

RESOLUTION 20-173

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AMENDED PAID TIME OFF POLICY PROVIDING FOR ANNUAL CASH-OUT FOR CITY EMPLOYEES.

BE IT RESOLVED by the City Council of the City of Panama City Beach, that the Paid Time Off Policy including the Additional Annual Cash-Out Policy attached and incorporated herein as Exhibit A to this Resolution is hereby adopted and shall go into effect on January 1, 2021.

AND BE IT FURTHER RESOLVED that all policies or resolutions or parts of resolutions or policies in conflict herewith are repealed to the extent of such conflict.

THIS RESOLUTION shall be effective immediately upon its passage.

PASSED in regular session this 10th day of September, 2020.

CITY OF PANAMA CITY BEACH

By: _____


Mark Sheldon, Mayor

ATTEST:



Lynne Fasone, City Clerk

Title: Paid Time Off (PTO) Policy

Effective Date: January 1, 2021

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 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 part-time and temporary/seasonal status employees. PTO accrual for fractions of a month shall be prorated based on hours credited in a pay period. 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 2,080 hours per year:

Less than 5 years of service	152 hours per year
5 – 10 years of service	176 hours per year
11 – 14 years of service	200 hours per year
15 – 19 years of service	224 hours per year
20 years or more of service	248 hours per year

PTO shall be earned based on the following schedule for Fire Rescue employees who work 2,756 hours per year:

Less than 5 years of service	204 hours per year
5 – 10 years of service	235.2 hours per year
11 – 14 years of service	268.8 hours per year
15 – 19 years of service	298.8 hours per year
20 years or more of service	331.2 hours per year

B. Eligibility

All full-time employees are eligible to earn PTO.

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 2,080 hours per year.	380 Hours
Emergency Services employees who work 2,756 hours per year.	440 Hours

Amounts in excess of the maximum shall be forfeited unless used by the end of the pay period in which December 31 falls.

D. Payout of PTO Upon Separation from Employment

In cases of separation from employment with the City 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 2,080 hours per year.	380 Hours + Current Year Accrual
Emergency Services employees who work 2,756 hours per year.	440 Hours + Current Year Accrual

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 Head.

The employee shall charge absences from work to PTO according to the number of leave hours rounded to fifteen (15) minute minimum increments. The timeclock will read (0.25, 0.5, 0.75 or 1.0)

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 City.

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 approved by the City Manager.

G. Approval of PTO Leave Requests

An employee must request PTO in advance in accordance with current Executime Policies and Procedures 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 City Manager.

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 Department Head.

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 timeclock

and Payroll. No PTO shall be granted except on the basis of such PTO records.

J. Sick Leave Bank (SK1)

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

When using these hours, they shall be charged in fifteen (15) minute 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 Head prior to his/her scheduled start time to report the absence. 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 Head may request a physician's statement to verify the illness of an employee or member of an employees' family.

Sick Bank hours may be used when all PTO has been exhausted and the employee is still out for the reasons listed below:

- 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 bank 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.

K. Annual Cash Out Option

Each December there will be an optional cash out of PTO. You must keep at least 40 hours of PTO in your PTO bank, but the City may purchase back at your current rate of pay between 40-80 hours annually, depending on your years of service. General Employees with 1-4 years of service can sell 40 hrs.; 5-10 years: 50 hrs.; 11-14 years: 60 hrs.; 15-19 yrs.: 70 hours; 20+ yrs.: 80 hrs. Fire Employees (2,756) with 1-4 years of service can sell 53 hrs.; 5-10 years: 66 hrs.; 11-14 years: 79 hrs.; 15-19 yrs.: 92 hours; 20+ yrs.: 106 hrs.

Requests for Cash-out must be received no later than December 1st and will be paid on the first available payday in December (Should the first pay date in December be scheduled for December 1st, the Cash-out will be paid by the following pay date).