



FLORIDA DEPARTMENT OF JUVENILE JUSTICE POLICY

Secretary /s/, Simone Marsteller

Date: 02/20/2020

Subject: Attendance and Leave

Section: FDJJ – 1002.03

Originating Office: Administrative Services

Authority: Section 110.219, Florida Statutes
60L-34, Florida Administrative Code

Related References: Sections 110.117-110.119; 110.121-110.122; 110.1522; 110.219; 110.221; 115.07-115.13; 250.48, 252.36, Florida Statutes; and Florida Statute Chapter 440
Florida Administrative Code Rule Chapter 60L-34, Attendance and Leave
Federal Fair Labor Standards Act (FLSA)
Federal Family Medical Leave Act (FMLA)
Collective Bargaining Contracts (AFSMCE, FNA, PDA, Physicians/Dentists)
Work Related Injuries/Workers' Compensation/Alternate Duty (FDJJ-1004.04)
Employee Separation Policy, FDJJ 1003.11

Purpose: The purpose of this policy is to implement the provisions of Section 110.219, Florida Statutes, which authorizes the Department of Juvenile Justice to set forth the policies and procedures governing the attendance and leave of employees in the Other Personal Services, Probationary, Career Service Permanent, Selected Exempt Service, and Senior Management Service positions in compliance with the Florida Administrative Code Rule Chapter 60L-34, promulgated by the Department of Management Services.

This policy sets forth the method by which employees accrue, use, and retain leave credits; the method by which employees' accruals are compensated for hours worked and overtime hours; and guidelines to govern an employee's attendance.

Offices Affected by the Policy: All offices within the Department of Juvenile Justice

POLICY STATEMENT:

- It is the Department's responsibility, through its managers and supervisors, to ensure compliance with Section 110.219, Florida Statutes, and the other applicable provisions of federal and Florida law to:
 - (a) Monitor hours worked by employees, including overtime and leave taken, to ensure proper compensation;

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- (b) Monitor and control overtime worked and compensated to ensure compliance with the Fair Labor Standards Act (FLSA) and this policy and procedure;
 - (c) Maintain accurate records of attendance, leave, hours worked, overtime worked, and compensated;
 - (d) Ensure all managers and supervisors are provided continuing training in the administration of this policy and procedure, with particular attention to the provisions of the FLSA as applicable to public employees;
 - (e) Report immediately to the Bureau of Human Resources any complaint by an employee(s), or the U.S. Department of Labor, that the agency is or may be in violation of FLSA or this policy and procedure regarding overtime:
 - (f) Ensure employees are instructed in the proper scheduling, use and recording of leave and attendance, and the proper earning and recording of hours worked including overtime; and
 - (g) Continually monitor the actual duties performed by included and excluded employees to ensure continued accuracy of overtime designations, and to notify the Bureau of Human Resources immediately of any change in duties that might affect the designation.
- Employees are required to be present on their assigned job for the total hours in the established work week or work period in accordance with their approved schedule unless absence from duty is authorized.
 - (a) The use of annual, sick, special compensatory, and regular compensatory leave credits by an employee shall not be authorized prior to the time it is earned and shall only be used with the prior approval of the proper authority.
 - (b) Notification of absence due to illness, injury, or exposure to a contagious disease shall be given to the appropriate supervisor as soon as possible on or before the first day of absence.
 - (c) Supervisors may compel the use of all or part of an employee's accumulated special compensatory leave credits based on agency needs, provided such usage requirement is in accordance with any collective bargaining agreement provisions. Special compensatory leave shall be used prior to approving the request to use other types of approved leave, with the exception of sick leave.
 - (d) Supervisors may, with a minimum of five (5) workdays notice, require employees to use regular compensatory leave credits.
 - Visitors, including children, may be permitted at the workplace during an employee's work hours on a limited basis, provided they do not adversely affect office operations and visitors are not strictly prohibited.

PROCEDURES/MANUALS:

Procedures for this policy are accessible on the Department Policies internet page.