

This operating policy establishes leave accrual rates, and the procedures for selling leave.

A. Annual Leave

1. All full time Fire District employees are entitled annual leave. During the first twelve months of employment an employee may not take annual leave except for a verified emergency.
2. Accrual rates of annual leave for shift personnel and accrual rates for non-shift employees are as follows:

Years of Service	40 Hour Salaried Employees	24 Hour Shift Employees
0-5 Years	4.1 hours per pay period	5 hours per pay period
6-10 Years	5.0 hours per pay period	6 hours per pay period
11-15 Years	5.65 hours per pay period	7 hours per pay period
Greater than 16 years	6.6 hours per pay period	8 hours per pay period

3. Any non-probationary employee who is terminated, resigns or retires, shall be compensated for all accrued leave at their current pay rate. In event of the death of an employee, their designated beneficiary shall receive payment for any unused annual leave at the employee’s current pay rate.
4. Annual leave for shift personnel may be accumulated to a maximum of 360 hours and for non-shift personnel 200 hours. All annual leave in excess of these amounts will be lost at the end of the fiscal year. This is to ensure that employees take annual leave to maintain a healthy mental attitude.
5. Any employee who resigns, retires or is terminated with a negative leave balance, will reimburse the Fire District for those hours. These monies will be deducted from their final paycheck.
6. Except in the case of an emergency leave, requests shall be submitted a minimum of one week prior to the effective date.

B. Sick Leave

1. The Fire District shall grant sick leave to shift personnel hired prior to October 1, 2008 at the rate of 5.0 hours per pay period, and to non-shift personnel at the rate of 4.1 hours per pay period. Accumulation of sick leave shall be capped for shift personnel at 720 hours and non-shift personnel at 480 hours. Personnel will continue to accrue sick leave above the cap and will be compensated for it as in paragraph 2 below. During the first two months of employment an employee may not take sick leave.
2. The Fire Chief shall review the number of hours of sick leave per employee during the first week of October. All hours above the cap will be removed. The Fire District will pay each employee for sick leave above the cap. The rate of compensation may be one of the following: an hour per hour swap of sick leave for annual leave; the sale of excess sick leave at a one for

one rate; or a combination of both. If leave is sold, the check will be given to the employee during the first week of December.

3. Any non-probationary employee who resigns, retires, or is terminated will be vested for unused sick leave at the rate of five percent for each full year of employment. In the event of the death of an employee, their designated beneficiary will be paid for all unused sick leave at the employee's current pay rate.

4. The Fire Chief may demand that the employee provide proof of an illness. A medical doctor must verify, in writing, any illness that causes an employee to miss more than one shift or three consecutive days.

5. The employee must notify the Chief or the on-duty officer a minimum of one hour prior to shift change if calling in sick. If you do not notify the chief or the on-duty supervisor within the prescribed time and call in sick, you must bring a note from a medical doctor or dentist attesting to your ailment. Failure to do so may result in loss of pay. The employee will fill out a leave request for the sick leave used as soon as they return to duty.

6. Personnel hired after October 1, 2008 shall be granted sick leave at the rate of 5.0 hours per pay period to shift personnel, and to non-shift personnel at the rate of 4.1 hours per pay period. Sick leave shall be capped for shift personnel at 720 hours and non-shift personnel at 480 hours. All sick leave in excess of these amounts will be lost at the end of the fiscal year. However, upon termination no pay would be received for unused hours. In the event of death of an employee, unused sick leave will be paid to their beneficiary. Part-time employees will not be eligible for sick leave benefits. During the first two months of employment an employee may not take sick leave. Sections 1,2 and 3, above, do not apply for employees hired after October 1, 2008

7. The Fire Chief may allow, at his discretion, any ENFD employee to use a maximum of two (2) days (48 hours) of accrued Sick Leave per 28 day pay cycle while the employee is receiving payment from an active Workmen's Compensation claim.

a) The Chief is encouraged, at his discretion, to terminate such use of Sick Leave prior to the employee exhausting all of his / her accrued Sick Leave, allowing the employee to return to duty with sufficient Sick Leave available for unanticipated absences.

8. Employees may not use sick leave for sickness or injury sustained while engaged in outside employment.

CAUTION: Use of sick leave on false claims of illness or exposure to contagious disease, or falsification of proof to justify such sick leave will result in disciplinary actions up to and including dismissal.

C. Reserve and National Guard Leave

1. Refer to Florida Statute 115 for details.

D. Compensatory Time

1. Compensatory time will not be given, as personnel will be paid overtime in lieu of compensatory time.

E. Leave Balance Adjustment

1. If an employee moves from shift to non-shift or vice versa, their annual and sick leave balances will be adjusted to correspond to the proper accrual rate.

F. Leave of Absence

1. Leave of absence is time off in a non-pay status. An employee must submit a request for leave of absence, in writing, to the Fire Chief. The Fire Chief will forward the request for final approval to the Chairman, accompanied by the Fire Chief's recommendation. The employee is expected to request leave of absence with as much notice as possible. Leaves of absence will not be granted for periods less than two weeks in duration. Vacation or sick leave should be used for such absences.

2. The reason for leave should fall into one of the following categories:

- a) Medical [including pregnancy-related]
- b) Military
- c) Personal

3. The employee has the responsibility to keep the Fire Chief advised of the leave situation and to contact the Fire Chief at least two weeks before the expiration of the approved leave to discuss return to work.

4. If the employee desires voluntary termination, this should be reported as soon as possible. The East Niceville Fire District will make a reasonable effort, consistent with good business practices and East Niceville Fire District needs, to reinstate an employee to the same position they previously occupied, or to a similar position, following a leave of absence.

5. An exception to this rule occurs when an employee is guaranteed re-employment rights under federal or state laws.

G. How to Determine Benefits

1. Holidays - To be paid for a holiday, an employee must be in active pay status the day before and the day after the holiday. Employees are not eligible to receive pay for any holiday during the leave period.

2. Vacation - No vacation hours are earned during the leave period. Employees requesting a leave of absence for medical or military reasons may choose to use all earned vacation before beginning leave of absence. Employees requesting personal leave of absence must use all earned vacation before beginning leave of absence.

3. Sick or Personal - No sick or personal hours are accumulated during the leave period. Permissive or mandatory use of accumulated sick or personal leave is governed by the rules in paragraph 2, above.
4. Insurance - The East Niceville Fire District will continue the employee's insurance benefits on leave of absence approved for job-related medical reasons only. In the case of military leaves, insurance benefits will be continued for up to ten working days per year, starting with the day military leave begins.
5. Notwithstanding the above, an employee on leave of absence who fails to return to work will be terminated effective his or her last day of work or paid leave [vacation, sick, or personal], whichever is later.

H. Leave of Absence and Military Leave

1. It is East Niceville Fire District policy to support the United States, and in that regard, those of its employees who are members of the military reserves. The East Niceville Fire District will grant such unpaid leave as may be required to enable its employees to comply with required reservist activities.
2. Such leaves will be granted in accordance with applicable laws and regulations of the United States, and such laws and regulations will control such matters as re-employment or continuation of benefits.

I. Medical Leave of Absence

1. Upon written application by an employee who has at least 12 months of continuous service with the East Niceville Fire District, the East Niceville Fire District will grant to the employee, for an appropriate period, a leave of absence without pay for illness or pregnancy subject to the requirements set forth below. The East Niceville Fire District reserves the right to request a certificate or statement from the employee's physician establishing the employee's physical need for the leave of absence. An employee returning to work from a leave of absence in the case of illness or pregnancy will present a certificate or statement from the employee's physician indicating that the employee is able to return to work.
2. An employee need not apply for an illness or pregnancy leave of absence if the absence will not exceed five working days. However, the employee must notify the Fire Chief no later than the day of such absence.
3. The following requirements will be applicable to employees on all types of leaves of absence:
 - a) An employee on any leave of absence shall not return to work prior to the expiration of his or her leave without the prior written consent of the East Niceville Fire District.
 - b) An employee who does not return to work at the end of his or her leave of absence will be considered to have voluntarily resigned from employment with the East Niceville Fire District.

- c) If an employee returns to work within eight weeks after the leave of absence begins, the East Niceville Fire District will return the employee to employee's previous job, if the job exists and if the employee remains qualified and able to perform the work in such job.
- d) If an employee returns to work more than eight weeks after the leave of absence begins, the East Niceville Fire District shall not be required to return the employee to any job within the East Niceville Fire District.
- e) An employee who accepts other employment while on any leave will be deemed to have voluntarily resigned their employment with the East Niceville Fire District.
- f) Group insurance participation for employees on a leave of absence will continue during the leave but will terminate the first day after the day on which the leave of absence ends, but in no event later than eight weeks following the date of commencement of the leave, if the employee has not returned to full time employment by that date.
- g) The time that an employee is on leave of absence will be counted as time worked for determining whether the employee is entitled to other benefits, subject, of course, to the specific provisions of any health insurance policy, retirement plan or other benefit package. Similarly, an employee's length of service will continue to increase while the employee is on leave of absence.

J. Family Leave, Parental Leave and Pregnant Employees

1. The East Niceville Fire District provides unpaid family medical leave for up to twelve weeks within a two-year period subject to the following terms and conditions. For purposes of this policy, a "year" is determined by looking back twelve months from the date the leave is requested to determine how much leave has been taken in that period.
2. Employees taking a family medical leave of absence shall make a reasonable effort to schedule medical treatment or supervision to minimize any disruption to East Niceville Fire District operations. If a serious health condition is anticipated, employee shall provide at least 30 days written notice, prior to taking leave, explaining the reason for the leave. If a serious health condition is not anticipated, employee should make an oral request for leave at least 3 days prior to the leave.
3. For the purposes of this policy "serious health condition" means:
 - a) An illness of a child of the employee requiring home care; or
 - b) An injury, disease or condition that according to the medical judgment of the treating physician:
 - c) Poses an imminent danger of death;
 - d) Terminal in prognosis with a reasonable possibility of death in the near future; or

e) Any medical or physical condition requiring constant care.

4. East Niceville Fire District may require certification from a health care provider as to the need for the leave. Employees may choose to use accumulated vacation or sick leave time. For any serious health condition that is not life threatening or terminal, no family medical leave is allowed during any period when another family member is taking family medical leave or is otherwise available to care for the family member.

5. During the leave, the regular position of the employee shall be considered vacant for the period of the leave, and the employee will not be removed or discharged as a consequence of the leave. Benefits do not continue or accrue during the leave period. However, the East Niceville Fire District will continue health care coverage for the employee during the leave.

6. After the leave period, the employee shall be restored to their former position or an equivalent job without loss of seniority or service credits accruing under any benefit plan as of the date the leave commenced. If the East Niceville Fire District is unable to restore the employee to their former job or an equivalent due to the East Niceville Fire District circumstances, the employee shall be reinstated to any position that is available and suitable. The East Niceville Fire District is not required to discharge any other employee in order to reinstate the employee.

7. Family leave provisions are not applicable to employees who have not worked at least one year and who have not worked at least 1,250 hours, or 25 hours a week, in the previous twelve months.

K. Bereavement Leave

1. The East Niceville Fire District will pay for time off in the event of death of the following immediate family members: spouse, grandparent, father or father-in-law, mother or mother-in-law, brother or brother in law, sister or sister in law, child or stepchild, grandchild, uncle or aunt.

2. The employee and Fire Chief will determine the amount of time the employee will be absent from work. No more than (3) 8-hour consecutive days will be granted for 40-hour personnel. No more than (1) 24-hour shift will be granted for shift personnel. If more time is needed, sick leave can be used at the discretion and approval of the Chief.

3. Leave for attendance at the funeral of a non-immediate family member or person with an especially close relationship may be granted with or without pay. The Fire Chief will make the final decision.

L. Jury Duty

1. East Niceville Fire District will grant employees time off for mandatory jury duty or court appearances as a witness when the employee must serve or is required to appear because of a court order or subpoena. A copy of the court order or subpoena must be supplied to the Fire Chief when requesting time off.

2. The employee is entitled to full pay for each day of jury duty or service as a witness up to a maximum of [ten] days per year, in addition to any other paid leave. However, time off for court appearances as a party to any civil or criminal litigation shall not be compensated, and the employee must arrange for time off without pay or use accrued vacation or personal leave for such appearances.

3. All monies except travel and food allowances for jury duty will be turned over to the treasurer of the East Niceville Fire District.

M. Leave in Support of Pension Fund Operations

1. It is occasionally necessary or desirable for Firefighters who serve as Pension Fund Trustees to attend State-sponsored or State-accredited meetings or training sessions in support of the effective and efficient administration of the East Niceville Firefighters Pension Trust Fund.

2. To preclude the need for Firefighters to expend personal leave while attending such an event, the ENFD Commission will pay for no more than one (1) day of duty in support of the Pension Fund, not to exceed once per year.