

Lee County Board Of County Commissioners
Agenda Item Summary

Blue Sheet No. 20040964

1. REQUESTED MOTION:

ACTION REQUESTED:

Adopt revisions to Vacation Leave Policy 402 of the Lee County Policies and Procedures Manual. Adoption of the resolution to amend Administrative Code 6-1.

WHY ACTION IS NECESSARY:

Employees are permitted to carry forward six normally scheduled workweeks of accrued vacation each calendar year; any hours in excess of this amount are forfeited. Currently, excess hours must be used by the last day of the last full pay period in the calendar year; the proposal is to change this to the last day of the first pay period in the calendar year. Current policy often forced the excess hours to be used prior to the end of the holiday season.

WHAT ACTION ACCOMPLISHES:

Employees have requested this change, as vacations are often taken around the holiday season. This change will update a policy that did not meet the needs of the organization. There is no additional cost to the County in making this change.

2. DEPARTMENTAL CATEGORY:

COMMISSION DISTRICT #:

Countywide

C6B

MEETING DATE:

08-10-2004

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

5. REQUIREMENT/PURPOSE:

(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE 6-1
- OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER
- B. DEPARTMENT Human Resources
- C. DIVISION
- BY: William H. Hammond
Deputy County Manager

7. BACKGROUND:

Ongoing process to update and revise Policies and Procedures Manual.

8. MANAGEMENT RECOMMENDATIONS:

Adopt revision

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services <i>6/28/04 7/28/04</i>				G County Manager
		<i>Chenette Kealey</i>		<i>Michael Asa</i>	OA	OM	Risk	GC	
				<i>RK 7/27</i>	<i>7/28/04</i>	<i>7/27/04</i>	<i>7/27/04</i>	<i>7/27/04</i>	<i>[Signature]</i>

10. COMMISSION ACTION:

- _____ APPROVED
- _____ DENIED
- _____ DEFERRED
- _____ OTHER

RECEIVED BY	<i>BK</i>
COUNTY ADMIN:	<i>7/7/04</i>
	<i>11:05 am 565</i>
COUNTY ADMIN	<i>7/7/04</i>
FORWARDED TO:	<i>7/28/04</i>
	<i>2:30 PM</i>

BH

**ADMINISTRATIVE CODE
BOARD OF COUNTY COMMISSIONERS**

CATEGORY:
Human Resources/Employees

CODE NUMBER:
AC-6-1

TITLE:
**Personnel Policies and Procedures Manual
(Appendix "A")**

ADOPTED:
8/3/88

AMENDED:
10/17/90; 7/24/91; 5/11/94; 7/5/95; 9/23/97;
6/30/98; 4/6/99; 5/18/99; 6/6/00; 6/27/00;
12/12/00; 12/19/00; 5/08/01; 7/24/01; 2/12/02;
6/4/02; 7/9/02; 8/1/02; 10/1/02; 10/8/02; 8/12/03;
8/10/04

ORIGINATING DEPARTMENT:
Human Resources

PURPOSE/SCOPE:

This manual contains and describes all existing personnel policies, and was developed as a perpetual guideline for consistent interpretation of personnel policies.

This manual is part of this Administrative Code and is under separate cover as Appendix "A", Personnel Policies and Procedures Manual.

POLICY/PROCEDURE:

LEE COUNTY RESOLUTION NO. _____

A RESOLUTION OF THE LEE COUNTY BOARD OF COUNTY COMMISSIONERS RELATING TO AMENDMENTS TO THE LEE COUNTY ADMINISTRATIVE CODE AS ADOPTED BY LEE COUNTY ORDINANCE NO. 97-23; PROVIDING FOR APPROVAL OF CERTAIN AMENDMENTS TO THE LEE COUNTY ADMINISTRATIVE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners is the governing body in and for Lee County, a political subdivision of the State of Florida; and,

WHEREAS, the Board of County Commissioners has previously enacted Lee County Ordinance No. 96-01, creating a charter form of government for Lee County pursuant to Section 125.80 and ff., Florida Statutes, and which was approved and ratified by the Electorate of Lee County on November 5, 1996; and,

WHEREAS, the Board of County Commissioners has previously enacted Lee County Ordinance No. 97-23, which adopted the Lee County Administrative Code pursuant to Section 2.2.E. of Ordinance No. 96-01, the Lee County Charter; and,

WHEREAS, Lee County Ordinance No. 97-23 at Section III allows and provides for amendments to the Lee County Administrative Code to be made by Resolution of the Board of County Commissioners at a regularly scheduled Board of County Commissioners' meeting; and,

WHEREAS, certain amendments to the Lee County Administrative Code are now being proposed, and the Board of County Commissioners finds that such proposed

amendments are acceptable, serve a public purpose and are consistent with the terms and conditions of Lee County Ordinance No. 96-01, the Lee County Charter.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY

COMMISSIONERS THAT:

1. The above preamble is hereby accepted and approved as being true and accurate, and is adopted and incorporated herein as if set out further at length.
2. The proposed amendment(s) to the Lee County Administrative Code 6-1 (attached hereto as Exhibit A), is (are) approved, and are hereby directed to be incorporated into the Lee County Administrative Code as indicated in the amendment(s).
3. The provisions of this Resolution are severable, and it is the intention to confer to the whole or any part of this Resolution, the powers herein provided for. If any of the provisions of this Resolution shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the other remaining provisions of this Resolution. It is hereby declared to be the Board's legislative intent that this Resolution would have been adopted had such an unconstitutional provision not been included herein.
4. This Resolution shall become effective immediately upon its adoption by the Board of County Commissioners.

The foregoing Resolution was offered by Commissioner _____,
who moved its adoption. The motion was seconded by Commissioner _____
and, being put to a vote, the vote was as follows:

ROBERT JANES	_____
DOUGLAS ST. CERNY	_____
RAY JUDAH	_____
ANDREW COY	_____
JOHN E. ALBION	_____

DULY PASSED AND ADOPTED this _____ day of _____, 20_____.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairman

APPROVED AS TO FORM:

By: _____
Office of the County Attorney

Policy:

It is the policy of Lee County Government to afford the opportunity for all regular full-time and part-time employees to take annual vacations with pay in accordance with established guidelines. The purpose of vacation leave is to provide employees time away from normal work activities without loss of pay or benefits. Approved vacations are beneficial to the operation of Lee County Government and beneficial to its employees; therefore, each eligible employee is encouraged to take annual vacation leave.

Comments/Procedures:

402:1 GENERAL PROVISIONS

1. Supervisors are responsible for ensuring adequate staffing levels at all times.
 - a) Employees must submit vacation requests in advance to their supervisor. Failure to submit a vacation request in advance may result in the vacation being denied
 - b) Supervisors shall schedule vacations according to the operational needs of the department, and attempt to resolve any scheduling conflicts with the employees involved.
 - c) Management reserves the right to designate when some or all vacation leave may be taken.

2. Vacation hours are accrued based upon the employee's length of service with the County and normal work schedule during the preceding year.

a) Regular Full-Time Employees --

- i) Regular full-time employees normally scheduled to work forty (40) hours per week shall accrue vacation according to the following schedule:

Length of Service	Accrual Rate Per Pay Period	Annual Leave Accrued
0-4 YEARS	3.70 HOURS	96.20 HOURS
5-9 YEARS	4.62 HOURS	120.12 HOURS
10-14 YEARS	5.54 HOURS	144.04 HOURS
15-19 YEARS	6.01 HOURS	156.25 HOURS
20+ YEARS	6.47 HOURS	168.22 HOURS

- ii) Regular full-time employees in positions normally scheduled to work greater or fewer than forty (40) hours per week shall accrue vacation leave on a prorated basis calculated from the normal scheduled hours for the individual employee.

➤ **CALCULATION:**

Accrual Rate [2(a)(i)] / 80 Hrs. X Average Scheduled Biweekly Hours = Adjusted Accrual Based on Workschedule

b) Regular Part-Time Employees --

- i) Regular part-time employees normally scheduled to work at least twenty (20) hours per week accrue vacation leave on a prorated basis calculated from the base hours normally scheduled for the individual employee.
- ii) Regular part-time employees assigned to Bridge Operations in the Department of Transportation shall be exempted from the twenty (20) hours per week scheduling requirement in 402:1(2)(b)(i) due to the nature of the work schedules for those operations.

VACATION LEAVE

Policy Number 402

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- iii) All other regular part-time employees not normally scheduled to work at least twenty (20) hours per week do not accrue paid vacation leave.
 - c) Temporary & On-Call Employees –
 - i) Temporary and on-call employees shall not accrue, nor be granted, paid vacation leave.
3. Vacation leave is accrued on the last day of the pay period. It is recorded and available for use the day following the issuance of the paycheck for the period of the accrual. An employee must have active payroll status during the following pay period to be credited for the previous week's accrued vacation leave.
4. Employees shall not carry forward more than six normally scheduled workweeks for their position [e.g. two hundred forty (240) hours for 40 hour employees] of accrued vacation leave into the next calendar year. An employee may accrue more than the maximum allowed carryover vacation hours during the calendar year; however, ~~at the end of the year,~~ all excess hours will be forfeited if not used by the last day of the first ~~last full~~ payperiod in the calendar year.
5. New regular employees eligible for vacation leave shall accrue vacation hours during the probationary period but are not eligible to use any paid vacation until completion of the probationary period. Vacation leave for a probationary employee is recorded and available for use the day following the issuance of the first paycheck after the employee has been placed on regular status. If the employee leaves County employment or is dismissed from employment before the end of the probationary period, he/she will receive pay for any accrued vacation leave.
6. Vacation leave with pay may not be taken prior to the time it is recorded and available for use. Nor shall any vacation leave be paid upon separation that has not been previously recorded and available for use by the employee.
7. Prepaid vacation (vacation leave paid out to the employee prior to that employee leaving work for such vacation) will not be granted in increments of less than one (1) regularly scheduled week of pay. Requests for prepaid vacation must be made in writing to the supervisor at least three (3) weeks prior to the start of the proposed vacation. The supervisor will forward the request to the payroll representative for the department.
8. Accrued and available vacation leave, up to the maximum of six weeks, will be paid to the employee following separation of employment at the then current wage of the employee.

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Vacation Leave Policy 402 – Summary Changes

Currently employees are permitted to accrue an unlimited amount of vacation time throughout the year. However, at the last day of the last full pay period of the calendar year, if an employee has more than six weeks of vacation time on the books, it will be forfeited.

For example, an employee who normally works 40 hours per week would be eligible to carry forward up to 240 hours of vacation time. This year, all hours in excess of 240 would have to be used by 12/22/04, just prior to the holiday season. If the rollback date is changed to the last day of the first pay period of the following year, employees would have until 1/5/05 to use their excess hours.