ARTICLE XX -- LEAVES, VACATIONS, AND HOLIDAYS

Section 1. Voting Leave

The Board agrees to allow, whenever possible, an employee who is a registered voter one hour off with pay, to vote in each local and general election. The employee may take the first or last hour of the workday with the approval of his/her immediate supervisor. The employee may be required to show proof of registration prior to being granted voting leave.

Section 2. Military Leave

A full-time regular employee of the Board may be granted a military leave of absence provided that:

A. The employee volunteers into the Armed Services.

B. The employee is recalled to active service from a reserve status. The employee who is recalled for annual military responsibility will receive up to 17 calendar days with pay.

C. Full-time employees who are either drafted or are already members of the active or retired reserves of the United States Armed Forces (but not enlistees) who are involuntarily called to active duty shall have their health, life, and flexible benefits coverage continued by the Board for the period of their approved leave.

D. The first 30 calendar days of military service by full-time employees are compensable at full pay upon verification that the employee has completed 30 days of service. Subsequent to the first 30 days of service, the Board will provide military pay supplements to full-time employees who are reservists or members of the National Guard, involuntarily called to active duty after September 11, 2001. This supplement shall be the difference between the employee’s salary and their military base pay (exclusive of allowances for quarters, rations, variable housing allowances, or other special pay). When an employee’s military base pay equals or exceeds the employee’s regular rate of pay, no military pay supplement will be awarded.

Section 3. Parental Leave

A parental leave of absence without pay may be granted to an employee for the purpose of childbearing and/or child rearing as follows:

A. A regular full-time employee who is an expectant mother may be granted parental leave at the employee’s request. If this leave falls within the school year, an approximate time shall be given as to when the employee expects to return. The employee’s health care provider must approve her return to duty, in writing.

B. An employee adopting an infant child (i.e., one year of age or less) shall be entitled to request leave to commence at any time during the first year after receiving de facto
custody of said infant child, or prior to receiving such custody, if necessary, in order to fulfill the requirements for adoption.

C. A male employee shall notify the Chief of School Police, in writing, of his desire to take parental leave to begin at any time between the birth of his child and one year thereafter. Except in cases of emergency, the employee shall give such notice at least 30 days prior to the day on which the leave is to begin.

D. An employee who is granted a parental leave of absence, pursuant to the above, shall have the following re-employment rights:

1. When an employee notifies the Chief of School Police, and the Chief Personnel Officer for Human Resources of the desire to return to active employment after parental leave, except for employees who return early, said employee shall, if possible, be assigned to the same position which the employee held at the time the leave commenced.

2. If that position is no longer in existence, the employee may be assigned to a substantially equivalent position.

3. Early return from parental leave requires the permission of the employer.

E. The maximum period for which parental leave may be granted is one year (12 months).

F. Pregnant employees may utilize any accrued sick leave or accrued vacation prior to going on parental leave. The employee may request an additional year of leave which will be personal leave. Therefore, the total time granted for the same childrearing, pregnancy, or adoption cannot exceed two years.

Section 4. Personal Leave With Pay

With prior notification, full-time employees who are eligible to accrue sick leave may use up to a maximum of six days personal leave with pay per year, provided that such days shall be charged against the employee's currently accrued sick leave. This leave is non-cumulative.

Section 5. Personal Leave Without Pay

Leave of absence for personal reasons, not to exceed 30 days, may be granted to full-time regular employees of the Miami-Dade County Public Schools, if approved by the Superintendent, subject to the following guidelines:

A. No wages or salaries shall be paid during such leave, except as provided in other sections of School Board Rules.

B. All such leaves in excess of 30 consecutive workdays shall be approved by the Board, except for those granted in accordance with provisions of the Workers’ Compensation
C. Re-employment rights to a position of like status shall be protected.

D. Such leave shall not exceed one year in duration.

E. Such leave may be granted for one of the following reasons:
   1. A United States Government agency sponsored volunteer or service program.
   2. To fill one full-time position on the FOP staff.
   3. To continue no more than one parental leave.

   Personal leave for reasons other than those listed above may be approved by the Board upon recommendation of the Superintendent.

F. Employees may request personal leave without pay after three years of continuous full-time employment with the M-DCPS.

Section 6. Personal Leave -- Other Provisions

Any employee on leave may make contributions to any compensation or employee benefit plan which permits or provides for continuation of such contributions.

Section 7. Sick Leave

A. Each unit member employed on a full-time basis shall be credited for one day of sick leave for each month of employment, which shall be credited to the employee at the end of the month and which shall not be used prior to the time it is earned and credited to the employee. Such sick leave shall be cumulative from year to year and there shall be no limit on the number of days of sick leave an employee may accrue.

B. Sick leave shall be approved in the following two categories:

   1. Illness of self or illness and/or death of:

      | Mother       | Husband      | Foster children |
      | Father       | Wife         | Stepparents    |
      | Sister       | Child        | Stepchildren   |
      | Brother      | Foster parents | Grandchild    |
      | Mother-in-law | Son-in-law  | Uncle          |
      | Father-in-law | Daughter-in-law | Aunt         |
      | Brother-in-law | Grandmother | Niece          |
      | Sister-in-law | Grandfather  | Nephew         |

   2. Illness and/or death of:
Persons who reside in the same residence as the person who is requesting sick leave.

C. Good Attendance Incentive

To encourage and reward personnel who exercise particular care in the maintenance of their personal health and job attendance, the Board provides a good attendance incentive. All employees in the bargaining unit may cash in sick leave days accrued each year provided the following criteria are met:

1. The employee must use no more than a total of three sick/personal leave days during the course of the fiscal year (July 1 - June 30).

2. The employee must have remaining a minimum of 21 accrued sick leave days after cash-in of sick leave days accrued on an annual basis. Compensation for annual accrued sick leave cashed in, pursuant to the above provisions, shall be as follows:

   a. The employee's daily rate of pay during the fiscal year in which the days were accrued times 80 percent.

   b. Payment for this benefit will be made during the month of July of the following fiscal year. Days for which such payment is received shall be deducted from the employee's accumulated leave balance.

Section 8. Jury Duty Leave

In case of jury summons, the employee must report to the court on the appointed day, as there is no statutory exemption from jury service.

Any full-time employee who is summoned as a member of a jury panel shall be granted temporary duty with pay and any jury fee shall be retained by the employee.

Section 9. Leave -- Employee Subpoenaed to Represent School Board

An employee subpoenaed to represent the School Board as a result of incidents occurring which are related to his/her employment with the Board, or subpoenaed as a witness to provide official records of the school system, shall be given temporary duty, and any witness fees shall be retained by the employee. An employee subpoenaed to represent the School Board, as defined above, who is required to appear in court at a time other than his/her regular duty hours, shall be granted overtime (time and one-half) equal in duration to the actual time required by the court appearance, including reasonable travel time, or four hours at the overtime rate, whichever is greater.

Section 10. Leave -- Employee Personal Litigation

In no case shall temporary duty leave with pay be granted for court attendance when an
Section 11. Short Term Disability Benefit

A. Leave for Illness or Injury-In-Line-of-Duty

An employee shall be eligible for leave for illness or injury-in-line-of-duty when he/she is absent from his/her duties because of an injury or illness received in the line of duty.

The following requirements shall apply for this type of leave as defined above:

1. Duration of Leave

   a. Initial leave may be authorized for a total of not more than 10 working days during any school year for injury or illness contracted in-line-of-duty.

   b. Additional Board-paid leave will be granted upon receipt of appropriate medical documentation by a Board-approved Workers' Compensation physician.

   c. If the employee is temporarily not able to assume his/her regular duties, but is able to return to a less strenuous assignment, the employee should report to that assignment when notified that it is available. Return to full duty will occur when the authorized physician determines that the employee is able to do so.

2. Compensation for Absence Due to Injury/Illness-In-Line-of-Duty

   a. Whenever a full time employee is absent from his/her duties as the result of an injury/illness occurring in the performance of his/her duties for M-DCPS, upon verification by a Board-approved physician, the employee will be paid full salary for the period of such absence not to exceed 13 weeks from the date of the accident. Should the employee continue to be unable to work as per the Board-approved Workers' Compensation physician, the employee will be eligible to borrow sick days to supplement their Workers' Compensation benefits for a period not to exceed six months from the date of injury. Employees who do not have accrued sick leave will be eligible to receive leave without pay benefits. Employees must complete an Application for Restoration of Time in order to be eligible to have used sick days restored or to be paid for leave without pay benefits. Employees whose applications have been completed and returned to work, pursuant to the approved physician's directions, will be taken to the Board for approval. Applications going to the Board will be on a first come-first serve basis.
b. If a Board-approved Workers' Compensation physician determines that an employee must be absent from work more that six months from the date of the accident, compensation will be paid in accordance with Florida Statutes, Section 440.

3. Return to Work

   a. Once the employee is released to return to work full duty, the Workers' Compensation office will return the employee to his/her regular PAC at the assigned work location.

   b. In accordance with the provisions of Florida Statutes, Section 440, if an employee is returned to work by a Board-authorized Workers' Compensation physician with restrictions that prevent his/her return to full duty, the Board's Workers' Education and Rehabilitation Compensation (WERC) Program will assist the employee in finding temporary alternate duty and/or retraining, as necessary.

B. Effective January 1, 2003, M-DCPS will replace the current hardship leave benefit with a Board-paid CORE Short Term Disability Benefit. This benefit will cover all full-time unit members.

Employees whose medical confinement period begins prior to January 1, 2003 shall be eligible to apply for benefits through the current Hardship Leave Program, provided such application is submitted no later than March 31, 2003. Once eligible, said benefit shall continue for the approved period of time.

Employees whose disability occurs on or after January 1, 2003 will only be eligible to apply for the core Short Term Disability Benefit. Employees may use accrued sick days during the period of such disability. The Disability Benefits shall not be decreased to coordinate with the use of sick days.

Section 12. Annual Leave (Vacation) Accrual

A. Accrual Rate -- Twelve-Month Employees

1. First three years of employment -- one and one-fourth days per month (15 days maximum per fiscal year).

2. Fourth year of employment and thereafter -- one and two third days per month (20 days maximum per fiscal year).

B. Other Accrual Provisions

1. A year of employment is defined as a year of service with the Miami-Dade County Public Schools system which is creditable for a contract year, which is more than one-half the contractual period.
2. Responsible supervisors should make every effort to ensure that earned annual leave is used on a current yearly basis in order to provide employees with vacation and proper rest and relaxation.

If the employee has not used annual leave on a current basis, the employee may accrue a maximum of 62.5 days annual leave. Any employee who accrues the maximum of 62.5 days annual leave shall cease to accrue additional annual leave days as of the end of the month during which the maximum is reached.

C. Regulation Governing Payment of Earned Annual Leave Upon Termination or Death

1. Upon termination, an employee shall be paid for his/her unused annual leave. Such payment shall be made at the rate of pay at which the employee was paid on his/her last workday.

2. In case of the death of an employee, payment of unused annual leave at the time of death shall be made to the employee's beneficiary, estate, or as provided by law.

3. In no case shall an employee receive payment for his/her accrued annual leave in excess of 62.5 days.

4. No special or advance issuance of checks shall be authorized.

Section 13. Annual Leave (Vacation) Scheduling

Annual leave should be used to provide periodic vacation, and employees should be permitted the opportunity of taking a minimum of 10 consecutive days vacation during a fiscal year, provided that number of annual leave days has been accrued. Annual leave days may be used for purposes other than vacation when prior approval is given by the immediate supervisor. Annual leave for an employee shall be so scheduled that there will be minimum disruption of the operation of the school system.

In setting annual leave schedules, preference as to annual leave dates will be given to those employees with the greatest amount of service in the same job classification.

Employees may request vacation leave at any time. The scheduling of such leave is with the approval and at the direction of the Chief of School Police, or his/her designee. Such approval shall not be arbitrarily withheld. Requests for vacation leave will be approved or disapproved within a reasonable time frame by the employee's supervisor. The parties recognize the necessity of controlling the number of employees on vacation at any given time and agree that the Board has the authority to maintain a workforce adequate to meet the objectives of the Chief of School Police.
Section 14. Holidays

A. Effective each year of this Contract, a total of 12 holidays will be granted to each employee, pursuant to the annual Board calendar.

B. Holidays Falling on Saturday or Sunday

When a holiday falls on a Saturday or Sunday, it shall be observed respectively on the preceding Friday or the following Monday for personnel not regularly scheduled to work on the respective Saturday or Sunday. In the event employees are scheduled to work on such Saturday or Sunday, they shall be granted such holidays on the days on which the holiday occurs.

C. Succession of Holidays

When one or more holidays fall on Saturday or Sunday in a succession of holidays, the holiday occurring on Saturday shall be observed on a preceding workday; a holiday occurring on a Sunday shall be observed on a workday following the respective Sunday.

D. Eligibility for Pay/Termination

An employee who is not returning after the holiday is to be terminated on his/her last workday prior to the holiday and is not eligible for holiday pay.

E. Holiday During Paid Sick Leave or Vacation

A holiday falling within an employee's paid sick leave or vacation period shall not be charged against such sick leave or vacation period.

F. Holiday Pay

All employees shall be entitled to holiday pay (a regular day's pay). M-DCPS shall have the authority to assign employees to work on holidays.

If an employee works on a holiday, in addition to receiving his/her holiday pay (a regular day’s pay), the employee will also be paid at the rate of one and one-half times his/her regular hourly rate for hours worked.

If a holiday occurs on an employee's regular day off, the first workday after his/her day off will be considered the holiday and the employee will be compensated at the rate for holiday pay.

Section 15. Extended Sick Leave Without Pay

Extended leave without pay for illness of the employee constitutes a protection of one's employment rights. Such leave shall be granted only for health of self or family member,
provided the following requirements are met:

A. Employees seeking such leave must make application on the form provided by Human Resources.

B. Such application must be supported and accompanied by the following:
   1. identity of person in ill health;
   2. statement from physician explaining why such leave is necessary; and
   3. effective dates of requested leave (beginning and ending).

C. Such leave shall not exceed one year in duration.

D. Employees on such leave may, upon expiration of leave, apply for an extension. The employer may grant such extension as warranted; however, the maximum time an employee may be absent on leave for illness of self, illness of relative, or any combination thereof shall be three years.

E. While an employee is on extended sick leave without pay, the employer agrees to continue to pay its regular contribution to the employee's insurance benefits.


A. Notwithstanding the limitations on the maximum length for each type of extended leave of absence without pay (i.e., extended leave for illness/personal or parental), the following overall limitations shall apply to any combination of leaves, regardless of category:
   1. The number of calendar years granted for any single period of continuous leave of absence without pay, with the exception of extended military leave, shall not exceed the number of creditable salary years earned with M-DCPS immediately preceding the leave request up to a maximum of four.
   2. Exceptions to such provision will be made only for extenuating circumstances as determined by the Chief Personnel Officer for Human Resources.

B. Employment rights to the same position shall be protected for one year. Employees returning from leaves in excess of one year shall be assigned to an equivalent position.

C. Employment while on leave is not permitted unless specifically requested and approved at the time the leave is granted. If approved, such employment shall be limited to a maximum of 25 hours per week.
Section 17 -- Catastrophic Leave Bank

A. Rules and Procedures for the Miami-Dade Schools Police Department (M-DSPD) Catastrophic Sick Leave Bank of the Florida State Lodge, Fraternal Order of Police (herein after referred to as the “Union”) agrees to staff and operate a Catastrophic Sick Leave Bank Committee for the term of this Contract. The committee is to be selected by majority vote of the Union members in the bargaining unit. It shall be the responsibility of this Committee to administer the M-DSPD’s Catastrophic Sick Leave Bank Rules and Procedures stipulated below:

1. Miami-Dade County Public Schools (M-DCPS) agrees to:
   a. assist the committee in the operation of the M-DSPD’s Catastrophic Sick Leave Bank by providing, upon request, data from participating employees’ sick leave records. These data will be used to plan the initial operation of the bank and as a basis for Catastrophic Sick Leave Bank withdrawals; and
   b. designate an administrator to meet periodically with the M-DSPD’s Catastrophic Sick Leave Bank Committee and to act as liaison with the appropriate M-DCPS office.

2. The M-DSPD’s Catastrophic Sick Leave Bank Committee shall:
   a. maintain adequate records relative to all functions of the bank;
   b. meet periodically with a designated administrator of M-DCPS to review M-DSPD’s Catastrophic Sick Leave Bank records; and
   c. operate the M-DSPD’s Catastrophic Sick Leave Bank in accordance with the rules and procedures contained herein.

M-DCPS shall establish and the Union shall comply with procedures for identifying and recording contributions to the bank and for complying with any applicable governmental regulation of sick leave or sick leave banks or associated record keeping.

B. Purpose

1. To provide employees with an emergency pool of sick leave days for illness, accident, or injury of self above and beyond those available under the “Sick Leave With Pay” provision (Article XX), the Board and Union hereby establish the M-DSPD’s Catastrophic Sick Leave Bank.

2. The M-DSPD’s Catastrophic Sick Leave Bank shall function under rules and procedures administered by the Union. All eligible full-time employees in the M-DSPD unit may participate in the M-DSPD’s Catastrophic Sick Leave...
Bank.

3. Any alleged abuse or misuse of the M-DSPD’s Catastrophic Sick Leave Bank shall be investigated by Internal Affairs. If the investigation results in finding of wrongdoing, the employee, M-DCPS, and the Union shall be notified and the employee shall repay all sick leave days drawn from the pool and shall be subject to such disciplinary action as deemed appropriate by the Police Chief.

C. Membership Requirements and Contributions

Only M-DSPD employees who are full-time employees, who have been employed full-time for at least one year, and who have a remaining sick leave balance of 10 days or more after contribution of one or more day(s) may contribute one or more days to be used by other members, as designated by the contributor.

D. Withdrawal Procedures

1. Designated employees who meet the following criteria may apply for withdrawal of days from the M-DSPD’s Catastrophic Sick Leave Bank:
   
   a. exhaustion of all personal/sick leave days; and
   b. confinement for 10 working days or more without pay.

2. All applications are subject to final approval by the M-DSPD's Catastrophic Sick Leave Bank Committee. The maximum number of Catastrophic Sick Leave Bank days that may be approved for any member is equivalent to those days donated for and designated to that particular member.

E. Maintenance of the M-DSPD’s Catastrophic Leave Bank

The M-DSPD’s Catastrophic Sick Leave Bank will be activated when days have been deposited for particular member(s) of the Miami-Dade County Public Schools Police.

F. Duration of Agreement

The M-DSPD’s Catastrophic Sick Leave Bank shall be in existence for the term of this Contract. The deposit of catastrophic sick leave days shall remain in the M-DSPD’s Catastrophic Sick Leave Bank in the name of member(s) designated.

G. Granting of Catastrophic Sick Leave from the Bank

In the event of non-renewability of the M-DSPD’s Catastrophic Sick Leave Bank in succeeding contracts, or where deposits for specific designated employee(s) is no longer needed, as determined by the M-DSPD’s Catastrophic Sick Leave Bank Committee, bank deposits will be returned to contributing members, where
appropriate. Return of days will be accomplished, as determined by the committee, subject to approval by the Payroll Department.

H. M-DSPD’s Catastrophic Sick Leave Bank Procedures

1. Initial Enrollment

   a. The contributor will sign and forward a M-DSPD’s Catastrophic Sick Leave Bank Program Card to the Union for necessary processing. This card will be the same size as the present Application for Leave Card and will contain authority for the initial deduction of one or more day(s) sick leave upon enrollment in the program.

   b. Upon completion of internal processing by the Union, the card and a transmittal listing will be forwarded to the Payroll Department. Cards will be forwarded in work location sequence by employee number. The Payroll Department will deduct one or more day(s) of sick leave from the contributing employee’s current leave balance.

Deduction cards will be filed and maintained in the Payroll Department for future reference.

For those employees who do not have the required leave balance for the deduction, the authorization card will be returned to the Union with the notation "NO LEAVE BALANCE".

2. Granting of Sick Leave

   When employees are granted sick leave from the M-DSPD Catastrophic Sick Leave Bank, the M-DSPD’s Catastrophic Sick Leave Bank Committee will utilize the Sick Leave Bank Program card to notify the Payroll Department. The sick leave days granted by the committee shall be posted to the Payroll Data Card and filed per 1(b). The committee will notify members who have been granted sick leave from the bank.