Time Off (PTO)

The purpose of Paid Time Off, hereinafter known as PTO is to establish a leave program that allows eligible BOCC employees flexibility in planning for and taking time off. PTO combines personal business or recreation, doctor appointments and unexpected absences such as illness or illness in the family, into a single system that simplifies accountability and tracking.

Accrual of PTO begins on the date of employment for all regular employees, and in most cases, ends with the date of separation. Regular employees for the purpose of PTO are all employees except OPS and temporary status employees. PTO accrual for fractions of a month shall be prorated based on hours credited in a pay status. For the purpose of computing PTO taken, only normal working days/schedules are to be counted as leave.

PTO shall be earned based on the following schedule for regular employees who work 80 hours per pay period with no scheduled overtime:

Less than 5 years of service	192 hours per year
5 – 10 years of service	216 hours per year
11 – 14 years of service	240 hours per year
15 – 19 years of service	264 hours per year
20 years or more of service	288 hours per year

PTO shall be earned based on the following schedule for Emergency Services and other employees who work 76 regular hours and 8 scheduled overtime hours per pay period:

Less than 5 years of service	202 hours per year
5 – 10 years of service	227 hours per year
11 – 14 years of service	252 hours per year
15 – 19 years of service	277 hours per year
20 years or more of service	302 hours per year

PTO shall be earned based on the following schedule for Emergency Services employees who work 106 regular hours and 6 scheduled overtime hours per pay period:

Less than 5 years of service	269 hours per year
5 – 10 years of service	302 hours per year
11 – 14 years of service	336 hours per year
15 – 19 years of service	370 hours per year
20 years or more of service	395 hours per year

PTO shall be earned based on the following schedule for Emergency Services employees who work 80 regular hours and 32 scheduled overtime hours per pay period:

Less than 5 years of service	269 hours per year
5 – 10 years of service	302 hours per year
11 – 14 years of service	336 hours per year
15 – 19 years of service	370 hours per year
20 years or more of service	395 hours per year

B. Eligibility

All full time employees are eligible to earn PTO. All part-time employees who work a regularly established schedule shall earn PTO on a pro rata basis.

C. Restrictions on Accumulation of PTO

An employee shall not earn PTO during a leave of absence without pay, a suspension without pay, or when the employee is otherwise in a non-pay status. Further, should an employee use PTO in conjunction with resignation, such employee shall not earn additional PTO during such leave period.

Earned PTO may not exceed:

Regular employees who work 80 hours per pay period with no scheduled overtime	480 Hours
Emergency Services employees who work 76 regular hours and 8 scheduled overtime hours per pay period	504 Hours
Emergency Services employees who work 106 regular hours and 6 scheduled overtime hours per pay period	672 Hours
Emergency Services employees who work 80 regular hours and 32 scheduled overtime hours per pay period	672 Hours

Amounts in excess of that shall be forfeited unless used by the end of the pay period in which December 31 falls, or an approved deferral is received in advance by the County Manager or his/her designee. All deferred PTO must be used by the employee by the end of the 1st quarter (March 31st) of the New Year, or it shall be forfeited.

D. Payout of PTO Upon Separation From Employment

In cases of separation from employment with Bay County by voluntary resignation, involuntary reduction in workforce or occupational disability, employees who have successfully completed their probationary period may receive a maximum PTO payout as shown below:

Regular employees who work 80 hours per pay period with no scheduled overtime	240 Hours
Emergency Services employees who work 76 regular hours and 8 scheduled overtime hours per pay period	252 Hours
Emergency Services employees who work 106 regular hours and 6 scheduled overtime hours per pay period	336 Hours
Emergency Services employees who work 80 regular hours and 32 scheduled overtime hours per pay period	336 Hours

E. Use of PTO

Employees shall begin accruing PTO on the beginning date of employment, but shall not be permitted to use PTO until completion of three (3) months of employment. In some cases, a new employee may need to use time prior to completion of the 90 day waiting period, and this exception may be approved by the Department Director.

F. Exhaustion of PTO Leave

When an employee qualifies for FMLA and the employee's PTO has been exhausted, any absences from work due to a medically certified illness or injury will be taken as leave without pay (LWOP) during which time no further PTO accrues.

If an employee has exhausted all FMLA and PTO and requests additional time off, the employee's supervisor may deny approval for the request. If the supervisor would like to grant the requested leave time, it must be recommended by the supervisor and Department Director and then the County Manager or his/her designee will make the final decision.

G. Approval of PTO Leave Requests

An employee must request PTO in advance in accordance with current Policies and Procedures of the employee's Division so conflicts may be avoided and coverage assured. Approval of PTO is based on the needs of the department and is not guaranteed. Leave requests in excess of two consecutive weeks must be approved by the Department Director. The determination of the Department Director on the matter of scheduled PTO shall be final. Leave requests in excess of two consecutive weeks by a Department Director must be approved by the County Manager or his/her designee.

If the employee's PTO balance is below 40 hours, PTO cannot be used without the written permission of the Department Director. If the Department Director's PTO balance is below 40 hours, PTO cannot be used without the written permission of the County Manager or his/her designee. It is the responsibility of the Department Director to ensure compliance with the minimum PTO balance requirement.

Excessive unscheduled absences, especially those occurring on the first or last day of the employee's work week/schedule, may result in disciplinary action up to and including termination.

If an emergency prevents prior approval of leave, the employee must contact his/her immediate supervisor by his/her scheduled start time to report the absence. If the immediate supervisor cannot be reached, the employee should contact and secure the approval of the designated supervisor next in line of authority or the employee's Division Manager.

H. PTO Advances Prohibited

No employee shall be allowed to use PTO that has not already been earned.

I. PTO Records

PTO accumulation and usage records for all employees shall be maintained by the employee's Division and shall be based upon the PTO information submitted by the employees and authorized by the supervisors on each payroll. No PTO shall be granted except on the basis of such PTO records.

J. Sick Leave Bank

This section applies only to those employees who have banked sick leave hours remaining prior to the adoption of the PTO program on January 1, 2017.

When using these hours they shall be charged in one-half (1/2) hour minimum increments. Should holidays occur during the sick leave period, the holidays shall not be chargeable to banked sick leave.

To receive compensation while absent on sick leave, the employee shall notify his/her immediate supervisor or Department Director prior to or as soon as possible after the time set to be on the job. An employee operating on a 24 hour basis must notify the department within the time limit established by the department. This provision may be waived if the employee submits evidence that it was impossible to give such notification. The Department Director may request a physician's statement to verify the illness of an employee or member of an employees' family.

Banked sick leave may be granted for the following purposes:

- Personal injury, pregnancy, illness, or disability not connected with work and also for workers' compensation and reasons granted under FMLA.
- Medical, dental, optical or chiropractic examination or treatment
- Exposure to a contagious disease which would endanger others as recommended by a physician.
- Illness of a member of the employee's immediate family which requires the personal care and attention of the employee. The employee's immediate family shall include the following for either the employee or spouse: parent, sibling, spouse, children, nieces, nephews, step-parent, step-children, step-sibling, half-sibling, father and mother-in-law, brother and sister-in-law, daughter-in-law, son-in-law, aunts, uncles, grandchildren and grandparents.

Banked sick leave shall not be paid if an employee submits a resignation and then prior to the last day of work requests sick leave credit hours, unless a medical certificate is provided certifying that such absence was occasioned by illness that prevented the employee from working. Likewise, employees who have officially provided a future retirement date shall be allowed to use no more than ten (10) days of banked sick leave per calendar year in order to maintain workforce integrity. Additional time may be granted with proper medical certification.

All unused banked sick leave will be forfeited upon the employee's separation from the County, except for those employees who had leave time on the books as of November 3, 1987. These employees will be paid out the remaining balance of these sick leave hours, not to exceed 240 hours, upon separation of employment. Any sick leave hours accrued by these employees after November 3, 1987, however, will be forfeited upon separation of employment.

Employees who transfer, with a break in service of not more than ninety (90) days, from the Property Appraiser, Tax Collector, Supervisor of Elections, Sheriff's Office or Clerk of Court shall receive credit for any unused, unpaid vacation or Paid Time Off up to a maximum of 240 hours. Sick Leave hours are not transferrable. To be considered for this benefit an employee shall submit a written request to the Human Resources Director and attach all documentation from the previous agency. Confirmation of the information will be requested by the employee's previous agency before authorization of transfer will be given. Employees in this situation will also be allowed to carry over their rate of seniority from their previous agency.

K. Disposition of PTO Upon Entering the Deferred Retirement Option Program (DROP)

An employee may choose to receive a lump sum payment of PTO, either at the time the employee enters the DROP Program or after the employee's DROP participation ends. Employees participating in the DROP Program shall continue to accrue PTO. If an employee chooses to receive the maximum lump sum payment of 240 hours of PTO at the time the employee enters DROP, no further lump sum payments shall be made.

L. Computation of PTO Charges

The employee shall charge absences from work to PTO according to the actual number of leave hours.

The Human Resources Division will be responsible for the implementation and compliance of this policy. Any amendments made after the effective date will be made available to all employees of the BOCC.