

**EXHIBIT “A”
CITY OF BELLE ISLE
PERSONNEL POLICIES AND PROCEDURES
REDLINED AMENDMENTS – SEPTEMBER 2026**

Attached to and incorporated into Resolution No. 26-16



City of Belle Isle

1600 Nela Avenue, Belle Isle, FL 32809
Tel 407-851-7730 * Fax 407-240-2222 * www.cityofbelleislefl.orggov

Welcome to the City of Belle Isle,

The City of Belle Isle is a beautiful, predominantly residential community situated on the Conway Lake chain in the heart of Central Florida.

Our staff is dedicated to providing the residents of our city with the best possible service while keeping the cost of providing those services to a minimum. As a public employee, you will find your work challenging in providing the services, but rewarding in the knowledge that you are part of a team that helps the City of Belle Isle maintain its high level of responsiveness to our residents.

Please take time to familiarize yourself with our City and the Personnel Manual. The personnel manual is intended to outline your responsibilities as an employee of the City of Belle Isle and contains information on the benefits that are available to you as an employee of the City. If you have any questions pertaining to the handbook or the City, you may address these to the Finance Director or me.

The Mayor and City Commissioners join me in welcoming you to our fine City and are pleased that you have chosen to join our team of dedicated, professional and courteous staff members.

Sincerely,

Rick Rudometkin
City Manager



City of Belle Isle

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EMPLOYEE ACKNOWLEDGMENT FORM

This employee handbook describes important information about the City and its employment policies, and I understand that I should consult my supervisor, the Finance Director, or the City Manager regarding any questions not answered in the handbook.

Because the information, policies, and benefits described in this handbook are necessarily subject to change, I acknowledge that revisions to the handbook may occur and that I am subject to whatever policy is in effect at the time an event occurs. All changes to the handbook will be communicated through official notices, and I am aware that revised information may supersede, modify, or eliminate existing policies. Only the City Council of the City has the authority to adopt any revisions to the policies in this handbook.

I acknowledge that this handbook is neither a contract of employment nor a legal document. I understand that this handbook is not to be construed by myself, or any employee, as binding terms and conditions of employment.

As an employee of the City of Belle Isle, you are an "at will" employee. This means that either you or the City of Belle Isle may terminate the employment relationship at any time with or without reason or notice. Our at-will provision extends to all employees.

I acknowledge that I have received a copy of this handbook, and I understand that it is my responsibility to read and comply with the policies contained in it and any revisions made to it. I further understand that this handbook supersedes any previous handbook or written policies or oral communications.

I acknowledge that I have read and understood the above paragraphs.

EMPLOYEE'S NAME (printed): _____

EMPLOYEE'S SIGNATURE: _____

DATE: _____

HANDBOOK DATE: _____

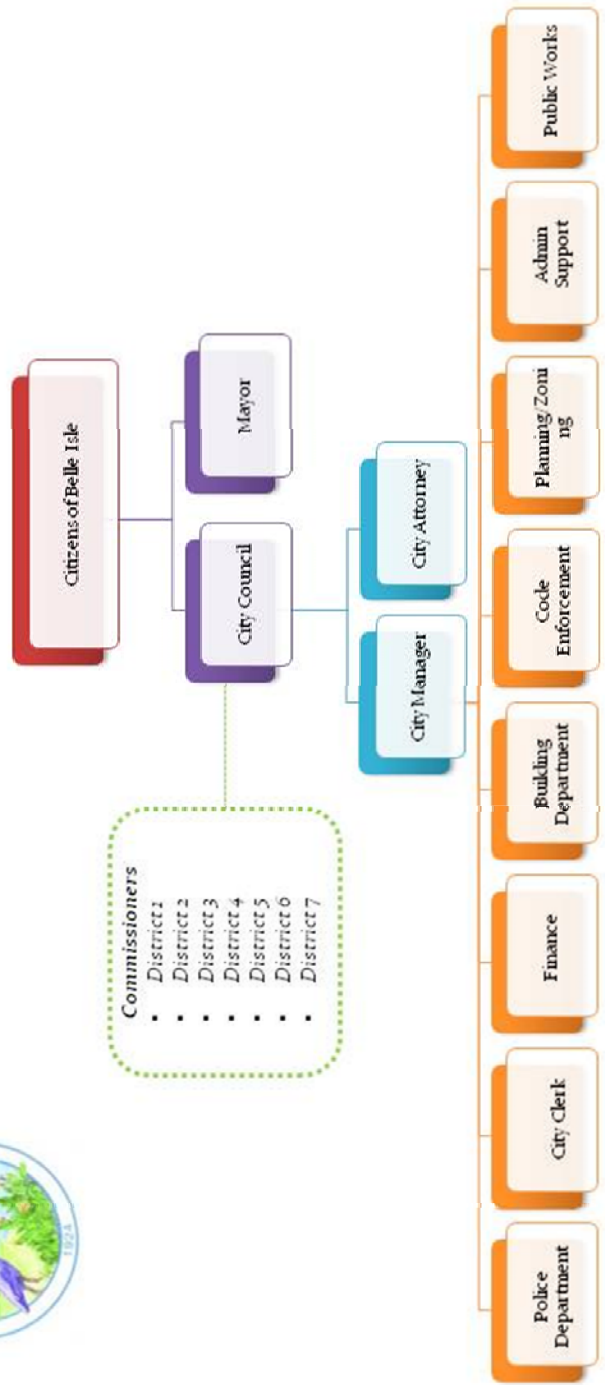
(Please sign and date this acknowledgment and return it to your supervisor for placement in your personnel file).



**City of Belle Isle
Personnel Policies and Procedures**



City of Belle Isle
Organizational Chart



Updated July 2018



VISION AND MISSION STATEMENT

VISION

~~To be Central Florida's premier community, where residents and business can thrive in a healthy environment centered on Lake Conway with the support of a responsive city government.~~
A safe, serene Florida Community where families desire to reside, raise a family, enjoy our natural surroundings, excellent schools and quiet way of life.

MISSION STATEMENT

~~To preserve the quality of life and community identity and to provide needed services to our residents through careful and meaningful growth management and sound fiscal control.~~
The City of Belle Isle continuously preserves our natural resources and enhances our quality of life through intelligent, inclusive leadership and outstanding municipal services.



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SECTION 1 – INTRODUCTION

1.0 GENERAL POLICY

It is the Policy of the City Council of the City of Belle Isle to:

- A. Attract and recruit qualified employees from the competitive market.
- B. Create a positive and productive environment by providing employees with opportunities for advancement and career development.
- C. Provide compensation, benefits, assurance, and safeguards to its employees.
- D. Maintain public confidence in productivity, fairness and cost-effectiveness through the establishment of a system of personnel administration maintained and governed by principles and affirmative action guidelines which shall be based upon fair and objective personnel standards and measures.

Nothing in these Personnel Policies and Procedures is intended as a contract of employment.

Florida is an “at-will” employment state, meaning that either the employee or the employer can terminate employment at any time and without any advance warning.

The City Manager, Chief of Police and Finance Manager shall be provided an Employment Contract separate from the following provisions unless specifically referred to in the agreement.

Authority for the Personnel Policies and Procedures is established by the City of Belle Isle Charter and by the City of Belle Isle Code of Ordinances. The provisions of the Personnel Policies and Procedures shall be applicable to all City of Belle Isle departments, divisions, offices, operations, and agencies unless specifically identified in the City Code of Ordinances, department S.O.P.’s or by State Statutes.

Police Officers have additional rights and privileges under Florida Statute 112.532.

All employees of the City have the responsibility to follow and carry out the policies outlined in this section. Management provides and supports a dispute resolution procedure for receiving and resolving complaints alleging discriminatory practices in employment relations. Employees are expected to bring any questions, issues or complaints to the attention of their supervisor. If you believe you have been discriminated against or harassed, or if you witness or suspect any violation of our policies, you should report the matter immediately to any supervisor or City Manager. If the complaint is in regard to an alleged violation of these policies by the City Manager, the complaint may be directed to the Mayor. The City will not retaliate against you for filing a complaint or cooperating in an investigation, and will not tolerate or permit retaliation by management, employees or co-workers.

1.1 PURPOSE

- A. The purpose of these Personnel Policies is to foster and promote a positive employment environment of mutual benefit and protection for employees and the City of Belle Isle; which encourages employee and public confidence in the administration of personnel management, consistent with the policies of the City Council. The policies and procedures



City of Belle Isle Personnel Policies and Procedures

provide a means for equitable recruitment, selection, development, retention, and eventual retirement of employees, and ensure that:

1. Economy and effectiveness in government services are mutually beneficial to City officials, employees and the citizens of the City of Belle Isle.
 2. Employment in the service of the City shall be attractive as a career.
 3. All employees are encouraged to render their best services to the City.
 4. Fair and equitable treatment of all employees will be maintained by fair administration of these policies and procedures and by consideration of the rights and interests of the employees consistent with the best interests of the citizens and the City.
 5. The City of Belle Isle is an equal employment opportunity employer.
 6. The relationship between City management and its employees shall continue to be open and direct.
- B. If any section, subsection, or provision of these policies and procedures is found to be invalid by any Court, legislation, an authorized board or public official, the ruling shall not affect the validity, intent, and effect of any sections not in question.
- C. The policies and procedures are intended to cover most personnel actions and employee conduct. The City Manager or designee, who may request advice from the City Attorney, will interpret those not specifically covered.
- D. Guidelines for Using the Personnel Policies and Procedures:
1. Pronouns “he,” “him” and “his” are in generic usage and do not denote sex.
 2. The words “shall” and “will” are to be construed to be mandatory and the word “may” as permissive.
 3. “City” refers to the City of Belle Isle.
 4. “Supervisor” means an individual with the authority to assign, direct, and review the work of subordinates.
 5. “Control Date” is utilized to establish probationary periods and scheduling of an employee’s performance review.
 6. “Anniversary Date” is the date the employee is hired.
 7. “Continuous Service Date” is the employee’s most recent date of hire. Temporary appointments do not have a continuous service date until they are hired into a full-time position classified as career service.
 8. In the absence of a Personnel Department/Officer, the City Manager shall act in that capacity. Personnel Department/Officer shall be interchangeable with Human Resources in this manual.
 9. “Fiscal year-end” is the City’s fiscal year-end of September 30th.
 - 9-10. “Sworn Employee” means an employee of the City of Belle Isle Police Department serving in a sworn law enforcement position.



City of Belle Isle
Personnel Policies and Procedures

- E. The policies and procedures of departments take precedence over these Personnel Policies and Procedures only when their functional operations require separate and unique guidelines, especially in the Police Department.



1.2 EQUAL EMPLOYMENT OPPORTUNITY

- A. The City is an equal opportunity employer, and as such, we consider individuals for employment according to their abilities and performance. Employment decisions are made without regard to age, disability, race, color, national origin, religion, sex, sexual orientation, veteran status, military status, association with members of a protected class, marital status, injured worker status, non-supervisory family relationships, union participation, or any other protected class or work relationship. All employment requirements mandated by State and Federal laws and regulations are observed.
- B. The City's policy of equality of opportunity applies to all levels of employment in the City and to all job classifications. In addition, it is the responsibility of each department supervisor to give the City's non-discrimination policy full support through leadership and by personal example. In addition, it is the duty of each employee to help maintain a work environment which is conducive to and which reflects the City's commitment to equal employment opportunity.
- C. Any communication from an employment applicant, an employee, a government agency or an attorney concerning any equal opportunity matter shall be referred to the City Manager or designee.
- D. Any individual who feels they have experienced employment discrimination in violation of this policy should bring their complaint to the immediate attention of the City Manager in accordance with Section 12 below. Complaints should be filed in writing and should include: 1) the name and address of the person filing the complaint; 2) a description of the discrimination leading to the complaint; and 3) any other pertinent information that will help in the investigation process. Following receipt of the complaint, the City Manager will institute an investigation and respond in writing as soon as practicable thereafter. A written record will be kept of the investigation and resolution.
- E. The City prohibits retaliation against any employee for filing a complaint under this policy, or for assisting in a complaint investigation. All employees of the City are required to refrain from any conduct or practice that is in violation of this policy. If an employee believes there has been a violation of this policy, follow the complaint procedure outlined in this section.

1.3 LIMITED ENGLISH PROFICIENCY (LEP)

It is the policy of the City of Belle Isle not to discriminate against any person who is Limited English Proficient (LEP). In accordance with Title VI of the Civil Rights Act of 1964 and Executive Order 13166, the City will take reasonable steps to provide LEP persons meaningful access to its programs and activities and an equal opportunity to participate in our services, activities, programs and other benefits. Language assistance will be provided through the use of competent bilingual staff or by obtaining an outside interpreter if a bilingual staff is not available or does not speak the needed language.

Some LEP persons may prefer or request to use a family member or friend as an interpreter. If the LEP person chooses to use a family member or friend as an interpreter, issues of competency of interpretation, confidentiality, privacy, and conflict of interest will be considered.



All staff will be provided notice of this policy and procedure, and staff that may have direct contact with LEP individuals will be trained in effective communication techniques, including the effective use of an interpreter.

1.4 DISABILITY ACCOMMODATION

The Americans with Disabilities Act (ADA) comprehensive federal civil rights law specifically protects individuals with physical and mental disabilities. Individuals still need to be “qualified” for the job, and not pose a “direct threat.”

Individuals may be protected under the ADA if any of the following conditions exist:

They currently have a physical or mental impairment that substantially limits a major life activity.

- They have a record of such an impairment, physical or mental, that substantially limits a major life activity; or;
- They are perceived to have such impairment.

Episodic or in remission conditions may meet the definition of a disability if it would substantially limit a major life activity when active.

Temporary, non-chronic impairments of short duration, with little or no residual effects, usually are not considered disabilities under ADA. Examples of, but not limited to, impairments that typically would not meet the ADA definition of a disability: common cold, seasonal or common influenza, joint sprain, minor and non-chronic gastrointestinal disorders or broken bones that are expected to heal completely.

The use of ordinary eyeglasses or contact lenses that are intended to fully correct visual acuity or eliminate refractive error, typically is not considered disabilities under ADA.

Pregnancy is not considered impairment under the ADA.

Individuals who currently engage in illegal use of drugs are excluded from ADA protection.

The ADA also prohibits discrimination on the basis of an individual's relationship to someone (parent, sibling, child, spouse/significant other, etc.) with a disability.

The City offers equal employment opportunities for qualified individuals who may have a physical or mental disability, but are still able to perform the essential functions of the job. Essential functions are defined as the fundamental non-marginal duties of the position being held or sought by a disabled individual. A job function is essential if the position exists for the performance of the function, there are only a limited number of employees available to perform it, or the function is so highly specialized that an expert must be specially hired to perform it.

Reasonable accommodation may be available to employees and applicants, as long as the accommodation doesn't cause undue hardship for The City. Individuals protected by the ADA should discuss their need for possible accommodation with their manager, Human Resources representative, or City Manager.



1.5 RESIDENCY REQUIREMENTS

Although there is no current residency requirement for employees, City Department Heads are encouraged to establish and maintain residency within a reasonable commute time of their official office within 6 months from the date of hire. Department Heads employed with the City as of the date of this manual change are exempt from this requirement.

1.6 WHISTLEBLOWER

The City does not discriminate against employees who report in good faith alleged violations of state or federal laws, rules, or regulations.

1.7 RELIGIOUS ACCOMMODATION

The City may provide reasonable accommodation for religious observances or practices of employees unless providing the accommodation would impose an undue hardship on the City; this may also include accommodating the wearing of religious clothing.

With management approval, an employee may use vacation or other available leave for religious activities; if accrued leave is not available, then an employee may request to take unpaid leave.

1.8 DOMESTIC VIOLENCE

The City does not discriminate against employees who are victims of domestic violence, sexual assault, or stalking.

1.9 RETALIATION

If the employee believes they have been discriminated against or harassed, or if the employee witnesses or suspects any violation of our policies, they should report the matter immediately to any supervisor or the City Manager. If the complaint is in regard to an alleged violation of these policies by the City Manager, the complaint may be directed to the Mayor. The City will not retaliate against you for filing a complaint in good faith, even if accusations are not substantiated, or cooperating in an investigation, and will not tolerate or permit retaliation by management, employees or co-workers.

The City will not tolerate unlawful retaliation or adverse actions against employees for engaging in protected activity. Federal Laws such as Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act, and the Americans with Disabilities Act and Amendments Act, all prohibit an employer from retaliating against an employee engaged in a protected activity.

A protected activity is defined as opposing an unlawful practice prohibited by employment discrimination laws or participating in any way in an investigation, proceeding, or hearing of an Equal Employment Opportunity charge.

Any act of retaliation by a manager and/or coworker may result in serious adverse disciplinary action up to and including termination. Any staff member may file a complaint with the City Manager if he/she feels that they have experienced retaliation in any form.



**City of Belle Isle
Personnel Policies and Procedures**



1.10 COPIES OF THE PERSONNEL POLICIES AND PROCEDURES

- A. Copies of the Personnel Policies and Procedures shall be made available to all City employees. All policy and procedure changes will be posted and every employee is responsible to read all changes or request to have changes read to them if they cannot read.
- B. All newly hired employees will be required to read the Personnel Policies and Procedures within two weeks of beginning work and will sign a statement that they have done so. This statement will be placed in the employee's personnel record.
- C. Revisions or amendments to these policies and procedures will become effective when recommended by the City Manager and approved by the City Council.
- D. Employees will be required to sign a receipt of this policy upon initial employment and when updates or amendments are made.

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SECTION 2 – PERSONNEL OFFICER

2.0 POLICY

It is the policy of the City of Belle Isle that the City Manager is the City's Personnel (Human Resources) Officer. The City Manager or designee acts as a consultant to the City Staff by providing professional expertise in planning the City's personnel policies and provides assistance to supervisors and department supervisors in carrying out these policies.

- A. The City Manager staffs and organizes the work of the City Departments.
- B. Responsibilities:
 - 1. Formatting general personnel policies, including staffing and organization planning.
 - 2. Development and implementation of all policies related to equal employment opportunities.
 - 3. Recruiting, interviewing, testing, selection, placement, and orientation of new employees.
 - 4. Coordination of the promotion, demotion, transfer, layoff, recall, and termination of employees, except for police department employees, which are hired by and work for the Police Chief as designated by the City Manager.
 - 5. Administration of classification and pay programs for exempt and non-exempt employees, including job evaluations, job description preparation, and pay surveys and analyses.
 - 6. Administration of employee benefits plans and programs, and disclosure of information concerning benefits to employees.
 - 7. Implementing disciplinary and grievance procedures, taking care that such procedure does not form a contract or promise, expressed or implied.
 - 8. Monitoring compliance with Federal and State laws and regulations concerning employee safety.
 - 9. Maintaining and safeguarding personnel records.

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SECTION 3 – RECRUITMENT AND SELECTION

3.0 POLICY

- A. In accordance with the City of Belle Isle Equal Employment Opportunity policy, attracting and recruiting the best-qualified candidates shall remain the City's policy for employment recruitment and selection. This policy also assures that all employment decisions will be made on job-related factors and comply with the City's equal employment opportunity commitment.
- B. In compliance with the Americans with Disabilities Act of 1990, as amended, the City of Belle Isle shall not discriminate against a qualified individual with a disability because of the disability of such individual in regard to job application procedures, the hiring, advancement, or discharge of employees, employee compensation, job training, and other terms, conditions, and privileges of employment.
- C. When filling vacancies the City Manager may give first consideration to individuals currently employed with the City of Belle Isle and qualified individuals who are in layoff status. This does not preclude the consideration and selection of external applicants for any vacancy.
- D. Written job descriptions are developed and maintained, and continually reviewed for all City positions. They are utilized as a basis for establishing the minimum recruitment qualifications for attracting candidates for employment. These include, but are not limited to, job objective, essential job functions, and the minimum qualifications.

3.1 ANNOUNCEMENT OF JOB VACANCIES

- A. Job vacancies established under announcements, at the discretion of the City Manager, shall be posted through the placement of job postings on the City department bulletin board and work locations, and outside recruitment sources as established by the City Manager or his designee.
- B. Job announcements shall specify the job title, the salary range for the position, the time, place, and manner for making application, minimum qualification(s) requirements for consideration, any special requirements, and the following statements:
 - "The City is an equal opportunity employer, and as such, we consider individuals for employment according to their abilities and performance. Employment decisions are made without regard to age, disability, race, color, national origin, religion, sex, sexual orientation, veteran status, military status, association with members of a protected class, marital status, injured worker status, non-supervisory family relationships, union participation, or any other protected class or work relationship. All employment requirements mandated by State and Federal laws and regulations are observed."
 - "As part of our commitment to a drug-free workplace, a job applicant is offered employment conditional upon successfully passing a drug test. Refusal to take the test or failure to pass the test according to minimum standards, is cause for disqualification. If you become employed with the City, you may be required to



again submit to a drug test as requested. Your refusal, or failure to pass the test according to minimum standards, will result in termination.”

- C. Job vacancies may be announced by utilizing a variety of media resources. This decision is based on the availability of funds, as determined by the City Manager or his designee.
- D. The City Manager initiates all job vacancy advertisements. If contact with an employment agency or professional recruiter is necessary to fill a key management or professional position, approval by the City Manager or his designee is required.
- E. A job vacancy announcement may be postponed or canceled if requested by the department supervisor and approved by the City Manager or his designee. In this event, each applicant will be notified by the City Manager of the postponement or cancellation.

3.2 FILING AND MAINTAINING APPLICATIONS FOR ANNOUNCED VACANCIES

- A. No individual from the general public is denied the right to file an application for any vacant position in City service. However, an application for employment is not intended as an employment contract.
- B. Filing Procedures for Applicants from the General Public. In order to be considered as a valid applicant for a position, each applicant must:
 - 1. File a written application on the City's standard employment application form before the application deadline. Resumes are accepted until a standard City application form can be completed within a reasonable time.
 - 2. Supply requested information that is complete, clear and accurate.
 - 3. Sign the application attesting to the truth of all statements and information contained on the application.
 - 4. Amend, correct or add requested information/documentation within the time limits established by the City Manager or his designee.
- C. Employment applications received by the City become the property of the City and cannot be returned. Misrepresentations, falsifications, or material omissions in any of the information or data may result in the exclusion of the individual from further consideration for employment or if the person is hired, termination of employment.
- D. Veterans' Preference. The City will treat all external applicants who request and meet all eligibility requirements for Veteran Preference in appointment and retention in accordance with applicable State and Federal laws and regulations. Individuals who claim Veterans Preference consideration must submit appropriate documentation to verify eligibility. A copy of this documentation will be maintained with the employment application.



3.3 CONSIDERATION OF APPLICATIONS

A. It is the City's policy to consider City employees (internal applicants) for promotional opportunities before applicants from the general public (external applicants) are considered.

B. Procedures:

1. An employee who wishes to apply for a vacant position must submit an application to his supervisor. The supervisor will ensure that this form is submitted to the City Manager as soon as practical.
2. The City Manager will review the completed forms and refer qualified applicants to the department supervisor for consideration.

C. Family Employment Restrictions

1. The City will not permit the employment of family members in positions in which either family member would be supervised by or supervising, influenced by or influencing the activities or employment conditions of the other. These criteria will also apply when assigning, transferring or promoting an employee unless otherwise authorized by the Council.
2. In accordance with Section 112.3135 (1) (~~ed~~), Florida Statutes, family members include: the employee's father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, or domestic partner. A domestic partner includes an individual involved in a dating relationship with an employee. This applies to all employees without regard to gender or sexual orientation, or genetic relationship. A member of the household is any person who resides with the employee.
3. Employees who marry or become members of the same household may continue employment as long as there is not a direct or indirect supervisor/subordinate relationship between such employees; or an actual conflict of interest or the appearance of a conflict of interest. If this occurs, the City will attempt to find a suitable position for one of the employees to transfer to. If this is not feasible, the employees will be permitted to determine which of them will resign.

3.4 PRE-EMPLOYMENT SCREENING AND REFERRAL

A. Methods

~~A.~~ ÷ The methods utilized to consider, evaluate and screen applicants for employment can be any or a combination of the following:

1. Evaluation and rating of training and experience.
2. Oral interview.



3. Other criteria which have been determined to be fair and impartial by the department supervisor and the City Manager or his designee.
- B. All pre-employment examinations and screening methods will be job-related and impartial in evaluating applicants' qualifications, knowledge, skills, and abilities.
 - C. The City Manager or his designee and department supervisor are jointly responsible for determining the job-related factors and validity of all pre-employment examinations and screening methods. The City Manager or his designee is responsible for approving any pre-employment examinations and will advise and/or assist in the design and/or implementation of pre-employment examinations.
 - D. Offers of employment will be made by letter to the applicant and signed by the City Manager or his designee after coordination with the department supervisor concerned. Verbal offers of employment are expressly prohibited. A copy of the Offer of Employment shall be maintained in the applicant's personnel file.
 - E. Notification of Rejection: The City Manager or his designee will notify all candidates who have been granted final interviews for a position but are not selected, in writing.

3.5 REFERENCE CHECKS

- A. The City Manager is responsible for responding to inquiries concerning current and former employees. The City Manager will only provide information, which can be disclosed in accordance with Florida Law.
- B. When required, a thorough background investigation check may be conducted.

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SECTION 4 – CONDITIONS OF EMPLOYMENT

4.0 MEDICAL EXAMINATIONS

A. Conditional offer of employment medical examinations:

1. As a condition of employment, a selected candidate may be requested to take and pass a medical examination. The examination will be administered by a physician designated and approved by the City and will include a drug screening. Costs will be paid by the City.
2. A selected candidate who is medically determined to physically be unable to meet the job requirements of the position by the City designated physician shall not be appointed to that position; or if the candidate started his employment with the City pending the results of the pre-employment medical examination, shall be separated from employment.

4.1 TYPES OF EMPLOYMENT

City employment consists of all existing full-time positions (and any future positions which may be created) that are paid from regular salary accounts and includes non-exempt and exempt positions.

A. Initial employment status in the City service as either a full-time or part-time employee falls into one of the following categories:

1. Regular position: One which is permanently budgeted and authorized. Persons employed to fill these positions on a full-time basis shall be deemed regular employees after satisfactory completion of the probationary period. Filling such a position does not imply a contract of employment.
2. Part-time position: One that is permanently budgeted and the employee works less than thirty-two (32) hours per week for a 16-week average. Employees that are classified as part-time shall not be eligible for City benefits.
3. Temporary Appointment: Temporary appointments may be made to fill any authorized full-time or part-time budgeted position and may be made for short-term, seasonal, substitute, or emergency employment, subject to approved funding. Employees that are classified as temporary appointments shall not be eligible for City benefits.

4.2 PROBATIONARY PERIOD

The probationary period is an important part of the employee review process and shall be utilized for evaluation of an employee's performance, adaptability to the position, and for rejecting any employee who does not meet the desired standards of performance.

An employee hired into a regular full-time position is subject to the satisfactory completion of a 180-day probationary period, and a one-year probationary period applies to for police officers sworn law enforcement employees. "At will" employees who do not successfully complete



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the initial probationary period may be discharged and may not be eligible for any City benefits, programs or grievance procedures.

The probation of any employee may be extended by a department supervisor for just and reasonable cause. The extended period should not exceed ninety (90) days.

During the probationary period, the employee's supervisor will carefully observe job performance. Where appropriate, weakness in performance and attitude will be brought to the employee's attention for self-correction.

Before the end of the probationary period, the supervisor will prepare a performance appraisal on the employee. The evaluation will include a recommendation as to granting regular status. Copies of the evaluation will be forwarded to the department supervisor and the Personnel Officer for inclusion in the employee's personnel record.

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SECTION 5 – CLASSIFICATION AND COMPENSATION

5.0 JOB DESCRIPTIONS

- A. Job descriptions and job classifications are established and maintained by the City Manager or the designee.
- B. Job descriptions include the job objective, essential job functions, job location, equipment used, non-essential job functions, and minimum training, education and experience qualifications. Minimum training, education and experience requirements are based on projected job responsibilities and work to be performed. Job descriptions do not necessarily incorporate all of the duties performed and shall not exclude or limit the immediate supervisor in assigning other duties.
- C. The City Manager or designee may change job descriptions from time to time to expand, reduce or clarify the job duties and/or responsibilities of any classification. The City Manager or designee will notify affected employees of any proposed change, and again when the City Manager or designee approves the proposed change.
- D. The position title of each classification, as identified in the job description, shall be the official title of the position and shall be used for all administrative purposes, such as payroll, budget and personnel records.
- E. The City Manager shall assist departments in the drafting of job descriptions for new positions, revision of existing positions, and maintain the official record of these job descriptions.

5.1 CITY SERVICE

- A. Continuous Service
 - 1. An employee's continuous service date is established as the most recent date of hire and cannot precede the date the employee reported for and began work. Paid absences do not affect the date of continuous service.
 - 2. Authorized leaves of absence without pay for a period of thirty (30) days or less is not considered a break in continuous service.

5.2 PAY ADMINISTRATION

- A. ~~Classifications are placed in salary ranges based on several factors, including job analysis and evaluation. All new or newly promoted employees generally begin at the base level. However, upon the recommendation of the Department Head and with the approval of the City Manager, an employee may be hired up to any level of the range. Whether an employee qualifies for a higher level will depend on the employee's education and experience, market factors, and budget. Employees hired at advanced levels in the range due to their education and experiences receive increases at the interval appropriate to that level. The City maintains a Compensation Plan establishing pay grades, salary steps, and position-to-grade assignments for full-time positions covered by the plan.~~



Compensation for positions not included in the Compensation Plan shall be established by the City in accordance with the approved budget and applicable City policies.

- B. ~~It is the City's policy to grant regular employees, who are performing satisfactorily, level increases according to the schedule in their classification. Performance appraisals must be completed prior to receiving a level increase. Review dates for eligibility for level increases will be adjusted by any unpaid leave of absence of more than one full pay period. Initial placement, prior experience credit, step advancement, promotions, transfers, and demotions for employees covered by the Compensation Plan shall be administered in accordance with the City's compensation structure and applicable administrative procedures. Salary administration for employees not covered by the Compensation Plan shall be administered in accordance with applicable City policies and the approved budget.~~

Salary is administered within the budgetary constraints of the City. If in the discretion of the City Council, insufficient funds exist, compensation practices may be altered or suspended.

C. Promotion

1. A promotion is defined as the advancement of an employee from the current pay grade to another pay grade that is higher.
2. ~~The difference between an employee's current minimum pay rate and the promotion minimum pay rate shall be added to an employee's existing salary. Promotional pay and step placement shall be determined in accordance with the City's Compensation Policy and Compensation Plan, subject to approval by the City Manager or designee.~~

D. Demotion:

- ~~D-1. A demotion occurs when an employee is reassigned from to a position in a lower/higher pay grade classification and/or a job classification having a lower salary than the position from which the assignment is made to a position in a lower pay grade. A demotion may be voluntary or involuntary and may result from operational needs, performance-related reasons, or an employee request. The new rate of pay is determined by the type of demotion. Types of demotions are:~~
- ~~2. Operational: When a demotion is initiated due to operational requirements or for the convenience of the City, the rate of pay shall not be reduced. Upon demotion, the employee will be placed at an appropriate step within the lower pay grade. As a general rule, the employee's rate of pay will be placed at the step closest to, but not greater than, the employee's current rate of pay, subject to internal equity and the limits of the new pay grade.~~
 - ~~4-3. Detailed salary placement and future step progression following a demotion will be administered in accordance with the City's Compensation Policy and Compensation Plan, subject to approval by the City Manager or designee.~~
 - ~~2. Performance: When an employee is demoted due to inability to meet performance requirements, the employee will have his pay adjusted to a rate of pay recommended by the department supervisor and approved by the City Manager or designee.~~



- ~~3. Voluntary or Employee Requested Demotion: When an employee requests a demotion, the employee will have his pay adjusted to a rate of pay recommended by the department supervisor and approved by the City Manager or designee.~~

E. Transfer

1. When an employee transfers to another position or job classification ~~and the minimum of the two assigned pay ranges are equal~~ within the same pay grade, there is no pay change, ~~except as otherwise provided by the City's Compensation Policy and Compensation Plan.~~
2. An employee may voluntarily seek a transfer by applying for a vacant position through the normal promotional process. This may be within the same classification in a different department or in a different classification with the same ~~minimum pay range grade.~~
- ~~3.~~ An employee may be involuntarily transferred from a job classification in one department to the same or equivalent classification in another department. No transfer may be made without the approval of the City Manager or designee.

F. Supplemental Compensation

1. Bilingual Pay

- a. ~~Bilingual pay is provided to employees who have demonstrated bilingual proficiency and whose bilingual skills are necessary in the performance of their job duties or are considered beneficial to the City's delivery of service.~~
- b. ~~Employees shall be eligible for bilingual pay based upon recommendation by the Department Director and approval by the City Manager.~~
- c. ~~Department Directors are responsible for ensuring that employees receiving bilingual pay possess, demonstrate, and maintain bilingual proficiency.~~
- d. ~~Employees who are approved for bilingual pay will be compensated at the rate of \$25.00 bi-weekly.~~
- e. ~~Bilingual pay will be discontinued if the employee's bilingual skills are no longer necessary in the performance of job duties and/or no longer beneficial to the City's delivery of service or if the employee does not maintain proficiency.~~
- f. ~~Compensation of bilingual pay is subject to budgetary constraints.~~

2. Longevity Pay

- a. ~~Full-time employees with five (5) or more years of service as of October 1 will be eligible for longevity pay based on years of service as of that date.~~
- b. ~~Longevity pay will be distributed annually during the first pay period in October.~~
- c. ~~The following longevity schedule will be used:~~

<u>Years of Service</u>	<u>Annual Longevity Pay</u>
<u>5 to less than 10 years</u>	<u>\$750.00</u>



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<u>10 to less than 15 years</u>	<u>\$1,000.00</u>
<u>15 to less than 20 years</u>	<u>\$1,250.00</u>
<u>20 to less than 22 years</u>	<u>\$1,500.00</u>
<u>22 years or more</u>	<u>\$2,000.00</u>

3. Educational Incentive Pay

Employees eligible for Criminal Justice Standards Training Center educational incentive pay will receive their entitled monthly amount in equal biweekly payments.

4. Special Assignment Pay

Employees permanently assigned to Special Operations, including Criminal Investigations, Traffic/Marine, and School Resource Officer (SRO) assignments, will receive twenty-five dollars (\$25.00) biweekly. Sergeants permanently assigned to Special Operations will receive thirty dollars (\$30.00) biweekly.

5. Field Training Officer Pay

Employees assigned to perform the duties of a Field Training Officer (FTO) will receive forty dollars (\$40.00) for each day the employee performs FTO duties.

6. Annual Boot/Shoe Allowance for Non-Exempt Sworn Employees

Non-exempt sworn employees will receive an annual shoe allowance of one hundred sixty-five dollars (\$165.00), payable in the second paycheck of October each year.

7. Employee Bonus Program

a. Purpose

The City may award one-time, lump-sum compensation outside of base salary or wages to recognize and reward exemplary job performance that exceeds the usual expectations of an employee's position.

b. Eligibility

To be eligible for a bonus, an employee must:

- Be an active, full-time or permanent part-time employee of the City;
- Not have received disciplinary action during the previous year; and
- Have completed the applicable probationary period.

c. Consideration for a Bonus

Consideration for a bonus shall be based on factors that include, but are not limited to:

- Exemplary work on a special project;
- Achievement of significant departmental or project goals;
- Development of or assistance with implementation of an idea or initiative that improves a process, results in cost-savings, improves safety, or supports a City strategic goal; or
- Consistent exemplary performance in all areas that goes well above and beyond normal expectations.



d. Bonus consideration shall not be based on:

- Holidays, length of service, or work anniversaries;
- Consistently meeting the normal performance expectations of the employee's position;
- Situations for which salary increases are provided under other rules and/or agreements;
- Changes in duties or responsibilities resulting from the transfer or reassignment of responsibilities to another person; or
- Perfect attendance.

e. Other Provisions

- The bonus program shall not apply to an employee represented by an employment agreement if a bonus provision is contained in the agreement, or to an employee whose position is funded in whole or in part by external grant funds unless the applicable grant permits the use of grant funds for bonuses.
- Bonuses are discretionary and the City's bonus policy creates no enforceable contractual right.
- Bonuses are dependent upon the availability of funds as determined by the City Manager and approved by City Council in the annual operating budget.
- A bonus is a one-time payment and shall not be added to base salary.
- Funding of bonuses shall be the responsibility of the employing department.
- Bonuses will be processed through the City's payroll system, and applicable deductions and taxes shall be withheld.
- The minimum bonus payable under the City's bonus policy is two hundred fifty dollars (\$250.00), and the maximum bonus is two thousand dollars (\$2,000.00). The total amount of bonuses awarded within a department shall not exceed ten thousand dollars (\$10,000.00).
- A bonus below the minimum amount, above the maximum amount, or under circumstances not otherwise provided for by the City's bonus policy requires prior approval of the City Council.
- Bonus payments shall comply with all applicable state and federal laws and regulations.

f. Procedure

- A bonus may be recommended by the Department Director or City Manager. A Department Director recommending a bonus shall submit a request to the City Manager stating the reason(s) for the bonus and the proposed amount.
- If approved, the City Manager shall forward the request to the Finance Department for processing. For a bonus to a Department Director, the City Manager shall forward a written request to the Finance Department identifying the reason(s) for the bonus and the amount of the bonus as part of the Department Director's annual evaluation.



- The City Manager may adjust the amount of the bonus based on available funds and the reasons stated in the request. The City Manager's decision is final and is not subject to appeal or further review.
- The City Council shall determine and approve any bonus for the City Manager as part of the City Manager's annual evaluation.
- The City Manager shall provide final approval or disapproval, in consultation with the Finance Director, to ensure the request meets the required criteria.
- Approved bonus payments shall be processed with the first payroll in May.

8. Additional Compensation

- a. In addition to wages, employees may receive additional compensation that is not part of the employee's pay and benefits package. Additional compensation may take the form of (1) occasional business-related meals and entertainment of employees and their guests; (2) the ability to take vacation days in conjunction with a conference or meeting requiring out of area travel, provided that no cost accrues to the City; (3) the ability to include a non-City employee as a guest in conjunction with a conference or meeting requiring out of area travel, provided that no costs accrue to the City. Employees receiving these forms of compensation are liable for any tax consequences of this compensation.

F. Merit Increase

- ~~1. The purpose of the merit increase is to reward an employee's job performance. Merit increases are not automatic but are granted or denied at the City's discretion.~~
- ~~2. Performance reviews for consideration of a merit increase shall be conducted for eligible employees at the City's fiscal year end.~~

G. Merit Bonus

~~From time to time the City may authorize a merit bonus to deserving employees based on their outstanding performance. Merit bonuses are subject to the availability of funds and approval of the City Manager.~~

- ~~HE.~~ The City Manager or designee must administer these policies and procedures within the budgetary constraints established each fiscal year. Accordingly, all employees are hereby placed on notice that the payment of salaries and the granting of salary increases are always subject to the availability of adequate funding.

5.3 EMPLOYEE RECORDS

A. Workplace Privacy and Confidentiality

The City recognizes our employees' right to privacy. In achieving this goal, the City adopts these basic principles:



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1. The collection of employee information typically is limited to information the City needs for business and legal purposes.
2. Personal information and information in confidential records ordinarily will not be disclosed, except as permitted or required by law, or as authorized by the employee.
3. Verifications of employment dates, job title, and wages may be provided without written approval.
4. Internal access to employee records will be limited to those employees having an authorized need-to-know.
5. An employee is permitted to review their personnel file, except for some exceptions (such as background screening information), and the employee may correct inaccurate information or submit written comments in disagreement with any material contained in their personnel records.
6. All employees have a responsibility not to disclose information about employees through overheard conversations, mislaid documentation, faxes, e-mails and hard copies of correspondence sent to a wrong destination. Unauthorized communication of confidential information is regarded as a serious matter.
7. The City maintains reasonable safeguards to ensure the security, confidentiality, and integrity of personal identifying information stored in the City systems.

All employees are required to follow these principles, as well as any other City policy or practice related to confidential information. Violations of this may result in corrective action, up to and including termination.

B. Entity

Florida law provides that “every person has a right to inspect any public record of a public body in this state.” “Public body” includes cities and counties and other public entities, such as the City. Although there are some exceptions (such as personnel files), most records in a public body are available to the public for inspections. It is the intent of the City to be responsive to requests for public records. Employees are to forward all requests for public information to our Custodian of Records (presently City Clerk).

C. Background Screening

The City stores background screening information in access-protected files. This file is not considered part of your personnel file, so it is not available to employees for review.

D. Personnel Files

The City Manager maintains the personnel records for all City employees. These files are the only authorized record of an employee’s status and history with the City. The file may be kept indefinitely, even after termination of employment. Only the City Manager may remove documents or information from a personnel file.

The personnel file includes information such as application forms, resumes, transcripts, reference letters, background investigations and other employment-related documents



submitted to the City for original employment or subsequent position changes, training records, performance appraisals, copies of all official correspondence with the employee regarding commendations, discipline, grievances and employee comments regarding their performance or items in their file, and other employment records.

Personnel files are the property of the City and are considered and kept confidential, with a few exceptions. Only the employee (or a person designated by the employee in writing), the employee's supervisor and management personnel have a legitimate reason to review information in a personnel file and are allowed to do so. Information in the personnel files may be treated as exempt from public disclosure under FS Title X, Chapter 119. Information which cannot be treated as confidential under the law includes name, job title, salary, and dates of employment with the City. Other information in the files may be subject to public disclosure by order of a court of competent jurisdiction.

Materials that may be construed as derogatory toward the employee will not be placed in the personnel file without the employee's written acknowledgment. The employee's written acknowledgment only acknowledges that the employee is aware that the material is to be placed in the file and does not constitute the employee's agreement with the contents of the material. The employee may include their own written statement of explanation or rebuttal with any material placed in the file.

E. Right to Examine Personnel File

An employee or former employee may request to view the employee's personnel file or may request a certified copy of the employee's personnel file at any time. The City must comply with the request within 45 days after receipt of the request. Upon termination, the City must retain the employee's personnel file according to the Florida Public Records Retention Laws. The City may charge an amount to the employee or former employee to recover the actual cost of providing locating, copying, and certifying services.

F. Change in Personnel Data

Since personnel records are used to administer pay and benefits, and other employment decisions, employees are responsible for keeping information current regarding changes in name, address, phone number, exemptions, dependents, beneficiary, etc. Keeping your personnel records current can be important to you with regard to pay, deductions, benefits, and other matters. If you have changes in any of the following items, please notify the Finance Director to assure that the proper updates/paperwork is completed as quickly as possible:

- | | |
|---|---|
| ▪ Name | ▪ Status changes to dependent benefits |
| ▪ Marital status/Domestic Partnership (for purposes of benefits eligibility determination only) | ▪ Person to be notified in case of emergency |
| ▪ Address | ▪ Other information having a bearing on your employment |
| ▪ Telephone number | ▪ Tax withholding |

G. Medical Records



All information regarding medical examinations of employees is collected and maintained in separate medical files and treated as a confidential medical record in accordance with applicable federal and state laws and regulations (including HIPAA). However, employee medical information needed by the City to carry out its obligations under federal and state laws, such as ADA and FMLA, will be placed in the employee's personnel file and is not protected under HIPAA.

Generally, employees "own" their medical information, which means that without the employee's permission, the City does not typically inform other employees of an individual's medical condition(s).

5.4 PAY DEDUCTIONS

The City makes certain pay deductions from an employee's earnings in accordance with state and federal law, such as income taxes, social security taxes, and Medicare. Additional deductions may be authorized by an employee in writing to cover costs of participation in City provided programs, such as insurance.

Court ordered wage withholding or garnishments on an employee's wages will be processed in accordance with applicable law.

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SECTION 6 – HOURS OF WORK

6.0 DEFINED

A. Workweek

1. The standard City work week is a 40-hour week, beginning and ending Thursday at midnight. The normal workweek is five 8-hour days, with general office hours 8 AM to 5 PM, Monday-Friday. Department Heads or the City Manager may authorize alternative work schedules (AWS). AWS is a schedule that varies from the standard work week but is not adjustable by the employee on a daily or weekly basis without the approval of the City Manager. The City may terminate or alter AWS at any time with reasonable notice.
2. If the employee is a non-exempt employee, you should not begin work before your normal starting time nor continue working beyond the normal quitting time without advance approval from your supervisor or City Manager. Hours worked for the City are compensable and include all of the time that an employee is required to be on duty. Travel time and training or meeting time are considered hours worked under specific conditions outlined under wage and hour laws, or by the City policy. Please consult with your supervisor regarding these conditions. These provisions do not apply to exempt positions.
- ~~3.~~ Employee work schedules vary throughout the City's departments. Supervisors will advise each employee of their individual work schedule. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled in each day and week.
- ~~3.~~
4. All full-time employees are required to be present and working in their assigned jobs for the total hours in the workweek unless absence from duty is authorized by proper department authority. All absences must be properly recorded and charged to an employee's applicable leave balance. If there is no balance, the absence will be considered time off without pay. This also applies to part-time employees, except they are required to be present and working for the total number of hours for which compensation is being received.
5. Lunch periods will be determined by department supervisors so as to ensure sufficient personnel is available to handle department business during lunch periods.
- ~~6.~~ Department supervisors may vary start and end times of the workday for specific employees, at the approval of the City Manager.

7. Non-Exempt Sworn Employees

- a. The work cycle shall be a twenty-eight (28) day work period under the FLSA 7(k) exemption.



- b. Employees assigned to ten-and-a-half (10.5) hour shifts shall be scheduled to work forty-two (42) hours per seven (7) day week.
- 6-c. Employees assigned to twelve (12) hour shifts shall be scheduled to work eighty-four (84) hours per fourteen (14) day pay period.

B. Work Break

1. Supervisors will advise employees of the regular rest and meal period length and schedule. To the extent possible, a rest period of 15 minutes will be provided in the approximate midpoint of each work period of four hours or longer. This time is counted and paid as time worked. Meal periods may be either one-half hour or one hour in length and will be granted during shifts of five hours or longer. This time is not counted or paid as time worked and employees are relieved of all active responsibilities during meal periods.
2. Non-exempt employees are not permitted to work through a meal period unless approval from the supervisor is obtained prior to the scheduled meal break. If the employee is a non-exempt employee and is required to work during their meal period, they will be paid for their mealtime. If an employee frequently works through a meal and/or rest period, without City Manager approval, the employee may be subject to disciplinary action. These provisions do not apply to exempt positions, as there are not any required meal and rest periods for such positions.
3. An employee may not shorten the workday or receive overtime by foregoing a break or meal period. It is important for employees and supervisors to understand that under State law, and unless otherwise provided in a collective bargaining agreement, or other written agreement, employees must take all required rest and meal breaks and the breaks cannot be deducted from the beginning or end of the work period. Supervisors will be expected to make sure employees do not skip breaks and to discipline employees who refuse to take required breaks.
4. An employee shall not accumulate unused work breaks, and work breaks cannot be used to cover an employee's late arrival or early departure from duty.
5. Sworn Employees who work eight (8) or more hours per day may take a paid meal break of thirty (30) minutes, which shall be counted toward hours worked. Employees are only partially relieved from duty during their meal break.

C. Time Sheets

1. All employees are responsible for accurately recording time worked and leave used. Federal and state laws require the City to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.
2. All employees are required to accurately record the number of hours worked each day on their time sheets. Timesheets are submitted bi-weekly. Time sheets must be signed by the employee to certify the accuracy of all time recorded and



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approved by the employee's Department Head before submitting the time sheet for payroll processing. The Department Head, or designee, will review and approve time records each pay period. If an error is to be corrected or time clarified, the employee should notify his/her manager during the review process. The employee's electronic or written signature on the time record each pay period verifies that the times and dates are true and accurate to the best of your knowledge. The employee should never allow someone else to make entries on your time record. Willfully falsifying a time record may be grounds for corrective action, up to and including termination. Timesheets must be submitted on the dates specified by the Finance Department or the employee's paycheck will reflect base salary only.

~~2.~~



6.1 OVERTIME WORK

- A. The employee may be required to work overtime. Prior approval must be obtained from the employee's supervisor before working overtime hours. Supervisors are to ensure that no unauthorized overtime hours are worked. The City complies with the provisions for overtime for our non-exempt employees, as outlined in the Fair Labor Standards Act and State wage and hour laws. Supervisors and employees will make every effort to keep the hours worked, to the regular 40 hour work week. This may be accomplished by flexing the hours worked during the week, with the department heads approval. This may enable the employee to maintain his/her regular hours in the week and reduce the accumulation of overtime. However, managers should attempt to avoid accumulated overtime by employees.
- B. Overtime is calculated on the basis of hours actually worked in excess of forty (40) hours in a work-week, with the exception of ~~the police officers~~ non-exempt sworn employees. Non-exempt sworn employees are regularly scheduled to work eighty-four (84) hours per fourteen (14) day pay period. which Hours worked in excess of eighty-four (84) hours through eighty-six (86) hours will be paid at the employee's regular straight-time rate. Overtime will be calculated on the basis of hours actually worked in excess of eighty-six (86) hours during the fourteen (14) day per pay period.; however, police officers will receive a pay differential for hours worked between 80 and 86 hours in the pay period. Paid time off (PTO), holiday pay for hours not actually worked, bereavement leave, and other paid absences from duty is/are not counted as hours worked for purposes of calculating overtime.
- C. The employment and work programs of each department, except in the police department, should be scheduled to reduce or eliminate overtime work. It is anticipated, however, that employees may be required to work when necessary to complete work assignments or meet deadlines. Any overtime work shall be pre-approved, in writing, by the City Manager prior to the occurrence with the exception of an emergency situation.
- D. Payment
1. Job classifications are designated by the City as either exempt or non-exempt for overtime pay purposes in accordance with the Federal Fair Labor Standards Act. Non-exempt employees ~~who work more than their regularly scheduled hours~~ will be paid/compensated at their regular straight-time rate ~~of pay~~ for all hours worked up to ~~and including forty (40) hours in a week~~ the applicable overtime threshold. Hours worked in excess of ~~forty (40)~~ the applicable overtime threshold will be paid at one and one-half (1½) times the employee's regular rate of pay.
 2. The policy regarding overtime pay may vary with different departments in order to comply with the provisions established by the Federal Fair Labor Standards Act.
- E. ~~Holidays and Non-Exempt Employees Pay~~
- E. ~~Holiday pay and compensation for employees required to work on a holiday are addressed in Section 7.1 Holidays.~~



- ~~1. The City requires that employees who are scheduled to work the day prior to and the day after a holiday must report to work as scheduled to be eligible to receive holiday pay.~~
- ~~2. If an employee has requested and been granted the day off prior to or immediately following a holiday, he/she would be eligible for holiday pay, providing he/she still reported to work the days prior to and immediately following the requested day off.~~
- ~~3. Non-exempt employees required to work on a holiday will be paid at a rate of two (2) times the normal rate of pay.~~

F. Overtime Exclusions

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~~F.~~ Paid Time Off (PTO), bereavement leave, jury leave and absences from duty are not considered as time worked to accumulate total weekly hours required to be eligible for overtime.

6.2 OTHER COMPENSATION

A. Standby Compensation

1. A standby duty assignment may be ordered by a supervisor who requires an employee to be immediately available for work because of a likelihood of an urgent situation arising from the employee's off-duty time. This may include nights, weekends, or holidays.
2. Non-exempt employees, except police department, who are assigned to standby duty, receive two (2) hours of straight-time pay on regular workdays (24-hour period) and on regularly scheduled days off. This compensation is not considered as hours worked for the purpose of premium overtime pay eligibility.
- ~~3.~~ When called to work, employees on standby duty are paid for actual hours worked and standby pay, but are not eligible for call back pay. Only the hours actually worked count for premium overtime pay.
- ~~3.~~

B. Minimum Call Back Pay

- ~~1.~~ Minimum call back pay is provided to compensate non-exempt off-duty employees who are not assigned standby duty; and who are required to return to work outside of their regularly scheduled shift, except in the police department.
- ~~1.2.~~ An employee eligible for call back pay ~~is will be~~ paid for the actual hours worked or a minimum guarantee of three ~~(3)~~ hours straight-time pay, whichever is greater.
- ~~2.3.~~ Only hours actually worked count toward eligibility for overtime pay.
- ~~4.~~ Except for non-exempt sworn employees, ~~t~~To be eligible for call back pay, the reporting time must be more than three (3) hours before the start of the employee's next regularly scheduled shift. When an employee is on duty and directed to continue to remain at work, the extra time is considered ~~as~~ scheduled work and the employee is not eligible for call back pay.



3-5. For non-exempt sworn employees, call back time begins upon notice to report.

C. Department Business and Meetings Outside Regular Work Hours

1. Non-exempt sworn employees required to attend department business outside their regularly scheduled shift will be compensated for the actual time worked, with a minimum of two (2) hours of straight-time pay. Department business occurring immediately before or after the employee's regularly scheduled shift will not be subject to the two (2) hour minimum.
2. Non-exempt sworn employees ordered to attend meetings outside of their regularly scheduled work hours will be compensated for the actual hours worked.

D. Court Time for Non-Exempt Sworn Employees

1. Non-exempt sworn employees required to appear in court during off-duty hours on behalf of the City, or as a result of exercising their lawful authority, will receive a minimum of three (3) hours of straight-time pay. The three (3) hour minimum will not apply when the court appearance is scheduled to begin within one (1) hour of the start or end of the employee's regularly scheduled shift. In such circumstances, the employee's shift will be extended and the employee will be compensated for the actual hours worked.
2. If an employee is required to appear in court two or more times on the same date, the employee will receive only one three (3) hour minimum when the proceedings occur within the same three-hour period. If a subsequent court appearance extends beyond the original three-hour period, the employee will be compensated for the additional time. An additional three (3) hour minimum will apply only when a subsequent court appearance is scheduled to begin outside the original three-hour minimum period.
3. Employees required to attend virtual court during off-duty hours will receive a minimum of one (1) hour of straight-time pay or compensation for the actual time worked, whichever is greater.
4. Employees may retain any subpoena fees legally due to them.

E. Midnight Shift Pay

Employees assigned to the midnight shift, 1800 to 0600 hours, will receive a one dollar (\$1.00) per hour shift differential for each hour actually worked during the shift.

F. K-9 Handler Pay

Employees assigned as K-9 Handlers will receive twenty-five dollars (\$25.00) biweekly. K-9 Handlers will also receive one (1) hour per workday of paid on-duty time for the care and maintenance of their assigned K-9. Such time will be treated as hours worked.

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C. ~~In addition to wages, employees may receive additional compensation that is not part of the employee's pay and benefits package. Additional compensation may take the form of (1) occasional business-related meals and entertainment of employees and their guests; (2) the ability to take vacation days in conjunction with a conference or meeting requiring out of area travel, provided that no cost accrues to the City; (3) the ability to include a non-City employee as a guest in conjunction with a conference or meeting requiring out of area travel, provided that no costs accrue to the City. Employees receiving these forms of compensation are liable for any tax consequences of this compensation.~~

D. ~~For Police Officers, additional compensation will be in accordance with Police Department Policy A-BIPD-22.~~



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SECTION 7 – EMPLOYEE BENEFITS

7.0 PURPOSE

In order to achieve the City's general policy to provide reasonable compensation, benefits, assurances, and safeguards to its employees, the City has developed and maintains a comprehensive package of benefits and programs for its employees.

7.1 HOLIDAYS

- A. The following are official holidays, where employees shall receive regular rate of pay and are not required to perform any work, which shall be observed by all departments in which functions can be discontinued without adversely affecting required services to the public.

New Year's Day	Veterans Day
Martin Luther King Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving
Independence Day	Christmas Eve
Labor Day	Christmas Day
	<u>New Year's Eve</u>

Full-time employees are also provided with one "Personal Day", and, in recognition of Juneteenth, one floating holiday. (with the approval of the City Manager, employees may choose to combine their personal day with another holiday). Each will be equal to the number of hours in the employee's regularly scheduled workday and The Personal Day will be deposited in the employee's PTO bank October 1st of each year.

B. Holiday Observance and Pay

1. When a holiday falls on a Saturday, the preceding Friday will be observed as the official City holiday. When a holiday falls on a Sunday, the following Monday will be observed as the official City holiday.
2. Full-time employees will receive holiday pay at their regular straight-time rate based on the number of hours in their regularly scheduled workday.
3. If the City's observed holiday falls on an employee's regularly scheduled day off, the employee will receive holiday pay based on the employee's regularly scheduled workday, unless the employee is regularly scheduled to work on the actual calendar holiday.
4. If an employee is regularly scheduled to work on the actual calendar holiday, the actual calendar holiday will be considered that employee's observed holiday in place of the City's substitute observance date.
5. An employee who does not work on the holiday observed by that employee will receive holiday pay at the employee's regular straight-time rate for the number of hours in the employee's regularly scheduled workday.
6. An employee who works on the holiday observed by that employee will be paid the employee's regular straight-time rate for the actual hours worked and will also



receive holiday-work compensation at one and one-half (1½) times the employee's regular rate for the actual hours worked. Any remaining hours in the employee's regularly scheduled workday that are not worked due to the holiday will be paid as holiday pay at the employee's regular straight-time rate.

7. Employees who are scheduled to work on the workday immediately before and immediately after a holiday must report to work as scheduled to be eligible for holiday pay.

B. 8. An employee who has requested and been granted approved leave on the scheduled workday immediately before or after a holiday will remain eligible for holiday pay, provided the employee reports to work as scheduled on the employee's other required workdays.

C. If a holiday occurs during an employee's paid absence ~~(personal leave)~~, the employee will not be charged for the absence but will be credited and paid for the holiday. An employee who is in a non-paid status the day immediately preceding and immediately after the holiday will not be entitled to holiday pay.

D. Temporary employees/part-time employees are not eligible for holiday pay.
D.

7.2 **PAID TIME OFF (PTO)**

A. Eligibility

1. All full-time employees are eligible to accrue Paid Time Off (PTO) beginning the first of the month following the date of hire. Part-time and temporary employees are not eligible to accrue PTO.



B. Accrual of PTO

1. Eligible employees shall accrue PTO during every completed pay period the employee is in active pay status at the accrual rates shown below.

Length of Service	Accrual Rate per Pay Period
Under 5 years	6.16 hours
5 years and under 10 years	7.50 hours
10 years+	9.00 hours

2. Employees are expected to use accrued PTO responsibly to assure the necessary rest and relaxation away from work. Employees are also expected to maintain an appropriate balance of PTO for use in unexpected emergencies or in cases of serious illness or injury.

C. Maximum PTO Accrual and Payout

1. The accrual period is from October 1 to September 30 each year. An employee can accrue over the maximum during the fiscal year but cannot carry over more than the maximum accrual into the next year unless the City Manager authorizes an exception in the case of an emergency.

4. _____

Maximum Accrual Limits

2. ~~Exempt and Non-Exempt Employees have separate maximum accrual schedules as shown below.~~

a. General Accrual Limits

2. Except as otherwise provided for Non-Exempt Sworn Employees below, exempt and non-exempt employees are subject to the following maximum PTO accrual limits:

Length of Service	Maximum Accrual Hours	
	Non-Exempt	Exempt
Under 5 years	240	350
5 years and under 10 years	280	380
10 years+	300	380

b. Non-Exempt Sworn Employees

Non-Exempt Sworn Employees are subject to the following maximum PTO accrual and payout limits:



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<u>Length of Service</u>	<u>Maximum Accrual</u>	<u>Maximum Pay-Out</u>
<u>Under 5 years</u>	<u>350</u>	<u>300</u>
<u>5 years and under 10 years</u>	<u>450</u>	<u>400</u>
<u>10 years+</u>	<u>550</u>	<u>500</u>

D. Use of PTO

1. PTO shall not be authorized prior to the time it is earned and credited to the employee.
2. Granting of requests for PTO use is subject to operational demands and approval of the supervisor or designee. PTO must be used in quarter hour increments.
3. Employees are responsible for knowing the amount of PTO available for their use. Any employee requesting time off without PTO hours accrued will be subject to disciplinary action, except when covered under FMLA, disability or worker's compensation.
4. PTO may be used only with prior approval of the department supervisor or designee, except in the event of an unforeseen absence.
5. PTO scheduled on a City approved holiday designated in Section 7.1 is not chargeable against the employee's available PTO but will instead be paid as holiday pay.
6. Employees who become sick while on PTO may be required to present a doctor's note if additional time off is needed beyond the originally approved time off.
7. Exempt Employees are expected to normally work forty (40) hours per week or more. If an exempt employee does average greater than forty (40) hours per week, then occasionally if the employee requests less than four (4) hours off on any one day, the City Manager may approve flex time rather than charge PTO. This policy is not subject to employee interpretation but only if the City Manager believes the employee is eligible for this flex time consideration.

E. Request for PTO - Scheduled Leave

1. PTO should be requested as far in advance as possible but not less than one (1) work ~~the~~ day before the leave is to commence unless the failure to make a timely request is determined by the City Manager to be for a reason beyond the control of the employee.



2. PTO may be requested for the following scheduled purposes:
 - a. Vacation leave
 - b. Medical, dental and vision appointments which are necessary during working hours
 - c. Personal business
 - d. Holidays other than those designated in Section 7.1.
 - e. Maternity/Paternity leave
 - f. To supplement FMLA leave, STD, LTD or worker's compensation, but only to the extent necessary to make up the difference in all compensation received from any source and the employee's straight time weekly earnings



F. Request for PTO - **Unscheduled Leave**

1. PTO may be requested for the following unscheduled purposes:
 - a. Illness or injury of the employee
 - b. Illness or injury of a family member
 - c. Unforeseen emergency or circumstances necessitating the employee's absence from work
2. Each employee is responsible for notifying their supervisor that they will be unable to report for scheduled duty under these circumstances. This notification must be given as soon as possible but not later than the employee's scheduled reporting time unless prohibited from doing so for reasons to be beyond the control of the employee, as determined by the City Manager or designee.
3. Any unscheduled absence of three (3) or more consecutive days for an illness or injury must be accompanied by a doctor's note before the employee will be able to return to work.
4. If an employee is absent for three (3) consecutive workdays without reporting to their supervisor, the employee will be deemed to have resigned (quit without notice).
5. Supervisors are responsible for determining to their satisfaction that an employee is too ill to work and may require the employee present medical evidence from a physician if the supervisor has reasonable cause to doubt the illness of the employee.
6. A supervisor, with City Manager approval, may direct an employee to undergo a physical, mental, or other examination, at City's expense, to reveal an employee's fitness for duty in his assigned job classification at any time during the employee's employment.

G. PTO Upon Separation

1. Upon separation from employment with the City by resignation with proper notice, full-time employees who have completed six (6) months of continuous employment shall be entitled to compensation for any earned but unused PTO hours, not to exceed the maximum amount allowed to be accrued. Full-time employees who are terminated for cause shall not be entitled to pay for any accrued PTO. The City Manager will determine if an employee who resigns in lieu of termination may receive any accrued PTO earned but unused.

In the case of an employee's death, the payment for any unused PTO is made to the employee's spouse, beneficiary, estate, or as provided by law.



7.3 DONATION OF PTO

The purpose of donated PTO is to assist any eligible employees with additional leave through the donations of eligible co-workers. All regular employees are eligible to request or donate PTO in cases deemed as "hardship" by the City Manager on the recommendation by the Department Manager. All donations will be kept confidential and donors will remain anonymous. Hardship donations are the only time PTO may be transferred between employees.

Donated hours must not be processed in an amount greater than that which is approximately necessary to cover the employee's next occurring pay period unless additional time is approved by the City Manager. Hours will be put to a pool for the employee in the order received by the Finance Dept. and drawn from the Pool in that same order. This donation is irrevocable but that if donated hours are not needed the hours unused will be returned to the donor's Accrual.

Donated PTO may be used to provide paid Family & Medical Leave that would otherwise be unpaid, but may not extend the length of Family & Medical Leave entitlement.

Donated leave may not be used to extend employment beyond the point that it would otherwise end by operation of law, rule, policy, or regulation. For example, if an employee would have otherwise been terminated due to layoff or other reasons, donated leave may not be used to extend employment.

The Requesting Employee (Recipient) Must:

- Provide documentation for a non-work related seriously disabling illness or injury, as certified by a physician.
- Have exhausted all accrued PTO and not be on, or eligible for, disability leave or pay.
- Have worked one full year at the City and have received satisfactory performance evaluations.
- Submit a request for donated PTO to their immediate supervisor indicating reason and anticipated amount of lost work time.

The Donating Employee:

- Must complete and submit a designated form indicating the desire to donate to the Finance Department representative with City Manager's approval.
 - May donate up to a maximum of 40 hours of PTO per the calendar year but must retain a minimum of 40 hours vacation leave.
1. Any decision by the City Manager regarding PTO Donation will be binding. Donated time is calculated using the number of hours donated, the donator's hourly wage, and the recipient's hourly wage. Hours of PTO donated from co-workers will be converted to a dollar amount and then applied to the recipient's account at their own hourly rate.



7.4 ADMINISTRATIVE LEAVE

- A. Exempt employees shall be credited with forty (40) hours of leave time on October 1 of each year. Administrative Leave time shall be used in accordance with the provisions in the Paid Time Off (Section 7.2). Any Administrative Leave not used by September 30th shall not accrue and will not roll over into the next Fiscal Year. Any Administrative Leave not used shall not be paid out upon separation.

7.5 LEAVE OF ABSENCE WITH PAY

A. Bereavement Leave:

~~A.~~ All full-time employees are entitled to five (5) paid days for bereavement leave not charged to any leave balance for the death of a member of the employee's immediate family. If additional time is requested, PTO may be taken with the department supervisor's approval. Immediate family shall be defined as spouse, domestic partner, mother, father, son, daughter, grandson, granddaughter, sister, brother, legal guardian, mother-in-law, father-in-law, son-in-law, daughter-in-law, stepparents, stepchildren, and grandparents. Should the death and service occur out of state, the City Manager may authorize an additional two days to leave time.

B. Court Appearance/Jury Duty

1. A full-time employee who is summoned to jury duty or subpoenaed to appear in court as a witness in relation to his position with the City or as a citizen shall be granted time off with pay for jury duty or court appearance. The employee must:
 - a. Notify his supervisor of the summons or subpoena immediately upon receipt, produce the summons or subpoena to the supervisor, with a copy to be placed in the employee file, and provide an estimate of the duration of the absence; and
 - b. Report to the supervisor immediately upon the conclusion of such jury duty or court appearance.
2. The City, in its discretion, may reschedule the working hours and days of work of any part-time employee who is summoned to jury duty or subpoenaed to appear in court as a witness in relation to his position with the City. If this is not feasible, the City shall grant the employee time off with pay for the time actually spent on jury duty or in the court appearance.
3. If an employee is subpoenaed as a witness other than in the specific circumstances described above, the City will grant the employee personal leave or leave without pay.

C. Meetings

~~C.~~ In the case where it is deemed by the City Manager as beneficial to the City, an employee may be granted leave with pay to attend professional meetings or conferences which may contribute to the effectiveness of the employee's work performance.



D. Examinations:

~~D.~~ An employee shall be granted leave with pay while taking examinations before a Federal, State or County agency, provided such examinations are pertinent to his City employment.

~~7.6 **MILITARY LEAVE** Military Leave: Employee's rights to military leave for reserve or National Guard training shall be governed by Section 115.07, Florida Statutes.~~

~~7.6~~

A. Leave for Active Military Service

Employees who are members of the U.S. Armed Forces Reserves or the National Guard will be granted a leave of absence to perform active military service. The first thirty (30) calendar days of such leave will be with full pay for active federal military service that is equal to or greater than ninety (90) consecutive calendar days.

After the first thirty (30) days of qualifying active military service, the City will provide differential pay when the employee's base military pay is less than the employee's applicable City compensation. For purposes of calculating military differential pay, City compensation will include step pay, educational incentive pay, longevity pay, and rank/classification pay. Specialty pay, shift differential pay, and off-duty earnings will not be included. Military differential pay will equal the difference between the employee's applicable City compensation and base military pay. No differential payment will be due when base military pay equals or exceeds the employee's applicable City compensation.

Employees receiving military differential pay must provide a Leave and Earnings Statement or other acceptable documentation of military base pay for each applicable pay period. The City will reconcile any overpayment or underpayment in the next payroll cycle.

For any unpaid leave under this policy, employees may elect, at their option, to use any accrued unused PTO. The City will continue to pay its share of any health insurance coverage for up to thirty (30) days of military leave. Health insurance, retirement service credit, and other applicable benefits will thereafter be continued or administered consistent with USERRA and Florida law.

Employees are required to provide as much advance notice as possible of the need for military leave unless giving notice is impossible or precluded by military necessity.

Reinstatement or re-employment by the City following a period of active military service will be granted as follows:

1. If discharged from the military, the employee must have received an honorable discharge.
2. The employee's military leave from the City did not cumulatively exceed five (5) years.
3. The employee reported back to work or applied for reinstatement:



- a. within ninety (90) days after release from military service lasting more than one hundred eighty (180) days;
- b. within fourteen (14) days after release from military service lasting between thirty-one (31) and one hundred eighty (180) days; or,
- c. on the next regularly scheduled workday following release from military service of less than thirty-one (31) days.

The employee will be reinstated in the position the employee would have attained if not for the military leave absence, or a similar one in terms of status, pay, and seniority, and will receive full credit for time spent in the military, provided the above requirements are met.

B. Leave for Reserve or Guard Training

Employees who are members of the Reserve or National Guard will be granted a military leave of absence for all time in which the employee is ordered to engage in training. The employee is required to provide his or her supervisor as much advance notice as possible of the need and intent to be away for Reserve/Guard training.

Up to two hundred forty (240) hours per fiscal year for Reserve or Guard training shall be paid leave. Any training hours required in excess of two hundred forty (240) hours per fiscal year shall be without pay, unless the employee elects to use available accrued PTO.

C. Leave for Named Event or Declared Emergency

A military leave of absence will also be granted to any employee who is a member of the Florida National Guard and is called to active state duty for a named event or an officially-declared emergency or disaster pursuant to Florida Statutes, Section 250.48. Official orders for any such service shall be presented to the employee's immediate supervisor. Leave under this section shall be with pay for the first thirty (30) days of the named event or emergency, and thereafter shall be without pay.

7.87.7 LEAVE OF ABSENCE WITHOUT PAY

A. Personal Reasons

A. ÷ An employee with at least one (1) year of satisfactory service may be granted leave without pay for reasons other than those stated previously for a period not to exceed six (6) months, provided the City Manager deems such leave to be justified and not detrimental to the operations of the city. A general leave of absence without pay is available to regular full-time employees. A general leave of absence is a temporary suspension of employment for a period of not more than 12 months. Only the City Manager may grant general leaves of absence.

B. Written Request

B. ÷ A request for a leave of absence must be made in writing to the Department Head (or in the case of a Department Head requesting leave, to the City Manager), who will



provide a recommendation to the City Manager. The written request must state the purpose, and beginning and ending dates of the proposed leave.

C. Benefits

~~C.~~ Employees granted a general leave of absence does not receive any pay while on leave. All benefits will cease to accrue during this period of leave. However, the employee will be offered COBRA coverage and may continue to receive insurance coverage if the employee pays the insurance premiums. Arrangements should be made with the City Manager prior to beginning any leave in order for insurance to continue.

D. Reinstatement

~~D.~~ Reinstatement following a general leave of absence is not guaranteed. When taking a general leave of absence, the employee should thoroughly understand that their former position may not be available. The vacated position may be filled or operating conditions may change during the period of leave to such an extent as to make reinstatement impracticable. An employee must notify their Department Head of their intention to return to work 15 (fifteen) days prior to the anticipated date of return. Failure of the employee to return to work on the day following the expiration of the approved general leave will be considered a voluntary termination of employment.

E. Military Leave

- ~~1. Military leave will be granted to an employee who is absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Act (USERRA) and the Florida Military Leave Laws (F.S. Title X, Chapter 115. Advance notice of military service is required unless military necessity prevents such notice or it is otherwise impossible or unreasonable.~~
- ~~2. An employee requesting military leave may use any available and appropriate paid time off for the absence. If an employee wishes to use their accrued paid time off for military leave, they must make a request to do so in writing to the City Manager.~~
- ~~3. All employees who are members of the Florida National Guard or any reserve component of the armed forces of the United States are entitled to a paid leave of absence for up to 15 days in any federal fiscal year (October 1 to September 30) for training, provided the employee has been employed by the City at least six months prior to the leave. This provision does not apply to weekend duty.~~
- ~~4. Continuation of health and dental insurance benefits is available as required by USERRA based on the length of leave and subject to terms, conditions, and limitations of the applicable plans for which the employee is otherwise eligible.~~
- ~~5. An employee on military leave for up to 30 days is required to return to work for the first regularly scheduled shift after the end of service, allowing reasonable~~



~~travel time. Employees on longer military leave must apply for reinstatement in accordance with USERRA.~~

- ~~6. An employee returning from military leave that did not exceed 90 days will be placed in their former position. If the military leave exceeded 90 days, the employee will be returned to a position they would have attained had they remained continuously employed in a comparable position depending on the length of military service in accordance with USERRA. The employee will be treated as though they were continuously employed for purposes of determining benefits based on length of service. Employees who have not completed their probationary period prior to the time the military leave commences must complete the remainder of the probationary period upon return.~~

7.97.8 WORKERS' COMPENSATION CLAIMS

A. Procedures

1. Any employee injured in the line of duty must immediately report the injury to his supervisor regardless of the extent of the injury.
2. Within twenty-four (24) hours, the supervisor will provide a written accident report and any related documents to the City Manager for processing. In the event of any injury in which an employee needs medical attention, the supervisor must immediately report the accident to the servicing workers' compensation medical provider for the City.
3. Employees must follow specific procedures in the event of job-related accidents resulting in injury to employees. Information and forms to initiate the claims process can be obtained from the City Manager. Failure of an employee to report an accident or injury may result in delay or denial of coverage.

B. Benefits

1. An employee who misses work as a result of a work-related injury that is compensable under the Workers' Compensation Law, Chapter 440, Florida Statutes (or subsequently amended), shall receive their normal salary for the time actually missed, up to a maximum of seven (7) calendar days, beginning with the day of injury.
2. The seven (7) calendar day benefit shall be chargeable to the employee's accrued PTO.
3. If the employee is unable to resume work at the end of the seven (7) calendar days, workers' compensation will begin on the eighth (8) day at the rate of 66 2/3 percent of the employee's gross salary computed on the average weekly wage paid for the last thirteen (13) weeks prior to injury.
- ~~4. The City will continue to make contributions toward health insurance on behalf of an employee receiving Workers' Compensation benefits for a work-related injury~~



to the extent permitted by the City's health insurance administrator guidelines, after which the employee may be required to obtain COBRA coverage in order to continue to receive benefits. Leave benefits do not continue to accrue beyond 30 days of disability.

4.5. Notwithstanding the foregoing, a full-time law enforcement officer who suffers a catastrophic injury in the line of duty or while engaged in an official training exercise shall be provided health insurance benefits for the officer, the officer's spouse, and dependent children in accordance with Section 112.19, Florida Statutes, as amended from time to time.

7.107.9 TEMPORARY LIGHT DUTY

Whenever possible, an employee affected by a work-related illness or injury may be offered temporary light duty within the restrictions provided by the employee's treating physician. Temporary light duty may be to any department in the City and will be paid at the employee's regular rate of pay.

Employees unable to perform their regular job duties because of non-work related illness or injury may be offered temporary light duty based on the needs of the department in which the employee works. Temporary light duty is offered only at the discretion of the Department Head and City Manager. If there is no business need, the employee will be expected to use available leave time.

7.117.10 EMPLOYEE ASSISTANCE PROGRAM (EAP)

A. Purpose

A. ÷ The purpose of the EAP is to benefit both the employee and the City by providing professional and confidential personal assistance to employees who are having any type of personal problems. Through this program, personal problems for the employee can be minimized and employees can receive meaningful help in improving their personal lives. The EAP also benefits the City by improving the on-the-job performance of employees.

B. City Responsibilities

1. The City recognizes that any employee having a work-hampering personal problem should receive the same careful consideration and professional and confidential assistance that is extended to employees with health problems.
2. The City's concern with personal problems is strictly limited to the effect of these problems on the employees' work performance and/or attendance.
3. The City assures that the decision to seek or accept assistance through the EAP will in no way be detrimental to an employee's job security or advancement opportunities.
4. All records pertaining to the EAP will be treated with the same confidentiality afforded employees' medical records. Self-referred individuals seeking assistance will be able to do so with complete anonymity unless written consent is given to make such information available to their supervisor or another party.



5. Treatment and rehabilitation benefits for any condition identified through the EAP will be provided in accordance with the City's group health insurance as delineated in the existing program of insurance benefits, or as provided by the City.
6. This policy will not require, or result in, any special regulations, privileges or exceptions from City administrative practices applicable to job performance standards. Nothing in this policy or in the EAP is to be interpreted as a waiver of management's right to maintain discipline or invoke disciplinary measures in the case of misconduct which may result from or be associated with a personal problem.

C. Supervisor Responsibilities

~~C.~~ Supervisors at all levels are responsible for implementing this policy by remaining alert to all instances of substandard work performance and to bring these to the attention of the employee along with offers of assistance at the earliest indication of a recurrent pattern.

D. Employee Responsibilities:

1. Employees are responsible for seeking assistance through, or accepting the referral, to the EAP and for complying with the recommended action plan when personal problems are affecting job performance.
2. Participating in the EAP in no way relieves the employee of responsibility to meet accepted work performance standards. Participating in the EAP must never be used as an excuse for poor work performance. Similarly, an employee cannot escape proper discipline by seeking assistance through the EAP.
3. Employees are afforded twelve EAP visits per the calendar year. After 12 visits, the employee will utilize their personal health care provider.

7.127.11 GROUP INSURANCE

Employees are considered Benefit Eligible the first full month from the date of hire.

A. Life Insurance:

The City provides a basic term life insurance policy for each regular and probationary employee, at no cost to the employee.

B. Accidental Death and Dismemberment (AD&D)

~~A.~~ The City ~~also~~ provides an Accidental Death and Dismemberment (AD&D) policy to all regular and probationary employees, at no cost to the employee. The AD&D policy provides additional financial protection in the event of accidental death or dismemberment as defined in the policy. Additional supplemental life insurance and AD&D coverage may also be purchased by the employee. Eligible employees may participate in the life insurance and AD&D plans subject to all terms and conditions of the agreement between the City and the insurance carrier. The City shall pay all premiums to provide all full-time benefit eligible employees with term life insurance to the employee at a rate of one times the employee's salary.



C. Health Insurance

~~B.~~ B. The City provides all full-time benefit eligible employees with the opportunity to participate in the group insurance plan.

D. Insurance for Dependents

~~C.~~ C. Optional dependent health insurance coverage is available to all full-time benefit eligible employees as long as the dependent falls within guidelines established for coverage of dependents by the insurance carrier and the City, at a cost to be set periodically by the City. The employee share of dependent coverage will be paid through regular payroll deduction.

E. Other Optional Insurance Coverage(s)

~~D.~~ In the event, the City offers other optional insurance coverage(s), employees may exercise their option to enroll in accordance with City procedures.

F. Continued Coverage

~~E.~~ E. Employees may continue their group medical coverage under the following conditions:

1. An employee and/or his surviving dependents have the right to continue medical coverage under the Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1996. The employee or his surviving dependents will pay the full group premium for a continued period of coverage as specified in the Act. The City will provide assistance in making an application.
2. Application Procedures: Any authorized applicant who wishes to continue insurance coverage as provided in this section must contact the City within forty-five (45) calendar days following the date of the employee's separation from City service, death or placement on leave of absence without pay. At that time, the necessary arrangements for the payment of the required premium will be made.

~~F.G.~~ F.G. The City will enroll authorized applicants in the various insurance programs and assist in resolving problems, changing levels of coverage, adding or dropping coverage(s) for dependents, changing carriers and changing beneficiaries. The City Manager will also periodically review insurance program for budgetary costs and performance and recommend changes where necessary.

~~G.H.~~ G.H. All benefits granted in this section and all of the agreements made by the City are expressly conditioned upon, subject to and limited by, all of the rights granted to and reserved by the City as described in these policies and procedures, including the rights to change and/or eliminate any and all benefits not required to be provided by law.

Voluntary Employees' Beneficiary Association (VEBA): Subject to budgetary allocations, the City may contribute a set dollar amount into a VEBA account on your behalf, on a semi-annual basis. The amount of the contribution is based upon your enrollment status in the City's medical benefits program. The dollar amount of your contribution is subject to



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the number of dependents you cover in the City's medical benefits plan: employee only, employee +1, or employee +2 or more. You must be enrolled in the City's medical benefits program in order to qualify for a VEBA contribution.



7.137.12 RETIREMENT SYSTEM

A. Retirement System

1. Benefit eligible employees (see Group Insurance 7.1~~19~~) are eligible for participation in the City sponsored retirement plan. The City pays one hundred (100) percent of the contribution for employee participation at a rate determined annually by the City Council. The City will assist employees with changing beneficiaries, requesting an audit of an employee's retirement account, and processing retirement applications.

B. Deferred Compensation

1. All full-time employees shall be eligible to participate in the City's Deferred Compensation Plan.

7.147.13 OTHER EMPLOYEE BENEFITS

- A. Section 125 Cafeteria Plan: Employees may elect to have a certain employee paid insurance premiums paid with pre-tax dollars in accordance with Section 125 of the Federal Internal Revenue Code.

B. Employee Discounts

1. The City may provide employee discount cards for major area attractions to all employees. Upon presentation of the card at the respective attraction, the employee is entitled to a discount or reduction in price according to the provisions of the card and/or any agreement between the attraction and the authorized signatory for the City.
2. The City Manager, authorized signatory or an official attraction representative may terminate the respective discount program(s) without prior notice.

7.157.14 FAMILY AND MEDICAL LEAVE (FMLA)

The Family and Medical Leave Act (FMLA) is designed to help employees balance their work and family responsibilities by allowing them to take reasonable unpaid leave for certain family and medical reasons. FMLA provides certain employees up to 12 weeks of unpaid, job-protected leave per twelve (12) month period.

A. Eligibility

1. An employee is eligible for FMLA if he or she has worked for the City for at least twelve (12) months and for at least 1,250 hours of service during the twelve (12) months immediately preceding the commencement of the leave.

B. Basic Entitlement

1. An eligible employee may take FMLA for the following reasons:
 - a. For the birth and care of the newborn child of an employee



- b. For placement with the employee of a child for adoption or foster care
- c. To care for an immediate family member (spouse, child, or parent) with a serious health condition
- d. To take medical leave when the employee is unable to work because of a serious health condition
- e. A qualifying exigency (as defined below) arising out of the fact that the employee's spouse, child (of any age or a child who the employee assumes the role of caring regardless of the legal or biological relationship) or parent is ~~a retired or reservist member of the military on covered active duty, or has been notified of an impending call or order to covered active duty, as defined under the FMLA, in support of a contingency operation. Leave under this subsection is not available for an employee whose family member is on active duty as a member of the Regular Armed Forces.~~

- 2. An employee is entitled to a combined maximum of up to twelve (12) weeks leave in a rolling twelve (12) month period for one or a combination of the reason(s) listed above.
- 3. Leave for birth, adoption or fostering a child is expected to be taken within twelve (12) months of the event.
- 4. If both spouses work for the City and are both eligible for FMLA leave, together they are limited to a combined total of twelve (12) weeks of leaving during any twelve-month period if the leave is taken for the birth, adoption, or foster care placement of a child, or to care for the employee's parent with a serious health condition.

C. Military Entitlement

- 1. Under basic entitlement, a qualifying exigency entitles the employee to twelve (12) weeks of FMLA.
- 2. An employee may take up to twenty-six (26) weeks of unpaid leave in a single twelve (12) month period in order to care for the employee's spouse, child (of any age or a child who the employee assumes the role of caring regardless of the legal or biological relationship), parent or next of kin who is a military service member who is undergoing medical treatment, recuperation, or therapy, or who is in outpatient status, or who is otherwise on the temporary disability retired list, for a serious injury or illness incurred in the line of duty while on active duty in the Armed Forces.

D. Definitions

- 1. Child: "Child" includes a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis who is either under age 18, or age 18 or older and "incapable of self-care because of a mental or physical disability" at the time that FMLA leave is to commence.



2. In Loco Parentis: The FMLA regulations define in loco parentis as including those with day-to-day responsibilities to care for or financially support a child. Employees who have no biological or legal relationship with a child may, nonetheless, stand in loco parentis to the child and be entitled to FMLA leave.
3. Next of Kin: The “next of kin” of a military service member means the nearest blood relative other than the service member’s spouse, parent or child, in the following order of priority (unless the service member has specifically designated in writing another blood relative as his/her nearest blood relative for purposes of military caregiver): (1) A blood relative who has been granted legal custody of the service member, (2) brothers and sisters, (3) grandparents, (4) aunts and uncles and (5) first cousins.
4. Parent: “Parent” is defined as a biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the employee when the employee was a child. This term does not include parents “in law”.
5. Qualifying Exigency: A “qualifying exigency” includes leave taken for any of the following reasons: (1) to address any issue resulting from an impending call to active duty deployment on less than seven days’ notice, (2) to attend military events and related activities (such as military ceremony, briefing, family support program, etc.), (3) to make arrangements relating to childcare and school activities, (4) to make financial and legal arrangements, (5) to attend counseling, (6) to spend time with a covered military member who is on a short-term, temporary rest and recuperation leave during the period of deployment, (7) to attend post-deployment activities (such as a military ceremony, event, reintegration briefing, etc.), and (8) any other exigency agreed upon by the City and the employee.
6. Serious Health Condition: A “serious health condition” means an illness, injury, impairment, or physical or mental condition that involves either: (1) in-patient care (i.e. an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with in-patient care, or (2) continuing treatment by a health care provider, as defined by the FMLA and the pertinent regulations.
7. Serious Injury or Illness: A “serious injury or illness” means an injury or illness incurred by a military service member in the line of duty on active duty that may render the service member medically unfit to perform the duties of his or her office, grade, rank or rating.
8. Spouse: “Spouse” is defined as husband or wife.



E. Computation of Leave Period

1. An eligible employee is entitled to 12 weeks of FMLA leave in a rolling twelve-month period for one or a combination of the FMLA reasons listed above, measured backward from the date an employee uses any leave under this policy.
2. Each time an employee takes FMLA to leave, the remaining FMLA leave entitlement would be any balance of the 12 weeks which has not been used during the immediately preceding twelve months. For example, if an employee takes eight (8) weeks of FMLA qualifying leave during a rolling twelve-month period, an additional four (4) weeks of FMLA leave could be taken during the same twelve-month period.
3. For leave taken for the reason listed in Section 7.1~~24~~(C)(2), the single twelve (12) month period for calculating leave needed to care for a military service member begins when the employee first starts taking leave for that reason and ends twelve (12) months after that date. Leave may not exceed twenty-six (26) weeks in any single twelve (12) month period when combined with other FMLA-qualifying leave under any section of this policy.

F. Employee Notice and Certification Requirements

1. For the leave that is foreseeable, the employee must provide the City with at least thirty (30) days' notice. If the need for leave is not foreseeable, the employee is required to provide the City with as much notice as is practicable once the need for leave becomes known.
2. The City will require that leave based upon a serious health condition, or a service member's serious injury or illness, be supported by a medical certification from a health care provider. The certification must state the date on which the serious health condition commenced, the probable duration of the condition and a statement regarding the need for the employee to care for the family member.
3. The City will require that leave based upon a qualifying exigency also be supported by a certification and supporting documentation, including a copy of the military member's active duty orders or other similar documentation.
4. For leave taken because of the employee's own serious health condition, the employee is required to furnish a medical certification from their health care provider advising that they are able to safely resume performing the essential functions of their position before they will be allowed to return to work.
5. An employee shall first use all accrued PTO before commencing any leave of absence without pay. The cumulative total of PTO and leave of absence without



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pay used for this purpose shall not exceed the twelve (12) week total in the twelve (12) month period.

6. An employee returning from a leave of absence without pay shall be entitled to employment in the same department and the same, or equivalent, classification wherein employed when the leave began, provided the employee is physically and mentally capable of performing the essential functions of the job with reasonable accommodations.

A full-time employee who is on a leave of absence without pay for their illness or a family illness shall continue to have his group health insurance premiums paid by the City. However, should an employee fail to voluntarily return from leave, the City will recover premiums paid to the employee during the absence.

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SECTION 8 - PERFORMANCE EVALUATIONS

8.0 PURPOSE

- A. The City Manager or designee shall establish and administer a program to evaluate the quality of each employee's work performance and work behavior.
- B. Employee performance evaluations shall be used for, but not limited to, the following purposes:
 1. Documenting the supervisor's perception of the quality of each employee's work performance and work behavior.
 2. Advising the employee of strengths and weakness of his work performance and work behavior.
 3. Providing the employee with the supervisor's recommendations and expectations for improvement.
 4. Aiding supervisors in improving the effectiveness and efficiency of their operations.
 5. Documenting the basis for employee promotion, counseling, demotion or disciplinary action. However, the performance evaluation should not be used as the sole preponderant document for disciplinary action.
 6. Aiding in determining an employee's eligibility for ~~any merit increase~~ annual step advancement.
 7. Aiding in determining an employee's training needs.
 8. Setting performance objectives for the next evaluation period.

8.1 PROCEDURES

- A. To ensure a meaningful performance evaluation system upon which the City can monitor the effectiveness of our organization and its operations, employees typically receive annual performance evaluations.
- B. The objectives of our annual performance management and formal appraisal process are:
 - To ensure that each person in our organization knows how he/she is performing against established performance standards;
 - To determine how well the city managers are performing in assisting employees with work performance and objectives;
 - To ensure communication and two-way feedback;
 - To provide a consistent, objective, and fair method for making compensation decisions;
 - To identify areas where an employee may need more training;
 - To provide a tool for career planning; and,
 - To provide a record of employee performance and contributions.
- C. Supervisors are accountable for providing employee development actions designed to improve and enhance employee performance, such as:



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- Reasonable employee training, including computer software proficiencies;
- Assigning, directing, controlling and reviewing employee work;
- Assisting employees in correcting deficiencies; and,
- Objectively evaluating employee performance during the evaluation period.

D. The performance appraisal program is intended to be participatory, involving your input as much as that of your manager, thereby helping you to contribute to the growth and improvement of the City. You are encouraged to:

- Inquire about your performance from time to time;
- Accept additional responsibilities and show initiative;
- Review opportunities for advancement within the organization;
- Ask for assistance in developing a goal-oriented path for advancement; and,
- Learn about training available to assist you in improving your skills.

~~E. Employees will receive an annual performance evaluation based on the City's fiscal year evaluation cycle of October 1 through September 30. Annual evaluations will be completed prior to the beginning of the new fiscal year, absent documented extenuating circumstances. The first performance evaluations are conducted at the completion of 6 months of service and 12 months of service, and annually thereafter in June of each year. Depending on your date of hire, the 12-month performance may be adjusted.~~

~~E. To be eligible for annual step advancement, an employee must receive an overall performance rating of Meets Expectations or Exceeds Expectations and meet the other eligibility requirements established by the City's Compensation Policy.~~

Performance reviews serve as one factor in decisions related to employment such as training, ~~merit pay increases~~ step advancement, job assignments, employee development, promotions, and retention. Written reports identify specific performance levels as compared to established standards, to acknowledge the merit of above standard performance, and to prescribe the means and methods for correcting performance deficiencies to the required level of performance. Supervisors and managers are accountable for providing employee development actions designed to improve and enhance employee performance.

A copy of the evaluation signed by the employee and supervisor will become part of the employee's personnel record.

F. Performance Evaluations shall be completed upon the following occasions:

1. ~~Annually in accordance with the City's fiscal year evaluation cycle. After the first 6 months of service and 12 months of service, and annually thereafter in June of each year.~~
2. When an employee is assigned to a new supervisor, the releasing supervisor shall complete a performance evaluation and forward it to the receiving supervisor.

The job performance of each employee shall be evaluated on the basis of the degree of attainment of previously set objectives.

Supervisors shall accomplish the following:



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1. During the employee's orientation outline for the employee the performance objectives of the job, give the employee written performance goals for the job and explain the performance evaluation process.
2. Six months after setting the objectives, review the objectives with the employee and amend as necessary.
3. Anytime the employee is experiencing performance problems, review the objectives during coaching sessions, and discuss with the employee how the employee might improve performance.
4. During the probationary and/or annual performance evaluation, let the employee read the evaluation, explain to the employee how the performance evaluation for the period reflects the employee's success in meeting the objectives. Let the employee read the objectives for the next period, discuss them and answer questions about them.
5. Have the employee sign the performance evaluation and offer him the opportunity to make written comments if he desires. (If an employee refuses to sign the performance evaluation, note this on the evaluation form).
6. Department supervisors will review and sign the performance evaluation, making comments is not necessary, and forward it to the City Manager or designee for review and filing in the employee's personnel record.

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SECTION 9 - TRAINING, EDUCATION, TRAVEL, AND EXPENSES

9.0 TRAINING AND EDUCATION

The City encourages employees to further their training and education in pursuit of improving job skills and enhancing their contribution to the City.

The term “training” as used in this section includes conferences, seminars, workshops, one-day courses at an educational facility or online, or other professional development programs of a similar nature. The term “college courses” is used to describe coursework taken through or online from an accredited college, university, and/or business or technical school.

The policy outlined in this section applies only to training or education programs that:

- Enhance the employee’s job performance;
- Serve as a beneficial retention tool in keeping high-quality employees; or
- Are required for certification or licensing.

9.1 TRAINING AND EDUCATION PLAN

Funding for any training or education programs will only be provided if the Department Head has prepared a written departmental Training and Education Plan as part of their annual budget submittal. The Training and Education Plan must include an explanation of the following:

The requested funding for training and education for the department, by the employee.

A clear justification for each requested amount. The Department Head should consider whether the proposed training is the best way to acquire the information for the City or to achieve a Training and Education Plan goal. Training programs may be mandatory or voluntary.

An explanation of how these expenditures relate to an employee’s performance goals.

A prioritization of these requested expenditures in the event, not all requests approved.

Training and Education Plans are submitted to the City Manager for review and approval.

Only training and education consistent with the Training and Education Plan will be approved for funding and expense reimbursement.

Supervisors should discuss training and education goals with the employee in their regular performance evaluation session and these goals should be specifically detailed in the written evaluation form.



9.2 TRAINING CLASSES AND PROGRAMS

The City will pay for all registration fees for training classes and programs included in the employee's Training and Education Plan. Employees should consult the Travel and Expense Guidelines below to determine what expenses related to travel, meals, and lodging in conjunction with training are reimbursable. In some cases, you will be required to obtain an advance for some expenses in lieu of reimbursement. Travel and attendance time for training classes and programs required by the City will be considered time worked, as allowed by state or federal law.

When appropriate, employees may be asked to share/present information they have received from their training to others in the department.

All arrangements for training must be made in the most cost and time efficient manner as possible.

Only expenses for the employee will be paid for. All books and materials paid for by the City will become the property of the city.

9.3 TRAINING, SEMINARS AND CONFERENCES

Outside training required by the City will be paid for by the City and time spent in required training will be considered time worked. Similarly, the City will pay for training and/or testing associated with certifications and professional licenses that must be maintained or upgraded solely as a continuing requirement for an employee's current position. With Department Head approval, paid time off may be granted in lieu of considering the time spent in required training or participating in examinations for the required certification as time worked.

9.4 EDUCATION CLASSES AND PROGRAMS (COLLEGE COURSES)

The City will pay for tuition, books and related materials for education classes and programs included in the employee's Training and Education Program. Books and related materials will become the property of the City. Employees should consult the Training and Expense Guidelines below to determine what expenses related to travel, meals, and lodging in conjunction with education are reimbursable. In some cases, you will be required to obtain an advance for some expenses in lieu of reimbursement. Travel and attendance time for education classes and programs required by the City will be considered time worked, as allowed by state or federal law.

Reimbursement for education is made only if the employee receives a grade of "C" or better for undergraduate coursework or a grade of "B" or better for graduate coursework. Non-graded courses will require a written statement from the instructor indicating the employee successfully completed or passed the course.

The City will provide tuition reimbursement for college coursework not to exceed the tuition level established college. Department Heads should explore less costly college courses available at other institutions before approving and finalizing a Training and Education Plan.

Prior to participating in a reimbursable education class or program, employees must sign a written authorization to have any costs reimbursed by the City deducted from their final paycheck, should they fail to comply with the following reimbursement guidelines:



The following reimbursement guidelines apply when an employee's employment with the City terminates for any reason:

If termination is within one year of the completion date of the class, 100% of the amount of reimbursement for the education class or program will be deducted from the employee's final paycheck.

If termination is prior to three (3) years after the completion date of the class, 50% of the amount of the reimbursement will be deducted from the employee's final paycheck.

If termination occurs after three (3) years from the completion date of the class, no amount will be deducted.

If the reimbursement amount owed is more than the final paycheck, the employee must pay off the remaining amount. Failure to repay the amount owed to the City will result in the outstanding amount being turned over to a collection agency.

9.5 PROFESSIONAL ORGANIZATIONS

The City may authorize membership in professional organizations where the membership is of benefit to the City in terms of keeping the employee abreast of current developments in their field or profession. Additionally, the City recognizes the value of community service through applicable organizations and in membership in those programs. In all cases, membership fees must be approved by the Department Head in advance of payment.

The City encourages attendance at related meetings and the employee's supervisor may approve periodic absences to attend these meetings. If participation in the organization is not part of the employee's Training and Education Plan, the employee must use accrued leave for these purposes.

Miscellaneous expenses associated with the programs conducted by professional organizations (luncheons and seminars) may be reimbursed in accordance with the Travel and Expense Guidelines if there has been prior approval from the Department Head in accordance with this section.

9.6 TRAVEL AND EXPENSE GUIDELINES

For Travel and Expenses please refer to the City Policy for travel, lodging and expense reimbursement.

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SECTION 10 – CODE OF CONDUCT

10.0 GENERAL STATEMENT

The City believes policies and procedures are essential for the orderly operation of our business and for the protection and fair treatment of all employees. As a result, we have clearly identified performance expectations so that everyone can act in accordance with our workplace standards. Courtesy and common sense should always prevail. The following work rules are not all-inclusive but serve as guidelines to demonstrate work behaviors considered important to the City.

The employee is expected to be at work on time, remain until your workday ends, and perform the work assigned to or requested of you. If you are unable to be at work on time, you are expected to contact your manager prior to the start of your work shift. If that individual cannot be reached, you are expected to contact an alternate managerial representative.

The employee is expected to regard your workplace with respect and attention. The City records, equipment, and property are to be treated carefully and appropriately. You are responsible for those items in your care and custody and will be held accountable for their maintenance, appropriate use, and/or accuracy.

The employee is expected to act in accordance with all appropriate codes, laws, regulations, and policies, regardless of whether they are set by the City or outside regulatory bodies.

The employee is expected to conduct yourself in a professional and respectful manner, exhibiting a high regard for our citizens, vendors, business associates, and co-workers. No breach of professional behavior (abusive language, harassment, personal business during work time, etc.) will be condoned. This also applies to alcohol or drug consumption when representing the City in a business or social capacity.

The employee is expected to maintain the confidentiality of the City information or member information in your possession (i.e., personal information, executive session materials, etc.).

The employee's personal appearance at work should be neat and consistent with a professional atmosphere, keeping in mind the impression made on citizens, visitors, and other employees, and the need to promote the City and employee safety. Good individual judgment is the best guideline, but management retains the right to decide what appearance at work is appropriate.

This information regarding unacceptable practice/behavior may help in providing guidance for employee actions. The employee is urged to use reasonable judgment at all times and to seek advice from your supervisor in any doubtful or unclear situation. By everyone doing their best to meet both the spirit and intent of these guidelines, employee disciplinary issues should be minimal. As a matter of policy, the City seeks to resolve conduct and performance problems in the most informal and positive manner possible. However, when someone does not conduct her/himself within the intent of the work rules, the action may be taken to correct the situation promptly and completely. Violations of workplace rules may result in corrective action, up to and including immediate discharge.

We also believe that all City employees should be given an opportunity to be heard in matters involving discipline if termination is the likely outcome. We have adopted a policy of allowing an employee to present his/her perspective prior to the imposition of termination.



We encourage all employees to become familiar with the non-discrimination policy and complaint procedures outlined in this manual.

10.1 CODE OF ETHICS

At the City, we believe in treating people with respect and adhering to ethical and fair business practices. We expect employees to avoid situations that might cause their personal interests to conflict with the interests of the City or its citizens, or situations that may compromise its reputation and integrity.

The successful operation and reputation of the City of Belle Isle are based on the ethical conduct of the City's employees. The City's reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, regard for the highest standards of conduct and personal integrity, and fairness.

All City employees are considered public officials and are subject to the State of Florida's Ethics Rules. The City will comply with these and all applicable laws and regulations and expects all employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct. Information on these laws is available at the Florida Government Ethics Commission website, www.ethics.state.fl.us.

In general, the use of good judgment based on high ethical principles will guide you with respect to lines of acceptable conduct. If a situation occurs where it is difficult to determine the proper course of action, the matter should be discussed with your supervisor and, if necessary, Department Head, for advice and consultation.

Compliance with this policy of business ethics and conduct is the responsibility of every City employee. If you believe anyone has violated this code of ethics, you should report it to a supervisor immediately.

Employees who violate the Ethics Policy or who create an equally detrimental impact on the City may be subject to disciplinary action up to and including discharge.

All employees are expected to report immediately to their supervisor any and all suspected violations of these policies or of any City regulation. Failure to do so may subject the employee to disciplinary action.

10.2 CONFLICT OF INTEREST

Employees must conduct the City's business in such a way that prevents actual or potential conflicts of interest. An actual or potential conflict of interest occurs when an employee is in a position to influence a decision or gains information that is not available to the public that may result in a personal gain for that employee, or for a relative, as a result of the City's business dealings. For the purpose of this Section, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

The mere existence of a relationship with an outside firm or member of the public seeking a City service does not necessarily create a conflict of interest. However, if an employee has an



influence on transactions or a decision-making process, the disclosure of the relationship must be made immediately to the employee's supervisor or Department Head so that safeguards can be established if necessary to protect all parties.

City employees who may be in a position to influence City decisions shall refrain from relationships which may adversely affect their judgment in dealing with City suppliers of goods and services or with other public agencies.

- A. An outside personal or business/economic relationship which affords present or future financial benefits to an employee, an employee's family, or to individuals with whom the employee has a business or financial ties, may be considered a conflict of interest requiring evaluation by City officials or designated representative when:
 - 1. The employee acts as director, officer, agent, sole proprietor, partner, stockholder (if owning in excess of ten (10) percent of securities outstanding), an employee, paid consultant or advisor to a City supplier or with other public agencies.
 - 2. The employee is engaged in a private business or financial relationship which may secure the advantage of goods, services or influence due to the employee's position with the City.
 - 3. The employee procures or designates sources for the procurement of any parts, materials, services, supplies, and facilities for City purchase or lease in the employee's name or in the name of others.
- B. An employee having an outside personal or business/economic relationship under the conditions specified above shall disclose in a written sworn statement to his department supervisor, or City Manager or designee, in case the department supervisor is the employee, at six (6) month intervals the nature and scope of the relationship and the extent of financial benefits received.
- C. The City Manager or designee is responsible for investigating the situation; determining if a conflict of interest does exist; and making any changes that are necessary to eliminate the conflict of interest or the appearance of a conflict of interest.

10.3 GIFTS AND GRATUITIES

- A. No employee shall solicit or accept anything of value, including a gift, loan, reward, promise of future employment, favor or service, based upon an understanding that the official action or judgment of the employee would be influenced thereby.
- B. No employee or his spouse or minor child shall at any time, accept any compensation, payment, or thing of value when such employee knows or with the exercise of reasonable care should know, that it was given to influence any action in which the employee was expected to participate in his official capacity.
- C. Employees that regulate, enforce code provisions or review project proposals, procurement or bids under evaluation shall not accept anything of value (meals included) from a person who currently has a project, proposal, procurement or bid before the employee or a committee on which he serves.



- D. Employees shall report in writing immediately to the City Manager or designee the attempt by anyone to offer any above-described gift or gratuity.

However, unsolicited gifts such as flowers and candy are considered “de minimus” and may be accepted so long as the gift does not provide the employee with any personal gain. If you are offered a gift and are not sure whether to accept or deny it, you should contact your supervisor or the City Manager for guidance.

10.4 DISCLOSURE OF INFORMATION

Information which is obtained in the course of official duties shall not be released by any employee unless the employee is charged with its release as a part of their official duties. Any release of City business information shall be approved by the City Manager.

Employees may not, either directly or indirectly, use their official positions with the City or information obtained in connection with their duties for private gain or personal benefits. Employees who prepare requests for quotes, requests for bids, requests for proposal, evaluate quotes, bids, or proposals, or who recommend awards shall not release information that would give an unfair advantage to one offerer over another offerer. If any employee is aware of such release, he shall immediately notify the City Manager or designee in writing. If the procurement process continues, the City Manager or designee shall notify the Council of the incident at the time approval of the procurement is requested of Council.

10.5 CONFIDENTIALITY

Employees working at the City have access to highly confidential, legally protected, and proprietary information. Confidential information includes all information acquired by an employee during the course of employment that is of economic value to the City and not generally available to the public, including legally protected information. Financial data, payroll information, formulas, business plans and member data such as enrollment data are typical examples of information that the City considers to be proprietary and confidential. The unauthorized disclosure of such information would have a material adverse impact on the integrity of the City and would have an adverse impact on our relationships with our employees.

No records or information including (without limitation) protected medical data, documents, files, records, computer files or similar materials (except in the ordinary course of performing duties on behalf of the City) may be removed from our premises without permission from the City. Additionally, the contents of records or information otherwise obtained in regard to the City business may not be disclosed to anyone, except where required for a business purpose. Employees are subject to appropriate disciplinary action up to, and including, dismissal for revealing information of a confidential nature. Since many times it is difficult to distinguish between common and confidential information, the best rule to follow is not to discuss business information with persons outside of the City unless employees have received prior approval from their manager.

All information acquired by an employee during the course of employment is to be used solely for the benefit of the City and, through the City, for the benefit of our employees. The use of such information for personal advantage or disclosure to others is strictly prohibited. Likewise, any materials developed by our employees in the performance of their jobs is the property of the City. Employees may not take this material with them when they leave our employment, remove it from



the offices for non-work related reasons, or copy or distribute it to persons or companies, other than as required in the course of business, without written approval from the City Clerk as Custodian of Records.

10.6 MISREPRESENTATION

As a City employee, you should consider how you represent us in your business transactions and interactions. An employee should be careful not to misrepresent our policies, practices, procedures, or prices, or misrepresent your status and authority to enter into agreements. An employee may not use the City name, logo likeness, facilities, assets or other resources, or the authority of your position with the City for personal gain or private interests.

10.7 PUBLIC INFORMATION

The City Manager is designated by the City to be the Public Information Officer (PIO). Media inquiries or other similar inquiries should always be referred to the City Manager before responding. If an employee has received permission to communicate to others, such as the media, on behalf of the City in the course of their work duties, the employee should remember that they are representing the City and should ensure that any comments made reflect the City's position on the issue being discussed.

The City has an obligation to keep citizens informed about issues of public interest. Citizens will be provided information through a variety of sources such as newsletters, website, press releases, etc. Citizen request for written information is subject to the Florida Sunshine Law. All public records requests should be processed through the City Clerk, who is designated as the City's Custodian of Records.

10.8 DRESS AND APPEARANCE

- A. The City respects an employee's individuality and the use of common sense in choosing appropriate clothing to be worn during business hours. Each employee should recognize the importance of personal appearance to the professional image of the City and dress and groom according to the requirements of the position. This is particularly true if the job involves dealing with members of the public.
- ~~B.~~ Generally, neat and casual businesslike or professional apparel is appropriate. Jeans, shorts, and T-shirts, are not, although jeans are acceptable if permitted by your supervisor. Employees performing labor or fieldwork may have additional guidelines and may be given a clothing allowance. In some cases, such as police and public works employees, uniforms are required, in which case uniforms will be provided at the City's expense.
- ~~B.~~
- C. Employees shall not consume alcoholic beverages while on duty, inclusive of meal time, nor on off-duty hours while in uniform.



10.9 DRIVING RECORD

- A. An employee who is required as a condition of employment to possess and maintain a valid Florida driver's license or Florida commercial driver's license (CDL), must immediately inform their supervisor in the event the license is denied, expired, suspended or revoked.
- B. The number and expiration date of the employee's driver's license or CDL shall be recorded in the department's files with periodic reviews to verify compliance with this policy.
- C. For initial employment purposes, a valid license is defined as an issued license which has not expired, nor been denied, restricted, revoked or suspended within the past three (3) years.
- D. If a valid driver's license or CDL is not required as a condition of employment, it shall be the City's policy to require that the employee possess a valid license if the employee is required to operate City vehicles or equipment.

10.10 DRUG-FREE WORKPLACE POLICY

A. General Policy

The City of Belle Isle's Drug-Free Workplace Policy is aimed at ensuring zero tolerance to illegal drugs at all times and its alcohol-free policy to zero tolerance under circumstances that affect or might affect the safety and well-being of employees, citizens, and others, or that adversely affect or might affect the effective operation of City operations. This policy has been implemented in accordance with sections 440.101 and 440.102 of the Florida Statutes.

B. Prohibitions

1. Illegal Controlled Substances. The City prohibits the use, distribution, possession, manufacture, cultivation, sale, or attempt to manufacture, sell or distribute illegal controlled substances at any time whether on or off duty and whether on or off City property. Illegal controlled substances are defined by applicable state and federal laws. ~~Please be advised that marijuana, even if prescribed for a medical purpose and even if deemed lawful by some states for other purposes, remains an illegal controlled substance under federal law. As such, the City strictly prohibits the use of marijuana for any purpose.~~
2. Alcohol Abuse. Employees of the City are prohibited from using or possessing alcohol while on duty; while on City premises; while driving a City vehicle; while operating a piece of City equipment; or while being transported in City vehicles at any time. In addition, employees are prohibited from reporting to work under the influence of alcohol and from otherwise using alcohol in a manner at any time which adversely affects or might adversely affect the interests or operations of the City.

C. Definitions



1. Mandatory Testing Position. Mandatory testing position shall mean a job assignment that requires the employee to:
 - a. Carry a firearm;
 - b. Work closely with an employee who carries a firearm;
 - c. Perform life-threatening procedures;
 - d. Work with heavy or dangerous machinery;
 - e. Work as a safety inspector;
 - f. Work with children;
 - g. Work with detainees in the correctional system;
 - h. Work with confidential information or documents pertaining to criminal investigations;
 - i. Work with controlled substances;
 - j. Undergo an employee security background check pursuant to section 110.1127 of the Florida Statutes;
 - k. Perform job assignments in which a momentary lapse in attention could result in injury or death to another person; or,
 - l. Perform safety-sensitive job duties and responsibilities.
2. Special Risk Position. Special risk position shall mean a position that is required to be filled by a person who is certified under:
 - a. Chapter 633 of the Florida Statutes (Fire Prevention and Control); or,
 - b. Chapter 943 of the Florida Statutes (Law Enforcement).

D. Legal Use of Prescription and Non-Prescription Drugs

1. The legal use of prescription and non-prescription drugs is often necessary. Unless used in accordance with a valid prescription from a medical professional, ~~lawful medical authorization~~, or in accordance with accepted over the counter uses, the City prohibits the use, distribution, possession, manufacture, cultivation, sale or attempt to sell or distribute prescription drugs. Employees are required to advise his or her supervisor if he or she is taking prescription or non-prescription drugs, ~~including medical marijuana, whether on duty or off duty~~, which have the potential to adversely impact the employee's job performance, ~~judgment, alertness, reaction time, ability to safely operate vehicles or equipment, ability to possess or use firearms (if required by the employee's job)~~, or ~~the employee's ability to perform the essential functions of the employee's position~~ work in a safe and efficient manner. ~~As marijuana remains an illegal controlled substance under federal law, the City strictly prohibits its use, even if otherwise prescribed for a medical purpose under state law. Disclosure allows the City to determine whether the employee can safely perform the essential functions of the position, whether temporary work restrictions are necessary, whether any reasonable accommodation is available and appropriate, and whether any safeguards need to be implemented. Employees may be required to provide medical documentation or submit to a fitness-for-duty evaluation concerning their ability to safely and effectively perform the essential job functions of their position.~~
2. It should be emphasized that this policy generally prohibits the use of marijuana both on and off duty. However, as a qualified physician may issue a physician



certification permitting the use of medical marijuana for a qualifying medical condition under Florida law, the City will consider granting exceptions to the general prohibition on off duty marijuana use as a reasonable medical accommodation. Exceptions will be reviewed and decided on a case-by-case basis dependent on all relevant facts and circumstances. In all cases, exceptions must be requested **in advance** of an employee's use of medical marijuana so that the City can engage in the analysis referenced in Section 1 above. If an employee tests positive for marijuana and has not previously been granted a reasonable accommodation exception, it will be considered a violation of this policy and grounds for disciplinary action.

E. Drug and Alcohol Testing

1. Job Applicant Testing and Testing for Assignment to Special Risk/Mandatory Testing Position. Applicants for employment in special-risk and/or mandatory testing positions are subject to pre-employment drug and alcohol test as a prerequisite to employment with the City. Current employees who are assigned to a special-risk and/or mandatory testing position from a non-special-risk or non-mandatory testing position are subject to being tested at the time of the assignment.
2. Routine Fitness-for-Duty Testing. Employees may be required to submit to drug and alcohol testing as part of any routinely scheduled employee fitness-for-duty medical examinations.
3. Follow-up Testing. Employees who enter into an employee assistance program or any similar rehabilitation program will be subject to drug and alcohol testing as a follow-up to such program. Follow-up testing will be conducted without advanced notice and at least once per year for a period of no less than two years.
4. Reasonable Suspicion Testing. An employee will be subject to drug and alcohol testing whenever reasonable suspicion exists to believe the employee is using drugs or alcohol in violation of this policy or otherwise engaging in conduct in violation of this policy. Reasonable suspicion shall be based on specific, objective, and articulable facts and reasonable inferences drawn from those facts in light of experience. In making this determination, relevant factors may include, but are not limited to:
 - a. Observable phenomena, such as direct observation of drug use or of physical symptoms or manifestation of being under the influence of a drug or alcohol;
 - b. Abnormal conduct, erratic behavior or a significant unexplained deterioration in work performance;
 - c. A report of drug use, provided by a reliable source;
 - d. Evidence that an individual has tampered with a drug test during his or her employment with the City;



- e. Information that an employee has caused or contributed to an accident or injury while at work;
- f. Evidence that an employee has negligently or recklessly operated a vehicle, equipment or machinery while at work;
- g. Evidence that an employee has used, possessed, manufactured, cultivated, sold, solicited, or transferred drugs.

Supervisors who determine that reasonable suspicion exists to require an employee to submit to a drug and/or alcohol test are required to promptly document in writing the circumstances which formed the basis of the determination that reasonable suspicion existed to warrant the testing.

5. Random and/or Suspicionless Testing. Employees who hold special risk or mandatory testing positions are subject to drug and alcohol testing on either a random or a suspicionless basis.
6. Other Lawful Testing. The City reserves the right to conduct any other type of lawful drug or alcohol testing. Employees who are subject to the drug and alcohol testing requirements imposed by the Department of Transportation on operators of commercial motor vehicles must fully comply with this policy as well as the DOT-mandated Substance Abuse Policy for Commercial Motor Vehicle Operators. When safety-sensitive CDL employees are being tested pursuant to this policy (i.e., the non-DOT policy), the testing procedures set forth below shall apply. When safety-sensitive CDL employees are being tested pursuant to the DOT-mandated policy, the procedures set forth in that policy shall apply.

F. Drugs Tested for and Common Medications that may Affect Results

1. Drugs Tested For. Employees will be subject to drug testing for the detection of the following illegal drugs/drug groups, as well as others that may from time to time, be declared illegal by state or federal law:
 - Alcohol (including a distilled spirit, wine, malt beverage or other intoxicating liquor)
 - Amphetamines
 - Barbiturates
 - Benzodiazepines
 - Cannabinoids (marijuana)
 - Cocaine
 - Methadone
 - Methaqualone
 - Opiates (heroin, morphine, codeine)
 - Phencyclidine (PCP)
 - Propoxyphene
 - Any other hallucinogen, synthetic narcotic, designer drug or a metabolite of any of the substances listed above



City of Belle Isle
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2. Common Medications Which Could Alter or Affect Test Results. Certain prescription and non-prescription medications may alter or affect a drug or alcohol test. Employees and applicants that are subject to testing are obligated to report any prescription or non-prescription medication, which could alter or affect test results to the independent Medical Review Officer ("MRO"). The MRO is Dr. Seth Howard Portnoy, who can be reached at Total Compliance Network, 5646 West Atlantic Blvd., Margate, FL 33063 800.881.4826. Employees and applicants subject to testing have the right to confidentially consult with the MRO for additional or technical information regarding medications, which may alter or affect test results. The most common medications which may alter or affect a test include, but are not limited to:

<u>Drug</u>	<u>Medication Which May Alter or Affect Test</u>
Alcohol	Liquid medications containing ethyl alcohol (ethanol). For example, many cough syrups, Vicks Nyquil, Comtrex, Listerine contain alcohol
Cannabinoids	Marinol (Dronabinol, Tetrahydrocannabinol (THC))
Amphetamines	Obetrol, Biphedamine, Desoxyn, Dexedrine, Didrex, Ionamine, Fastine
Cocaine	Cocaine HCl topical solution (Roxanne)
Phencyclidine	Not legal by prescription
Methaqualone	Not legal by prescription
Opiates	Paregoric, Parepectolin, Donnagel PG, Morphine, Pectoral Syrup, Tylenol with Codeine, Empirin with Codeine, APAP with Codeine, Aspirin with Codeine, Robitussin AC, Guafacis AC, Novahistine DH, Novahistine Expectorant, Dilaudid (hydromorphone), M-S Contin and Roxanol (morphine sulfate), Percodan, Vicodin, Tussi-organidin, etc.
Barbituates	Phenobarbital, Tuinal, Amytal, Nembutal, Seconal, Lotusate, Fiorinal, Fioricet, Esgic, Butisol, Mebaral, Butabarbital, Butalbital, Phenrinin, Triad, etc.
Benzodiazepines	Activan, Azene, Clonopin, Dalmane, Diazepam, Halcion, Librium, Xanax, Serax, Tranxene, Valium, Verstran, Paxipam, Restoril, Centrax
Methadone	Dolphine, Metadose



Propoxyphene	Davocet, Darvon N, Dolene, etc.
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G. Test Results

The following procedures will be followed if an employee or job applicant has a confirmed positive test result:

1. An employee or applicant who receives a positive confirmed test result may contest or explain the result to the MRO identified above within five working days. If the MRO determines that the employee's explanation is unsatisfactory, the MRO will report the positive test to the City. The employee or applicant may contest a positive confirmed test result pursuant to this policy, section 440.102 of the Florida Statutes, or other applicable law. If an employee or applicant seeks to contest the laboratory result, it is his or her responsibility to contact the laboratory to advise of any administrative or civil proceeding challenging the results and to request that the test sample be preserved.
2. Within 180 days of receiving written notification of a positive test result, an employee or applicant may, at his or her expense, have the positive sample retested at a different laboratory licensed and approved by the Agency for Health Care Administration.
3. Within five working days after receipt of a positive confirmed test result from the MRO, the City will inform the employee or applicant in writing of the test result, the consequences of the test result and any options that the City may elect to afford the employee or applicant in accordance with this policy. Within five working days after receiving notice of a positive confirmed test result from the City, the employee or job applicant may submit information to the employer explaining or contesting the test result and explaining why the test result does not constitute a violation of this policy. If the City determines that the explanation is unsatisfactory, the City will provide a copy of the test result to the employee or applicant along with a written reason as to why the explanation was deemed unsatisfactory.

H. Consequences of a Positive Confirmed Test, a Refusal to Submit to Testing or Tampering With a Test

An employee who has a positive confirmed test, who refuses to submit to a test or who tampers with a test is subject to disciplinary action up to and including termination may forfeit eligibility for workers' compensation medical and indemnity benefits and may forfeit entitlement to unemployment compensation. A job applicant who has a positive confirmed test, who refuses to submit to a test or who tampers with a test will be ineligible for employment.

I. Confidentiality

Absent written consent, all information, interviews, reports, statements, memoranda, and drug test results, written or otherwise, received or produced as a result of the City's drug-testing program are confidential and exempt from the provisions of Chapter 119 of the Florida Statutes (Public Records Law) and may not be used or disclosed except as otherwise provided by section 440.102 of the Florida Statutes or other applicable law.



J. Employee Assistance Programs

Employee Assistance Programs (EAP) are available to assist employees who voluntarily self-report, prior to being requested to test, drug, or alcohol-related problems that have not yet adversely affected their job or City operations. Employees who voluntarily seek help, who have not had a positive drug test and who are not participating in EAP at the time or at any previous time, will not be subject to discipline. Employees with drug or alcohol-related problems who wish to seek voluntary assistance through the EAP may contact one of the following EAP providers (or any other similar provider):

~~*Heartspoken Counseling Inc d.b.a. Gilstrap & Associates, Restoring Lives. Healing Hearts.*~~
~~*7601 Conroy Windermere Road Suite 202 1920 Woodward Street*~~
~~*Orlando, FL 3283503*~~
~~*407-522-9919*~~

Other Helpful Numbers

Drug-Free Workplace Helpline 1-800-Workplace (967-5752)
Substance Abuse & Mental Health Services Admin Helpline: 1-800-662-HELP(4357)

Employees and applicants who violate this Policy will ordinarily not be eligible to elect participation in EAP in lieu of disciplinary action. The City may permit exceptions to this provision where the City Manager determines, in his or her exclusive discretion, that the specific circumstances warrant. In such circumstances, the City may require that an employee in violation of this policy participate and successfully complete the EAP as a condition of continued employment.

Employees employed in a mandatory testing or special-risk position who enter into EAP, whether voluntarily or involuntarily, will be removed from their mandatory testing or special-risk position and transferred to another position or placed on leave until the successful completion of the EAP. An employee placed on leave may utilize his or her accrued leave, if any; otherwise, the leave shall be unpaid.

K. Reporting Violation of the Policy

It is the obligation of every employee to report violations of this Policy. Failure to report may subject employees to discipline up to and including termination of employment.

L. Coordination with the City Manager

All actions taken by supervisors under this policy must be coordinated through the City Manager to ensure compliance with all applicable laws.

M. Reporting and Conviction of Arrests and/or Alleged Crimes Including Drugs or Alcohol

1. All employees must report to their supervisor any arrest, indictment, conviction, plea, or pretrial interventions of any type, of a drug or alcohol-related violation or



alleged violation of law not later than the next workday after they become aware of it. Failure to so report may result in immediate termination.

2. Upon conviction of a crime involving illegal drugs, the employee will be immediately terminated.
3. Without regard to prosecution or conviction by appropriate governmental entities, the City may, at its option, conduct its own independent investigation to determine whether this policy has been violated. If in the opinion of the City, it believes a violation has occurred, it will take whatever disciplinary action it deems appropriate regardless of the ultimate outcome of any criminal case that may be brought against the employee. The City shall not be obligated to await the outcome of any pending criminal or legal action prior to taking disciplinary action.

3.

10.11 WORKPLACE VIOLENCE

In addition to providing a safe place to work, the City is committed to providing a violence-free place to work. To this end, employees, visitors, or anyone else on City premises or engaging in City-related activities are prohibited from behaving in a violent manner or threatening to behave in a violent manner. In order to prevent any workplace violence before it begins, the City reserves the right to address any behavior suggesting a propensity towards violence, even prior to the occurrence of any violent behavior.

Workplace violence includes the following:

- Threatening words or behavior of any kind;
- Behavior that is threatening, physically aggressive, or violent, such as intimidation or attempts to instill fear in others;
- Belligerent speech, excessive arguing, swearing, threats of sabotage, or any other verbally violent behavior;
- Causing physical damage to property; or

Any employee who believes that workplace violence has occurred should report the circumstances immediately to their supervisor or any other person in a supervisory position with whom the employee feels comfortable. No employee will suffer any adverse consequences as a result of acting in good faith to bring the violence to the City's attention or participate in an investigation.

Any report of workplace violence will be promptly investigated and prompt corrective action taken to address any workplace violence found to have taken place, including action against the party engaging in workplace violence. If an employee is found to have committed workplace violence, the employee will be subject to discipline, including termination.

10.12 GENERAL SAFETY AND HEALTH

- A. The City is committed to providing its employees with a safe and healthful work environment. To accomplish this goal, everyone must diligently undertake efforts to promote safety. Safety is everybody's responsibility!
- B. The City, through its Safety Committee, develops and implements safety rules and regulations contained in the Safety Manual. The manual resides with the Safety



Committee Chair who maintains and makes the document available for viewing. This process is ongoing and requires periodic safety audits. Safety audits are undertaken to determine the necessity and feasibility of providing devices or safeguards to make the workplace safe and healthful. The City will educate employees as to hazards of the workplace and train employees as to such hazards and the proper and safe method to perform job tasks.

- C. The City provides for the continuous monitoring of the working conditions of its employees and equipment for the observance of safety requirements.
- D. Employees will observe all safety rules and regulations established in the City Safety Policies and Procedures. Employees will report all unsafe conditions or practices to their supervisor. Employees are responsible for reporting all injuries, no matter how minor, to their supervisor.
- E. The City provides, at its expense, certain items of safety equipment that must be worn by employees to whom the safety equipment has been issued at all times during the working hours unless directed otherwise by immediate supervisors.
- F. Failure of an employee to use issued safety devices and/or failure of an employee to file a written report of injury sustained and/or causing any damage on the job, or vehicle accident, may result in disciplinary action up to and including termination.
- G. City vehicles shall be operated in strict compliance with all laws which apply to motor vehicles in the State of Florida. This includes the Florida Seat Belt Law. Violators will be responsible for any fines incurred and subject to disciplinary action.

10.13 ACCIDENT/INCIDENT REPORTING

Employees should always report accidents as promptly as possible because prompt reporting will help mitigate damage or processing delays after an incident. Each employee is expected to cooperate fully and assist in reporting and gathering accident information. This policy applies equally whether the employee is at work or on business or other City-related travel.

A city accident report should be completed whenever:

- An employee is involved in an accident that results in injury or damage to any person or property;
- An employee is involved in an accident that may result in injury or damage to any person or property;
- City property is lost, damaged or stolen; or
- An employee is injured on-the-job.

A. Medical Assistance.

Employees should render first aid consistent with their first aid/CPR training or seek medical attention as soon as possible for any injured person. Do not render first aid assistance unless you have been trained to do so, and possess a current first aid card.

B. Accident Reports.



Employees should report accidents to the supervisor immediately. As soon as possible after the accident, the employee and supervisor must complete a City accident report. The accident report is submitted to the City Manager with the supervisor retaining a copy for the department's records.

C. Accidents or Incidents Involving Private Parties.

Accidents involving private parties can and do occur. In these situations, never discuss who was at fault or who should pay for any costs. Doing so may prejudice the City's rights in any subsequent dispute and ability to recover from insurance companies. Always complete an accident report with as much information as possible and, if possible, take pictures to ensure complete documentation of the incident.

10.14 JOB-RELATED HEARINGS

As a condition of employment, any employee may be required, upon due notice, to cooperate with respect to any job-related hearing or inquiry conducted by any person authorized by law to conduct such hearing or inquiry, and, in particular by the City Manager.

- A. If any employee willfully refuses or fails to appear or appears but refuses to answer any questions relating to matters arising out of City employment which may be asked by the department supervisor or any other authorized person or official, the employee will be subject to discipline up to and including termination.
- B. Indictment
 - 1. An employee is responsible for immediately notifying their supervisor when information has been filed by a prosecuting official against him for any offense or violation of the law (including moving traffic violations) and/or when indicted by a Grand Jury.
 - 2. If the employee pleads no contender or guilty to any charge or is tried and found guilty, the employee will be subject to discipline up to and including termination.
 - 3. If the incident or charge is directly working-related, nothing shall preclude the City from initiating disciplinary action independent of any judicial hearings or proceedings.

10.15 OUTSIDE EMPLOYMENT

Full-time employees are discouraged, but not restricted, from engaging in other employment during their off-duty hours. However, City employment must be considered the primary employment and employees may not engage in outside employment which would interfere with the performance of the City duties or be in conflict with City interests. Outside employment must be submitted in writing to the City Manager for approval.

- A. An employee must consult with their supervisor prior to accepting outside employment.
- B. Where a conflict of interest is determined to exist, the employee will be directed to make a choice between City employment and outside employment.



- C. The employee must make arrangements with the outside employer to be relieved of their duties if called for emergency work by the City.
- D. Injuries sustained during outside employment must be reported to the employee's supervisor.
- E. Police Officers, refer to BIPD Policy, A-BIPD 22, Extra Duty and Outside Employment.

10.16 PROMOTION OF PRIVATE BUSINESS

Employees are prohibited from promoting or conducting personal or private business for gain or personal benefit from within any City building or property on City time.

10.17 POLITICAL ACTIVITY RESTRICTIONS

It is the City's intent to promote more efficient public service by relieving public employees of political pressure and to protect against a clear, substantial, and direct threat to the efficiency, integrity, or morale of City employees, by regulating the political activities of its employees. Toward this end, the following provisions apply to all City employees subject to these policies:

- A. No City officer or employee shall use their official authority or influence for the purpose of interfering with an election or a nomination of office or coercing or influencing another person's vote or affecting the results thereof.
- B. No City officer or employee shall directly or indirectly coerce or attempt to coerce, command, or advise any other officer or employee to pay, lend, or contribute any part of his salary, or any money or anything else of value to any party, committee, organization, agency or person for political purposes. Contributions which are strictly voluntary in nature for political purposes are permitted.
- C. All employees retain the right to vote as they may choose and to express their opinions on all political subjects and candidates.
- D. Employees may participate in political campaigns only during off-duty hours. No employee can take part in a political campaign while in uniform, or while wearing the City of Belle Isle insignia.
- E. An employee who seeks paid public office while in the employment of the City must comply with Section 99.012, Florida Statutes and should seek an opinion from the Division of Elections, Florida Department of State.

10.18 SEXUAL HARASSMENT AND HOSTILE WORK ENVIRONMENT HARASSMENT

- A. City policy dictates that all employees be able to work in an environment free from unsolicited and unwelcome sexual overtones. Sexual harassment is a form of employee misconduct which undermines the integrity of the employment relationship. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when this conduct explicitly or implicitly affects an individual's employment, unreasonably



interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment. Any action which involves implicit coercive sexual behavior to control, influence or affect the career, salary or position of another employee or applicant also constitutes sexual harassment.

- B. Hostile work environment harassment occurs when unwelcome comments or conduct based on sex, race or other legally protected characteristics unreasonably interferes with an employee's work performance or creates an intimidating, hostile or offensive work environment. Anyone in the workplace might commit this type of harassment – a management official, co-worker, or non-employee, such as a contractor, vendor or guest. The victim can be anyone affected by the conduct, not just the individual at whom the offensive conduct is directed.

Examples of actions that may create sexual hostile environment harassment include:

- Leering, i.e., staring in a sexually suggestive manner
- Making offensive remarks about looks, clothing, body parts
- Touching in a way that may make an employee feel uncomfortable, such as patting, pinching or intentional brushing against another's body
- Telling sexual or lewd jokes, hanging sexual posters, making sexual gestures, etc.
- Sending, forwarding or soliciting sexually suggestive letters, notes, emails, or images

Other actions which may result in hostile environment harassment, but are non-sexual in nature, include:

- Use of racially derogatory words, phrases, epithets
- Demonstrations of a racial or ethnic nature such as a use of gestures, pictures or drawings which would offend a particular racial or ethnic group
- Comments about an individual's skin color or other racial/ethnic characteristics
- Making disparaging remarks about an individual's gender that are not sexual in nature
- Negative comments about an employee's religious beliefs (or lack of religious beliefs)
- Expressing negative stereotypes regarding an employee's birthplace or ancestry
- Negative comments regarding an employee's age when referring to employees 40 and over
- Derogatory or intimidating references to an employee's mental or physical impairment.

- C. It is a violation of City policy for a City employee to engage in any act or behavior as defined herein as sexual harassment. The City will take action against any employee deemed to have violated this policy. Such action will include a range of disciplinary measures, up to and including termination.
- D. Any employee who experiences or witnesses sexual or other unlawful harassment in the workplace, you must report it immediately to your supervisor. If the supervisor is unavailable or is the subject of your complaint, you should immediately contact the City Manager. If the City Manager is unavailable or is the subject of your complaint, you should



immediately contact the City Attorney. You can raise concerns and make reports without fear of reprisal or retaliation.

All allegations of sexual harassment will be quickly and discreetly investigated by the City Manager or designee. To the extent possible, your confidentiality and that of any witnesses and the alleged harasser will be protected against unnecessary disclosure. When the investigation is completed, you will be informed of the outcome of the investigation. Any supervisor or manager who becomes aware of possible sexual or other unlawful harassment must immediately advise the City Manager, or if the City Manager is the subject of the complaint, the City Attorney, so it can be investigated in a timely and confidential manner. Anyone engaging in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination of employment.

- E. All employees are responsible for knowing the City's policy on sexual harassment and following this policy. All supervisors are responsible for maintaining a workplace free of any form of sexual harassment and for enforcing this policy. To ensure this policy is followed, supervisors shall require all employees to participate in at least one sexual harassment training program each year. If a department is experiencing any issues with respect to sexual harassment, additional training programs should be added. Supervisors will be required to have each participating employee certify their attendance in writing and to place the written certification in the employee's personnel file.

10.19 USE OF CITY PROPERTY

- A. Employees are expected to exercise reasonable care in the safekeeping, use, and preservation of City equipment, tools, vehicles, materials, uniforms, etc. Personal use of City equipment, materials, tools, supplies, etc., is strictly prohibited and may constitute a criminal offense.
- B. All employees shall promptly report in writing to their supervisor the loss, damage or unserviceable condition of any City property.
- C. Negligence in the use and care of City property, including abuse, misuse, willful or negligent loss or destruction can result in disciplinary action and/or restitution. More serious cases may result in civil or criminal action in the courts.
- D. Members of the Belle Isle Police Department are authorized to take vehicles home in accordance with BIPD Policy A-BIPD 6, Use of City Vehicles.

10.20 TELECOMMUNICATIONS

- A. City telephones and related equipment are to be used primarily for the performance of City business. The printed record of a telephone call or text message, generated and distributed internally by the City or received externally from a telephone company, is as much a public record, and as such is subject to the standards applied to public records, as any other City document.
- B. For additional information, please refer to the City's policy on Social Media.

10.21 USE OF ELECTRONIC MAIL/WEB ACCESS

- A. Electronic mail ("email") and web access are provided to the City of Belle Isle employees and others working on behalf of the City to assist and facilitate business and communications. All information stored, transmitted, received or contained in the City of



Belle Isle email system is the City of Belle Isle's sole property. All emails must conform with the City of Belle Isle's policies, practices, and commitment to ensuring a work environment where all persons are treated with respect and dignity. Employees must treat all correspondence sent using the City of Belle Isle's email systems as if public and printed on City of Belle Isle letterhead.

- B. The City of Belle Isle recognizes that work and family responsibility place demands on associate and that email communication can be helpful in dealing with family and other personal matters. Employees may use the City's email systems to send and/or receive occasional personal email messages, provided that such use does not interfere with work responsibilities or other business needs or violate the law or the City of Belle Isle's Policy set forth herein. Such messages shall be treated no differently from business messages and, like all email usage subject to this Policy can be included in the City's reviews of the City of Belle Isle property, equipment, phone lines, computers, and information, as described below.

The City of Belle Isle strictly prohibits all of the following:

1. Communications that may constitute verbal abuse, slander, defamation, or trade disparagement of City employees, vendors, suppliers, or others.
2. Communications that may constitute offensive, harassing, vulgar, obscene, or threatening language, including disparagement of others based on race, national origin, marital status, sex, sexual orientation, age, disability, pregnancy, religious or political beliefs, or any other characteristic protected under federal law, state law, local law, and City Policy.
3. Communications that involve conducting business on behalf of an entity other than the City of Belle Isle, or on behalf of any individual, including the employee.
4. Creation, distribution or solicitation of sexually oriented messages or images, unwelcome sexual advances, requests for sexual favors, or other unwelcome conduct of a sexual nature.

- C. For additional information, please refer to the City's policy on Social Media.

10.22 SMOKING/TOBACCO PRODUCTS

The City seeks to provide a healthy and safe environment. Accordingly, the use of tobacco products is prohibited in all City buildings, vehicles, and equipment. Supervisors are responsible for determining appropriate designated employee areas. An employee may utilize the rest and meal periods for the use of tobacco.

10.23 SECURITY INSPECTIONS

The City provides desks, drawers, lockers, vehicles, appliances, and other spaces to employees to use in the performance of a job or for personal use. These items remain the property of the City at all times and are subject to search, seizure, transfer, or removal by the City with or without notice at any time. Consequently, employees should have no expectation of privacy when using any property or equipment owned by the City.



The City may search any City property for any reason with or without a legal warrant. The City may retain items found during a search for use in any legal matter, disciplinary process, or for any other lawful purpose.

10.24 EMERGENCY CLOSING

Emergencies, such as severe weather, fires, etc., can disrupt City operations. In extreme circumstances, this may require the closing of a City work facility. If the event occurs during nonworking hours, media outlets will be asked to broadcast notification of the closing. The City Manager, or his designee, will contact each supervisor, who is responsible for contacting affected employees to notify them of the closure.



SECTION 11 – DISCIPLINARY ACTION

11.0 **GENERAL**

- A. It is the intent of the City that effective management and supervision, as well as good employee-employer relations, will be preventive mechanisms avoiding most situations necessitating disciplinary actions.
- B. The interrelationship between employee performance review and evaluations, employee conduct relating to the City work program, and the use of constructive discipline are seen to be an integral part of successful management of the City.
- C. The policies and procedures contained herein are intended to provide department supervisors and managers with direction and guidelines for fair, equitable, and consistent application of constructive discipline.
- D. The initiation of disciplinary action for all employees shall:
 - 1. Identify and recognize elements of an employee's conduct, work habits and/or performance contrary to the rules, regulations, policies, procedures, and/or objectives of the department, and/or the City.
 - 2. Provide constructive feedback to the employee.
 - 3. Encourage employees to cooperate and be productive members of the workforce.
 - 4. Correct or improve improper or deficient employee performance or behavior which is seen, or viewed by the supervisor, to be less than acceptable.
 - 5. Provide documentation of the supervisor's efforts and communication with the employee regarding their performance.

11.1 **DISCIPLINARY ACTION AUTHORITY**

It shall be the responsibility of the respective supervisor to:

- A. Review the performance of assigned employees.
- B. Identify and recognize employee offenses against or contrary to these policies, procedures, and/or department operating procedures.
- C. Document, initiate and select appropriate preventive and corrective disciplinary measures.
- D. Forward proposed appropriate disciplinary actions to the department supervisor and the City Manager or designee for review.
- E. Carry out the appropriate disciplinary actions after the department supervisors and the City Manager or designee's clearance is provided.
- F. Assure that the completed copies of all official disciplinary actions taken against any employee at any time are placed within the personnel file of the affected employee.



11.2 TYPES OF OFFENSES

The following list constitutes examples of offenses under this policy which, depending upon the serious nature of an offense, may subject the employee to immediate termination without regard to the employee's length of service, prior conduct and performance record.

- A. Insubordination: Failure, or unreasonable delay, in carrying out specific instructions given by a supervisor. Blatant disregard of supervisory instructions. Failure to cooperate with supervisory direction.
- B. Physical Harm/Assault: Assault on or inflicting bodily harm on another employee, supervisor, or member of the public. Assault is defined as an (indirect or direct) threatening or aggressive action or language toward another employee, supervisor, or member of the public.
- C. Theft or Pilfering: Possessing, taking, removing, destroying, or tampering with City property without proper authorization.
- D. Malicious or Willful Destruction (Abuse) of City Property: Malicious or willful destruction, negligence or abuse of City property, equipment or facilities. Damage to property by failing to use proper equipment, care, and/or good judgment.
- E. Fraud or Dishonesty: Falsification of City records or record keeping, e.g., employment applications, attendance records, payroll records, purchasing activities, etc.
- F. Drug/Alcohol Use: Using alcohol and/or controlled substances or having alcohol and/or controlled substances on City property and/or City time. Possession or sale of alcohol or controlled substances on City property and/or City time.
- G. Violations of Law:
 - 1. Pleading guilty or noo contendre to a felony, job-related misdemeanor or misdemeanor involving moral turpitude. Being found guilty of a felony, job-related misdemeanor or misdemeanor involving moral turpitude.
 - 2. "Crimes or moral turpitude," as that term is used herein, includes any criminal conviction or plea of nolo contendre, under a City, county, state, or federal ordinance, regulation, statute, or law, where the criminal act or conduct involves conduct contrary to justice, honesty, modesty, community morality, or good morals, generally. A crime of moral turpitude thus includes, but is not limited to, any crime, the commission of which, reflects adversely on a person's reputation, integrity, or reliability, or which otherwise brings, tends to bring, or may reasonably be expected to bring, discredit or disrepute upon that person or that person's employer.
- H. Conflict of Interest: Beginning or maintaining an outside personal business economic relationship which affords present or future financial benefits to the employee and may be considered a conflict of interest in securing advantage of goods, services, or influence due to the position of the employee with the City.



- I. Safety Violations: Unauthorized exhibition and/or use of weapons, ammunition or explosives, to the extent not volatile of any provision of the Preservation & Protection of the Right to Keep & Bear Arms in Motor Vehicles Act of 2008. Neglect in the safety of others or the committing of unsafe acts in the use and care of City property or equipment.
- J. Unauthorized and/or Excessive Absences: Failure to report to work for three (3) or more consecutive working days without prior authorization from the employee's supervisor or his designee and excessive absenteeism.
- K. Dangerous Horseplay: Pranks resulting in physical harm or property damage.
- L. Misconduct:
 - 1. Gambling on City time and property.
 - 2. Smoking in restricted areas.
 - 3. Any act or language which adversely affects morale, production, or the maintenance of discipline.
 - 4. Rudeness or acts of disrespect to the public, supervisors or co-workers.
 - 5. On or off the job conduct which adversely affects the ability of the employee to perform their job duties and/or adversely affects the efficient operation of the City government or any department or area of City government.
- M. Absenteeism/Unauthorized Absences: Habitual or excessive absences from work even if caused by legitimate illness.
- N. Incompetence: Incompetence or inefficiency in the performance of assigned duties.
- O. Tardiness: Failure to be present at the beginning of the workday, the start of a work shift, or when work assignments are being issued.
- P. Misuse of City Time: Sleeping or other acts of inattention or neglect of duty.
- Q. Abuse or Violation of City Policies: Abuse or violation of City policies, including the provisions of these policies and procedures, any department operating policies or procedures, or otherwise established rules and regulations not constituting a major offense.
- R. Leaving Assigned Work Areas: Leaving assigned work area or work site, except for emergencies or when approved by the supervisor.
- S. Inducement: Attempting to induce any officer or employee of the City to commit an act in violation of any lawful or reasonable policy or regulation.
- T. Safety Violations: Failure to observe City safety practices and regulations and failure to report accident or property damage.



U. Illegal Driving:

1. Failure to notify the supervisor if a license becomes denied, expired, restricted, suspended, or revoked, where a valid driver's license is required in the employee's job description.
2. Driving a private or City vehicle while on City business when not possessing a valid driver's license.
3. Permitting unauthorized individuals to ride in or drive a City vehicle.
4. Failure of a driver and/or passengers to wear seat belts while driving or riding in a City vehicle.

V. Loss of Minimum Qualification(s) Required for Current Position: Loss of a required license or certificate or another job requirement during employment.

W. Nepotism: The City believes that decisions concerning the employment, evaluation, promotion, and compensation of employees should be based in every instance on considerations of individual merit. Favoritism based on family or personal relationships between employees derogates from the merit principle of employment.

X. False Statements: Making intentionally false statements, either verbally or in writing, about the City, other employees, themselves, supervisors, or work situations.

Y. Personal Use of City Property: Personal use of City equipment, materials, tools, supplies, computers etc., is normally not permitted and may constitute a criminal offense. Where any City equipment, materials, tools, supplies, etc., is to be used for any non-City purpose (e.g. a civic or charitable event), such must be approved by the City Manager or designee in writing.

Z. Promotion of Private Business: Promotion of private business for personal gain or benefit within any City building, or on City property, on City time.

AA. Gifts and Gratuities: Employee acceptance of money, loans, advances, gifts, gratuities, favors, and/or entertainment from a supplier, bidder, or other parties doing business or having an interest in/with City government.

BB. Personal Mail/Calls: Receiving an excessive amount of personal phone calls or personal mail includes email and/or use of personal social networks while on City compensated time. "Excessive" shall be defined as that which has a significantly negative impact on the specific work operation of the employee as determined by the supervisor.

CC. Incarceration: Failure to notify the supervisor of incarceration for an offense, charge, or alleged crime.

DD. Behaviors exhibited by employees at work or during time away from work that lead to embarrassment to the City and as such demeanor diminish the image and/or integrity of the City.



- EE. Off-Duty Conduct: As a general rule, the City regards the off-duty activities of employees to be their own personal matter. However, there are certain types of off-duty activities that are of concern because of the potential negative impact on the City's reputation within the communities we serve. For that reason, employees who either engage in, or are associated with, criminal acts, or other conduct, the nature of which adversely affects the City or their own ability or credibility to carry out their employment responsibilities, may be subject to disciplinary action including discharge.
- FF. Criminal Acts: Employees are required to report if they are convicted of any misdemeanor or felony, including a DUII. Upon conviction, the employee must report the matter to the supervisor or, (City Manager), within two business days and must submit documentation concerning the conviction.

Conviction of a crime is not an automatic bar to continued employment. The City will review the underlying facts of the matter; any action taken will be on a case-by-case basis, taking into account the totality of the circumstances. At the City, actions may range from no action to disciplinary action including discharge.

Failing to report a conviction constitutes grounds for discharge. Furthermore, misrepresentation of the circumstances of the events can serve as grounds for discharge.

Employees who are unavailable to report for work due to incarceration may be subject to disciplinary action, including discharge.

- GG. Rehire Policy:

No employee discharged for prohibited conduct is eligible for rehire prior to the fifth (5th) anniversary of the termination date, unless specifically documented in the employee's exit interview conducted under Section 13. Employees discharged for reasons related to performance standards and for reasons other than prohibited conduct may be eligible for rehire after the third (3rd) anniversary of the termination date. Employees discharged for reasons other than those related to performance standards or prohibited conduct may be eligible for rehire immediately.

11.3 DISCIPLINARY PROCEDURES

Discipline should be considered by supervisors as a constructive means of dealing with unacceptable behavior or performance deficiencies on the part of employees. Disciplinary actions should be appropriate to the seriousness of the infractions or performance deficiency. Department Heads are authorized to take any of the following actions and to recommend termination for cause subject to the guidelines in this section. Other supervisors are authorized only to issue warnings and reprimands. Only the City Manager has the authority to decide whether to discharge an employee. Therefore, a supervisor may only recommend discharging an employee by the City Manager.

The corrective action process will not always commence with a verbal warning or include a sequence of steps. Some acts, particularly those that are intentional or serious, warrant more severe action on the first or subsequent offense. Consideration will be given to the seriousness of the offense, your intent and motivation to change the performance, and the environment in



which the offense took place. There may also be circumstances that are serious enough to justify immediate suspension, or in extreme situations, immediate termination.

Also, in addition to the actions listed below, other non-disciplinary actions may be appropriate as part, or in lieu, of a corrective action program. These include performance evaluation, additional supervision or training, restructuring of job assignment(s), or other actions as deemed appropriate.

All disciplinary actions except oral warnings must be in writing and submitted to the City Manager and include: 1) the purpose of the action; 2) the specific nature of performance or conduct problems with supporting facts; 3) the corrective action required; 4) the fact that more corrective action will be taken (including termination) if the employee does not correct or improve the performance or conduct problems; and 5) the employee's right to appeal the action by filing a grievance under Section 12. The document will be included in the employee's personnel file.

Some disciplinary actions may be preceded by an investigatory interview with the employee.

A. Warnings

A warning, whether oral or written, is an official communication to the employee that performance or conduct improvements need to be made. Supervisors may issue warnings. A written warning should be used when a verbal warning has not produced the necessary corrective action and where the possibility of disciplinary action exists if the improvements are not made. Both types of warnings should indicate to the employee the specific problem, what action is required for correction and that disciplinary action will follow if the employee does not satisfactorily correct the problem. A warning is not subject to the grievance procedure because no punitive action is taken. A written record of a verbal warning and copies of written warnings are kept by the supervisor but do not go into the employee's personnel file.

B. Suspension With Pay

The City Manager may suspend employees with pay while investigating allegations made by the employee or about the employee. The employee will suffer no loss of benefits or accruals during this period of suspension. Upon completion of the investigation, disciplinary action may be taken, or the employee may be reinstated. If no further disciplinary action is taken, no record of the suspension need be made in the employee's personnel file.

C. Written Reprimand

Supervisors or Department Heads may issue written reprimands. A written reprimand is given when oral or written warnings have not led to the desired conduct or performance improvements. A copy of a written reprimand is placed in the employee's personnel file.

D. Suspension Without Pay

Department Heads may suspend employees without pay with the prior approval of the City Manager. Suspension without pay is involuntary leave without pay coupled with formal notice of unsatisfactory performance or conduct. The period of suspension may not exceed 20 working days. At the conclusion of the suspension period, the employee will be reinstated or subject to further disciplinary action, such as demotion, disciplinary probation, or termination.



E. Disciplinary Probation

An employee may be placed on disciplinary probation by their Department Head with the prior approval of the City Manager as a final attempt to improve performance or conduct. The probationary period and the consequences for failure to successfully complete the probationary period must be specified in writing. As noted above in Section 4.2, employees on disciplinary probation may be terminated at any time in the City's discretion during the probationary period if termination is a consequence of unsatisfactory performance.

F. "Last Chance Agreement"

At any point in the discipline process a Department Head, with the prior approval of the City Manager, may draw up a "Last Chance Agreement" which will list all of the conditions that must be met, now, and in the future, for the employee to continue working for the City. If the employee signs the agreement and meets all of the conditions, the employee will be allowed to continue employment as long as conditions of the agreement are met. If the employee does not meet the conditions of the agreement, the employee will be discharged.

G. Discharge

Discharge is the involuntary termination of employment based on unsatisfactory performance or conduct. Department Heads may only recommend discharge and generally should not do so unless at least one other form of disciplinary action has been taken. However, as noted above, there may also be circumstances that are serious enough or extreme situations warranting immediate termination.

Only the City Manager has the authority to decide whether to discharge an employee. Therefore, a supervisor may discharge an employee only with the prior written approval of the City Manager. In some cases, the employee may be offered the option of resigning in lieu of discharge. If the employee chooses to resign, the employee will be required to sign a statement indicating that the resignation was voluntary. An exit interview will be conducted with all discharged employees.

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SECTION 12 – EMPLOYEE GRIEVANCE POLICY

12.0 GENERAL

- A. A grievance, other than those addressed pursuant to Section 10.18 above, is a job-related complaint made by an employee who believes that he has not been treated in accordance with these personnel policies.
- B. Decisions on grievances shall be considered on a case by case basis are not binding on future grievances unless officially stated in a City policy. Decisions will be retroactive to the date of the employee's official complaint whenever possible.
- C. Time Limits
 - 1. If a grievant fails for any reason to file a grievance or to advance a grievance to a next succeeding step within the time periods set forth in Section 12.1 below, the grievance and underlying dispute shall be deemed resolved with finality and no further action may be taken.
 - 2. If the City fails to respond to a grievance which has been taken to Step I or Step II in the manner required and within the prescribed time limit, the grievance will proceed to the next step, provided the grievant elects in writing for advancing an unresolved grievance to such next step.
- D. Computing Time Limits: In computing all time limits under this procedure, official working days Monday through Friday, and holidays are excluded from the computation.

12.1 PROCEDURES

- A. The grievant first must bring a grievance to the attention of the immediate supervisor within five (5) working days after the cause of the complaint arose. The supervisor investigates the grievance and answers the grievant in writing within five (5) working days, following receipt of the grievance (Step I).
- B. If the grievant is unsatisfied with the department supervisor's response, the grievant presents the grievance to the City Manager or his designee within five (5) working days after receiving the department supervisor's response. The City Manager will review the grievance and discuss the grievance with the employee, supervisor, department supervisor, or any other appropriate personnel in order to make a fair decision concerning the grievance. The City Manager will then respond in writing to the grievant within thirty (30) working days of receipt of the grievance (Step II). The City Manager's decision shall be final and no other appeal procedure shall be afforded to the employee.

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SECTION 13 – SEPARATIONS FROM EMPLOYMENT

13.0 TYPES OF SEPARATIONS

A. Resignation

Resignation is a voluntary act by the employee to terminate employment with the City. The City requests that all employees provide at least two weeks' written notice specifying the employee's anticipated final day of employment. Employees absent from work without reporting for a period of three days or more or who fail to return to work following a leave of absence are considered to have resigned voluntarily. The employee's last day of work will be considered the termination date.

Resigning employees will be asked their reasons for resignation at the exit interview.

B. Layoff

A layoff is the termination of an employee due to the elimination of a position. A position may be eliminated as part of a reorganization, elimination or contracting out of a program or service, lack of work or funds, or other reasons. The layoff is not an alternative to a disciplinary termination or demotion of an employee (see Section 11 above).

C. Retirement

An employee is considered to have voluntarily terminated employment when they are eligible for and to receive a monthly benefit from a qualified retirement plan offered by the City.

D. Disability

Loss of ability to perform job requirements through illness or injury may result in termination for disability.

E. Disciplinary Termination

Disciplinary termination (or discharge) is the termination of an employee for cause as described in Section 11 above. Only the City Manager may discharge an employee.

When disciplinary termination is recommended by a Department Head, the Department Head should provide their written recommendation to the City Manager and attach all supporting documentation. The final decision to discharge is made by the City Manager.

F. At Will Employment

As an employee of the City, you are engaged in an "at will" employment relationship. This means that either you or the City may terminate the employment relationship at any time with or without reason or notice. Our at-will provision extends to all employees unless otherwise exempted by a separate employment agreement or collective bargaining agreement.



No one other than the City Manager has the authority to enter into any employment agreement contrary to the provisions outlined in this Handbook and the Handbook cannot be altered except by City Council. The City is also not bound by any oral promises concerning your length or conditions of employment.

G. PRE-TERMINATION HEARING

Pre-termination hearings are not required but are always recommended. A pre-termination hearing may be required by a collective bargaining agreement. Pre-termination hearings should always be documented in writing by the supervisors in attendance.

H. TERMINATION PROCEDURE/EXIT INTERVIEW

An exit interview must be conducted with all terminating employees prior to or at the time of resignation or termination. The purposes of the interview are to secure forwarding addresses, review final hours accrued and due at termination, complete all retirement and insurance forms, and explain the final check due to the employee. In some cases, the purposes will also include an explanation of reasons for termination in the case of discharge and resignation. The City Manager or Department Head shall conduct the exit interview.

Except as provided through COBRA, all pay and benefits shall cease as of the date an employee terminates with the exception of health benefits which will terminate on the last day of the month in which the employee was terminated. The final check will include all accrued leaves that are payable at termination.

Upon termination, the Department Head is responsible for ensuring that the terminated employee has turned in all keys, tools, uniforms, and/or other City property used by them or in their possession.

Employees will be asked to sign a Reference Request Release pursuant to which the City will release only the information specified on the form to persons seeking information regarding the employee's employment with the City. If the employee requests that the City Manager, Department Head, a supervisor or other employee serve as a reference for the employee, the employee must make the request on the Reference Request Release.

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CITY OF BELLE ISLE

REFERENCE CHECKING AND AUTHORIZATION FORM DISCLOSURE

Please read the information on this form carefully and completely.

I have applied for employment with the City of Belle Isle, Florida and have provided information about my previous employment. I authorize the City of Belle Isle, Florida to conduct a reference check with my present and/or previous employer(s). I understand that reference information may include, but not be limited to, verbal and written inquiries or information about my employment performance, professional demeanor, rehire potential, dates of employment, salary and employment history.

My signature below authorizes my former or current employers and references to release information regarding my employment record with their organizations and to provide any additional information that may be necessary for my application for employment to the City of Belle Isle, Florida, whether the information is positive or negative. I knowingly and voluntarily release all former and current employers, references, and the City of Belle Isle, Florida from any and all liability arising from their giving or receiving information about my employment history, my academic credentials or qualifications, and my suitability for employment with the City of Belle Isle, Florida.

I further authorize the City of Belle Isle, Florida to obtain feedback and references from my supervisors over the course of my employment with the City of Belle Isle, Florida. I understand that subsequent and continued employment with the City of Belle Isle, Florida may be subject to this feedback.

This form may be photocopied or reproduced as a facsimile, and these copies will be as effective as a release or consent as the original which I sign.

Printed Name: _____ Signature: _____

Date: _____

Cell Phone: _____ Alternate Phone: _____

Email Address: _____



CITY OF BELLE ISLE

AUTHORIZATION FOR PRIOR EMPLOYER TO RELEASE INFORMATION

(Please read the following statements, sign below and return to the City Manager office.)

I, _____, hereby authorize the City of Belle Isle to release any and all information relating to my employment with them to _____ (requesting company's name). I further release and hold harmless both the City of Belle Isle and _____ (requesting company's name) from any and all liability that may potentially result from the release and/or use of such information. I understand that any information released by my prior employer will be held in strictest confidence, that it will be viewed only by those involved in the hiring decision, and that neither I nor anyone else not so involved will have the right to see the information.

Signature of Employee

Date

Employee's Name - Printed



CITY OF BELLE ISLE

LEAVE DONATION AUTHORIZATION FORM

This form permits the City of Belle Isle to transfer an authorized number of Paid Time Off (PTO) hours I have accrued to (Name of Employee) _____ to receive this benefit.

I understand this will lower the number of PTO hours available to me.

Hours will be donated in the order received by the Finance Department and drawn for use in that same order.

I understand that this donation is irrevocable but that if my donated hours are not needed by the end of the recipient's FMLA/OFLA status, the hours unused will be returned to my PTO bank.

Hours of my Accrual Leave that I wish to donate: _____

Printed Employee Name _____

Employee Signature _____ Date _____

Initials, Date & Time Rcvd by Finance: _____