

**RESOLUTION NO. 2022-48**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF  
LOXAHATCHEE GROVES, FLORIDA, RECONCILING EMPLOYEE  
PAID TIME OFF ACCRUED DURING AND ROLLED OVER IN  
RESPONSE TO THE COVID-19 PANDEMIC AND AT OTHER TIMES;  
AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town Council adopted revisions to the Human Resources Policy Manual in January of 2020, which set the accrual amount of Paid Time Off (PTO) and the amount of PTO that may be rolled over from year to year; and

**WHEREAS**, the revisions to the Human Resources Policy Manual adopted in January of 2020, did not address PTO accrued prior to the revisions; and

**WHEREAS**, there were, and are, Town staff who were hired prior to January 2020 and accrue PTO in excess of the amounts in the adopted Human Resources Policy Manual; and

**WHEREAS**, the Governor for the State of Florida declared a state of emergency due to the COVID-19 pandemic in March 2020, which was extended numerous times and ultimately terminated in July 2021; and

**WHEREAS**, the Town Council of the Town of Loxahatchee Groves, by Resolution 2020-04, declared a local state of emergency and authorized the Town Manager to provide “for flexible scheduling and alternative staffing models, telecommuting paid leave time and other pandemic pay policies to serve the residents’ needs”; and

**WHEREAS**, to address the staffing needs of the Town, the Town Manager allowed staff who worked through the pandemic to roll over all unused PTO hours, instead of limiting the roll over to 40 hours pursuant to the Human Resources Policy Manual; and

**WHEREAS**, there are employees who continue to accrue PTO in excess of the amounts in the Human Resources Policy Manual and still have unused paid time off in excess of the 40 hours allowed to be rolled over pursuant to the Human Resources Policy Manual; and

**WHEREAS**, the Town Council has determined that reconciling the employee PTO accrued during and rolled over in response to the COVID-19 pandemic and thereafter is in the best interest of the citizens of the Town of Loxahatchee Groves, Florida.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, THAT:**

**Section 1.** The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution; and

**Section 2.** The Town Council of the Town of Loxahatchee Groves hereby acknowledges the following employee unused PTO hours through July 29, 2022, as reflected by the Town's payroll system:

Lakisha Burch	231.62 hours
Larry Peters	278.17 hours
Francine Ramaglia	426.18 hours
Cheryl Miller	119.24 hours
Linda Waddell	12.36 hours

**Section 3.** The Town Council of the Town of Loxahatchee Groves hereby acknowledges that the Assistant Director of Public Works was provided 40 hours of PTO upon hire (March 14, 2022) and such provision of leave was not consistent with the policy in effect. Notwithstanding, and to promote employee good will and morale, the Town hereby ratifies this one-time provision

that must be used and/or carried over in accordance with the Town's Human Resources Policy Manual, as amended from time to time.

**Section 4.** The Town Council of the Town of Loxahatchee Groves hereby declares that the above-listed employees in Section 2 be paid for the unused PTO less 40 hours which shall be retained, as listed herein, no later than September 30, 2022, provided that if any employee's current balance as of the date of payment is more or less than their hours as listed herein, that employee shall be paid 100% of their then current balance, less 40 hours.. The retained 40 hours may only be carried over to October 1, 2022, if such carryover is consistent with, and not in addition to, the Town's Human Resources Policy Manual then in effect.

**Section 4.** The Town Council of the Town of Loxahatchee Groves hereby declares that the above-listed employees in Section 2 shall be subject to the Town's Human Resources Policy Manual, including the accrual and carryover rates for PTO, as amended from time to time, and consistent with all other employees beginning October 1, 2022.

Specifically, however, the Interim Town Manager or Town Manager, as the case may be, shall provide immediate notice, within 5 business days, to the one employee currently subject to an "Employment Letter" and notify such employee of a status change effective 90 days from the date of such notice that the employee shall be governed in full by the Town's Human Resources Policy Manual with respect to PTO and all other benefits and terms and conditions of employment, including insurance coverages, and the provisions of the Employment Letter shall be no longer in effect.

**Section 5.** This Resolution shall become effective immediately upon its passage and adoption.

Council Member \_\_\_\_\_ offered the foregoing Resolution. Council Member \_\_\_\_\_ seconded the Motion, and upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
ROBERT SHORR, MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LAURA DANOWSKI, VICE MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MARGE HERZOG, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MARIANNE MILES, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PHILLIS MANIGLIA, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, THIS \_\_ DAY OF \_\_\_\_\_ 2022.**

TOWN OF LOXAHATCHEE GROVES,  
FLORIDA

ATTEST:

\_\_\_\_\_  
Mayor Robert Shorr

\_\_\_\_\_  
Lakisha Burch, Town Clerk

\_\_\_\_\_  
Vice Mayor Laura Danowski

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
Council Member Marge Herzog

\_\_\_\_\_  
Office of the Town Attorney

\_\_\_\_\_  
Council Member Marianne Miles

\_\_\_\_\_  
Council Member Phillis Maniglia