

PROCEDURE

Series: **HR Practices** **COA: HR 5.02, TS 2.01, ETH 4. ETH 5**
CFOP:

Procedure Name: Paid Time Off
Procedure Number: HR 2601
Reviewed Date: 12/1/15, 7/27/2020, 1/20/21
Revision #/Date: (1) 7/08, (2) 7/09, (3) 11/11 (4) 2/1/13 (5) 4/15/13, (6) 9/6/13 (7) 9/2/14 (8) 5/15/15 (9) 6/14/2016 (10) 4/6/2018 (11) 5/1/19
Effective Date: 09/04

Applicable to: All full time Brevard Family Partnership Family of Agencies (FOA) Staff

PURPOSE: The FOA provides a Paid Time Off (PTO) program to all full-time employees (30+ hours per week). This program is to provide paid time away from work for vacation time, illness or other personal needs. Employees are expected to request to use this time in advance except when the need is unexpected.

References: HR-2316 Severance Program

PROCEDURE:

Overview

Paid Time off (PTO) is provided by the FOA for employees to take time away from work for vacation, injury, illness, or other personal requirements. All full-time regular employees begin to accrue PTO from date of hire on a pro-rated calendar year basis. During an employee's first 90 days of employment two (2) days (16 hours) of PTO are available to be used. The established PTO period is from January 1 through December 31 of the same year.

Employees will not earn PTO while on any type of leave of absence. PTO is accrued based on the schedule below. Upon the completion of each three (3) years of continuous employment, the new accrual rate will begin on the next full pay period.

EFFECTIVE JANUARY 1, 2020

| | Months 1-36 | Months 37 - 72 | Months 73 -108 | Months 109+ |
|---|-------------|----------------|----------------|-------------|
| Hours of PTO accrued for each bi-weekly pay period. | 5.5 | 8.0 | 9.5 | 11 |
| Employee Wellness Hours available per quarter | 8 | 8 | 8 | 8 |
| Maximum annual accrual | 143 | 208 | 247 | 286 |
| Unused PTO which can be carried over to PTO Bank | 40 | 80 | 120 | 160 |

| | | | | |
|---|----------------------------|----------------------------|----------------------------|----------------------------|
| Director Level Unused PTO which can be carried over to PTO Bank | 80 | 160 | 240 | 320 |
| Any remaining PTO hours will be rolled over to an Extended Sick Bank for use by the individual employee | ESB hours capped at 240 | ESB hours capped at 240 | ESB hours capped at 240 | ESB hours capped at 240 |
| Carry Over Date | 12/31 | 12/31 | 12/31 | 12/31 |

All employees are strongly encouraged to make plans to take time away from work. This is important for rest, relaxation and recharging from the challenges of our work. Division leaders may check their staff members and their PTO hour balances within the payroll system to provide to managers and supervisors. It is incumbent upon agency management to ensure that their staff members plan to schedule time off as appropriate and ensure operational coverage as well.

The maximum number of PTO hours that may be carried over from one calendar year to the next is provided in the table above. Upon reaching a higher accrual rate, the rollover maximum increases. Any balance in excess of the allowable rollover maximum of PTO hours at the end of each calendar year is forfeited but is applied to an individual Extended Sick Bank which is capped at 240 hours.

As part of the BFP FOA wellness program each employee will receive 8 hours (one day) of time per quarter of the year (January-March, April-June, July-September, October-December) to be used as a wellness day off. Exempt and non-exempt employees may use this time in one increment of 8 hours per quarter. This day must be used within each quarter or the day will be forfeited.

Hours in the Extended Sick Bank are available for the employee's personal use in the event of an illness, injury or disability. A short-term disability is defined as a medical absence extending beyond 14 calendar days and less than six (6) months accompanied by appropriate medical documentation.

A covered employee will begin receiving Short Term Disability payments effective on day 15 of an approved disability. A long-term disability is effective after six (6) months of continuous absence due to a medical illness or injury covered under the Short-Term Disability program.

An employee who is absent for work due to an illness, injury or disability will be required to use available hours in an Extended Sick Bank or available PTO hours before the short-term disability benefit becomes available.

In accordance with the terms and conditions of the disability insurance policy for short- and long-term disability, employees may elect to augment their short-term disability payments (60% salary replacement) with the use of available PTO or extended sick bank hours. In this event, the employee who has available PTO or extended sick bank hours may elect to augment full weeks of disability with a maximum of 16 hours of PTO or extended sick bank hours which would result in full pay for these weeks. The use of these hours would be noted on the timesheets/PTO Requests submitted for each pay period during an employee's absence.



If changes are made to the terms and conditions of the insurance policies for short and/or long-term disability that impact this option, the insurance policy will govern. In this event, staff will be notified of any change accordingly.

Please note, it is the employee's responsibility to understand the coordination between PTO and the Extended Sick Bank which are further described in the Summary Plan Documents (SPD) for both short- and long-term disability plans.

So that Brevard Family Partnership may schedule work and plan for business requirements, employees should give as much notice as possible in scheduling PTO time. Employees requesting PTO shall complete an online request within the payroll system for time off form and submit it to the supervisor at least ten days prior to the request unless the need is for an unexpected illness. If there are conflicting dates, preference will be given to the employee who has the most seniority. A more junior employee who already has an approved PTO date will not, however, be bumped by a more senior employee.

Service credit for rehired employees.

After one year of continuous employment, the FOA will credit rehired employees with their prior service with the family of agencies for purposes of accruing annual leave.

PTO hours can be used in the following increments

Non-exempt employees can use this time in 15-minute increments

Exempt employees may use this time in increments of four (4) or eight (8) hours.

Employees who have PTO hours available may use these hours before taking time without pay.

PTO Pay Out

On a semi-annual basis the CEO of the agencies may make the determination to allow employees to voluntarily elect to make an irrevocable election to cash in PTO hours for payment.

Staff requesting this payout must meet the following qualifications:

1. Must have been employed by the FOA for a period in excess of 1 year.
2. Staff may request a payout between 40 and 120 hours but must have a minimum of 40 hours remaining after requesting payout of PTO.

If the option for a voluntary PTO Pay Out is offered, the deadline and pay out information will be communicated to all employees. There is no guarantee this will occur and is based solely on the financial position of the agency and in the judgment of the CEO.

Extended Sick Bank Pay Out

On an annual basis the CEO of the family of agencies may make the determination to pay out balances in individual Extended Sick Banks. If this decision is made, in the sole discretion of the CEO, the maximum payout would be limited to 80 hours for staff with one (1) to three (3) years of service and 120 hours for staff with three (3) or more years of service. There is no guarantee this will occur and is based solely on the financial position of the agency and in the judgment of the CEO.

PTO Pay Out Upon Resignation

Unless otherwise required by law, if an employee resigns from the FOA, he or she will be paid for earned and unused PTO hours computed at the rate of pay earned upon separation, provided the employee



gives a 30 calendar day notice period in writing and remains in good standing. It is expected that this is a “working” notice period of time to address transition issues and to finalize projects and activities. It is not anticipated that employees who resign providing notice will request or be approved to take PTO during this time.

If an employee provides less than 30 days’ notice, the employee will not receive any PTO payout upon separation.

Hours accumulated in an Extended Sick Bank will not be paid out.

PTO Pay Out Upon Employment Termination

Unless otherwise required by law, an employee who is terminated from the agency for gross or willful misconduct, negligence, fraud, and falsification of records, violation of company policies, or other similar grievous acts (determined in the sole judgment of the agency) will not be paid for accrued PTO hours.

An employee who is terminated after progressive counseling sessions and who has made good faith efforts to rectify the performance to meet standards and performance requirements will receive a payout of actual PTO hours accrued or a maximum of 40 hours whichever is less.

An employee who separates from the company due to a “lay off” or “position elimination” will be paid for all earned accrued PTO hours. Please also see Severance Policy.

Pay for PTO days will be paid on the regular pay cycle. PTO hours do not count as hours worked for purposes of calculating overtime hours.

Company property and the payment of PTO Hours

Exiting employees are expected to return all agency property that has been provided and signed out to them during the course of their employment. These items belong to the agency and have been paid for with agency funds. Unless otherwise required by law, if an employee does not return all agency property that has been assigned to them, they will forfeit any PTO hours available.

NOTE: For programs that are funded by grants and awards other than the DCF contract, those staff benefits, salaries and potential merit payments must be in accordance with the specific funding source, budget and the terms and conditions of that specific grant in conjunction with applicable federal and state law and the client services agreement with any PEO (Professional Employer Organization) relationship.

BY DIRECTION OF THE CHIEF EXECUTIVE OFFICER:

PHILIP J. SCARPELLI
Chief Executive Officer
Brevard Family Partnership Family of Agencies

APPROVAL DATE: 1/20/2021