

ORDINANCE NO. 895

AN ORDINANCE OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, AMENDING SATELLITE BEACH PERSONNEL POLICY SECTION 9 ANNUAL LEAVE (VACATION) AND SECTION 10 SICK LEAVE; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA as follows:

SECTION 1. The City of Satellite Beach Personnel Policy Section 9.06A Annual Leave (Vacation) is hereby amended as follows for Police Officers and Firefighters:

9.06 Payment - Unused Leave

A. Payment of annual leave time in lieu of actually taking vacation shall not be permitted except in four (4) special cases:

1. Employees entering military service.
2. Separation from City employment, regardless of reason.
3. Starting October 1, 2003, an employee who has completed ten (10) years of service may sell-back vacation leave as follows:
 - a. Employees scheduled to work forty (40) hours per week who have used at least eighty (80) hours of vacation time in a calendar year and have reached maximum vacation accrual may sell-back to the City up to forty (40) hours of vacation leave.
 - b. Employees scheduled to work fifty-six (56) hours per week who have used at least one hundred twelve (112) hours of vacation time in a calendar year and have reached maximum vacation accrual may sell-back to the City up to fifty-six (56) hours of vacation leave.

Payment will be made in December.

4. An employee entering the DROP program of the Pension Plan for Police Officers and Firefighters may request payment for

accrued leave up to the maximum allowed by this Section, provided the employee who works forty (40) hours per week has used at least eighty (80) hours of annual leave in the twelve (12) months prior to entering the DROP and the employee who works fifty-six (56) hours per week has used at least one hundred twelve (112) hours of annual leave in the twelve (12) months prior to entering the DROP.

SECTION 2. The City of Satellite Beach Personnel Policy Section 10.4 is hereby amended to read as follows for Police Officers and Firefighters:

10.04 Accrual of Sick Leave

- A. Sick leave may be accrued for a total of no more than one thousand eighty (1,080) hours for employees who are scheduled for forty (40) hours a week, and one thousand six hundred twenty (1,620) hours for employees who are scheduled for fifty-six (56) hours a week.
- B. Employees shall be paid fifty percent (50%) of up to seven hundred twenty (720) hours or a maximum of three hundred sixty (360) hours accumulated sick leave time, upon termination, provided they have completed one year of continuous employment and further provided that termination is due to layoff, retirement, death or when an employee leaves in good standing and gives a minimum of two weeks' notice.
- C. An employee entering the DROP program of the Pension Plan for Police Officers and Firefighters may request payment for accrued sick leave as outlined in this Section. An employee who chooses this option will not be eligible to again request payment for accrued sick leave when that employee leaves City service at the conclusion of the DROP.

SECTION 3. SEVERABILITY CLAUSE. In the event a court of competent jurisdiction shall hold or determine that any part of this Ordinance is invalid or unconstitutional, the remainder of the Ordinance shall not be affected thereby, and it will be presumed that the City Council for the City of Satellite Beach did not intend to enact such invalid or unconstitutional provision. It shall further be assumed that the City Council would have enacted the remainder of this Ordinance without said invalid and unconstitutional provision, thereby causing said remainder to remain in full force and effect.

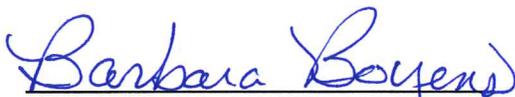
SECTION 4. REPEAL OF INCONSISTENT PROVISIONS. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its adoption.

SECTION 6. This Ordinance was duly passed on first reading at a regular meeting of the City Council on the 17th day of November, 2004, and adopted on the second and final reading at a regular meeting of the City Council on the 1st day of December, 2004.


Mark A. Brimer, Mayor

ATTEST:


Barbara Boyens, CMC, City Clerk