

## **PAID TIME OFF (PTO)**

The city provides regular, full-time employees with paid time off (PTO) benefits that combine annual or vacation leave, personal leave, and sick leave benefits into a paid time off benefit. The PTO program helps employees preserve sick leave under a major illness leave accumulation to provide income in the event they experience an extended absence due to illness. Employees may carry forward a maximum of 240 hours of PTO into the new fiscal year. Regular and supplemental full-time employees accumulate PTO according to the schedule shown below. PTO is calculated based upon an eighty (80) hour pay period. The employee's bi-weekly pay stub will reflect their current PTO status. All regular full-time employees begin to accumulate paid time off upon employment; however, they are not eligible to take paid time off until they have completed ninety (90) days of employment.

<b>Years of Continuous Service with the City</b>	<b>Hours Accrued Per Fiscal Year</b>
0 – 2	120
3 – 5	144
6– 9	160
10-14	200
15 +	240

Employees must use available PTO when they need time off and may not be in an unpaid status if PTO is available (or MIL, if applicable). Additionally, employees shall not be paid for time off when no PTO or other applicable leave time is available. PTO may be used for vacations, illnesses, or personal leave. All PTO that can be scheduled in advance shall be requested in writing and approved by the supervisor at least seven (7) consecutive calendar days in advance of the requested leave days. Leave requests that extend beyond two (2) consecutive weeks, or that conflict with City operations, may be rejected by the supervisor. Employees shall notify their supervisor at least fifteen (15) minutes before their regular start time when they experience an unexpected personal emergency or sudden illness that requires them to be absent from their job. All other leave requests shall be scheduled as far in advance as possible. The first (3) days of absence caused by sickness shall be charged against an employee's PTO. If an employee is absent due to the same conditions (occurrences) for more than (3) days during a fiscal year, additional days off may be charged against an employee's major illness accrual, if available.

Note that PTO / Major Illness Leave (MIL) must be used to supplement an employee's disability insurance benefits or income so that the sum of disability payments, PTO, and/or MIL income is equivalent to 80 hours of pay per pay period.

## **LEAVE BUY BACK**

Eligible full time employees who have successfully completed their introductory period and who have taken at least eighty (80) hours of PTO during the fiscal year (unless otherwise approved by the City Manager or his/her designee), may cash in accumulated leave time, up to eighty (80) hours. Leave buy back is subject to budget approval and can be discontinued at any time, for any length of time (including permanently) and for any reason without prior notice.

## **MAJOR ILLNESS LEAVE (MIL)**

The City of Clewiston posts four (4) hours of major illness leave (MIL) per month on account of each regular full-time employee. MIL may be accumulated to a maximum of twelve (12) weeks or 480 hours and must be used concurrently with Family Medical Leave. MIL is a benefit granted to employees and is not payable at separation. Employees may use MIL for absence due to the same condition or occurrence that extends more than (3) workdays when documentation is provided from the treating physician. Employees must provide proper documentation from the treating medical provider for absences lasting (3) workdays or more when the illness or injury is related to the same occurrence (condition) and is either continuous or sporadic. The documentation should include the employees' need for those absences (such as the employee's inability to work or the employee's need to be with his/her family member(s) during a time of illness or need for care). Family Medical Leave may be available to employees if applicable. MIL may also be used if an employee is absent due to the same condition or occurrence for more than (3) workdays due to the illness of an immediate family member when supporting documentation is provided by the treating physician. Immediate family members include: mother, father, legal guardian, mother-in-law, father-in-law, sister, brother, sister-in-law, brother-in-law, child, son-in-law, daughter-in-law, grandparents, grandparents-in-law, grandchildren, stepmother, stepfather, stepbrother, stepsister, half-brother, half-sister, stepchild, spouse, foster child, living in the home. Employees must use PTO for the first (3) workdays prior to requesting MIL and must provide supporting documentation from the treating physician to qualify for MIL. MIL may be denied if proper documentation from the treating physician is not provided. Absences not covered under the FMLA, or absences that occur without supporting medical documentation will be charged to the employee's accumulated PTO, if available and approved. Depending on the nature or severity of the condition, the employee may be required to obtain a release to return to duty from the treatment medical provider prior to returning from an absence of three (3) or more days if the absence was due to personal illness. The release shall state whether the employee is able to return to full or light duty and detail any applicable work restrictions. The employee is responsible for providing the return-to-duty information and details deemed acceptable by the City of Clewiston. A request for additional information from the treating physician may be required at the employee's expense. A second or third medical opinion may also be required at the City of Clewiston's expense.

## **EXTENDED MEDICAL LEAVE**

Requests for extended medical leave (including unpaid medical leave) beyond what is provided under the Family Medical Leave Act may be considered by the City Manager or his/her designee. The decision to allow extended medical leave is not guaranteed, but is based on the specific situation, the hardship it may place in the department, and recommendations from the Department Director. The maximum amount of time that extended medical leave shall be approved is an additional twelve (12) weeks beyond approved Family Medical Leave, unless approved by the City Manager or designee. Upon the conclusion of the 12 weeks of Extended Medical Leave, the employee must be able to return to full duty without restrictions that would cause undue hardship with the operations of the assigned department. Medical documentation is required for consideration of any Extended Medical Leave request.

During extended medical leave, the employee shall be responsible for paying all insurance benefits he or she has elected. Payment shall be made to the City in a manner specified by the Finance department. The employee's failure to pay insurance premiums as specified shall result in cancellation of insurance coverage without notice. During such leave there shall be no PTO, MIL, holiday leave, other accrued leave, or other special pay. Upon return from an approved extended medical leave, the employee may be reinstated to his or her prior position or an alternate position for which the employee is presently qualified, provided the prior position or an alternate

position is available. The City does not guarantee that a position will be available upon return from extended medical leave. If the position remains open and if the employee is certified as medically capable of performing the essential functions of the job, the city may provide the employee with an opportunity to return to the position. The city may require medical status reports at the employee's expense during any extended medical leave. If the employee has not returned to work, is unable to return to work, or if a position is not available upon completion of the approved extended medical leave period, the employee shall be considered to have voluntarily resigned or separated from the position. The resignation shall be effective the next regular workday following exhaustion of the approved extended medical leave period.

### **BIRTHDAY PAID TIME OFF (BIRTHDAY PTO)**

Regular and supplemental full-time employees who have successfully completed 90 days of employment will receive one day, within the month of their birthday, of Paid Time Off (PTO), to celebrate. The policy runs concurrently with the fiscal year and may not be carried forward from one fiscal year to the next; any unused Birthday PTO day will be forfeited at the end of the fiscal year. Any unused Birthday PTO day is not eligible to be paid out at time of separation. Birthday PTO Days are subject to budget approval and can be discontinued at any time, at any length of time (including permanently), and for any reason without prior notice.

### **LEAVE DONATION**

The Leave Donation program is voluntary and is designed to extend benefits to employees who have worked for the City for at least 1 year (with a minimum of 1,250 hours worked) and whose leave accounts have been exhausted due to documented serious health conditions, including catastrophic, non-work related extended medical problems. The Leave Donation program is intended to offset wage losses of an employee on Family Medical Leave due to a documented serious health condition (including catastrophic illness, injury, or medical prognosis) and must miss time from work in an unpaid status. An unpaid status may include the elimination period prior to Short Term Disability as well as the difference between Short Term Disability or Long-Term Disability and regular earnings if applicable. Employees may only qualify for Leave Donations concurrent with Family Medical Leave. This policy is also intended to offset wage losses of the employee who is on Military Leave under the Family Medical Leave Act, or for an employee on Family Medical Leave who must care for an immediate family member (spouse, domestic partner, child, foster child, domestic partner's child or foster child, or dependent) who, due to a serious health condition (including documented catastrophic illness, injury, or medical prognosis) must miss time from work in an unpaid status. Catastrophic medical problems are not job-related or self-inflicted. Catastrophic illness or injury does not include short-term ailments such as flu, colds, viruses, etc. or doctor/dentist appointments.

#### **Leave Donation Recipient Criteria:**

Employees requesting donated time must meet the following criteria:

1. Present a letter or medical certification to Human Resources from a licensed healthcare professional and include documentation on the illness or injury of the employee or immediate family member (FMLA Certification of Healthcare provider may serve as documentation)

2. The employee cannot receive Workers' Compensation, or other disability benefits (if combined, they equal to or greater than regular earnings)
3. An employee may only request and receive donations for one qualifying event within one fiscal year period, to run concurrently with approved FMLA (once Family Medical Leave is exhausted, the employee is not eligible to receive Leave Donations)
4. All Personal Time Off (PTO) and Major Illness Leave must be exhausted to receive donated leave
5. Employees must have one (1) year of continuous service and worked at least 1,250 hours in the preceding twelve (12) months as a full-time City of Clewiston employee to be eligible
6. Leave time may not be utilized more than hours normally scheduled within a workweek
7. Employees may no longer receive donated leave once FMLA is exhausted, they reach permanent disability, or upon separation from employment (whichever comes first)
8. Donated hours may not be counted as hours worked for purposes of overtime
9. If more than one employee is approved to receive a donation, the donation shall be distributed by percentage of need (based on all donated hours available per pay period)
10. Employees requesting leave donations must submit an application to the Human Resources Director

Donated hours will be reported as income for the recipient. Requests and/or approvals for Leave Donations at any amount are not guaranteed and are subject to employee participation; participation is not required or expected.

Employees interested in participating in the Leave Donation program (either as a recipient or as a donor) should contact a member of Human Resources.

#### **PAYOUT AT SEPARATION**

At separation, City employees with at least (5) years of continuous service with the City and who provide at least a two-week (2) notice of resignation employees shall receive a payout of their PTO balance.

Employees whose last day of employment occurs on October 1<sup>st</sup>, shall receive pay out of PTO hours that are carried over to October 1<sup>st</sup>.