

**ORDINANCE NO. 1112 – 2019**

**AN ORDINANCE OF THE CITY COUNCIL OF  
THE CITY OF MIAMI SPRINGS AMENDING  
CODE OF ORDINANCE SECTION 34-16,  
LEAVE; BY SIMPLIFYING THE POLICY ON  
EMPLOYEE VACATION LEAVE ACCRUAL  
LIMITS; PROVIDING FOR CONFLICTS; AND  
PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, it's a best practice in human resources to establish a maximum vacation accrual limit and halt the accrual of hours when an employee reaches that limit;

**WHEREAS**, the implementation of such a policy in the City will encourage leave use, curtail leave abuse, simplify leave administration, eliminate carryover requests, and foster a more balanced pattern of leave use throughout the year;

**WHEREAS**, the proposed amendment preserves all current vacation leave balances even if they exceed the new limit and provides exceptions for collective bargaining agreements and employment contracts;

**WHEREAS**, the City Council has determined that the proposed amendment to Code of Ordinance Section 34-16 is in the best interests of the City and its citizens;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS:**<sup>1</sup>

**Section 1. Recitals Adopted.** That the above-stated recitals are hereby adopted and confirmed.

**Section 2. Amending Section 34-16 of the City Code.** That the Code of Miami Springs, Florida is hereby amended by revising Section 34-16, Leave, which section shall read as follows:

Section 34-16. Leave

A) *Vacation Leave.*

(1) ...

(2) ...

(3) ...

(4) ...

(5) ~~Annual vacation leave must be used during the year following the year in which earned, except with permission of the administrator or personnel director, for reasons related to the convenience of the City.~~ City

<sup>1</sup> Coding: ~~Strikethrough words~~ are deletions to the existing words. Underlined words are additions to the existing words. Changes between first and second reading are indicated with **yellow highlight**.

employees may accrue vacation leave up to a maximum of 272 hours. When an employee has accrued 272 hours of vacation leave, the employee stops accruing vacation leave until the employee's vacation leave balance is reduced below 272 hours. For City employees covered under a collective bargaining agreement or an employment contract, contractual provisions shall take precedence.

(6) ...

(B) *Longevity leave...*

(C) *Medical leave.*

(1) ...

(2) ...

(3) ...

(4) ...

(5) ...

(6) ...

(7) ...

(8) ...

(9) ...

(D) *Leave with pay...*

(1) ...

(2) ...

(3) ...

(4) ...

(E) *Leaves of absence without pay...*

(1) ...

(2) ...

**Section 3: Conflict.** All Sections or parts of Sections of the Code of Ordinances, all ordinances or parts of ordinances, and all Resolutions, or parts of Resolutions, in conflict with this Ordinance are repealed to the extent of such conflict.

**Section 4: Effective Date.** That this Ordinance shall become effective immediately upon adoption on second reading.

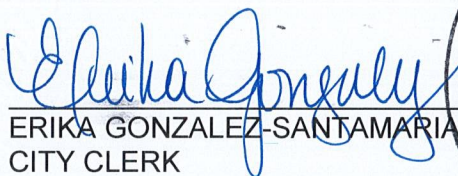


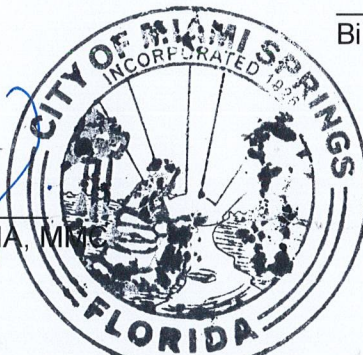
**PASSED ON FIRST READING** this 28<sup>th</sup> day of January, 2019, on a motion made by Councilman Best and seconded by Vice Mayor Petralanda.

**PASSED AND ADOPTED ON SECOND READING** this 11<sup>th</sup> day of February, 2019, on a motion by Councilman Best and seconded by Councilwoman Mitchell.

Vice Mayor Jaime Petralanda	<u>YES</u>
Councilman Bob Best	<u>YES</u>
Councilwoman Mara Zapata	<u>YES</u>
Councilwoman Maria Puente Mitchell	<u>YES</u>
Mayor Billy Bain	<u>YES</u>

**ATTEST:**

  
ERIKA GONZALEZ-SANTAMARIA, MMC  
CITY CLERK



  
Billy Bain, Mayor

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF  
THE CITY OF MIAMI SPRINGS ONLY:**

  
WEISS, SEROTA, HELFMAN, COLE & BIERMAN, P.L.  
CITY ATTORNEY