

RESOLUTION NO. 2020-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA, AMENDING THE CITY OF VENICE PERSONNEL PROCEDURES AND RULES, 2020 EDITION, SECTION 2.2, VACATION LEAVE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Sec. 50-35 of the Code of Ordinances provides that amendments to the City of Venice Personnel Procedures and Rules may be made and adopted by resolution; and

WHEREAS, due to the onset of the COVID-19 pandemic this year, employees are unable to use their vacation time as readily as during normal times; and

WHEREAS, with the current "use/lose" provisions in place, employees may be forced to 'waste' vacation time staying at home or feel forced to travel against their better judgment, risking their families and fellow coworkers; and

WHEREAS, city council wishes to amend the City of Venice Personnel Procedures and Rules, 2020 edition to waive the "use/lose" provisions for vacation time accrued in 2020.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA, as follows:

SECTION 1. The whereas clauses above are ratified and confirmed as true and correct.

SECTION 2. Section 2.2, Vacation Leave, of the City of Venice Personnel Procedures and Rules, 2020 edition is hereby amended as follows:

2.2 VACATION LEAVE

Vacation with pay is one of the ways the city shows appreciation to employees for their length of service and good work. Employees shall accrue paid vacation leave beginning on their date of hire in accordance with the requirement of being on paid status for at least eighty (80) hours in any month. Vacation accrual is based on the employee's length of service according to the following schedule:

Non-management:

<u>Length of Service</u>	<u>Amount of Paid Vacation</u>
1 year through 7 years	8 hours per month
8 years through 12 years	12 hours per month
13 years or more	16 hours per month

Management:

<u>Length of Service</u>	<u>Amount of Paid Vacation</u>
1 year through 5 years	8 hours per month
6 years through 10 years	12 hours per month
11 years or more	16 hours per month

Vacation leave shall be accumulated by an employee at the end of the month for any month in which they are on paid status for at least eighty (80) hours. For the purpose of this section, paid status includes vacation leave, holiday pay hours, sick leave, compensatory time and supplemented workers compensation.

Vacations must be scheduled through the employee's supervisor and department head based on operational needs. If a designated holiday falls within a vacation period, holiday pay will be utilized for that day. As an incentive to take vacation time off, other than for vacation time accrued in 2020, due to COVID-19, employees must take at least one half of the number of hours earned each year or risk losing vacation leave not utilized. In addition to accruals from previous years, employees are allowed to carry-over no more than one-half of their accrued time from the current calendar year, other than 2020, due to COVID-19. Employees will be notified near the end of the year if they appear to be at risk of losing accrued time. Only extenuating circumstances documented and approved by the department head and the director of human resources will result in an exception to this policy.

Employees who are covered under a collective bargaining agreement and who separated for any reason will receive pay for any vacation that has been earned but not used. For each nonbargaining employee who is separated for any reason, in lieu of such payment directly to the employee, the city, on behalf of the non-bargaining employee, shall contribute up to the limit permitted by applicable tax law for the respective plan (without endangering the tax status of that plan), an amount equal to 100% of final vacation leave pay into the City of Venice non-bargaining retirement plan or other similar plan. Final vacation leave pay is defined as the number of vacation leave hours earned but not used multiplied by the employee's straight hourly rate or equivalent at the time of termination as determined by the finance department.

Vacation Cash-In

Employees who are covered under a collective bargaining agreement and that accumulate more than two hundred eighty (280) hours for non-management (or four hundred eighty (480) hours for management/supervisory employees) in any one year shall be compensated at their regular straight time hourly rate of pay for all time in excess of this maximum. Each non-bargaining employee who accumulates more than two hundred eighty (280) hours for non-management (or four hundred eighty (480) hours for management/supervisory employees) in any one year shall be compensated at 50 % of their regular straight time hourly rate of pay for all time in excess of this maximum.

The city, on behalf of the non-bargaining employee, shall contribute up to the limit permitted by applicable tax law for the respective plan (without endangering the tax status of that plan), an amount equal to 50% of excess vacation leave pay into the city of Venice non-bargaining retirement plan or other similar plan. Excess vacation leave pay for this section is defined as the number of vacation leave hours in excess of 280 hours for non-management employees or 480 hours for management/supervisory employees in any one year multiplied by the employee's regular straight hourly rate or equivalent as determined by the finance department. Any payments made directly to the employee shall be made within the first payroll period in December of each year.

SECTION 3. This Resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED AT A REGULAR MEETING OF THE VENICE CITY COUNCIL HELD ON THE 23RD DAY OF JUNE 2020.

Ron Feinsod, Mayor

ATTEST

Lori Stelzer, MMC, City Clerk

I, **LORI STELZER**, MMC, City Clerk of the City of Venice, Florida, a municipal corporation in Sarasota County, Florida, do hereby certify that the foregoing is a full and complete, true and correct copy of a Resolution duly adopted by the City Council of said city at a meeting thereof duly convened and held on the 23rd day of June 2020, a quorum being present.

WITNESS my hand and the official seal of said City this 23rd day of June 2020.

(SEAL)

Lori Stelzer, MMC, City Clerk

Approved as to form:

Kelly Fernandez, City Attorney

The City of Venice Resolution is amended as follows with ~~strike through text~~ identifying deletions and underlined text indicating additional language.