



CITY OF
ST AUGUSTINE
EST. 1565

**PERSONNEL
MANUAL**

6. Benefits

6.2 Sick Leave

I. PURPOSE

The intent of this policy is to outline the sick leave provisions which have been established for the employees of the City of St. Augustine. This policy provides for limited use of paid sick leave during periods of short-term absence due to illness, injury or other specified reasons as defined herein.

II. SCOPE

This policy applies to regular full-time employees of the City of St. Augustine. Part-time and temporary employees are not entitled to paid sick leave benefits and are excluded from the provisions of this policy. If any provision of this policy is in conflict with a written provision(s) of a collective bargaining agreement between the City and a recognized bargaining agent, the provision(s) of the collective bargaining agreement will prevail.

III. APPLICATION

A. GENERAL, MUNICIPAL and POLICE EMPLOYEES

1. Regular, full-time General, Municipal and Police Department Employees will earn eighty and six-tenths (80.6) hours of sick leave each full fiscal year which shall accrue at a rate of three and one-tenth (3.1) hours per bi-weekly pay period worked. However, an employee is not eligible to use any accrued sick leave until he/she has completed ninety (90) days of full-time employment with the City.

B. FIRE EMPLOYEES

1. Regular full-time employees of the Fire Department assigned to the Firefighting Division on a 24 hour-on, 48 hour-off schedule, earn one hundred twelve (112) hours of sick leave which shall accrue at a rate of 4.31 hours per bi-weekly pay period worked. However, an employee is not eligible to use any accrued sick leave until he/she has completed ninety (90) days of full-time employment with the City.

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| March 28, 1996 |  David Birchim, City Manager | | |
| REVISION DATE November 27, 2023 | | 1 | 9 |

C. SICK LEAVE ACCUMULATION

1. As of March 31st, and September 30th of each year, any regular full-time employee of the City may elect to be paid for any portion of earned sick leave hours up to eighty (80) hours per option date subject to credited balance restriction and for Firefighting Division employees one hundred twelve hours (112).
2. As of September 30th, of each fiscal year, sick leave hours earned and not used will be carried forward as payable sick leave to be used as sick leave at a later time or to be paid at the non-probationary employee's base hourly rate when the employee voluntarily leaves employment with the City, and the employee gives and works through a two-week notice.
3. All non-payable sick leave accrued, under previous policies and rules will be posted to a separate non-payable sick leave account to be used for sick leave only. These hours are not payable when the employee leaves the employ of the City. Non-payable sick leave hours in this account will be used first when an employee is granted sick leave while employed by the City.
4. Payable sick leave will be considered earned when posted to the employee's account.

IV. TERMS and CONDITIONS

A. REASONS FOR GRANTING SICK LEAVE

Sick leave is an earned benefit which shall be granted only for the following causes:

1. Personal illness, injury or short-term disability over which the employee has no immediate control.
2. Illness of a member of the employee's immediate family. The following relationships shall be considered immediate family: Mother, Father, Step-Mother, Step-Father, Foster Parent, Brother, Sister, Step-brother, Step-sister, Wife, Husband, Son, Daughter, Step-son, Step-daughter, Foster Child, immediate in-laws, grand-

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parents, grand-children, first aunt or first uncle, or members of the immediate household having permanently resided under the same roof. Absences not covered the Family Medical Leave Act (FMLA) will not be unreasonable denied.

3. Death of a member of the employee's immediate family. The following relationships shall be considered immediate family: Mother, Father, Step-Mother, Step-Father, Foster Parent, Brother, Sister, Step-brother, Step-sister, Wife, Husband, Son, Daughter, Step-son, Step-daughter, Foster Child, immediate in-laws, grandparents, grand-children, first aunt or first uncle, or members of the immediate household having permanently resided under the same roof. Use of sick leave because of the death of a member of the employee's immediate family shall be reasonably granted.
4. Legal quarantine because of exposure to a contagious disease.
5. Medical, dental, or optical appointments which cannot be arranged at a time other than during the employee's regular working hours.

B. CONTROL OF SICK LEAVE

Each Department Head is responsible for control of attendance to ensure that absences by employees receiving sick leave pay are for causes covered by this policy.

1. A Department Head may require a medical certificate for any sick leave in excess of two (2) consecutive workdays.
2. A Department Head may make an appropriate inquiry into any use of sick leave and may require a medical certificate for any sick leave absence for which there is reason to believe that sick leave privileges may be or may have been misused.
3. If an employee experiences three (3) or more separate sick leave absences in any one twenty-eight (28) day period, the Department Head shall require the employee to submit a medical certificate certifying to the reason for such absences before the employee is granted sick leave with pay.

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C. RESPONSIBILITY OF EMPLOYEE TAKING SICK LEAVE

In order to be granted sick leave with pay, an employee must meet the following conditions:

1. Notify his immediate supervisor of the fact and the reason for the absence notifying supervisor by a time to be determined by each department or division, not to exceed a half (1/2) hour after the start of the shift or scheduled reporting time. Failure to notify the supervisor within the required time may be cause for denial of sick leave with pay. Based on operational needs, Departments may develop more restrictive timelines.
2. When required by his Department Head, an employee shall submit a medical certificate from a physician or dentist or provide other requested documentation certifying the reason for the employee's absence from work.
3. An employee claiming sick leave for purposes other than those herein specified shall suffer loss of pay for the time of such misuse of sick leave and shall be subject to dismissal.

D. Sick leave is a short-term disability benefit and shall not be paid for absences due to permanent disability, either job-related or not job-related. Permanent disability is covered by the City's pension plans, long term disability plan, Social Security and, in the event of a qualifying job-related disability, worker's compensation insurance.

E. Sick leave will not be granted for any absence covered by Worker's Compensation weekly indemnity benefits, City Worker's Compensation Regular Pay or City Worker's Compensation Supplement Pay.

F. An employee on leave without pay for up to seven (7) consecutive days continues to accrue sick leave. Any employee on leave without pay for eight (8) or more consecutive days will not accrue sick leave starting with the eighth (8th) day and continuing until the day the employee returns to work.

G. Sick leave absence for a fractional part of a full work shift shall be charged in amounts no less than one quarter (.25) hour

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- H. An employee will only be permitted to use that sick leave credit which has been earned.
- I. Non-probationary employees who are terminated from the City's employment will be paid half of their accrued payable sick leave within sixty (60) days of their last day of active employment or after all post-termination hearings or appeals have been finalized, whichever is later. Payment will be processed during scheduled payroll periods.
- II. Once established, non-probationary general and municipal employees who are age fifty-five (55) or older and police and fire employees who are age fifty (50) and older and who qualify for 100% vacation leave payout will be paid this leave through a Special Pay Plan/401a. The Special Pay Plan is a retirement plan funded by using special forms of compensation, such as your unused sick leave and vacation pay. With your Special Pay Plan, you permanently save 7.65% on FICA taxes (Social Security and Medicare).

V. SICK LEAVE BONUS PROGRAM, GENERAL, MUNICIPAL & POLICE EMPLOYEES

A. Payout Periods

The City of St. Augustine allows all full time general, municipal and police employees, who meet certain requirements, to be paid for up to eighty (80) hours of payable sick leave twice a year by March 31st and September 30th.

B. Eligibility Rules

The eligibility rules require certain balances before an employee can participate in the program. To be eligible an employee must have at least two hundred forty (240) combined hours of sick (payable and non payable) and vacation leave. After the payout, at least forty (40) sick leave hours (payable and non payable) must remain in the employee's sick leave balance. If these requirements can be met, the employee is eligible to be paid for any payable sick leave hours, up to a maximum of eighty (80) hours.

C. Employee Election Period

At least two (2) weeks prior to the final notification date the Human Resources Department will post on all City bulletin boards, an announcement detailing the closing date of the employee election period.

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D. Employee Requirements

Each employee is responsible for monitoring bulletin boards for announcements concerning the Sick Leave Bonus Program. Employees will not be notified individually as to approaching payout periods. Employees are also responsible for notifying the Human Resources Department as to their desire to participate in the payout for any particular period. Failure by an employee to notify the Human Resources Department by the date required in the bulletin board notification will exclude that employee from participating in the payout for that period. The Human Resources Department will assist any employee in determining their eligibility to participate in the program.

E. Employee Acknowledgement

A form is provided for each employee to sign at the time the employee elects to participate in the Sick Leave Bonus Program stating that the employee acknowledges that he/she has read and understands the eligibility rules and notification requirements of the Sick Leave Bonus Program.

**VI. SICK LEAVE BONUS PROGRAM, FIRE DEPARTMENT EMPLOYEES
(2912 Hour Schedule)**

A. Payout Periods

The City of St. Augustine allows Fire Department employees, who work a 2912-hour schedule and who meet certain requirements, to be paid for up to one hundred twelve (112) hours of payable sick leave twice a year by March 31 and September 30.

B. Eligibility Rules

The eligibility rules require certain balances before an employee can participate in the program. To be eligible an employee must have at least three hundred thirty-six (336) combined hours of sick (payable and non payable) and vacation leave. After the payout, at least fifty-six (56) sick leave hours (payable and non payable) must remain in the employee's sick leave balance. If these requirements can be met, the employee is eligible to be paid for any payable sick leave hours, up to a maximum of one hundred twelve (112) hours.

C. Employee Election Period

At least two (2) weeks prior to the final notifications date the Human Resources Department will post on all City bulletin boards, an announcement detailing the closing date of the employee election period.

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D. Employee Requirements

Each employee is responsible for monitoring bulletin boards for announcements concerning the Sick Leave Bonus Program. Employees will not be notified individually as to approaching payout periods. Employees are also responsible for notifying the Human Resources Department as to their desire to participate in the payout for any particular period. Failure by an employee to notify the Human Resources Department by the date required in the bulletin board notification will exclude that employee from participating in the payout for that period. The Human Resources Department will assist any employee in determining their eligibility to participate in the program.

E. Employee Acknowledgement

A form is provided for each employee to sign at the time the employee elects to participate in the Sick Leave Bonus Program, stating that the employee acknowledges that he/she has read and understands the eligibility rules and notification requirements of the Sick Leave Bonus Program.

VII. SICK LEAVE CONVERSION

A. Payout Periods

The City of St. Augustine allows all full-time employees, who meet certain criteria to convert payable sick leave to vacation leave. General, municipal, and police employees can convert up to forty (40) hours and full-time fire employees in the Firefighting Division can convert up to fifty-six (56) payable sick leave hours to vacation hours twice a year on March 31st and September 30th.

B. Eligibility Rules

To be eligible a general, municipal, or police employee must have a remaining sick leave balance of at least eighty (80) hours of sick (payable and non-payable) leave after the conversion. Fire personnel must have at a remaining sick leave balance of at least one hundred twelve (112) hours of sick (payable and/or non-payable) leave after the conversion.

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C. Employee Election Period

A form is provided for each employee to sign at the time the employee elects to participate in the Sick Leave Conversion Program stating that the employee acknowledges that he/she has read and understands the eligibility rules and notification requirements of the Sick Leave Conversion Program.

D. Employee Requirements

Each employee is responsible for monitoring bulletin boards for announcements concerning the Sick Leave Conversion Program. Except if there are program changes, employees will not be notified individually as to approaching payout periods. Employees are also responsible for notifying the Human Resources Department as to their desire to participate in the conversion for any particular period. Failure by an employee to notify the Human Resources Department by the date required in the bulletin board notification will exclude that employee from participating in the conversion for that period. The Human Resources Department will assist any employee in determining their eligibility to participate in the program.

E. Employee Acknowledgement

At least two (2) weeks prior to the final notifications date the Human Resources Department will post on all City bulletin boards, an announcement detailing the closing date of the employee election period.

VIII. DONATION OF TIME

The City will permit employees to donate current payable sick leave hours or vacation leave hours to other City employees under the following conditions:

- A. The recipient has exhausted all of his/her accrued sick leave and vacation leave.
- B. The recipient is on extended leave due to illness or injury with the expectation of returning to work. Extended leave is leave for two (2) calendar weeks or more unless circumstances warrant an exception to the two-calendar week requirement.

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- C. Hours must be donated in four (4) hour increments (4 hours of payable sick leave or 4 hours of vacation leave). Donations are hour for hour, regardless of position or hourly rate.
- D. All donated hours will be credited to the recipient's non-payable sick leave account.
- E. The City will post a notice when donated time is being requested. The notice will state the estimated total amount of leave needed by the recipient if available. However, if all of the donated hours are not used by the recipient, the unused hours will remain in the recipient's account and will not be re-credited to a donor.
- F. The City assumes no responsibility for the donated time and will not encourage or discourage the donation of time.
- G. The recipient will not accrue any additional vacation leave or sick leave while on leave and being paid from donations of vacation leave or sick leave by fellow employees. Holiday pay will not be paid to an employee using donated sick leave or vacation leave. Employees will not be entitled to receive or accrue any additional benefits as a result of donated time under this Section.

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