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AT THE TIME & DATE NOTED
PAUL F. HARTSFIELD
CLERK OF CIRCUIT COURT

IN THE SECOND JUDICIAL CIRCUIT
OF FLORIDA

OFFICE OF THE CHIEF JUDGE

ADMINISTRATIVE ORDER NO. 76-9

RE: Attendance and Leave of State Judicial Personnel of the Second Judicial Circuit.

In the absence of a Judicial Personnel System governing attendance and leave of State Judicial employees and in as much as we are striving for uniformity in the Second Circuit this Order sets forth guidelines governing attendance and leave of judicial employees of the Second Judicial Circuit. By adopting these guidelines, and the keeping of such records, we will be able to certify such records, as may be necessary, to the Judicial Administrative Commission when needed or requested.

It is therefore ordered that the following rules and guidelines are applicable to each state judicial employee assigned to a County or Circuit Judge in the Second Judicial Circuit.

Scope and Purpose

This Order sets forth the rules and regulations governing the attendance and leave of the State Judicial employees in and for the the Second Judicial Circuit.

A. Statement of Policy

1. Normally, the workday shall be 8 hours and the workweek shall be 40 hours, Monday through Friday.
2. Overtime shall not be permitted for the purposes of receiving overtime pay. However, leave may be granted the employee, at the discretion of the Judge, to compensate for the overtime on an hour for hour basis.
3. No compensatory or overtime leave shall be granted any employee until such time as the full 40 hours per week is achieved.
4. All leave time shall be categorized as vacation, sick, administrative, maternity, holiday, or compensatory leave.

B. Record Keeping

1. Each judge's office is required to keep an accurate record of all hours worked by each employee as well as a record of all leave time authorized. Leave time shall include vacation, sick, administrative, maternity, holiday and

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and compensatory leave.

2. Attendance and leave record forms shall be distributed by the office of the Court Administrator for the Second Judicial Circuit.

3. Attendance and leave records shall be submitted to the office of the Court Administrator within 10 days after the close of each calendar year or immediately upon the resignation of an employee. The record of each employee to be approved and initialed by the Judge under whom the employee serves.

C. Vacation Leave

1. All full time employees shall earn annual leave based on continuous and creditable service and by completing the required number of work hours during any calendar month.

2. No employee who works less than a full pay period (one calendar month) due to initial employment or separation shall earn annual leave during that calendar month.

3. Annual leave shall be earned as follows:

8 hours 40 minutes per month = 13 work days (1 mo. to 5 yrs.)

10 hours 50 minutes per month = 16 work days 2 hrs. (5 to 10 yrs.)

13 hours per month = 19 work days 4 hours (over 10 yrs.)

4. All vacations shall be taken at the discretion of each Judge and no vacation leave shall be taken without first earning such time.

5. No employee may accrue and retain more than 240 hours (30 work days) of annual leave. All over this time is lost if the employee does not take the leave prior to earning the time.

6. In the event of transfer of employment to another State Agency any annual leave transferred shall be governed by the rule of the receiving agency that is in effect at the time. As an alternative, the employee may request pay for the earned and unused annual leave not to exceed 240 hours if there is a break in service. The foregoing provisions are conditional upon compliance with any rule

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as may be adopted by the State or Judicial Administrative Commission regarding transfers or lump sum payments for earned vacation leave.

D. Sick Leave

1. All full time employees who have continuous and creditable service shall earn 8 hours sick leave per full month of employment.
2. No employee who works less than a full pay period (one calendar month) due to initial employment or separation shall earn sick leave during that calendar month.
3. No employee shall take sick leave in advance of same being earned.
4. If an employee's sick leave is depleted, then such other time as may be needed shall be charged to annual leave or if no sick or annual leave has been earned or the employee has used all leave time then the employee shall be deemed off without pay. Continued employment of the individual shall be at the discretion of the Judge.
5. An employee who is disabled by a job connected disability shall be carried on the payroll not to exceed 7 calendar days. The employee may file for Workmen's Compensation benefits and shall be governed by the rules adopted and in use at that time by the State or Judicial Administrative Commission.

E. Administrative Leave

1. In addition to earning any other leave the employee may be granted, upon request, administrative leave as follows:

   3 days due to the death of any member of the immediate family.

   3 days due to the serious illness of any member of the immediate family not to exceed 6 days in any calendar year.

2. Any other time in excess of the administrative leave

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shall be charged against the employee's sick or annual leave.

3. Administrative leave shall not accrue from one year to the next.

4. All administrative leave shall be approved at the discretion of the Judge.

5. Immediate family is defined as the spouse, grandparents, parents, brothers, sisters, children and grandchildren of both the employee and the spouse.

F. Maternity Leave

1. An employee who is pregnant or who adopts a child shall, upon written request, be granted a leave of absence without pay for maternity purposes as follows:

A. In the case of pregnancy, the period of maternity leave shall not exceed 4 calendar months and shall not be approved earlier than 2 months before the anticipated date of birth, nor continued for more than 2 months beyond the date of birth.

2. In the case of adoption, the period of maternity leave shall not exceed 4 calendar months.

3. Maternity leave may be extended, at the discretion of the Judge, not to exceed 30 days in an emergency situation. Any extended leave shall be charged to sick or vacation leave if any is accumulated. If there be no sick or vacation leave accumulated and an extension is granted and the extension is more than 30 days there will be deemed a break in service and the position will be vacant. If the employee who previously filled the position is rehired she will be deemed to be a new employee.

4. The employee shall not be allowed to accrue sick or vacation leave credits while on maternity leave or any leave without pay, but may retain any accrued leave previously earned.

G. Break In Service

1. Any unauthorized leave in excess of 3 work days shall be deemed a break in service.

2. When an employee moves from one State Agency to another

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State Agency, any period in excess of 10 workdays which elapses between the last day on the payroll of one agency and the first day on the payroll of the other agency shall be covered by annual leave or the period shall be considered a break in service.

3. If at anytime the employee receives a lump sum payment for unused annual leave by the agency in which they were last employed there shall be deemed a break in service.

H. Compensatory Leave

1. No compensatory leave shall accure as overtime until such time as the 40 hour workweek is accomplished.
2. No compensatory leave shall accrue for the purpose of overtime pay.
3. Compensatory leave shall be granted at the discretion of the Judge.

I. Holidays

The following holidays will be observed:

New Year's Day	Veterans Day
Memorial Day	Thanksgiving Day
Independence Day	Friday after Thanksgiving
Labor Day	Christmas Day

All other rules and statutes applicable to state personnel not heretofore mentioned shall be applied in the appropriate case.

This Order is effective immediately and shall be retroactive to January 1, 1976.

DONE and ORDERED in Chambers in Tallahassee, Florida, this 26th Day of February, 1976.

Ben C. Willis

BEN C. WILLIS, CHIEF JUDGE

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