

R-98-05

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF  
MANATEE COUNTY, FLORIDA PROVIDING FOR AMENDMENTS TO THE  
PERSONNEL POLICY, RULES AND PROCEDURES FOR CHANGES TO  
SECTION VII. E. (MILITARY LEAVE)**

WHEREAS, the Manatee County Personnel Policy, Rules and Procedures was approved and adopted on July 28, 1992, as a changeable document which allows for modifications as deemed necessary, and

WHEREAS, Section VII. E. of the Manatee County Personnel Policy, Rules and Procedures regarding Military Leave does not reflect changes implemented by the Florida Administrative Code and Florida Statutes, and

WHEREAS, the Board desires to amend the Personnel Policy, Rules and Procedures to bring it into compliance regarding Military Leave, and

WHEREAS, EMS Bargaining Unit employees are exempt from changes to the Personnel Policy due to collective bargaining, with the exception of items changed to comply with the Florida Administrative Code and Florida Statutes,

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Manatee County, Florida, that:

- 1 Section VII. E. of the Manatee County Personnel Policy, Rules and Procedures regarding Military Leave be amended as attached.
- 2 EMS Bargaining Unit employees will be covered by the amended Military Leave Policy, with the exception of Section VII. E. 3. (Pay for Bargaining Unit employees falls under guidelines set through collective bargaining.)

JAN 06 1998  
MANATEE COUNTY  
CLERK'S OFFICE

ADOPTED in open session, a quorum present and voting, this 16<sup>th</sup> day of January  
1998.

ATTES: R. B. SHORE  
CLERK OF THE CIRCUIT COURT

BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

BY: 

BY: 

Chairman

Copies to: clatty  
Audit  
Finance  
Ila - human Res.

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## VII. LEAVES OF ABSENCE

### SECTION: VII-E/1

#### F. Military Leave

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1. In accordance with the Florida Administrative Code (60K-5.) and Florida Statutes (Chapter 115), County employees who are commissioned reserve officers or reserve enlisted personnel in the United States military or naval service or a member of the National Guard, shall, upon presentation of a copy of the employee's official orders, be granted military leave on all days during which the employee is *ordered to active or in active duty for training*. Such employees shall not be required to work or use accrued personal leave on any day during which they are engaged in training under official orders. Whether continuous or intermittent, such leave with pay shall not exceed seventeen (17) working days in any one annual period beginning October 1 and ending September 30 of the following year.
2. Pursuant to the Florida Administrative Code (60K-5.035 and 5.036) and Florida Statutes (Chapter 115), County employees who are commissioned reserve officers or reserve enlisted personnel in the United States military or naval service or members of the National Guard, who are *ordered to active military duty* shall, upon presentation of a copy of the employee's official orders, be granted military leave beginning with the day ordered to duty and ending up to 31 days after the date of release from the military service or from hospitalization continuing after discharge. The first thirty (30) calendar days of such leave shall be with pay. (Note: Employees would only be compensated for scheduled workdays during this 30-day period.)
3. Scheduled workdays for which Military Leave is taken under the rules outlined in 1. and 2. above will be compensated as Military Leave and will not count towards overtime. If an employee approved for Military Leave is scheduled to work a shift which qualifies for shift differential, Military Leave hours will be compensated at the appropriate shift differential rate.
4. With respect to an employee whose workday consists of a shift measured in hours, each such 12-hour shift or less shall equal one (1) working day leave of absence. Shifts over 12 hours and up to 24 hours shall equal two (2) working days leave of absence.
5. Employees requesting Military Leave shall furnish the Department Director with competent orders from the appropriate military command as valid evidence of such duty status. These orders shall be kept in the employee's departmental personnel file. Since "competent orders" are not always defined or consistent, administrative guidelines will be provided to Department Directors as to what is acceptable.

## VII. LEAVES OF ABSENCE

### SECTION: VII-E/2

#### 1. Military Leave

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6. Any absence in excess of the limits set in 1. and 2. above may, upon request by the employee and approval by the appropriate supervisor, be covered by accrued Vacation leave credits, accrued Compensatory Leave credits or Personal Holiday. If not requested by the employee or approved by the appropriate supervisor as Vacation, Compensatory leave or Personal Holiday, such absences in excess of the limits shall be approved as leave without pay. However, such leave shall be without loss of seniority, time or efficiency rating. Should any portion of the leave be paid leave, the employee shall be entitled to accumulate all benefits granted under paid leave status.
7. Manatee County employees called to active military service will not be discharged, reprimanded, or in any other way penalized because of his or her absence due to such service. The employee's position may be filled by another employee with substitute or temporary status. Upon separation from the military service, the employee shall be eligible to return to the former position held or a different position in the same class in the same geographic location. Reemployment following active military service will follow guidelines set under the Veterans Reemployment Rights Law, Florida Statutes and the Florida Administrative Code.
8. A County employee filling a regular established position and who has been rated by the United States Department of Veterans Affairs or its predecessors to have incurred a service-connected disability and has been scheduled by the United States Department of Veterans Affairs to be examined or treated for the disability shall be granted administrative leave for such reexamination or treatment without loss of pay or benefits. The maximum administrative leave authorized for this purpose shall not exceed six (6) calendar days in any one annual period beginning October 1 and ending September 30 of the following year.