



APPOINTED

OFFICIALS AND EMPLOYEES

SALARY

AND

EMPLOYMENT PLAN

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SECTION 1: OVERVIEW

- 1.1** The purpose of this Plan is to formalize a uniform salary and employment program for Appointed Officials and Appointed Employees.
- 1.2** It is the City's policy to pay a fair and equitable salary that is competitive with the market and based on the duties and responsibilities of each appointed position.
- 1.3** In accordance with City policy and law, the City provides equal opportunity in employment for all qualified persons and prohibits discrimination in employment.
- 1.4** This Plan has been approved by the Director of Employee Services of the Consolidated Government of Jacksonville and subsequent adjustments shall be consistent with public policy and shall be within allocated financial resources.
- 1.5** The Mayor has full authority to make exceptions to this Plan.
- 1.6** This Plan applies to Appointed Officials and Appointed Employees who are exempt from the Civil Service System as listed in Section 17.06 of the City Charter and Section 116.901 of the Municipal Ordinance Code. Appointed Officials and Appointed Employees serve at the pleasure of the appointing authority.

SECTION 2: ADMINISTRATION OF THE PAY PLAN

2.1 Employment Rates

An individual who is appointed to serve as an official or employee of the Consolidated Government shall be paid at an amount determined by the Employer, however the rate of pay must fall within the salary range to which the position is assigned.

2.2 Salary Administration

- (1)** Appointed Officials' salary ranges shall be adjusted from time to time based on recommendation to the City Council and final action taken by the Council or with final approval by the Mayor or other appropriate authority for appointed positions not requiring Council approval.

Appointed Officials' salaries may be adjusted upward or downward as deemed appropriate by the Mayor or other appropriate appointing authority at the beginning of the fiscal year or at any time during the year for justifiable reasons which are reasonable and within financial resources and applicable salary ranges.

Pay grades, salary ranges and salaries for appointed officials will be established and maintained in accordance with Section 129 of the Ordinance Code.

- (2)** Appointed Employees' salary ranges shall be in writing and reported to the Director of Employee Services at the time of establishment for official records.

Appointed Employees' salaries shall be reviewed as necessary and appropriate adjustments upward or downward made pursuant to procedures established by the Mayor or other appropriate appointing authority.

- (3)** Compensation paid to Appointed Officials and Employees may be in the form of one-time payments rather than base pay.

2.3 Service (Longevity) Raises

For each five (5) years of continuous service with the City (computed from the date of initial employment), an employee shall receive an annual increase in salary of three hundred ten dollars (\$310). Continuous service shall be defined as employment which is creditable and without a break in service.

For the purpose of this section, continuous service is defined as employment in a position authorized by the City Council or other appropriate authority and paid from salary funds with one or more departments or agencies of the City. Authorized leave of absence with or without pay and/or a break of up to twenty-four (24) months because of separation due to layoff shall not be considered a break in service.

“Creditable Service” is defined as service for which an employee was on the payroll in a position authorized by the City Council or other appropriate authority and paid from salary funds.

The Director of Employee Services may connect periods of broken service under the provisions of the Ordinance Code for the purpose of service (longevity) raises; however, no retroactive payment may be made as the result of approved time connections.

Service raises shall be in addition to any general or special raises which may be granted from time to time.

2.4 Employment Dates

- (1) Adjusted Employment Dates:** An employment date shall be advanced when an employee is absent for one (1) day or a total of eight (8) hours cumulative, as applicable, in accordance with procedures established by the Director of Employee Services for adjusting employment dates.
- (2) Time Connections:** The Director of Employee Services may connect periods of broken service for purposes of service (longevity) raises and vacation or annual leave accrual; however, no retroactive payment may be made as the result of approved time connection.

2.5 Incentive and Award Programs

- (1)** In addition to regular wages provided under this Plan, the City may elect to establish incentive programs for its employees. If the City establishes such an incentive program, it may award cash and other awards to individuals or groups in order to recognize performance improvements, innovative ideas that result in savings or other benefits, improved safety records, or other similar work-related improvements.
- (2)** The City may elect to establish financial incentives to encourage employees to obtain certain work-related certifications or other educational credentials. Incentives may take the form of supplemental pay or one-time or periodic payments. All affected employees will be equally eligible to qualify for, and receive, such incentives under the same terms and conditions.

- (3)** The City may elect to establish an “Employee Referral Program” with financial incentives to encourage current employees to refer candidates for employment in City jobs. Incentives will be in the form of one-time payments. All eligible employees may participate in such a program and receive incentives under the same terms and conditions.

SECTION 3: OVERTIME

3.1 When possible, and with appropriate authorization, Appointed Officials and Employees should rearrange their work schedules within a work week to avoid working overtime. When an employee in an appointed position must work overtime hours, one of the following provisions will apply. For purposes of this section, "appropriate authority" shall mean the Chief Administrative Officer or his/her designee for department heads and the department head for division chiefs. For other Appointed Officials and Employees, it shall mean the individual given the authority to make appointments to that position.

3.2 Appointed Officials and Employees Exempt from the Overtime Provisions of, or Not Covered by, the Fair Labor Standards Act

(1) Appointed Officials and Employees who are exempt from the overtime provisions of, or not covered by, the Fair Labor Standards Act are expected to work the hours necessary to carry out the duties and responsibilities of their positions, which may include attendance at meetings after normal hours.

(2) From time to time it may be necessary for such employees to work hours beyond those referred to in 3.2(1) above. It is the intent of this section to prevent such employees from being unduly burdened with uncompensated overtime.

(3) When authorized by appropriate authority, employees who work beyond what is normally required may be compensated for such hours with straight compensatory time for all hours actually worked. Only actual hours worked shall be used in calculating the forty (40) hour a week threshold for determining appropriate overtime payment. Compensatory time may be accumulated to a maximum of eighty (80) hours.

(4) Exempt employees shall forfeit all accrued but unused compensatory time when they terminate. There shall be no payment for accrued but unused compensatory time.

3.3 Appointed Employees Not Exempt from the Overtime Provisions of the Fair Labor Standards Act

(1) When authorized by appropriate authority, Appointed Employees who are non-exempt from the overtime provisions of the Fair Labor Standards Act shall be entitled to earn compensation for overtime at the rate of one and one-half (1-1/2) hours for each hour actually worked in excess of forty (40) hours per workweek. Only actual hours worked shall be used in calculating the forty (40) hour a week threshold for determining appropriate overtime payment.

- (2) Compensation for such employees shall be in the form of a cash payment unless compensatory time is mutually agreed upon between the employee and the appropriate authority.
- (3) Such employees may accrue up to eighty (80) hours of compensatory leave; once this maximum has been reached, compensation for additional overtime hours worked shall be in the form of cash payments.

3.4 Personal Assistants to Elected Officials

- (1) Appointed Employees who serve as personal assistants to Elected Officials are not covered by the Fair Labor Standards Act.
- (2) The provisions in 3.2 or 3.3 above may be applied to employees in such positions at the discretion of the Elected Official to whom they report. Designations for such positions shall be reported and maintained by the Employee Services Department.

SECTION 4: HOLIDAYS

4.1 The following thirteen (13) paid holidays shall be observed as indicated each year:

Date	Observance
January First (1 st)	New Year's Day
Third Monday in January	Martin Luther King's Birthday
Third Monday in February	Presidents' Day
Last Monday in May	Memorial Day
June Nineteenth (19 th)	Juneteenth
July Fourth (4 th)	Independence Day
First Monday in September	Labor Day
November Eleventh (11 th)	Veterans' Day
Fourth Thursday in November	Thanksgiving
Friday after Thanksgiving	
December Twenty-Fourth (24 th)	Christmas Eve
December Twenty-Fifth (25 th)	Christmas Day
Personal Leave Day	(By mutual agreement)

4.2 When a holiday falls on Sunday, the following Monday shall be observed as the holiday. When a holiday falls on Saturday, the preceding Friday shall be observed as the holiday, provided, however, that when Christmas Eve falls on a Sunday, the following Tuesday shall be observed as the Christmas Eve holiday.

4.3 For employees on a four-day, ten-hour-day workweek, who normally work Monday through Thursday, Friday holidays will be observed on the preceding Thursday. For employees on a four-day ten-hour-day workweek, who normally work Tuesday through Friday, Monday holidays will be observed on the following Tuesday.

4.4 Employees scheduled for eight (8) or ten (10) hour days, shall be compensated for the holiday at their respective rates of pay for eight (8) or ten (10) hours.

4.5 The following shall apply when employees covered by this Plan are required to work on a holiday:

(1) In addition to straight time pay for all hours worked, exempt employees shall receive compensatory leave at the rate of one and one-half (1-1/2) times the employee's straight time rate.

(2) In addition to straight time pay for all hours worked, non-exempt employees shall receive compensatory leave or cash payments at the rate of one and one-half (1-1/2) times the employee's straight time rate.

- 4.6** The Personal Leave Day may be taken on any date during the fiscal year as mutually agreed upon by the employee and the department or agency head. If not taken during the fiscal year, the personal leave day will be forfeited.
- 4.7** An employee covered by this Plan shall receive payment for a paid holiday unless:
- (1)** he/she has an unexcused absence on the last work day preceding such holiday or on the next work day following such holiday; or
 - (2)** he/she is absent on any type of leave without pay on the last work day preceding such holiday and on the next work day following such holiday.
 - (3)** he/she is receiving a wage benefit from workers' compensation.

SECTION 5: ANNUAL LEAVE PLAN E

This section shall apply to all employees covered by this Plan who were hired prior to October 1, 1987.

5.1 Method of Earning and Accruing Annual Leave

- (1) All full-time employees covered by this Plan shall earn annual leave in accordance with the following:

Upon Completion of Years of Continuous Service	Hours Accrued Per Year
0 thru 4	160
5 thru 9	184
10 thru 14	208
15 thru 19	232
20 thru 24	256
25 or more	280

- (2) Annual leave will accrue bi-weekly at the rate stated above and shall be credited on the last day of the pay period for all hours actually worked or hours on approved leave with pay. The maximum annual leave that may be accrued shall be 840 hours (105 days). Any excess over this amount shall be treated in accordance with Section 5.3. Accrual rates shall change to the higher rate on the first day of the pay period in which the employment date occurs. If the employee has an adjusted employment date, the accrual rate shall change at the start of the pay period in which the employee's adjusted service date occurs.
- (3) For employees being paid less than eighty (80) hours in a bi-weekly pay period, the bi-weekly accrual must be calculated by multiplying the hourly accrual rate times the number of hours for which the employee is being paid.

5.2 Use of Annual Leave

- (1) Annual leave should be used to provide periodic vacation; however, earned annual leave may be used for any other purpose when authorized by the appointing authority.
- (2) Use of annual leave shall be arranged so as to be mutually convenient to both the employee and the appointing authority.

- (3) Employees may split their annual leave in any manner desired if approved by the appropriate appointing authority. The minimum amount of annual leave that can be taken and charged is one-half (1/2) hour.
- (4) Requests for personal leave must be submitted at least two (2) weeks in advance for personal leave requests of forty (40) or more consecutive working/shift hours. Requests for personal leave of less than forty (40) consecutive working/shift hours must be submitted for approval at least twenty-four (24) hours in advance unless the personal leave is for illness or emergency. In the latter case, requests shall be submitted as soon as practicable. These advance notice requirements may be waived by the department head. Requests for leave of any nature, as provided for above, shall not be unreasonably denied.

An employee must notify his/her supervisor as early as possible, and no later than thirty (30) minutes before starting time, the first day the employee is unable to report for work because of illness. The employee will notify the supervisor of the nature of the employee's illness and the approximate amount of time the employee will be absent. Use of personal leave for illness is subject to investigation by the appropriate supervisor. An employee will be counseled whenever a pattern clearly develops where an employee is abusing personal leave taken for illness. (Example: when leave for illness is combined with regular days off more than three (3) times annually or when leave is used on an unscheduled basis more than six (6) times annually.)

- (5) An employee will not be charged annual leave for a holiday that occurs while he/she is on approved leave.
- (6) Employees are encouraged to retain ten (10) days in their annual leave account in case of serious illness.

5.3 Payment for Annual Leave

- (1) **Sellback:** If an employee does not use all of the annual leave accrued in a fiscal year under Plan E, he/she may be paid for such difference on an hour-for-hour basis, or allow such difference to continue to accumulate for up to a maximum of 840 hours (105 days). The option to receive a cash payment for such leave is not available to an employee who would have less than eighty (80) hours annual leave remaining after such payment. Leave hours transferred to deferred comp will count as leave time used during the fiscal year. To receive such payment, the employee must make an irrevocable election in the fiscal year preceding the fiscal year in which the leave accrues, in accordance with administrative procedures established

by the City of Jacksonville. Payments will be made on the first payday in December at the September 30 rate of pay.

- (2) **Rollback:** Annual leave in excess of 840 hours (105 days) shall either be paid on an hour-to-hour basis to the employee or, at the employee's option, may be placed in the employee's retirement leave account. These payments will be made on either the second pay day in November or no later than the first payday in December, at the September 30 rate of pay.

(3) **Using Leave to Fund Deferred Compensation**

The **Employer** will provide employees eligible to retire the option to use unaccrued leave time to fund their Deferred Compensation Program pursuant to the terms of this article and Internal Revenue Service (IRS) regulations in the following manner:

- A. First, an employee who does not intend to use all of the personal leave to be accrued in a fiscal year may elect to be paid all or part of the difference on a percentage basis, between the amount of leave to be used and the amount of leave to be accrued for that fiscal year on an hour-for-hour basis. Payments will be made on the second payday in January at the September 30 rate of pay. To receive such payment, the employee must make an irrevocable election of the percentage to be paid. The election must be made no later than September 30 of the fiscal year preceding the fiscal year in which the leave will accrue. Elections shall be made in accordance with administrative procedures established by the City of Jacksonville.

Employees otherwise eligible for this option who do not elect to be paid a percentage of leave prior to the deadline will not be permitted to be paid any leave for the subsequent calendar year (except as otherwise required pursuant to Section 5.3(2)).

This election will not be effective for an employee who would have less than eighty (80) accrued annual leave hours remaining after such payment.

- B. Second, an employee who has timely made the payment election described in Section 5.3(1) may elect to defer all or a portion of such payment into an eligible nonqualified deferred compensation plan, up to the maximum amount permitted under the plan and by law and subject to applicable timing requirements.

- (4)** Upon separation from City service due to retirement or resignation, an employee shall be paid for all remaining accrued and unused annual leave.

SECTION 6: PERSONAL LEAVE PLAN H

This article shall apply to all permanent, probationary and provisional employees employed on or after October 1, 1987.

6.1 Method of Earning and Accruing Personal Leave

- (1) Employees shall accrue personal leave for straight time hours worked in accordance with the following schedule:

Upon Completion of Years of Continuous Service	Hours Accrued Per Year
0 thru 4	160
5 thru 9	184
10 thru 14	208
15 thru 19	232
20 thru 24	256
25 or more	280

- (2) Employees shall accrue personal leave based on time actually worked and time on approved leave with pay.
- (3) Personal leave will be credited to the employee at the rate stated above on a bi-weekly basis. The leave shall be credited on the last day of the pay period.
- (4) The accrual rate shall change to the higher rate on the first day of the pay period in which the employment date occurs. If the employee has an adjusted employment date, the accrual rate shall change at the start of the pay period in which the employee's adjusted service date occurs.
- (5) Personal leave shall accrue to a maximum of 480 hours. Accrued and unused personal leave over 480 hours will be forfeited, except if applied in accordance with Section 6.2 below.

6.2 Critical Emergency Leave Bank

- (1) There shall be established a Critical Emergency Leave Bank (CELB). Any accrual over the maximum 480 hours allowed in the regular personal leave account shall be credited to the CELB account up to a maximum of 720 hours.
- (2) The CELB shall only be used for critical emergency illness or personal crisis. A critical emergency illness is defined as any incapacitating emergency illness requiring hospitalization and/or a recuperation period documented by a certified physician and/or hospital. A

personal crisis is defined as a severe circumstance that directly impacts the employee. This may include a natural disaster impacting the employee's primary residence such as a fire or severe storm. Employee CELB usage requests that qualify under the personal crisis provision must be approved by the Director of Employee Services or the Elected Official's designee.

- (3) The CELB shall only be used for a critical illness or personal crisis of more than eighty (80) consecutive hours of the employee or member of his/her immediate family. Immediate family is defined as: spouse, child, parent, step-children, grandparent, grandchildren and siblings.
- (4) An employee may donate accrued CELB leave to another employee's CELB account under the City's Donated Leave policy and procedure.
- (5) Upon separation with greater than twenty (20) years of service, employees will be paid up to sixty (60) hours of accrued CELB hours.

6.3 Use of Personal Leave

- (1) Employees, when eligible and authorized, may take personal leave for any reason they deem necessary. Personal leave may be taken only from accrued personal leave days earned.
- (2) Requests for personal leave must be submitted at least two (2) weeks in advance for personal leave requests of forty (40) or more consecutive working/shift hours. Requests for personal leave of less than forty (40) consecutive working/shift hours must be submitted for approval at least twenty-four (24) hours in advance, unless the personal leave is for illness or emergency. In the latter case, requests shall be submitted as soon as practicable. These advance notice requirements may be waived by the Department Head. Requests for leave of any nature, as provided for above, shall not be unreasonably denied.
- (3) The minimum amount of personal leave to be taken and charged shall be one-half (1/2) hour.
- (4) An employee must notify his/her supervisor as early as possible, and no later than thirty (30) minutes before starting time, the first day the employee is unable to report for work because of illness. The employee will notify the supervisor of the nature of the employee's illness and the approximate amount of time the employee will be absent. Use of personal leave for illness is subject to investigation by the appropriate supervisor. An employee will be counseled whenever a pattern clearly develops where an employee is abusing personal leave taken for illness. (Example: when leave for illness is

combined with regular days off more than three (3) times annually or when leave is used on an unscheduled basis more than six (6) times annually.)

- (5)** Upon retirement (including vesting under the pension law), attainment of five (5) years of continuous service, or death of an employee, the employee shall be paid for all unused, accrued personal leave on an hour-for-hour basis.
- (6)** Upon termination of an employee for other than retirement (including vesting under the pension law), if the employee has less than five (5) years of continuous service, the employee shall be paid for seventy-five percent (75%) of all unused personal leave on an hour-for-hour basis.
- (7)** Once an employee's resignation or notice of retirement has been offered and accepted, "running out" leave is prohibited. "Running out" shall be defined as greater than 2 weeks of consecutive leave immediately prior to the resignation or retirement date.

SECTION 7: PERSONAL LEAVE PLAN P

7.1 This article shall apply to all permanent, probationary and provisional employees employed on or after January 10, 1989, who previously were covered by the IAFF and FOP contracts but who have promoted to an Appointed Official or Appointed Employee position.

7.2 Method of Earning and Accruing Personal Leave

(1) Employees shall accrue personal leave with pay for straight time hours worked in accordance with the following schedule:

Upon Completion of Years of Continuous Service	Hours Accrued Per Year
0 thru 4	160
5 thru 9	184
10 thru 14	208
15 thru 19	232
20 thru 24	256
25 or more	280

(2) Employees shall earn leave time based on time actually worked and time on approved leave with pay.

(3) Personal leave will be credited to the employee at the rate stated above on a bi-weekly basis. The leave shall be credited on the last day of the pay period.

(4) The rate of accrual shall change to the higher rate on the first day of the pay period in which the employment date occurs. If the employee has an adjusted employment date, the accrual rate shall change at the start of the pay period in which the employee's adjusted service date occurs.

(5) Personal leave shall accrue to a maximum of six hundred (600) hours. Accrued and unused personal leave over six hundred (600) hours will be forfeited. However, at the end of the fiscal year, accrued and unused personal leave in excess of six hundred (600) hours may be sold back to the Employer to the extent that the employee had timely requested but was not permitted by Management to take the leave during that year. Such leave shall be sold back to the Employer at the employee's rate of pay at the end of the fiscal year. Leave Plan P employees may be paid in accordance with the FOP or IAFF collective bargaining agreement.

7.3 Use of Personal Leave

- (1) Employees, when eligible and authorized, may take personal leave for any reason they deem necessary. Personal leave may be taken only from accrued personal leave days earned.
- (2) Requests for personal leave must be submitted at least two (2) weeks in advance for personal leave requests of forty (40) or more consecutive working/shift hours. Requests for personal leave of less than forty (40) consecutive working/shift hours must be submitted for approval at least twenty-four (24) hours in advance, unless the personal leave is for illness or emergency. In the latter case, requests shall be submitted as soon as practicable. These advance notice requirements may be waived by the Department Head. Requests for leave of any nature, as provided for above, shall not be unreasonably denied.
- (3) The minimum amount of personal leave to be taken and charged shall be one-half (1/2) hour.
- (4) An employee must notify his/her supervisor as early as possible, and no later than thirty (30) minutes before starting time, the first day the employee is unable to report for work because of illness. The employee will notify the supervisor of the nature of the employee's illness and the approximate amount of time the employee will be absent. Use of personal leave for illness is subject to investigation by the appropriate supervisor. An employee will be counseled whenever a pattern clearly develops where an employee is abusing personal leave taken for illness. (Example: when leave for illness is combined with regular days off more than three (3) times annually or when leave is used on an unscheduled basis more than six (6) times annually.)
- (5) Upon retirement or termination following the completion of five (5) years of service, the employee shall be paid for all unused accrued personal leave on an hour-for-hour basis. Such employees shall have the option of using accrued personal leave immediately after or prior to their desired eligible retirement date and then be paid for the remainder of such leave at the employee's option. Employees will have the option to contribute unused leave pay to their City sponsored Deferred Compensation Plan, subject to and in accordance with, applicable IRS regulations and the applicable plan documents.

7.4 Using Leave to Fund Deferred Compensation

The **Employer** will provide employees eligible to retire the option to use leave time to be accrued in the next fiscal year to fund their Deferred

Compensation Program pursuant to the terms of this article and Internal Revenue Service (IRS) regulations in the following manner:

- A.** First, an employee who does not intend to use all of the personal leave to be accrued in a fiscal year may elect to be paid all or part of the difference on a percentage basis, between the amount of leave to be used and the amount of leave to be accrued for that fiscal year on an hour-for-hour basis. Payments will be made on the second payday in January at the September 30 rate of pay. To receive such payment, the employee must make an irrevocable election of the percentage to be paid. The election must be made no later than September 30 of the fiscal year preceding the fiscal year in which the leave will accrue. Elections shall be made in accordance with administrative procedures established by the City of Jacksonville.

Employees otherwise eligible for this option who do not elect to be paid a percentage of leave prior to the deadline will not be permitted to be paid any leave for the subsequent calendar year (except as otherwise required pursuant to Section 7.2(5)).

This election will not be effective for an employee who would have less than eighty (80) accrued annual leave hours remaining after such payment.

- B.** Second, an employee who has timely made the payment election described in Section 7.4(A) may elect to defer all or a portion of such payment into an eligible nonqualified deferred compensation plan, up to the maximum amount permitted under the plan and by law and subject to applicable timing requirements.
- (6)** Upon termination of employment with less than five (5) years of service for other than retirement, the employee shall be paid for seventy-five percent (75%) of all unused accrued personal leave on an hour-for-hour basis.

SECTION 8: LEAVE DONATIONS

An employee may voluntarily donate leave to another employee in accordance with Employee Services Directive 0302 Leave Donations.

SECTION 9: DEATH BENEFITS PAYMENT

- 9.1** In the event of an employee's death, payment shall be made to the employee's designated next of kin or estate, as determined in accordance with the law for the following:
- (1)** all accrued regular and overtime hours;
 - (2)** all unused leave on an hour-for-hour basis, as though the employee had retired;
 - (3)** if death occurs on the job, one (1) month's salary, in addition to all other benefits;
 - (4)** one (1) month's salary if the employee is not entitled to any benefits as indicated in above;
 - (5)** any other benefits to which the employee is entitled by law.

SECTION 10: ABSENCE WITHOUT PAY

Approval of requested Family and Medical Leave, which means leave for a serious medical health condition for the employee or the employee's spouse, child or parent (including in loco parentis) or after the birth or placement of a child, shall be in accordance with the Family and Medical Leave Act and procedures established by the Director of Employee Services.

10.1 Upon request, the appointing authority may grant an employee leave without pay for personal reasons for a period or periods not to exceed ten (10) consecutive workdays. Documentation of absence without pay shall be furnished to the Employee Services Department to adjust the employee's employment date in accordance with procedures established by the Director of Employee Services.

10.2 A leave of absence without pay for more than ten (10) consecutive work days, deemed to be beneficial to the service of the City, may be granted by the appointing authority subject to the following:

- (1)** The total duration of such leave and any extensions granted shall not exceed one (1) year.
- (2)** A leave of absence request must be completed and processed in accordance with procedures established by the Director of Employee Services.
- (3)** If the leave of absence is for health reasons, the request must be accompanied by documentation from a licensed medical physician which must state the length of time that the employee should be on leave from his/her duties. Upon returning to work, the employee must furnish medical documentation of ability to perform assigned duties or, for an employee with a disability, the ability to perform the essential functions of the job with or without reasonable accommodation.
- (4)** Appropriate documentation must be furnished to the Director of Employee Services so that the official personnel file will reflect the employee's current status and, upon the employee's return to work, the employment date must be adjusted in accordance with procedures established by the Director of Employee Services.
- (5)** An employee who is granted a leave of absence without pay shall be an inactive employee of the City while on such leave and shall be returned to the same or a comparable position upon termination of the approved leave of absence.

- (6)** An employee who fails to return from a leave of absence will be deemed to have resigned as of the date the leave commenced and such failure to return from leave shall be documented.

SECTION 11: LIMITED EMERGENCY

In the event of the official declaration of a local emergency or other event as declared by the City Elected Official, it is understood that operational needs may affect some employees differently from others. All employees may be utilized as needed to assist in emergencies as determined by the Employer. Employees will be notified by their supervisor as to their status.

- 11.1** Employees who are not required to work are designated as “non-essential” and released from duty shall be granted administrative leave for the balance of their normal shift and for such additional time as authorized by the Mayor.
- 11.2** Essential employees are those who are required to assist in emergencies as determined by the Employer. Employees designated as “essential” shall be required to work during the emergency. Essential employees who fail to meet their responsibilities under this provision may be subject to discipline.
- 11.3** When possible in situations where there is advance notice of an impending emergency, the Employer may authorize employees to take reasonable time, as determined by the Employer, to return home to secure their homes and property and arrange for the safety of their families. Employees will not be charged leave for any such authorized preparation time taken. Following such preparation time, employees must report to work during the emergency.
- 11.4** An employee’s designation as “essential” or “non-essential” may change due to the nature of the emergency.
- 11.5** Employees designated essential to the operation who reported to work shall be paid at the straight time rate for all hours actually worked up to forty (40) in the workweek. Hours worked in excess of forty (40) in the week by non-exempt employees will be paid at the time and one-half (1½) rate, or other premium rate as may be applicable. Hours worked in excess of forty (40) in the week by exempt employees will be granted as compensatory leave at time-and-one-half (1½). This compensatory time shall not count against the overtime maximum specified in Section 3.
- 11.6** In addition, employees designated essential to the operation who reported to work shall be granted straight time compensatory time for the same number of hours given to employees on administrative leave during the emergency. This compensatory time shall not count against the overtime maximum specified in Section 3.
- 11.7** Employees on previously-approved leave, scheduled holiday, authorized leave without pay, or who called in to request leave during the emergency shall be charged for the leave.

- 11.8** In non-emergency situations in which employees are requested to leave early to accommodate special events, employees may use annual leave or modify their work schedules, within operational requirements and with the approval of their supervisor. At the Employers discretion, there may be times when the employee may not be charged annual leave.
- 11.9** During a declared emergency by the Mayor and/or Sheriff, or when an emergency may reasonably be determined to be imminent, provisions of this Agreement may be suspended by the Mayor and/or the Sheriff during the time of the declared emergency provided that wage rates and monetary fringe benefits shall not be suspended.

SECTION 12: JURY/WITNESS SERVICE

12.1 Jury Duty

An employee who is summoned to jury duty shall be granted leave with pay for all hours required for such duty not to exceed the number of hours in the employee's normal workday; however, if jury duty does not require absence for the entire workday, the employee shall return to work immediately upon release by the court.

If necessary, the employee's work schedule shall be rearranged to accommodate the days and times required for court attendance.

Jury fees, if any, shall be retained by the employee. The department or agency shall not reimburse the employee for meals, lodging, and/or travel expenses incurred while serving as a juror.

An employee who is required to report for jury service more than four (4) hours after the scheduled beginning of his/her work day, must report to work prior to the beginning of jury service. Employees will be given reasonable travel time to jury service location.

12.2 Witness Service

- (1)** An employee who is absent from work in order to serve as a witness in a criminal case in a court of law to which he/she is not a party, either directly or as a member of a class, where such absence is in response to a legally valid subpoena, shall be granted leave with pay for those hours for which he/she is absent from work during his/her regularly scheduled working hours, provided he/she submits evidence of such service as a witness.
- (2)** When an employee is called to testify as a result of his/her City duties, such appearance shall be considered a part of the employee's job assignment. All time spent in such legal proceedings shall be compensated in accordance with Section 3. Per diem and travel expenses shall be paid. The employee is required to return any fees received. The employee must provide evidence of subpoena and witness service.
- (3)** When an employee is engaged in personal litigation or service as a paid expert witness, the employee may be granted annual leave with the approval of the appointing authority.

SECTION 13: BEREAVEMENT AND FUNERAL LEAVE

- 13.1** Upon the death of a member of an employee's immediate family, or the immediate family of the employee's spouse, an employee may be granted up to five (5) days (not to exceed 40 working hours) paid bereavement leave, not otherwise chargeable. If additional time is required, annual leave may be approved.

The Employer will require the employee to supply documentation of the death prior to approval of the bereavement leave request.

Definition of Immediate Family

"Immediate Family" Defined	
spouse	
children	including step-children and children's spouses
parents	including step-parents
brothers and sisters	including half- and step-siblings
aunts and uncles	
nieces and nephews *	
grandparents	
grandchildren	
other relatives who permanently reside with the employee	
Also applies to the same relatives of the spouse of the employee	
* Nieces and nephews will have a maximum of three (3) days	

- 13.2** Employees may be granted four (4) hours without loss of pay as funeral leave to attend the funeral of a coworker (active or retired) from the same department or agency.

SECTION 14: MILITARY LEAVE FOR TRAINING AND ACTIVE DUTY

Leave of absence and re-employment rights of employees inducted into the military service shall be as provided in the Uniformed Services Employment and Re-employment Rights Act of 1994 (USERRA), Florida Statutes and Florida Administrative Code.

SECTION 15: WORKERS' COMPENSATION

- 15.1** Employees who have served six (6) months of continuous creditable and satisfactory service and who sustain a temporary disability as a result of accidental injury in the course of and arising out of employment shall, in addition to compensation payable pursuant to the Workers' Compensation law of the State of Florida, be granted the following benefits:
- (1)** For up to twenty (20) working days following such disability, the employee shall receive supplemental pay in an amount equal to the difference between his/her net take-home pay and the workers' compensation wage benefit payable. (For purposes of this section, net take-home pay is defined as the amount of the employee's regular straight-time wages reduced by the amount deducted from the employee's pay for taxes and social security.) Provided, however, that in no event shall any employee realize more than his/her net after-tax take-home pay as a result of receiving both workers' compensation and supplemental pay.
 - (2)** Thereafter, the Director of Finance may, at his/her sole discretion, grant continued supplemental pay, in increments of up to twenty (20) working days.
- 15.2** An employee who is absent from duties due to an on-the-job injury and who is not receiving supplemental pay, may request use of sick or vacation/annual/personal leave for the purpose of maintaining regular pay status. The amount of leave to be charged in such cases is the minimum amount in hourly increments that will equal the difference between Workers' Compensation payments and the employee's regular pay.
- 15.3** Any employee serving in the first six (6) months of original employment, who is temporarily totally disabled as a result of injury received in the performance of duty with the City, shall receive the benefits to which he/she is entitled under the Workers' Compensation Laws of the State of Florida.
- 15.4** An employee who is temporarily partially disabled from performing the duties of his/her position due to an on-the-job injury may be temporarily reassigned without reduction of pay to other suitable and available duties commensurate with the employee's medical fitness.
- 15.5** Appointed officials and employees who are sworn law enforcement officers, certified corrections officers or certified firefighters may be entitled to additional benefits under applicable state or local law.

15.6 If an employee is eligible for monetary benefits under workers' compensation, normal payroll deductions will continue from workers' compensation benefits to avoid interrupting employer provided benefits such as pension and healthcare.

SECTION 16: EMPLOYEE BENEFITS

- 16.1** The **Employer** will provide a choice of comprehensive group health plans which will include at least one designated no cost to the employee plan. Employees will be required to pay five percent (5%) of the actual cost (not to exceed thirty dollars (\$30) per month) of any health plan selected other than the designated no cost plan(s) from which the employee may select. In addition, the **Employer** will pay fifty percent (50%) of the cost of the comprehensive medical coverage for eligible dependents; the employee will pay the remaining fifty percent (50%) of the cost.
- 16.2** The Employer agrees to pay a premium of up to fifteen dollars (\$15) per month, per employee covered by this Agreement, for the purpose of providing partial payment toward a comprehensive dental health plan for said employees. The Employer may make an administrative charge not to exceed four cents per deduction.
- 16.3** The City may provide, at no expense to the employee, term life insurance coverage equal to twice the employee's gross annual salary rounded up to the nearest thousand.
- 16.4** Employees may exercise the option to pay the cost to obtain group term life insurance coverage under the same policy for an additional amount equal to one times the employee's annual salary, rounded up to the nearest thousand (subject to conditions and limitations of provider). Benefits may be reduced at age 70 to 65% of benefits under the Policy and in compliance with the Age Discrimination in Employment Act (ADEA).
- 16.5** The City shall contribute to the employee's pension program to the extent required by applicable laws.
- 16.6** Appointing Authorities may authorize the payment of job-related association dues, fees, subscriptions and certifications for employees, if deemed to be in the public interest.
- 16.7** The City recognizes the importance of our employee's families and the value of time during the birth or adoption of a child. In this spirit, the City will offer a parental leave plan consisting of paid time off following the birth or adoption of a child.

The City will establish policies and procedures for administering the Parental Leave Plan as outlined in applicable Employee Services Directive.

- 16.8** The City recognizes the importance of continuing education in providing equitable employment opportunities, employee growth and agrees to a mutual commitment of education for employees. In accordance with Section 106.901 of the Ordinance Code, the City may establish a Career Development Program. The City may reimburse

employees for eligible tuition expenses in order to enhance the quality of the existing workforce, attract and retain qualified candidates for City employment, and to ensure that City employees have access to education that will equip them to do the work that will be needed during their careers with the City of Jacksonville.

Reimbursement will be in accordance with established policies and procedures which will cover, among other things, time limits for submission of requests, eligible coursework, and required documentation.

This program is dependent upon funding.

SECTION 17: DRUG AND ALCOHOL ABUSE

The City of Jacksonville is committed to a Drug-Free Workplace for the health and safety of employees and citizens of the City of Jacksonville. The City has adopted a Zero-Tolerance policy for using or being under the influence of alcohol or illegal drugs or having within one's system the metabolites of illegal drugs in accordance with Employee Services Directive 0401 Drug Free Workplace Policy.

SECTION 18: SEPARATION

- 18.1** Appointed Officials and Employees serve at the pleasure of the Appointing Authority. Except as provided in Section 18.2 below, or in accordance with Section 17 of the City Charter, any Appointed Official or Employee may be separated from employment at any time, with or without cause, and may, at the discretion of the Appointing Authority, be granted severance pay upon separation with approval of the Director of Employee Services for departments under the mayor's authority. The appropriate budgeting authority must certify the availability of funds for any severance pay to be granted.
- 18.2** Appointed Employees who have been granted protection from dismissal without cause may only be separated from employment for cause as provided in the Civil Service and Personnel Rules and Regulations. Any form of discipline other than dismissal shall be at the discretion of the Appointing Authority.

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