ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 1613, THE UNCLASSIFIED EMPLOYEES' LEAVE ORDINANCE, BY AMENDING THE PROVISIONS IN SECTION 10, ENTITLED "OTHER LEAVES WITH COMPENSATION" TO PROVIDE FOR PAID PARENTAL LEAVE; PROVIDING FOR REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

SECTION 1.

That Section 10 of Unclassified Leave Ordinance No. 1613, as amended, shall be amended to read as follows:

* * *

10. Other leaves with compensation.

a) With the approval of the city council, other leaves of absence with pay may be granted by the city manager in addition to regularly allowed leave when such is recommended by the immediate superior for the purpose of promoting efficiency or other good causes.

b) All employees, after six months of continuous service with the city, will be entitled to use one day of bereavement leave upon the death of a member of their immediate family effective with the first pay period in 1975. Bereavement leave will increase to two days effective with the first pay period in 1976. Detailed administrative regulations defining immediate family and procedures for using bereavement leave will be issued prior to January 1, 1975. (Ord. No. 74-2016, § 2, 12-11-1974)

c) All employees, after one year of continuous service with the city, will be entitled to up to six weeks of paid parental leave for the purpose of caring for his or her newborn, newly-adopted, or newly-placed foster child or children. This leave shall apply equally to parents regardless of gender, as well as to same-sex couples, in

the event of a natural birth by any method, adoption, surrogacy, stillbirths, or foster care placement in the employee's home.

The paid parental leave shall be up to six weeks in duration, and may be taken by the day or week anytime during the first year after the birth, adoption, or foster care placement of the child or children in the employee's home. The leave period shall not exceed six weeks regardless of the number of children born, adopted by the employee, or placed in the employee's home through foster care.

During the leave period, the employee shall be paid 100 percent of his or her base wages for the first two weeks, 75 percent of his or her base wages for the following two weeks, and 50 percent of base wages for the remaining two weeks. Employees shall be eligible to use any accrued leave in order to receive compensation up to 100 percent of base pay during the weeks reimbursed at the rates of 75 percent and 50 percent.

This leave shall occur concurrently with, count against, and not be added to periods of unpaid or job protected leave for which the employee may also be eligible, including the federally-mandated 12 weeks of Family and Medical Leave Act (FMLA) leave, and/or any other unpaid leave offered by the city due to childbirth or adoption. The number of paid parental leave periods an employee may take is unlimited over the duration of his or her employment with the city, but employees are only eligible for one six-week paid leave per birth, adoption, or foster care placement.

If both parents are city employees, each employee is entitled up to a six-week leave period and they may take their parental leave period concurrently, subsequently, or in any other combination they wish.

The Director of Human Resources for the city shall have full authority to issue policies and procedures relative to paid parental leave benefits offered pursuant to this Ordinance for any purpose, including, but not limited to, notification requirements for employees requesting leave, employee eligibility, and documentation requirements for births, adoptions, and foster care placements. The city's employee leave manual shall include provisions consistent with the requirements of this subsection for paid parental leave.

SECTION 2. REPEALER.

That all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 3. SEVERABILITY.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 4. EFFECTIVE DATE.

This Ordinance shall take effect on the _____ day of _____, 2016.

PASSED AND ADOPTED this ____ day of _____, 2016.

_____
Philip Levine, Mayor

ATTEST:

_____
Rafael E. Granado, City Clerk

Underline denotes additions
~~Strikethrough~~ denotes deletions

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney 9/6/16 Date

(Sponsored by Commissioner Kristen Rosen Gonzalez)