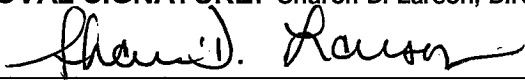




Department of Management Services
Division of Human Resource Management

POLICY CLARIFICATION

STATUTORY/RULE REFERENCE NUMBER: <i>Section 110.119(1), Administrative leave for reexamination or treatment with respect to service-connected disability, Florida Statutes (F.S.)</i> <i>Section 110.219, Attendance and leave; general policies.</i>	TRACKING NUMBER: 2007-#004
SUBJECT: <i>Administrative Leave for Reexamination or Treatment with Respect to Service-Connected Disability.</i>	
APPROVAL SIGNATURE: Sharon D. Larson, Director 	EFFECTIVE DATE: June 5, 2007 Revised August 20 2009

Question:

When an employee is scheduled by the United States Department of Veterans Affairs to be reexamined or treated for a service-connected disability pursuant to s. 110.119(1) F.S., how should the six (6) calendar days of administrative leave be administered?

Answer:

Based on the premise that the Legislature intended this benefit to be fairly administered for all eligible employees and that the provision of 6 calendar days contemplated that employees would be on standard 8-hour days, the total amount granted per calendar year should be limited to 48 hours. This applies to all full time employees, regardless of their flexible work schedule. (As with other benefits, part-time employees are entitled to a prorated amount, based on their FTE).

It is assumed that not all employees will need to take whole workdays for reexamination or treatment as contemplated by s. 110.119(1) F.S., due to varying personal circumstances (length of the appointment, distance to be traveled, nature of the treatment, etc.). Therefore, it is possible that an employee may be granted leave for less than a full workday or on an intermittent basis. When this is the case, the employee should only be granted the actual number of hours needed and the balance of the 48 hours will be available for later use, as appropriate.

At the present time, there is no edit in the People First System to track the number of hours that employees use under this leave category per calendar year. Supervisors and/or the personnel office should manually track and/or run periodic reports to ensure that this limit is observed, regardless of whether leave is used in full workdays or otherwise.

Applicable Statutes

Section 110.119, F.S., Administrative leave for reexamination or treatment with respect to service-connected disability.

- (1) Any employee of the state who has been rated by the United States Department of Veterans Affairs or its predecessor to have incurred a service-connected disability and has been scheduled by the United States Department of Veterans Affairs to be reexamined or treated for the disability shall be granted administrative leave for such reexamination or treatment without loss of pay or benefits. In no event shall the paid leave under this section exceed six (6) calendar days a year.

Section 110.219, Attendance and leave; general policies.

- (1) The workday for each full-time state employee shall be 8 hours or as otherwise justified by the agency head.