



CITY OF BONIFAY PERSONNEL POLICY HANDBOOK

CREATED: _____

ADOPTED: _____

LAST UPDATED: _____

Welcome to the City of Bonifay!

We are glad to have you on our team. At the City of Bonifay, we believe that our employees are our most valuable asset. In fact, we attribute our success as a City in significant part to our ability to recruit, hire, and maintain a highly qualified and productive workforce that truly enjoys working for the City of Bonifay. We hope that during the time of your employment with the City of Bonifay you will become a successful member of the team.

This Personnel Policy handbook summarizes the personnel policies and procedures that govern the employment relationship between the City of Bonifay and its employees. The policies in this handbook are subject to change at any time at the sole discretion of the City Council with or without prior notice. This handbook supersedes any prior handbooks or written policies of the City that are inconsistent with its provisions. Personnel may receive updated information concerning changes in policy from time to time which should be kept with individual copies of the handbook.

This handbook does not create a contract of employment between the City of Bonifay and its employees. The employment relationship remains at-will notwithstanding any provision in this handbook to the contrary. Either the employee or the City may terminate this relationship at any time, for any reason, with or without cause or notice. Only the City Council and City Clerk have the authority to enter into any agreement that changes the nature of our at-will relationship or deviates from the provisions within this handbook.

Employees requiring additional information regarding employee job descriptions and policies, which are not addressed in this handbook, should be directed to the department Supervisor and the City Clerk. A copy of this handbook has been distributed to each employee.

Sincerely,

Mayor Larry Cook

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Forms Available from the City Clerk:

1. Accident/Incident Report
2. Acknowledgment of Receipt of Personnel Policy
3. ADA Reasonable Accommodation Request
4. Application for Employment
5. Background Process Checklist
6. Insurance Forms
7. Direct Deposit Authorization
8. Disciplinary Action
9. Employee Information
10. Employee Performance Appraisal
11. Exit Interview Questionnaire
12. FMLA Request
13. Harassment Investigation
14. I-9
15. Job Interest Form
16. Payroll Change Request
17. Request to Donate Sick Leave
18. Safety Checklist
19. Safety Committee Minutes Form
20. Separation of Service Checklist
21. Sick Leave Pool Membership Request
22. Sick Leave Pool Request for Hours
23. Travel Request Form
24. W-4

1 General Administration

1.1 Resolution

**Inserted Upon Approval

1.2 Intent

The City of Bonifay hereinafter referred to as the City, believing it to be in the public interest and of most benefit to the employees of the City, has established a personnel policy that will ensure:

1. Fair and equitable treatment of all employees will be maintained in all areas of personnel matters.
2. The administration of this policy will be conducted with integrity and concern for the individual employee.
3. The public interest will be best served by having a personnel system that recognizes individual worth and applies objective and equitable policies, procedures and practices.
4. All applications for employment will be reviewed and offers of employment will be made in the best interest of the City of Bonifay.
5. The City encourages, when feasible, the advancement and training of present employees to prepare for furtherance of career and personal goals.
6. The City will comply with the state and federal EEO statutes and regulations.
7. The City has adopted the American Disability Act Accessibility Guidelines to use as compliance with the American Disabilities Act (ADA). The guidelines under Florida Statute 553.503 shall establish the minimum standards for the accessibility of buildings and facilities built or altered within this state.

1.3 Definitions

For the purpose of this Personnel Policy Handbook, all sections that refer to the City Clerk and Department Directors shall be understood to include the City Clerk or their designee and the Department Directors or their designees.

1.4 Revisions

Revisions and amendments to these policies may be initiated by the Mayor, City Council, or City Clerk and will become effective upon adoption by the City Council.

1.5 Responsibility

The City Clerk, under the policy direction of the City Council, shall be responsible for the overall administration of the City's personnel policies and procedures. However, Department Directors and Supervisors shall be responsible for ensuring that the policies are carried out day-by-day in their department.

2 Employee Classification

The City maintains standard definitions of employment and classifies employees in accordance with these definitions:

1. *Probationary*: New employment is subject to a 12-month Probationary Period before employees are classified as Regular Full-time. Probationary employees are eligible for full participation in benefit programs with the exception of Annual (Vacation) Leave. Probationary employees will accrue Annual (Vacation) Leave at the same rate as Regular Full-time employees from the date of hire but may not use accrued leave until half of their probationary period (six months) has been successfully completed.
2. *Regular Full-time*: Employment in an established position requiring at least 25 hours of work per week. Regular Full-time employees are eligible for full participation in benefit programs including the retirement plan.
3. *Regular Part-time*: Employment in an established position requiring less than 25 hours of work per week. A part-time schedule, such as portions of days or weeks, will be established. Participation in benefit programs for regular part-time employees is limited to eligibility for workers' compensation benefits and retirement.
4. *Temporary*: Employment in a position established for a specific purpose, for a specific period of time, or for the duration of a specific project or group of assignments. Temporary employment can be either full-time or part-time, but not exceeding a period of 6 consecutive calendar months. Participation in benefit programs for temporary employees is limited to eligibility for workers' compensation.
5. *Emergency*: It shall be the policy of the City to provide for emergency employment for not more than ninety (90) days. Emergency employment can be either full-time or part-time. Participation in benefit programs for emergency employees is limited

to eligibility for workers' compensation. Emergency employees may submit an application to be considered among other applicants for regular full-time hire for the position.

Additionally, all employees are defined as either:

1. *Exempt.* Those employees who are employed in an executive, administrative, or professional capacity or other legally exempted category of employees, and who are *not* covered by the federal wage and hours laws; these employees have certain reasonable flextime options; or
2. *Non-Exempt.* Those employees who are not employed in an executive, administrative, or professional capacity or other legally exempted category of employees, and who *are* covered by the federal minimum wage and overtime laws.

All employees, regardless of employment status, are subject to all City rules and procedures. These classifications do not guarantee employment for any specified period of time and do not change the at-will nature of your employment with the City. A list of City positions showing Exempt and Non-Exempt status may be obtained from the City Clerk.

3 Recruitment and Employment Procedures

3.1 Equal Employment Opportunity

It is the policy of the City to provide equal employment opportunity without regard to race, color, disability, sex, national origin, political, or religious affiliation. The City is fully committed to assuring equal opportunity and equal consideration to all applicants and employees in personnel matters. This includes recruitment, selection, hiring, compensation, benefits and other City programs. No question on any application form, examination, or other proceeding shall be so formed as to elicit information not related to the position requirements.

Employees who feel they have been discriminated against should contact the City Clerk for information on how to file a complaint.

In accordance with Equal Employment Opportunity Commission (EEOC) regulation, the City of Bonifay asks that all employees voluntarily self-identify race and ethnicity in order to ensure that the City is in full compliance with federal and state civil rights laws and regulations, and in turn protecting the rights of all city employees from discrimination. If an employee declines to self-identify, employment records or observer identification may be used.

Statement from the Equal Employment Opportunity Commission (EEOC):

"The employer is subject to certain governmental recordkeeping and reporting requirements for the administration of civil rights laws and regulations. In order to comply with these laws, the employer invites employees to voluntarily self-identify their race or ethnicity. Submission of this information is voluntary and refusal to provide it will not subject you to any adverse treatment. The information obtained will be kept confidential and may only be used in accordance with the provisions of applicable laws, executive orders, and regulations, including those that require the information to be summarized and reported to the federal government for civil rights enforcement. When reported, data will not identify any specific individual."

3.2 Public Records Law

Chapter 119 of the Florida Statutes provides that the personnel records of employees are public records and are open to inspection and copying by anyone who desires access to these files. Exceptions to the above are the home addresses, telephone numbers, and photographs of the employees in statutorily exempt occupations. Additional exemptions include their spouse's places of employment and children of those individuals including the names and locations of their schools and day care facilities. In addition, certain medical records are confidential and exempt from public records. Costs of copying and document preparation time may be applied to the request. Employee medical information will be kept confidential in accordance with the Health Insurance Portability and Accountability Act of 1996 subject only to disclosure as otherwise required by law.

For detailed information on the exemptions to the public record disclosures, please see Section 199.07, Florida Statutes, and other relevant statutes.

3.3 Veterans' Preference

The City will comply with all provisions of the Veterans' Preference Act.

3.4 Americans with Disabilities Act (ADA)

The Americans with Disabilities Act (ADA) is the federal law which requires an employer to provide reasonable accommodation to qualified individuals with disabilities who are employees or applicants for employment, unless to do so would cause undue hardship.

3.5 Qualifications

Selected Applicants offered a position with the City must provide proper documentation (to establish identity and employment authorization) to complete the U.S. Department of Justice Form I-9 Employment Eligibility Verification.

A physical examination may, at the request of the Department Director, be required after the job offer. The appointee physical examination cost shall be borne by the City.

Public Safety departments may require applicants to receive a physical examination prior to being selected for hire at the applicant's cost.

All job offers are made contingent upon:

1. a physician statement that the applicant is physically able to perform the duties of the position (if required),
2. producing an acceptable form of identification during orientation confirming selected applicant has the legal right to work in the United States and proof of identity,
3. passing results of a pre-employment drug test,
4. passing results of a background and driver license check,
5. the ability to perform the duties and responsibilities outlined in the position job description.

3.6 Residency Requirements

Certain positions may have requirements to live within the City of Bonifay city limits. These specific requirements are outlined in the Municipal Code. All other positions do not have any residency requirements as a condition of employment.

3.7 Employment of Relatives

The City is committed to hiring and retaining highly qualified persons.

The City does not employ spouses, domestic partners, parents, children, siblings, or those whose relationship with the employee is similar to that of persons who are

related by blood or marriage (husband or wife) if employment would result or might result in an employee having Supervisory influence (actual or perceived) over the relative's evaluations, progress, discipline, or pay.

A relative of a current employee may be offered a position if they would be employed in a different department. Therefore, the City recognizes that despite their qualifications, hiring and retaining close relatives of present personnel might raise serious questions regarding the objectivity, or appearance of objectivity of work assignments, performance appraisals, and employee treatment. Our employment policies are administered on a case-by-case basis, and are based on balancing these concerns.

3.8 Application for Employment

Employment application must be completed in detail before further employment consideration procedures will be conducted. We consider applicants for all positions without regard to race, color, religion, creed, gender, national origin, age, marital status, disability or any other legally protected status. We are an at-will, equal opportunity employer. Once an applicant has been selected for hire for an open position, all other applications considered for said position will be securely stored for a period of time specified by State Retention Laws. Any applicant not hired who is interested in another position will need to submit a new application for consideration.

3.9 Reference Inquiry and Personal History

Written and/or verbal confirmations must be documented on applicant reference checks. Applicant's personal and criminal background, including driving history, will be screened for disqualifying factors.

3.10 Announcing and Filling of Vacant Positions

1. When a resignation, retirement, or dismissal letter has been received that will result in a position vacancy, the Department Director or designee will notify the City Clerk of the position vacancy.
2. As directed by the City Clerk, Human Resources will post job vacancy notices internally and advertise as deemed necessary for a period of a minimum five (5) working days.
3. During the application receipt process, the City Clerk shall categorize those persons eligible for a position as being qualified using specifications received from hiring Department Director or the City Clerk. Qualified applications shall be submitted to the hiring Department Director or the City Clerk to review and select applicants for the interviewing process.
4. City Clerk, Department Director, or their designee will conduct interviews.
5. The interviewer will recommend the most qualified candidate based on qualifications and interviews. The selected application will be submitted to the City Clerk for further processing. This processing will include items listed on the Background

Process Checklist.

6. The City Clerk will notify the interviewer with the results. The interviewer will then make a decision with a job offer to the selected candidate or request processing of a different applicant.

3.11 Pre-Employment Drug Test and Physical Examination

All applicants selected for positions will be subject to a pre-employment drug test following the guidelines of the Drug Free Workplace policy. The selected candidate for a position that mandates physical examinations shall be subject to an examination by a designated medical facility at the time of job offer. Public Safety departments may not require applicants to use a designated medical facility due to the applicant being responsible for the cost.

3.12 New Hire Processing

All new hires are processed for payroll, orientation, insurance and related employee payment benefits prior to or on the first reporting date for work.

3.13 Probationary Period

All employees hired are subject to the satisfactory completion of a twelve (12) month probationary period. Either the employee or City may end the employment relationship at-will any time during or after the probationary period, with or without cause or advance notice. An employee may be dismissed from employment during the probationary period without cause and without appeal rights by the employee.

The probationary period is intended to give new employees an opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The City uses this period to evaluate the employee's capabilities, work habits, and overall performance.

Upon satisfactory completion of the probationary period, employees enter the "regular" employment classification.

3.14 Employee Performance Appraisal

The Employee Performance Appraisal is used to objectively assess the individual job performance, strengths, weaknesses, and developmental areas associated with each Employee. The appraisal is expected to provide an opportunity for dialog, recommendations, qualitative/quantitative standards, timelines, work behaviors and support required for the Employee to develop personal and professional goals associated with the City's mission and operation.

The standards and ratings associated with the Performance Appraisals will relate to performance elements, each being consistent, achievable, measurable, clearly defined, within the employees control, and achievable. The employee appraisal will include job performance measures for dependability, knowledge and skills, motivation, time

management, and team skills; appraising individual job performance and achievement of goals and objectives; and using individual appraisal rating for personnel management decisions.

During new hire processing, each employee will be made aware of the Performance Appraisal process and provided information associated with expectations, ratings, and job requirements.

Employee's Performance Appraisal will be completed by the Employee's immediate Supervisor, and will be reviewed by the next level Supervisor.

Probationary Employee's job performance shall be appraised following completion of six months of service, and again following completion of one year of service, unless the probationary period is extended.

Non-probationary Employee's job performance shall be appraised once per year, (on the annual anniversary of their original date of service). Supervisors should provide continuous performance feedback to Employees, and provide feedback which addresses specific job performance issues when they fall below acceptable standards.

3.15 Promotions

The City encourages employees to apply for promotions within the organization whenever possible. The promotion of an employee with a pay increase will occur as provided in the city's municipal code.

3.16 Transfers

The City encourages employee transfers for the purpose of increasing job knowledge and skills in preparation for advancement and promotion. Employees will not be allowed to apply for transfers until the successful completion of their twelve (12) month probationary period of employment. The City Clerk will make the final decision regarding transfers.

Employees will submit a letter in writing to their Department Director to request a transfer to another position in the City. Employee Performance Appraisals will still be completed on the employee's original anniversary date.

Intra-Departmental Transfers:

A Department Director may transfer an employee under his or her supervision to a similar position within the department. The City Clerk shall be notified in advance of such permanent changes in assignment.

Inter-Departmental Transfers:

A transfer of an employee from one department to another shall require the notification of both Department Directors or Supervisors with notification to the City Clerk.

3.17 Professional Development

The City encourages the furtherance of employee career goals through continued skills or professional development. Consideration will be extended when feasible during work hours and other position requirements to assist employees in their endeavors. It is the policy of the City to provide equal development opportunities without regard to race, color, disability, sex, national origin, political affiliation, or religious affiliation.

3.18 Separation of Service

When Separation of Service from the City occurs, the following process shall be followed:

1. When an employee chooses to no longer work for the City of Bonifay, the City requests that the employee give a letter of resignation to their Supervisor preferably a minimum of two weeks prior to the last working day.
2. When an employee has been dismissed from employment, following a consultation with the City Clerk and approval as provided in the city's municipal code, the Department Director must submit a notification of dismissal in writing to the City Clerk.

The employee will turn in all city issued items including, but not limited to, uniform shirts, pants and jackets, cell phone or radio, city vehicle, keys, tools, supplies, equipment and any other items loaned for the employee's use on the job. Failure to comply with this policy will result in the employee's last paycheck for accrued annual, sick, and holiday leave and earned wages above minimum wage, governed by the Florida Department of Labor, being withheld until this process has been completed. If all city issued items have not been returned within two (2) weeks following the last day worked, the cost of any unreturned items will be deducted from the withheld wages.

Upon Separation of Service from the City, the separated employee will be given an Exit Interview Questionnaire. As part of our quality improvement efforts, we want to provide an opportunity for separated employees to comment on the reason for separating service with the City and to provide us with any information they feel would assist us in improving our organization. We believe that the information is of vital importance and will assist us in analyzing our employee retention and turnover.

3.19 Service Awards and Retirement

Awards shall be presented in five-year increments for years of service. The Mayor or City Clerk will present the service awards on a quarterly basis. The employee will be

sent a letter inviting him/her and their family to the awards ceremony, which will be held in the council room or the Mayor's office.

Service Award – Five to Ten Years:

All full-time employees with five and ten years of service shall be awarded a service pin and certificate in recognition of their years of service with the City.

Service Award - Ten years or more:

All full-time employees with ten years or more of service shall be awarded a service pin and a 5" X 7" plaque in recognition of their years of service with the City.

Separation of Service - Fifteen years or more:

All full-time employees with fifteen years or more of service may be given a reception, in their honor, at the time of separation of service in recognition of their years of service with the City. Refreshments may be served. The employee's family and all City employees may be invited. It may be held in the council room on the Friday afternoon preceding the employee's final scheduled day of work.

Retirement – Fifteen years or more:

All full-time employees with fifteen years or more of service may be given a reception in their honor and an 8" X 10" plaque at the time of retirement in recognition of their years of service with the City. Refreshments may be served. The employee's family, associates, the community, and all City employees may be invited. It may be held in the council room on the Friday afternoon preceding the employee's final scheduled day of work.

3.20 Rehire

It is the policy of the City of Bonifay to rehire former employees who have voluntarily left City employment and who possess a satisfactory record of service. This policy sets forth the City's philosophy governing eligibility for reemployment and considering past service for awards and recognition, where appropriate.

Employees who had completed their probationary period and voluntarily resigned will be eligible for rehire based on information contained in employee's personnel file. Former employees who had a less than satisfactory work record appropriately noted at time of separation of service or did not complete their appropriate notice as not being eligible for rehire and are excluded from rehire consideration.

Service Restoration Rules for Eligible Employees:

1. If a former employee with less than one year's prior service is rehired, the employee will be considered a new employee and past service will not be considered for service awards and recognition purposes.

2. If a former employee with more than one year's prior service is rehired, the employee's past service will be included when determining service awards for recognition purposes.

4 Compensation Plan

4.1 Intent

The Compensation Plan is designed as a fair and equitable method for payment of city employees. The Compensation Plan shall establish a basic salary schedule as approved by the City Council. The salary range shall include minimum and maximum rate of pay for all positions. The Compensation Plan consists of two primary salary components that are used to adjust employee compensation. These two mechanisms include cost of living adjustments and merit increases when funded by the City Council.

4.2 Starting Wages for New Employees

In most cases, a new employee shall be paid the minimum rate of pay for the position as determined by the City Council. If a selected candidate exceeds the minimum qualifications stated in the class specification and/or cannot be recruited at the minimum rate for the position, the candidate may be appointed at a higher rate with approval from the City Council.

4.3 Cost of Living Adjustment

The Cost of Living Adjustment (COLA) is used to ensure that the salary structure is adjusted equally across-the-board to reflect changes in the wage index. A review of the COLA is completed annually as part of the City Council budget process. All approved adjustments will take effect on October 1st of the new fiscal year.

4.4 Merit Increase

Merit increases are awarded to employees, whose performance is appraised above standard, resulting from the Employee Performance Appraisal. Merit increases will be approved during the annual City Council budget process and will take effect on the employee's anniversary date of employment or October 1st of the new fiscal year when funded by the City Council.

4.5 Promotion

When an employee is promoted to a position in a higher grade, the employee's salary will increase to at least the minimum or hiring salary of the new grade. If an employee is at or above the minimum salary, a five percent (5%) increase is customary. All pay increases are approved as provided in the city's municipal code.

An employee receiving a promotion may be required to serve a new probationary period in the new position. Should the employee fail to complete the probationary period following the promotion, the employee shall be reinstated in the former position if available or a position similar in rank and status at the former salary.

4.6 Demotion

When an employee is demoted to a lower position, the employee shall be paid at a rate within the approved range for the lower position. The rate of pay will be approved, as provided in the city's municipal code, after recommendation from the Department Director and consideration of the circumstances and the reasons for the demotion.

An employee receiving a demotion may be required to serve a new probationary period in the new position. Should the employee fail to complete the probationary period following the demotion, the employee may be subject to dismissal.

4.7 Pay Days

The City of Bonifay issues payroll bi-weekly on Fridays. Should a pay day fall on an official holiday, paychecks will be issued on the last working day before the holiday.

5 Reimbursement

5.1 Travel Cost Expenses

To be eligible to receive travel reimbursement, employees must have followed department rules and regulations to receive trip authorization. Travel cost expenses for mileage and per diem may be paid to the employee prior to the beginning of the trip. When a city credit card is used, the employee must turn in all receipts from transactions where that card was used within one (1) week of returning from travel. If receipts have not been received, the amounts will be deducted from the employee's paycheck. Following travel, employee must submit a Travel Voucher Form for approval to the City Clerk for reimbursement.

Travel vouchers shall show all expenses incurred during the trip with the exception of airline and hotel bills that were approved and paid by a City credit card prior to trip. All receipts must be attached to the travel voucher as proof of expended finances including but not limited to parking fees and toll fees. Travel vouchers will be approved by the City Clerk and the City Clerk prior to being submitted to the Finance Department for payment.

Mileage:

Employees who are required to use their privately owned vehicles for City business travel shall be entitled to reimbursement at per Florida Statute 112.061 unless otherwise approved by the Mayor. Mileage will be paid according to the current State of Florida reimbursement rate.

Overnight Travel:

Overnight travel and food costs shall be paid per Florida Statute 112.061.

1. Breakfast is paid when travel begins before 6 a.m. and extends beyond 8 a.m. at a rate of \$10 per day.
2. Lunch is paid when travel begins before 12 p.m. and extends beyond 2 p.m. at a rate of \$20 per day.
3. Dinner is paid when travel begins before 6 p.m. and extends beyond 8 p.m. or when travel occurs during the night-time hours due to special assignment, at a rate of pay of \$30 per day.
4. If travel is over a period of twenty-four (24) hours or more requiring overnight absence from regular work location, reimbursement will be calculated on the bases of six (6) hour cycles or part exceeding three (3) hours at the rate per Florida Statute 112.061.

6 Overtime/Compensatory Time

6.1 Overtime Pay

Exempt Employees:

Executive, professional and administrative employees, as defined in the Fair Labor Standards Act, are normally exempt from overtime. All Department Directors are included in this exemption. However, when a state of emergency exists, requiring attendance for abnormal and prolonged periods, overtime compensation may be authorized by the City Clerk. Exempt employees are hired for an annual salary rate to accomplish a specific job for the City. They are expected to be present and working for the total hours of the normal workweek and may be allowed some latitude with respect to time spent at work as approved by the City Clerk.

Non-Exempt Employees:

All non-exempt (hourly) employees shall be compensated with overtime pay at either one and one-half times the employee's regular rate of pay or with compensatory time off at one and one-half times the amount of time worked over and above their regularly scheduled hours.

General Requirements:

Overtime should not be scheduled unless absolutely necessary, however, it may be required occasionally or for declared states of emergency. Upon Holmes County being declared in a state of emergency by the Governor, essential employees will be placed on overtime status. Essential employees are vital to the daily operations of the City, especially during a State of Emergency. Essential employees will be called in by their direct supervisor to report to work. Approval to schedule employees for overtime is at the discretion of the Department Director or their designee. Employees are prohibited from working overtime without advance authorization.

All nonexempt employees shall be compensated with overtime pay. Exempt employees will be at either one and one-half times the employee's regular rate of pay or with compensatory time off at one and one-half time the amount of time worked over and above a regular forty (40) hour work week.

All Call Backs for the Public Works Department will be paid at overtime rate. A minimum of two (2) hours will be paid. In addition, an On-Call payment will be included in the amount of twenty dollars (\$20).

For purposes of computing overtime, other types of leave such as annual leave, sick leave, compensatory earned, holiday compensatory earned, or leave of absence without pay, are not considered time worked. However, time off on a holiday when the department is closed will count as time worked when computing overtime.

For record keeping purposes, overtime must be submitted on the time sheet and should include the total number of hours worked, the date, and an explanation for the overtime worked.

6.2 Compensatory Time

Compensatory time is granted at a rate of one and one half time the amount of time worked over and above the regular forty (40) hour work week. Compensatory time is offered in lieu of + pay, at the discretion of the employee and upon approval by the City Clerk.

Employees will schedule the use of compensatory time with the Department Director to meet the operational needs of the Department and the City. The employee should make every attempt to schedule compensatory time off as soon as possible after it is earned.

Compensatory time earned may not accumulate to more than a total of forty (40) hours. If an employee's accumulated compensatory leave exceeds the forty (40) hour maximum, he/she shall be paid for the compensatory time earned exceeding forty (40) hours at his/her regular rate of pay.

Compensatory time may be taken in increments of quarter hours.

If an employee is separated from service (dismissed, resigns, or retires, etc) without having used accumulated compensatory time, the employee will be paid for the compensatory time earned, not to exceed the forty (40) hour maximum, at his/her regular rate of pay at the time the separation occurs.

For record keeping purposes, use and accumulation of compensatory time shall be reported on time sheets.

7 Standards

7.1 Workweek

The standard full-time workweek for all departments is forty (40) hours with the exception of exempt employees. A minimum amount of three (3) hours must be worked to receive a full day of pay. Public Safety departments will work under a schedule determined by their respective Department Directors as approved by the City Clerk.

Break Periods:

Regular Full-time Employees will receive a paid break of fifteen (15) minutes in the first four (4) hours of a shift lasting at least four (4) hours and a paid break of fifteen (15) minutes in the second four (4) hours of a shift lasting at least eight (8) hours. The timing of the break period for each employee will be determined by the employee's Supervisor, based on City needs. Paid breaks cannot be taken within the first or last hour of a shift or in conjunction with a lunch period, unless with prior approval. Every effort should be made to take earned breaks mid-shift.

Lunch Periods:

Regular Full-time Employees will receive an unpaid lunch period of at minimum thirty (30) minutes and not exceeding sixty (60) minutes during a shift lasting more than six (6) hours. The timing of the lunch period for each employee will be determined by the employee's Supervisor, based on City needs.

Earned lunch periods cannot be taken at the beginning or the end of a shift without prior approval.

Lunch periods are established by the Department Director and/or Supervisor of the particular department and shall be scheduled in a manner to best serve the public and the needs of the department. No City office shall be closed to the public for an employee to take a lunch period. It is everyone's responsibility to maximize the services delivered to the public. Employees are expected to utilize the lunch period, as this time cannot be accumulated. However, when a department is understaffed, usually because of illness, an employee may not be able to take a lunch break. In this case, overtime is paid or compensatory time at time and a half is earned. No employee shall work over six (6) hours straight without taking at least a thirty (30) minute break.

Exceptions may be made as an effort to assist employees in scheduling appointments to miss as few working hours as possible. This request shall be approved by both the employee's Department Director and City Clerk and must be expended within the same work week as accrued.

7.2 Attendance

Employees are hired to perform an important function at The City of Bonifay. As with any group effort, it takes cooperation and commitment from

everyone to operate effectively. Therefore, attendance and punctuality are very important. Absences cause a slow-down in the work and added burdens for employees. Good attendance is something that is expected from all employees. Employees should be at their workstation by the start of each workday at the time designated by the department. Excessive absenteeism or tardiness will not be tolerated and will be cause for disciplinary action up to and including discharge.

It is the responsibility of the employee to be aware of developing attendance problems.

Regardless of the reason for an absence, employees are expected to properly notify their Supervisor. This notification must be made as soon as the employee is aware that he/she will not be able to report to work but not less than thirty (30) minutes prior to the employee's scheduled start time.

Lack of a telephone or absence from town is not an excuse for failing to notify the Supervisor of absence or tardiness. Employee should call every day that they are absent unless they are on an approved leave of absence. Unreported and unexcused absences of three (3) or more consecutive workdays will be considered a voluntary separation of service with the City.

7.3 Department Rules and Regulations

Each Department Director, in conjunction with the City Clerk, will formulate written rules concerning the operation of the department. These rules, upon City Clerk approval, then become policies applicable to the respective departments.

The following areas may be considered:

Working Relationships with the Public:

Employees shall greet any person who comes into their office and offer their help in directing them to another office or in assisting them in any way possible to maintain good citizen relations.

Working Relationships with other Employees:

Employees shall treat other employees with respect. If any problem arises between employees, they shall try to remedy the conflict between themselves. Meeting with the Department Director and discussing the problem to find a solution should be considered only if an agreement between employees cannot be reached. As a last resort, the matter shall be referred to the City Clerk upon recommendation from the Department Director.

Personal Activities during Work Time:

Personal activities should be accomplished before work, during lunch or rest break, or after work, not on City time, and not in City vehicles. If an employee needs to

accomplish a personal task during City time, the employee will seek approval from their Supervisor.

7.4 Outside Employment

Outside employment is defined as any paid employment performed by an employee in addition to his/her employment with the City. The work of the City will take precedence over any other occupational interest of employees. Such employment shall not cause the employee to be late to work, to leave early, to be unavailable for work during regularly scheduled work times or cause any reduction in the employee's efficiency when on duty with the City. The nature of the outside employment shall not be such as to bring discredit or embarrassment on the City. Any employee wishing to engage in outside employment must submit a request in writing to their Department Director. Department Directors are authorized to direct an employee to discontinue outside employment if it is later found to be inconsistent with this policy.

7.5 Payroll

Time Sheets:

All employees will sign a pay period timecard and/or sheet. Each Department Director will review, certify and sign the time sheets of the department employees. If an employee does not sign a timecard/sheet, but it is approved by the Department Director, the employee will receive their paycheck as scheduled. But if the employee does not sign the timecard/sheet prior to the next scheduled payroll due date, then the employee's check will be held, and the employee will have to sign the time sheet prior to receiving their paycheck. Should the employee be incapacitated and unable to sign their timecard, their Supervisor may authorize the release of the paycheck by memorandum to payroll.

Signature Requirements:

No one shall sign another employee's name to any timecard, time sheets, leave request, or any other personnel action form. In absence of the Supervisor, the Department Director has the authority to approve an employee's timecard.

Leave Requests:

Leave Request Forms, properly executed for paid and unpaid leave time, should be turned in a minimum of seven (7) calendar days in advance of the leave date. This applies to all employee leave requests except emergency situations. All requests for paid leave must be signed by the employee and approved by the Department Director. Approval of a leave request will be determined by the order received. All Paid leave requests will receive priority over an unpaid leave request, regardless of the order received.

7.6 Direct Deposit

Intent:

All employees are required to have their wages and or salary deposited into a financial institution of their choosing by direct deposit.

Procedure:

During orientation, the new employee will provide the information required to have their pay direct deposited into their bank account. Initial set up of direct deposit may take up to two (2) pay periods so the employee may receive one (1) or two (2) hard copy paychecks during their first few weeks of employment.

Each employee will receive a pay stub, each pay period, which will provide details of their pay, deductions, and accrued leave time.

7.7 Job Injury/Accident

Intent:

It is the policy of the City of Bonifay to provide Workers' Compensation insurance benefits to any employee injured as a result of job duties. The City policy is to ensure that immediate medical attention is given to an employee injured while at work.

ALL EMPLOYEE INJURIES MUST BE REPORTED TO THE SUPERVISOR OR DEPARTMENT DIRECTOR AT ONCE.

Reporting:

ALL ACCIDENTS which result in injury to employees or other people, and/or damage to public or private property, equipment, or vehicles, MUST BE REPORTED IMMEDIATELY to the Department Director. The Department Director shall investigate, or cause to be investigated, all such occurrences where possible monetary claims may be made against the City, disciplinary action initiated, or legal actions instituted.

This policy applies to those employees who may be involved or have direct knowledge of any such incident. An 'Incident Report – Workers Comp Only' or 'Accident/ Damages Report' form (may be obtained from the Supervisor, Department Director or City Clerk) shall be completed and submitted to the appropriate office.

Failure to Report:

Should an employee not immediately report the injury, the benefits of Workers' Compensation may be withheld.

Benefits:

Workers' Compensation provides for complete payment for medical services, hospital charges and related therapy and treatment. The temporary disability benefits are paid when an employee has been unable to work for seven (7) days and are partly retroactive.

The employee may elect to receive full pay for a disability of less than seven (7) days by having time off charged to accrued personal sick leave. An employee on Workers' Compensation will receive health insurance benefits while they are not actively working.

7.8 Energy and Supplies Conservation

All employees are expected to be aware of the need to conserve the fuel, equipment, supplies and energy resources of the City. Each Department Director shall make positive and continuing efforts to contain costs and reduce consumption.

7.9 Smoke Free Workplace

Background:

Tobacco use, particularly smoking, is the leading preventable cause of death in the United States.

Intent:

Reducing secondhand smoke exposure for employees and clients makes our offices safer, cleaner, and more enjoyable. Ultimately, it can also reduce healthcare costs.

Policy:

In accordance with the Florida Clean Indoor Air Act (Florida Statutes 386.201 et seq.), smoking or the use of tobacco products in any form, is prohibited anywhere within City buildings and vehicles. Under no circumstances will employees smoke tobacco products in any public or private place where smoking is prohibited by state law or City ordinance or policy. Violations of this policy may be subject to disciplinary action.

7.10 Identity Theft Prevention

It is the policy of The City of Bonifay that all City employees shall secure from public view, any personal information, which may be used in an attempt to carry out identity theft. This shall include the personal information of customers and employees.

The City of Bonifay shall abide by the following security procedures to help ensure the protection of personal information:

Personal information is defined as name, social security number, credit card information, and other information that may be used in an attempt to carry out identity theft.

1. Employees will complete and abide by the Identity Theft Prevention Non-Disclosure Agreement

2. Documents containing personal information will be stored in locked file cabinets.
3. Specifically identified employees, with a legitimate need, will have access to locked file cabinets.
4. Employees will not leave papers containing personal information out on their desks unless they are present at their work area and are working on such documents.
5. Employees will store documents containing personal information from view when they are away from their work areas.
6. Employees will log off their computers or have a password protected screen saver when leaving their work areas.
7. Visitors to City offices will not be provided any entry code, password, or be allowed unescorted access on City property.
8. The use of laptops is restricted to those employees who need them to perform their jobs.
 - a. Laptops shall be stored in a secure place and only used in work areas unless granted by the City Clerk.
 - b. When the City Clerk grants use beyond work areas, employees shall not leave a laptop visible and accessible to public view; such as in a car, at a hotel luggage stand, etc.
 - c. Laptops, which contain personal information as defined above, will have encryption software installed to prevent unauthorized access to such information.
9. Flash drives, USB storage devices, and other devices used to store and transfer information, which contain personal information as defined above, will have encryption capability to prevent unauthorized access of such information.
10. Employees who become aware of suspected or actual fraudulent use of the identity or personal information of a customer, potential customer, or employee shall immediately notify the City Clerk.

8 City Driving Privileges

8.1 Policy

This policy establishes uniform policy and procedures, addressing the suspension, revocation, and or cancellation of city vehicle driving privileges. This policy applies to all employees who occupy positions which require the operation of City vehicles and/or heavy equipment during the routine performance of their duties and whose job description includes the statement requiring possession of or ability to obtain an appropriate drivers' license. The policy not only applies to those considering employment, but to current employees as a condition of continued employment.

1. The City Clerk will complete a driver's license background report annually to ensure continued employment eligibility status. Completed reports will be placed in the personnel files.
2. Any employee who loses the use of his/her driving privileges, whether knowingly or unknowingly, for any reason other than a temporary medical/disability condition, will be subject to disciplinary action, or transfer to another position if available, for failing to meet the minimum qualifications of the job description.
3. Special "permits" issued by a judge, including business purposes only licenses, will be considered as substitutes for a valid drivers' or commercial drivers' license to operate a City vehicle.
4. Driving a City vehicle or other motorized equipment without an appropriate valid drivers' license or commercial drivers' license issued by the State of Florida, or failure to report the loss or use of a valid license, whether by suspension, revocation or cancellation, is subject to disciplinary action up to and including dismissal.
5. On the effective date of this policy, any affected employee or job applicant, who does not have a valid Florida drivers' or commercial drivers' license, as appropriate, must obtain such a license within sixty (60) working days or be in violation of these rules and subject to its penalties.
6. Any employee who loses the use of his/her license shall report that fact to his/her immediate Supervisor at the earliest possible time and not later than the beginning of the next work shift.
7. When an employee loses his/her driver's license, and it is immediately contested in a Court of Law, the Supervisor shall immediately prohibit an employee from driving any City vehicle or other motorized equipment for which his/her license is required, until a hearing can be held before a Judge in a Court of competent jurisdiction. Such employee shall be assigned other duties, where feasible.
8. On the first day following conclusion of the hearing, the affected employee will present the findings and judgments of the hearing to the Department Director.

9. If the driver's license is not reinstated as a result of the hearing, the affected employee shall be recommended for transfer to another position if available.

8.2 Incident Review Assessment

1. Following the review of a motor vehicle accident with a city owned vehicle, an assessment will be determined by the Department Director, immediate Supervisor and/or the City Clerk based upon:
 - a. The contributing cause
 - b. Whether a citation was issued
 - c. Amount of property damage
 - d. Extent of injuries incurred
2. Mitigating or extenuating circumstances may be presented to the Department Director by the employee, or representative, for consideration.
3. Following assessment conclusion made by Department Director and City Clerk, disciplinary action may be taken including revoking of driving privileges, demotion, or dismissal as provided in the City's code.

8.3 Commercial Driver License

The City of Bonifay offers to reimburse or make payment on behalf of a regular full-time employee of the City for fees paid for the specific purpose of acquiring a Class "A" or Class "B" Commercial Driver's License (CDL). In exchange, the employee agrees to enter into the Commercial Driver License Agreement with the City.

9 Dress Code

9.1 Policy Statement

The purpose of this policy is to provide standards of dress and grooming for all City employees which will enhance their professional image and reflect positively upon the citizens and employees of the City of Bonifay.

9.2 Guidelines

The general parameters for casual business wear include using good judgment about what to wear during work days. Casual Business wear means comfortably fitting, clean, neat, clothing, in good condition, that communicates a professional attitude. Dress standards apply to both women's and men's attire.

Employees supplied with uniforms by the City, are expected to wear uniforms in the performance of their job and shall report in a clean full uniform on each day worked. Refer to Section 9.3 for further uniform wear guidance.

Employees are expected to report to work in appropriate, well maintained, clean clothes. Shorts are not allowed unless part of a City uniform or specifically approved by the City Clerk.

Employees are expected to observe normal and reasonable standards of personal hygiene.

Beards and mustaches will be allowed, except as otherwise prohibited by law or where in the opinion of the City Council they interfere or tend to interfere with the safe and efficient performance of the job.

All hair, beards and mustaches must be of a length so as not to create operational or possible safety problems and must be maintained in a clean, neat and orderly fashion.

Clothing worn by City employees while on duty must be appropriate for their position. The following are examples of what is considered inappropriate while on duty:

1. Tight fitting slacks, trousers, or pants.
2. Beachwear, sportswear, or clothing that one might wear to the gym or for yard work.
3. Shorts (unless part of a uniform that meets the uniform standards with regard to length and color)
4. Sun dresses, dresses or tops with low cut front or back, or halter tops.
5. "Mini" or extremely short skirts or spandex in lieu of slacks or a skirt.
6. Transparent or revealing clothing that exposes areas of the body such as the midriff or chest.

7. Bedroom slippers or flip flops.
8. Garments meant to be worn as underwear.
9. Attire with graphics or text endorsing gang membership, obscenity, illegal activities, violence, drugs, alcohol or tobacco.

Employees violating the Dress Code policy shall be subject to disciplinary action in accordance with the City Personnel Policy up to and including dismissal.

9.3 Uniforms

A uniform is defined as clothing (shirts, pants, shorts, caps, shoes, etc.) and accouterments that are provided by the City for an employee to wear while performing the duties of his or her position. This policy shall apply to all City employees whose positions may require the wearing of uniforms. City employees are expected to dress for work as dictated by the working environment or departmental requirements. All Supervisors are tasked with ensuring employees are in compliance with these standards and taking appropriate action when deviations are identified.

Employees will sign a Uniform Agreement when they receive their uniforms stating which items have been received. The City will compensate for one size change per year if needed.

It is the employee's responsibility to return all uniforms at time of separation of service with the City. If all uniforms are not turned in at this time, it will be the employee's responsibility to reimburse the City for the cost, or the amount will be withheld from employee's last paycheck.

Employees violating this policy or the uniform requirements of their departments will be subject to disciplinary action.

Guidelines:

1. Department Directors will determine uniform requirements for positions within their respective departments including what constitutes a uniform, when uniforms should be worn, and the procedure for return of uniforms bought by the City.
2. All City employees required to wear uniforms shall wear them during scheduled work hours. Department policy will specify when the uniform can be worn outside of scheduled working hours.
3. Where uniforms are provided, employees shall wear the same uniforms and maintain them in good condition; normal wear and tear are accepted.
4. Uniforms purchased by the City on behalf of employees are considered property of the City. Upon separation, employees must return all issued uniforms/items to the department before the issuance of their final payroll check or be charged replacement costs.

9.4 Uniform Allowance

The City of Bonifay offers to provide a uniform allowance, if funds are provided in the department budget, on behalf of a regular full-time employee for the specific purpose of purchasing work boots to meet job and safety requirements in order to reduce and/or eliminate foot and ankle injuries. In exchange, the employee agrees to enter into the Uniform Agreement with the City.

10 Standards for Conduct and Ethics

10.1 General Conduct

The City respects the privacy interests of its employees and recognizes their right to conduct their personal lives free from interference from the City. Nonetheless, employees should keep in mind that, even while off duty, they represent the City to the public and should strive to preserve the City's reputation. In addition, certain types of off duty conduct may reflect poorly upon an employee's character and judgment and thereby influence his or her standing as a City employee. Therefore, employees who engage in unprofessional or criminal conduct or other serious misconduct off duty may be subject to disciplinary action by the City, including dismissal, if such conduct is determined by the City Clerk, Department Director or Supervisor to be harmful to the City's image, inconsistent with expectations of our employees, or otherwise adversely affects our legitimate business interests.

Alcoholic beverages shall not be purchased or consumed while in a City uniform, even off duty. All non-City related activities (i.e., mowing a friend's lawn after hours while in a City uniform) are considered improper use of City-issued property, and could lead to disciplinary action.

10.2 Conflict of Interest

Each employee and elected official is a representative of the City and should bear in mind that public taxes help pay employees' salaries and therefore employees are expected to conduct themselves to reflect credit on the City workforce.

No employee shall have a direct or indirect financial, personal, business or other interest that conflicts or appears to conflict with public duties and responsibilities or engage in financial, personal, business, or other transactions as a result of relying on information obtained through employment. Florida Statutes, Chapter 112.311, provides penalties for Conflict-of-Interest violations.

10.3 Gratuities

Gratuities are defined as a payment, loan, subscription, advance, deposit of money, service, or anything of more than nominal value, presented or promised, for the benefit of an employee, unless consideration of substantially equal or greater value is given by the employee.

No employee shall solicit or accept gratuities, regardless of the nature, in connection with City employment, from any person, partnership, corporation or other entity that may tend to influence the employee in the performance of duties.

10.4 Use of Government Property

No employee shall use or allow the use of City property for any kind of activity other than officially approved activities. Use of City equipment outside of work hours will not be tolerated and may be grounds for disciplinary action up to and including dismissal.

City Vehicles:

City vehicles are to be utilized for City purposes only. Only authorized City personnel and business-related visitors are allowed in City vehicles. Each employee is responsible for the proper care of a City vehicle or equipment while it is in their possession. Damage or abuse due to negligence or carelessness may result in disciplinary actions, responsibility for fines and expenses for damages, and/or loss of privileges operating City vehicles and equipment. Any accident or damage involving City vehicles and equipment should immediately be reported to the Department Director.

At the discretion of the City Council, designated employees may be allowed at the end of a workday to drive their City assigned vehicle from their work location to their home within the City limits, within twenty-five (25) miles of the City limits, or as approved by the City Council. Employees who have not received this approval, will park their City vehicle at the nearest City yard/facility at the end of the workday.

No City vehicle shall leave the City limits except when on approved City business. For the purpose of this policy, approved City business is defined as

1. official police business,
2. fire vehicles responding to a call,
3. utilities servicing customers, and
4. any other business as approved by the City Clerk or their designee.

Any employee responsible for removing a vehicle from the City limits in violation of the above may result in disciplinary actions and/or loss of privileges operating City vehicles.

City Cell Phone:

The City of Bonifay provides a cell phone to designated employees for the specific purpose of conducting City business. In exchange, the employee agrees to enter into the Cell Phone Agreement with the City.

10.5 Civil Disorders

No employee shall participate in a riot or civil disorder.

10.6 Distribution/Solicitation:

The distribution of literature, products, and materials, or solicitation of any sort on City property by employees or others requires the advance written approval of the City Clerk.

City bulletin boards are City owned property and are subject to the above policy.

10.7 Collection and Use of Social Security Numbers

The City of Bonifay, to include all departments and activities, will comply with Florida Statute 119.071 concerning Social Security numbers.

Collection:

Social Security numbers will be collected only for the purpose of identification and verification; data collections, reconciliation, and tracking; benefit processing and tax reporting. Employees will be notified in writing of the purposes for collecting their Social Security number.

Use:

Social Security numbers may be collected and used only for the purposes identified above. Social Security numbers are considered confidential and will not be disclosed except as allowed by Florida Statutes.

10.8 Non-Fraternization

While the City does not wish to interfere with the off duty and personal conduct of its employees, certain types of off duty conduct and relationships may interfere with the City's legitimate business interests. To prevent unwarranted sexual harassment claims, uncomfortable working relationships, morale problems among other employees, and even the appearance of impropriety, Department Directors and Supervisors of the City are strictly prohibited from engaging in consensual romantic or sexual relationships with any employees of the City.

This policy is intended to supplement our existing harassment policy. If you have any questions concerning the intent of this policy or its application to any existing or contemplated relationship, please consult with the City Clerk. All such inquiries will be treated confidentially and consistently with the legitimate business needs of the City.

10.9 Workplace Violence

The City regards the safety and security of its employees and customers of critical importance. Threats (direct or implied), threatening behavior, acts of violence, verbal or physical abuse, stalking, intimidation, or any kind of disruptive behavior or conduct will not be tolerated and will result in an appropriate response including disciplinary action and criminal prosecution. Statements like "I wasn't serious" or "can't you tell when I'm joking" are not considered "excuses." Any employee who is aware of conduct or statements that potentially infringe upon these expectations is expected to immediately report the same to their Supervisor. This would include employees who may have witnessed conduct or received or heard statements that they regard as potentially in violation of the spirit of this policy. Employees should not make an

attempt to determine if the employee engaging in the conduct or making the statement is "serious." The City regards any and all such statements or conduct with the utmost importance. No employee will be disciplined or otherwise retaliated against for making a factual report regarding conduct or statements by another which appear to infringe upon the intent of this policy.

Any employee who receives a protective or restraining order which lists City owned or leased property as a protected area is required to provide the City with a copy of such order.

10.10 Political Activity Restrictions

Intent:

The City of Bonifay believes it to be in the public's interest and of governmental benefit to remove career employees from the arena of partisan political activity of City elections. Florida Statutes, Chapter 104.31, impose certain restrictions on the political activities of the state, City and Municipal Officials and employees.

All City employees are permitted to hold membership in and support a political party or maintain neutrality. After work hours, employees may undertake active political roles, attend meetings, support candidates and work in campaigns.

Prohibition:

1. During work hours, City employees shall not be solicited for contributions or any other sort of support or influence for any political party, office, or candidate, either from other employees, superiors, elected officials or other candidates.
2. Partisan or Nonpartisan political discussions and political activities are prohibited during work hours.
3. During work hours, employees shall not take an active political role on behalf of any candidate, or incumbent, for City elective office.
4. City employees shall not permit the use of City equipment or supplies for partisan or nonpartisan political purposes.
5. No person shall promise, attempt, or use political position, influence, or coercion in an effort to erode the impartial position of the City work force by patronage or favoritism for past or future performances or services.

City Elective Office Candidacy:

A City employee may be a candidate for an elective City office and is permitted to take an unpaid leave of absence to run for a political office by using procedures established by the State of Florida. If said employee should be officially elected through the City election process, the employee must resign from their position to serve as the Elected Official.

Other Elective Office Candidacy:

A City employee may be a candidate for and/or elected to public office, other than the City of Bonifay, and may continue in the City service subject to provisions of the Florida Statutes.

10.11 Unlawful Acts, Prohibitions and Penalties

Intent:

Certain specific acts shall be considered unlawful in the administration and operation of the personnel system.

Unlawful Acts:

1. No person shall make any false statement, falsify any rating, report, or in any manner commit or attempt to commit any fraud preventing the impartial execution of the policies set forth herein.
2. No person shall directly or indirectly, give, render, pay, offer, solicit, or accept any valuable consideration for any appointment, whether or not the position exists.
3. No Human Resources Department employee, or any other person, shall act in such a way to defeat, deceive, or obstruct any person in his right to examination, eligibility, certification, or appointment, or furnish to any person any special or secret information for the purpose of affecting the rights or prospects of any person with respect to employment in the City's service.

10.12 Anti-Harassment

Intent:

The City of Bonifay is committed to providing a work environment that is free from harassment based on race, color, religion, sex, national origin, age, veteran status, or disability. The City strives to maintain an environment where employees treat each other with respect, dignity and courtesy. In keeping with this commitment, the City maintains a strict policy prohibiting unlawful harassment. Any behavior that creates a hostile work environment will be considered harassment.

Definition:

Sexual harassment of employees by Supervisors, co-workers, or vendors is prohibited. Sexual harassment includes unwelcome verbal, visual, or physical conduct of a sexual nature when:

1. Submission to the conduct is made a condition of employment;
2. Submission to or rejection of the conduct is used as the basis for an employment decision affecting the harassed employee;
3. Conduct which has the purpose or effect of unreasonably interfering with an employee's work performance; and/or

4. Conduct which creates an intimidating, hostile, or offensive work environment.

Examples of sexual harassment includes unwelcome sexual flirtation, requests for sexual favors, advances, or propositions; verbal abuse of a sexual nature; subtle pressure or requests for sexual activities; unnecessary touching of an individual; offensive comments about a person's body; a display in the work place of sexually suggestive objects or pictures; sexually explicit or offensive jokes, literature or emails; or physical assault.

Violation of this policy will result in disciplinary action, up to and including possible dismissal for employees as outlined in the City's Personnel Policy.

Reporting:

If anyone believes that he/she is being, or has been, harassed in any way, or becomes aware of harassment towards others, the facts of the incident should be reported to their immediate Supervisor, the City Clerk, or the Mayor, without fear of retaliation. In determining whether the alleged conduct constitutes unlawful harassment, the totality of the circumstances, such as the nature of the conduct and the context in which the alleged incident occurred will be investigated promptly and as confidentially as possible by the immediate Supervisor and the City Clerk or a contracted outside source. A committee shall investigate if requested by either party. The committee shall consist of three (3) Department Directors.

11 Communications Policy

11.1 Policy

Telephones, cellular phones, voice mail systems, fax machines, and computers, including electronic mail systems (e-mail) and Internet that are provided for City business use. Personal use is prohibited.

Also prohibited is use of any of these systems to transmit or receive inappropriate messages, to access inappropriate information, or to harass or annoy another party. Inappropriate messages and information include, but are not limited to, those that are for personal benefit and those involving discriminatory, hostile, suggestive, obscene, or otherwise unsuitable language and content.

Violations of this policy will be considered grounds for disciplinary action, up to and including dismissal.

11.2 Monitoring

Communications through the above-mentioned devices are subject to monitoring by the City.

11.3 Electronic Mail

Scope:

This policy provides guidelines for the management and usage of electronic mail (e-mail) messages as public records within the City of Bonifay ("City"). This policy applies to the entire City workforce with access to the City's e-mail system including all offices, departments, elected officials, advisory board members, and contract agents of the City in the conduct of their official duties as prescribed by law.

This policy does not provide specific procedures for system backups or "archiving" of inactive e-mail. Employees should refer to internal City operating procedures for this information.

Purposes:

The purposes of this policy are to:

1. Ensure City employees comply with Florida's Public Records Law, Chapter 119, Florida Statutes, when using the City's e-mail system;
2. Ensure City employees properly manage and retain e-mail as public records in accordance with applicable records management statutes and rules; and
3. Ensure proper usage of the City's e-mail system and users understand the types of e-mail usage that are considered inappropriate and a violation of this policy.

Authority:

1. Chapters 119, 257, and 282, Florida Statutes;
2. Rules 1B-24 and 60DD-2, Florida Administrative Code.

Definition of E-Mail:

E-mail is the electronic transfer of information, typically in the form of electronic messages, memoranda, and attached documents, from a sending party to one or more receiving parties by means of an intermediate telecommunications system.

E-Mail as a Public Record:

E-mail which is created or received by a City employee in connection with the transaction of official business of the City is considered a public record and is subject to inspection and/or copying in accordance with Chapter 119, Florida Statutes, and is subject to applicable state retention laws and regulations, unless expressly exempted by law.

E-mails created or received for personal use are not generally considered public records and do not fall within the definition of public records by virtue of their placement on a government-owned computer system. However, if the City discovers misuse of the e-mail system, personal e-mails that are identified as being a violation of the City policy may become public record as part of an investigation.

The Florida Statutes contain numerous specific exemptions to the access and inspection requirements of the Public Records Law. Employees are responsible for ensuring that electronic public records which are exempt from access or inspection by statute are properly safeguarded.

Use of E-Mail System:

The City's e-mail system is to be used to conduct official City business and is not to be used for any other purpose unless expressly approved by City Department Directors. E-mail may be used to communicate with City staff and with other public and private entities to conduct official City business.

Incidental, personal use of the e-mail system is permitted; however, the personal use must be brief, must not interfere with the employee's work or the work of others, must not subject the City to any additional costs, and must not be prohibited by this policy or any federal, state, or local law, statute, ordinance, rule, or regulation.

Prohibited Uses of E-Mail:

The City's e-mail system shall not be used for any unauthorized purpose including, but not limited to:

1. Sending solicitations including, but not limited to, advertising the sale of goods or services or other commercial activities, which have not been approved by the City.
2. Sending copies of documents in violation of copyright laws or licensing agreements.

3. Sending information or material prohibited or restricted by government security laws or regulations.
4. Sending information or material which may reflect unfavorably on the City or adversely affect the City's ability to carry out its mission.
5. Sending information or material which may be perceived as representing the City's official position on any matter when authority to disseminate such information has not been expressly granted.
6. Sending confidential or proprietary information or data to persons not authorized to receive such information, either within or outside the City.
7. Sending messages or requesting information or material that is fraudulent, harassing, obscene, offensive, discriminatory, lewd, sexually suggestive, sexually explicit, pornographic, intimidating, defamatory, derogatory, violent, or which contains profanity or vulgarity, regardless of intent. Among those which are considered offensive include, but are not limited to, messages containing jokes, slurs, epithets, pictures, caricatures, or other material demonstrative animosity, hatred, disdain, or contempt for a person or group of people because of race, color, age, national origin, gender, religious or political beliefs, marital status, disability, sexual orientation or any other classification protected by law.
8. Sending messages or requesting information reflecting or containing chain letters or any illegal activity, including, but not limited to gambling.
9. Sending or requesting information or material that proselytizes or promotes a religious or political view, cause, position, or action.

No Right of Privacy:

City employees have no right of personal privacy in any material created, stored in, received, or sent over the City's e-mail system. The City reserves and may exercise the right, at any time and without prior notice or permission, to intercept, monitor, access, search, retrieve, record, copy, inspect, review, block, delete, and/or disclose any material created stored in, received or sent over the City's e-mail system for the purpose of protecting the system from unauthorized or improper use or criminal activity.

Retention Requirements for E-Mail:

1. All public records must have an approved retention schedule in place before they can be destroyed or otherwise disposed of. Retention periods are determined by the content, nature and purpose of records, and are set based on their legal, fiscal, administrative, and historical values, regardless of their form. Therefore, there is no single retention schedule that would apply across the board to all e-mails. E-mail, like other records, irrespective of its form, can have a variety of purposes and relate to a variety of program functions and activities. The retention period of any particular e-mail message will generally be the same as the retention for records in any other form that document the same program function or activity.

2. City employees are required to relate each e-mail that is created by the employee through the City's e-mail system to the activity it documents, as well as to other records documenting that activity, and apply the appropriate retention period based on that activity or function.
3. It is the responsibility of each City employee to ensure that e-mail and other public records in their custody are maintained for the required retention period(s). Although the City routinely backs up its servers, each back-up is maintained only briefly for disaster recovery purposes and therefore cannot be regarded as a tool for meeting public records retention requirements.

Transitory Messages:

Many, though not all, e-mails fall under the retention schedule for "TRANSITORY MESSAGES" (General Records Schedule GS1-SL for state and Local Government Agencies, Item #146). "Transitory Messages" are messages that do not set policy, establish guidelines, or procedures, certify a transaction or become a receipt. For instance, an e-mail notifying employees of an upcoming meeting would only have a value until the meeting has been attended or the employee receiving the message has marked the date and time in the calendar. The informal nature of transitory messages might be compared to a telephone conversation or a conversation in an office hallway. The retention requirements for Transitory Messages are "Retain until obsolete, superseded, or administrative value is lost." Therefore, e-mails that fall into this category can be disposed of at any time once they are no longer needed.

Managing E-Mail:

Sorting e-mail into appropriate personal folders is a helpful way to manage these records and to ensure that appropriate retention requirements are identified and met. That is, just as file cabinets are set up to house different sets of files and employees know where to file paper records in those files, e-mail files and folders can be set up with the appropriate retention period designated for each of those files and folders. If no retention schedule exists for records relating to a particular activity, then one must be established and that retention schedule would then apply to all documentation of that activity, regardless of form (paper, film, electronic, etc.).

Violations:

Violations of this policy may result in disciplinary action, up to and including termination of employment.

11.4 Telephone

Intent:

To establish a proficient system of answering and managing all phone calls for the City of Bonifay, in order to display a professional appearance by means of telecommunications.

Policy:

The telephone continues to be the City's primary point of contact with our customers. Often, a customer's first contact with our organization is through a telephone call. Appropriate telephone skills are critical to ensure every caller gains a positive experience and impression of our City. Therefore, the following procedures will help ensure each telephone interaction will reflect a positive image.

How to be courteous:

1. Keep a smile in your voice
2. Never interrupt or talk over the caller
3. Speak clearly
4. Keep a positive attitude towards the caller and explain what you can do to help with each situation
5. Train your voice and vocabulary to be positive when using the telephone, even on a "down" day.
6. Example: Rather than saying "I don't know", say, "Let me find out about that for you."

How to answer the telephone:

1. 3-ring rule (Answer all incoming phone calls before the third ring)
2. When you answer the phone, be warm and enthusiastic. Your voice at the end of the telephone line is sometimes the only impression of our organization a caller will get.
3. Use the following introduction when answering the phone:
Good morning/afternoon, (department: City Hall, Building Annex, Utility Billing, Public Works, etc.), this is (your name), how may I help you?
4. Example: "Good morning, City Hall, this is Sally, how may I help you?"
5. Enunciate clearly, keep your voice volume moderate, and speak slowly and clearly when answering the phone, so your caller can understand you easily.

How to put a caller on hold:

1. Always ask the caller if it's alright to put them on hold
2. Tell the caller why going on hold is necessary
3. Example: "Would you mind if I put you on hold while I locate this information for you?"
4. Offer to transfer to voicemail or take a message if the caller does not wish to hold
5. If you are taking longer than one (1) minute, return to the line and apologize to the caller for the delay and inform them of the wait
6. Once you return to the line, thank the caller for holding

How to transfer a call:

1. First make sure that you do everything you can to help each caller
2. Get all information pertaining to the caller's need so you can decide who will be best suited to help the caller
3. Notify the caller to whom you are transferring them and inform them of how to contact that person in case of disconnect during the transfer
4. If appropriate, provide an introduction to the person you are transferring the call

How to take a message or send a call to voicemail:

1. If an employee is unavailable, offer to send the caller to their voicemail or take a message if they would prefer
2. Take telephone messages completely and accurately.
3. If there is something you don't understand or can't spell, such as a person's name, ask the caller to repeat it or spell it for you.
4. Make sure the message gets to the intended recipient

How to end a call:

1. Keep a pleasant and professional tone in your voice
2. Thank the caller
3. Use an appropriate conclusion, such as goodbye or have a great day
4. Do not hang up before the caller disconnects the call

How to make/return a call:

1. If returning a call, from a voicemail or message, attempt to do so within 24 hours of the message
2. Begin by properly identifying yourself and your department
3. Let the person who answers the phone know that you are returning a call
4. Be courteous and professional throughout the conversation
5. Keep a smile in your voice
6. Speak clearly
7. Thank the other caller for their help
8. Use an appropriate conclusion

How to leave a voicemail:

1. Leave your name
2. Leave the topic you are calling in regards to

3. Leave your phone number
4. Leave the best time to reach you
5. Repeat your name at the end of your message

Summary:

Always maintain a professional attitude and attempt to assist a caller with any inquiry they have. If you are unable to assist them, refer them to someone who can or offer to research their request and return their call with the appropriate information. Always document a caller's name and contact information when handling a request for assistance so you will know how to reach the caller if needed. Bear in mind that any time you answer the telephone or make a phone call you are representing the City of Bonifay.

11.5 Use of City Logos and Merchandise

1. The City recognizes the need to protect the City of Bonifay' name and logos in City organizations and the community. This requirement applies to all City signs, vehicles, uniforms, and merchandise.
2. City of Bonifay' logos may not be screened, recreated, or modified.
3. City of Bonifay' logos may be used only by the City Council, organizational units, or City staff.
4. City of Bonifay' organizational units may design graphics that reflect the unit's individuality; however, the City logo is the primary logo. Use of secondary logos should be limited. If a secondary logo is approved by the City Council for use, there must be clear reference to the City to tie the service directly to the responsible governmental entity and reduce possible citizen confusion.
5. Approval to produce secondary logos must be obtained from the City Council.

11.6 Use of Government Information

No employee shall use or allow the use of official information gained through employment, which has not been made available to the general public, for furthering a private interest of any sort.

11.7 Social Networking

The absence of, or lack of explicit reference to a specific site does not limit the extent of the application of this policy. Where no policy or guidelines exist, employees should use their professional judgment and take the most prudent action possible. Employees should consult with their Supervisor or Department Director if they are uncertain.

1. Personal blogs should have clear disclaimers that the views expressed by the author in the blog is the author's alone and do not represent the views of the City. Be clear and write in first person. Make your writing clear that you are speaking for yourself and not on behalf of the City.

2. Information published on your blog(s) should comply with the City's confidentiality and disclosure of proprietary data policies. This also applies to comments posted on other blogs, forums, and social networking sites.
3. Be respectful to the City, other employees, customers, partners, and competitors.
4. Social media activities should not interfere with work commitments. Refer to IT resource usage policies.
5. Your online presence reflects the City. Be aware that your actions captured via images, posts, or comments can reflect that of our City.
6. Do not reference or site City clients, partners, or customers without their express consent. In all cases, do not publish any information regarding a client during the engagement.
7. Respect copyright laws, and reference or cite sources appropriately. Plagiarism applies online as well.
8. City logos and trademarks may not be used without written consent.

11.8 Internet Access

Intent:

To set forth the City of Bonifay's policy concerning use of the City's Internet access. For purpose of this policy, "Internet access" is defined as the communication lines, software, and computers which the City supplies. Each employee's use of the City's Internet system must conform to these guidelines, without exception. This policy is also intended to inform employees that the media and information transferred through the City's Internet access, including e-mail, and other digital information in their possession or use is neither private nor confidential.

Users are required to:

1. Limit use of the City's Internet access to legitimate City business purposes.
2. Learn and observe the permissible and prohibited uses of this policy.
3. Users are cautioned that the Internet is not a secure environment; therefore, users should not reveal personal, private or proprietary information to anyone over the Internet. They should not transmit over the Internet any unlicensed or illegal software, or any City owned software.
4. Department Directors are required to oversee that their department's Internet users conform to City policy described in this and all other related documents.

Permissible Uses:

1. The City provides Internet access to employees solely for business purposes.
2. Internet access is intended to provide employees with ready access to information and communication available through the World Wide Web, when necessary for research, review and retrieval in the conduct of City business.

3. All material retrieved is the property of the City, as is any electronic mail created, sent or received through City supplied Internet access.
4. Electronic mail may be used on the Internet to conduct City business.

Prohibited Uses:

1. The City's Internet access may not be used for any purpose that is unlawful or unethical.
2. Usage of Internet access may not compromise the integrity or business of the City in any manner.
3. No proprietary, personal, or sensitive information shall be transmitted to another party through the Internet for any purpose. This includes information relating to the conduct of the City's business, legal or financial affairs, or personal matters unless authorized by the Department Director.
4. Employees may not access the Internet from a computer outside the City, including home computers, using the City's internet accounts unless in the conduct of City business with prior approval of the City Clerk.
5. Employees may not use the City's Internet access to view, access, retrieve, or review any material, which is obscene, sexually oriented, offensive, abusive, harassing, threatening, or which violates Federal, State or local laws or ordinances.
6. The City's Internet access may not be used to conduct personal business or for any personal gain. This prohibition includes the use of the City's Internet access to "surf the Net" for any purpose which is not directly related to City business. This prohibition includes use of any individual component the City's Internet access.
7. Employees may not access or subscribe to any Internet news group or web page, which is not directly and specifically related to the City's business. In no case shall the City incur any additional charges for any subscription, business related or not without prior written approval of the City Clerk.
8. Purchases of any goods, materials or services made by Internet access shall conform to the City's purchasing policy. Any employee who violates this provision shall be individually financially liable for the full amount of all purchase, no exceptions shall be made.
9. Downloads of files and email attachments acquired through the Internet may not be used without prior screening for viruses in a manner approved by the City Clerk.
 - a. For security reasons, persons not employed by the City, including former employees may not use the City's Internet access.
 - b. Employees may not reveal assigned passwords, log-on procedures or any other specific information to any other person. Employees may not share passwords with other employees.

Monitoring:

1. The City reserves the right to monitor any or all Internet access when it considers that is a legitimate reason for doing so.
2. Monitoring may include on-line monitoring of Internet access, tracking websites visited, amount or time spent on-line, access of data storage media and virtual private network usage.
3. The City will follow all federal rules and regulations of the Electronic Communications Privacy Act of 1986.

Disciplinary Actions:

1. Violations shall cause the termination of Internet access privileges.
2. Disciplinary actions shall be in accordance with this Personnel Policy.
3. Specific disciplinary actions shall be based upon the nature of the violation and the effect of the violation upon the City's business. In general, violations of these policies shall be considered in the most serious possible manner.

11.9 Personal Cell Phone

Intent:

The purpose of this policy is to promote a safe and productive work environment and increase public safety. This policy applies to both incoming and outgoing cellular calls.

Scope:

This policy applies to all employees.

Policy and Procedure:

Cell phones shall be turned off or set to silent or vibrate mode during meetings, conferences and in other locations where incoming calls may disrupt normal workflow.

Employees may carry and use personal cell phones while at work on a sporadic basis. If employee use of a personal cell phone or camera phone causes disruptions or loss in productivity, the employee may become subject to disciplinary action per company policy.

If an employee is operating a company vehicle and receives a call on a cell phone, the employee may answer, but shall ask the caller to hold, put the phone down and pull to the side of the roadway, into a parking lot or other safe location to respond to the call. Failure to follow this policy may result in disciplinary action up to and including termination.

12 Drug Free Workplace

12.1 Statement of Policy

The City strives to provide a safe work environment and to encourage personal health. In this regard, the City believes the abuse of drugs and alcohol on the job to be an unsafe counter-productive work practice. Furthermore, substance abuse is believed to be a serious threat to our employees, customers and to our goals and mission. The following policy is established with regard to the use, possession, and sale of illegal drugs and alcohol at work.

1. A job applicant applying for a position within the City who refuses or fails a pre-employment drug test will not be hired.
2. An employee who refuses or fails a drug test may be subject to disciplinary action in accordance with the City Personnel Policy up to and including dismissal.
3. An employee found with the presence of illegal drugs and/or alcohol in his/her system; in possession of, using, selling, trading, or offering for sale illegal drugs and/or alcohol during working hours, at City functions, or on any City property (*including parking lots and rights of way*); and/or reporting to work under the influence of alcohol or with illegal drugs in an employee's system, shall be subject to disciplinary action, in accordance with the City Personnel Policy up to and including dismissal.

Employees must be in compliance with all federal drug laws and the *Federal Controlled Substance Act*.

Drugs prescribed by an employee's physician may be taken during work hours. The employee must notify their Supervisor if the use of properly prescribed medication will affect the employee's work performance. Abuse of prescription drugs will not be tolerated.

Any and all information gathered, regarding an employee, as a result of the drug testing program is confidential and may not be disclosed except in accordance with procedures allowed under the Federal/State Statute, professional licensing regulations, or City policy.

As a condition of employment, all employees must abide by the terms of this policy.

The City reserves the right to change the provisions of this policy and testing program at any time in the future.

12.2 Definitions

1. *AHCA* – State of Florida's *Agency for Health Care Administration*.

2. *Detectable Amount* – Thresholds established by *DHHS* and or *AHCA* for screening and confirmation.
3. *DHHS* – Federal government’s *Department of Health & Human Services*.
4. *Employee* – An individual who is employed by the City of Bonifay in any capacity.
5. *Illegal Drug* – Any drug which: (a) is not legally obtainable; (b) may be legally obtainable but has not been legally obtained; or (c) is being used in a manner or for a purpose other than as prescribed.
6. *Job Applicant* – A person who has applied for a position with the City of Bonifay.
7. *Legal Drug* – Prescribed drugs and over-the-counter (*OTC*) drugs which have been legally obtained and are being used solely for the purpose for which they were prescribed or manufactured. Written confirmation from the prescribing physician is required when the Medical Review Officer must determine the legitimate medical reason for the prescription.
8. *Medical Review Officer (MRO)* – A licensed physician (*medical doctor or doctor of osteopath*) responsible for receiving laboratory results generated by an employer’s drug testing program. The *MRO* must have knowledge of substance abuse disorders and appropriate medical training to interpret and evaluate an individual’s confirmed positive test, medical history, and other relevant biomedical information.
9. *Shy bladder* – An inability to produce an adequate urine sample within three (3) hours after consuming 40 ounces of fluids.
10. *Shy lung* – The inability to provide a sufficient amount of breath for a test. After unsuccessful attempts employee will be referred to a physician.
11. *Unfit for Duty* – Any worker who is unable to perform his/her assigned duties with reasonable skill and safety due to physical, emotional, or chemical impairment.

12.3 Employee/Applicant Responsibilities and Rights

Employee Responsibilities:

1. As a condition of employment, employees must abide by the terms of this policy.
2. An employee must notify the City Clerk if they have any violation of an illegal drug crime, no later than five calendar days after such a conviction.
3. An employee must, immediately upon reporting for work, notify his/her Supervisor that his/her drug or medication may affect or impair his/her judgment or job performance, or safety.
4. An employee or job applicant must notify the City Clerk of any administrative or civil action planned as a result of a positive test within five working days from receipt of notification.

Employee/Applicant Rights:

1. An employee/applicant has the right to contest or explain the result, in writing, to the MRO within five (5) working days of receipt of the written positive test results.
2. An employee/applicant can request, in writing from the City Clerk, within seven (7) days, a written report regarding the circumstances that formed the basis for a reasonable suspicion testing.

Drugs That May Be Tested:

Drugs are listed by chemical name and brand or common name:

1. *Alcohol:* ethanol, beer, wine, booze, alley juice, fire water, grog, hooch, rocket fuel
2. *Amphetamines:* methamphetamine, amp, cinnamon, lemon drop, trash, tweak, crystal, crank, biphphetamine, desoxyn, dexedrine, speed
3. *Cannabinoids:* marijuana, blunt, columbo, hash, hay, pot, joint, indo, roach, grass, weed, reefer
4. *Cocaine:* coke, blast, flake, railers, ringer, toot, blow, nose candy, snow, crack, rock
5. *Phencyclidine:* PCP, angel dust, LSD, beast, blaze, Superman, tab, trips, hog
6. *Opiates:* opium, codeine, morphine, heroin, dover's powder, paregoric, parepectolin, school boy, smack, tar, chasing the tiger
7. *Barbiturates:* phenobarbital, tuinal, amytal, barbs, downers, tranqs
8. *Benzodiazepines:* bennies, rophies, ativan, azene, clonopin, dalmane, diazepam, halcion, librium, poxipam, remestan, serax, tranxene, valium, veratrine, vivol, xanax
9. *Methadone:* dolophine, methadose, amidone, fizzies
10. *Propoxyphene:* darvocet, darvon N, dolene, novopropoxyn

**Any substance used not as intended is subject to this policy. An employee that abuses any chemical substance that affects the employee's mental or physical abilities to adequately and safely perform his job duties is subject to disciplinary actions to include the possibility of termination.*

12.4 Policy and Work Rules

The City's policy is to employ a workforce free from the use of illegal drugs, either on or off the job, and the abuse of alcohol in the workplace. Any employee determined to be in violation of this policy is subject to disciplinary action up to and including dismissal.

Refusal to take a drug or alcohol test may result in the employee forfeiting his or her eligibility for medical and indemnity benefits under State Workers Compensation and is cause for automatic dismissal which may also result in denial of unemployment compensation.

1. **General Procedures:**

- a. An applicant who is offered a position with the City will be required to report to the specified collection site within eight (8) hours of being notified.
- b. An employee must report immediately to the specified collection site to provide a specimen for testing upon notification that a drug test is required.
- c. An employee will be subject to surveillance until testing (collection) has been completed.
- d. An employee reporting for work visibly impaired and unable to properly and safely perform their required duties will not be allowed to work, as determined by a Supervisor who has completed a training program on the specific, contemporaneous physical, behavioral, and performance indicators of probable drug use and/or alcohol misuse.
- e. An employee who returns to work after an extended leave of absence of six (6) months or longer may be required to take a drug test.

2. **Initial Test:**

The initial screen for all drugs except alcohol shall use an immunoassay. For alcohol the initial test may be the enzyme oxidation methodology. The following thresholds shall be used when first screening specimens to find whether they are negative or need to be tested further with the *GC/MS (gas chromatography /mass spectrometry)* test. All levels equal to or exceeding the following shall be reported as positive:

Alcohol	0.04%
Amphetamines	1000 ng/ml
Cannabinoids	50 ng/ml
Cocaine	300 ng/ml
Phencyclidine	25 ng/ml
Opiates	2,000 ng/ml
Barbiturates	300 ng/ml
Benzodiazepine	300 ng/ml
Synthetic Narcotics:	
Methadone	300 ng/ml
Propoxyphene	300 ng/ml

These thresholds may change without notice.

3. **Confirmation Test:**

A positive finding on the initial test will generate a second confirmation test through the *gas chromatography/mass spectrometry (GC/MS)* method of testing. A copy of

any positive can be received by the employee/applicant by submitting his/her request in writing to the City Clerk. The current GC/MS thresholds are as follows:

Alcohol	0.04%
Amphetamines	500 ng/ml
Cannabinoids	15 ng/ml
Cocaine	150 ng/ml
Phencyclidine	25 ng/ml
Opiates	2,000 ng/ml
Barbiturates	200 ng/ml
Benzodiazepine	300 ng/ml
Synthetic Narcotics:	
Methadone	300 ng/ml
Propoxyphene	300 ng/ml

These thresholds may change without notice.

4. **Types of Drug Testing:**

Pre-Employment Drug Screening:

Consistent with the City's policy opposing drug abuse and our commitment to a safe working environment, all applicants who have been offered a job will undergo screening for the presence of illegal drugs as a condition of employment. Applicants will be required to voluntarily submit to a urinalysis test at the specified collection site after signing a consent and release form.

The City will not discriminate against applicants for employment because of past substance abuse. It is the current abuse of drugs that impairs or prevents an employee from properly performing their job that will not be tolerated.

All testing will be done by a *DHHS (US Department of Health & Human Services)* and/or *AHCA (Florida Agency for Health Care Administration)* certified lab. Positive test results will be verified by an *MRO*, to assure accuracy. All testing, sample collection, storage, handling and chain of custody will be done in accordance with the State/Federal rules and regulations.

Post-Accident Testing:

- a. An employee who is involved in an accident as defined by the *Pipeline and Hazardous Materials Safety Administration (PHMSA)* while performing a covered function will comply with either the City of Bonifay Drug and Alcohol Policy, or PHMSA guidelines, whichever has the higher (more stringent) standard of compliance.

- b. An employee who is involved in an accident while performing their job duties, driving a City vehicle, or operating equipment will be required to take a drug and/or alcohol test. If the employee is injured, the test will not be done without the approval of the attending medical provider. In the case of a conscious but hospitalized employee, the hospital or medical facility will be requested to obtain a sample which will be sent to a laboratory licensed by the *DHHS*. If the injured employee is not at a designated collection site, the employee shall be transported to one as soon as it is medically feasible where specimens shall be obtained.
- c. An employee who is involved in an on-the-job injury that requires medical attention will be required to take a drug and/or alcohol test. If the employee is injured, the test will not be done without the approval of the attending medical provider. In the case of a conscious but hospitalized employee the hospital or medical facility will be requested to obtain a sample which will be sent to a laboratory licensed by the *DHHS*. If the injured employee is not at a designated collection site, the employee shall be transported to one as soon as it is medically feasible where specimens shall be obtained.

Employees must submit to a post-accident drug test within thirty-two (32) hours of an incident requiring testing.

Employees must submit to a post-accident alcohol test within two (2) hours of an incident requiring testing. If it cannot be done within eight (8) hours, testing should not be sought.

Reasonable Suspicion Testing:

- a. It is a condition of employment for all employees to refrain from reporting to work, or working with, the presence of drugs or alcohol in his or her body.
- b. It is also a condition of employment for employees to report to work without the presence of drugs or alcohol in his/her body, that could affect or impair his/her judgment, job performance, or safety.
- c. When there is reasonable suspicion that an employee covered by this policy is using a prohibited drug or alcohol, the employee will be required to take a drug and/or alcohol test, as a condition of continued employment.
- d. A decision to test must be based on specific contemporaneous physical, behavioral, or performance indicator of probable drug or alcohol use. For example:
 - Observed drug use during work hours on City premises
 - Observable physical signs of impairment
 - Incoherent mental state
 - Marked changes in personal behavior that are otherwise unexplainable

- Diminished work performance that is otherwise unexplainable
 - Accidents or other actions that provide reasonable cause to believe the employee may be under the influence
- e. A decision to test must be determined by a Supervisor who has completed a training program on the specific, contemporaneous physical, behavioral, and performance indicators of probable drug use and/or alcohol misuse.
 - f. If tested, the employee must be accompanied by a Supervisor or a Supervisor's designee to a collection site to be tested. The employee should not be allowed to drive to or from the collection site.
 - g. Upon written request by the employee to the Supervisor, the Supervisor will provide an employee a written report regarding the circumstances that formed the basis for reasonable suspicion. The original and signed report will be maintained in the employee's personnel file for one year. Information regarding a positive test must be maintained in the employee's confidential personnel file for five years.

Random Testing:

It is a condition of employment for all employees to refrain from reporting to work, or working with, the presence of drugs or alcohol in his or her body.

It is also a condition of employment for employees to report to work without the presence of drugs or alcohol in his/her body, that could affect or impair his/her judgment, job performance, or safety.

Random testing is to deter prohibited drug use and to ensure a Drug Free Workforce. Employees will be required to take a random drug test, as a condition of continued employment.

a. Testing Requirements:

- Florida Department of Transportation (FDOT):
 - i. Fifty percent (50%) of CDL drivers will be urine tested per calendar year.
 - ii. Ten percent (10%) of CDL drivers will be breath alcohol tested per calendar year.

b. Testing Process:

- An employee will remain in the random selection pool at all times, regardless of whether or not they have been previously selected for testing.
- An employee will be selected for testing by using a computer-based random number generator or equivalent random selection method that is matched with an employee's social security number or employee ID number.

- An employee will be notified they have been selected for testing after they have reported for duty on the day of collection, and no more than 30 minutes prior to the time they are scheduled for testing. The process will be random and unannounced.
- An employee will be selected for random testing based on the number of covered employees at the time and the necessary testing percentage as describe (1. Testing Requirements) above.
- Specimen collection will be conducted on different days of the week throughout the annual cycle to prevent employees from matching drug use patterns to the schedule for collection.

c. Testing Procedures:

- Within the City's procedure, the Drug and Alcohol Program – Third Party Administrator will use random selection procedures to compile a list of covered employees selected for random testing during that testing cycle.
- A list of social security numbers or employee identification numbers will identify the correct employees who are to be randomly tested during the testing cycle. The random list will be collected from the web site of the Third Party Administrator by the City Clerk or his/her designee.
- Should the City Clerk's name or his/her designee's name appear on the random list to be tested, he/she must report to the designated testing facility within 30 minutes of receiving the list. Failure to report will constitute a refusal and will therefore be considered a positive test.

d. Testing Notification:

- An employee will be notified by their Supervisor when they are to be randomly tested within the reporting period.
- An employee will not be notified of the random test until after reporting for duty.
- An employee shall report immediately to the designated collection site, within thirty (30) minutes including travel time, once notified by their Supervisor.

Return to Duty Testing (Follow-up):

An employee, who returns to work following a positive test and has satisfied the "Positive Test Procedures" in Section 7, may be given unannounced and random drug and/or alcohol tests, as a condition of continued employment.

Routine Fitness for Duty:

An employee must submit to a drug test if the test is conducted as a part of a routinely scheduled employee fitness-for-duty medical examination that is part of an

established policy or that is scheduled routinely for all members of an employment classification or group.

5. *Testing Procedures:*

All drug and alcohol testing is conducted by a *DHHS* and/or a state certified lab unless there are medical implications that would prevent an employee from being tested at an approved lab.

Test results both positive and negative will be verified by a *MRO* to assure accuracy. All testing, sample collection, storage, handling, and chain of custody will be executed in accordance with appropriate State and Federal rules and regulations.

If a test is not completed because of possible tampering or adulteration, a second test, will be requested. The second test may be observed. If a test is rejected because of intentional adulteration - the employee will be dismissed from employment.

Within five (5) working days after receipt of a positive confirmed test result, the City Clerk, or designee, will inform the employee or applicant of the positive test results. An employee will be advised of the consequences of the results and the options available to the employee, including the right to file an administrative or legal challenge. An applicant will automatically be removed from consideration for employment.

Confidential information pertaining to drug testing and drug testing results will be maintained by the City Clerk, or designee, in separate confidential files and only be used for the purposes discussed in this document.

Positive test results will be filed in an employee's confidential personnel file within five (5) working days of receipt of a positive notification.

6. *Medical Review Officer:*

A qualified medical review officer (*MRO*) will review all information concerning a positive test result with the employee/applicant. An employee/applicant may consult with the *MRO* after being tested in order to report any prescription or non-prescription drug use. An employee/applicant is entitled to use a phone in private to consult with the *MRO*.

The City's *Medical Review Officer* is provided by the *Drug and Alcohol Program – Third Party Administrator*.

7. Positive Test Procedures:

Upon notification from *Drug and Alcohol Program – Third Party Administrator* or *MRO*, of a verified positive test, the City Clerk has the option of terminating or retaining the employee.

The following are procedures for an employee who has either admitted to a substance abuse problem and requested assistance, or who has tested positive and is being provided an opportunity to be retained as an employee of the City:

- a. The employee will be placed on leave of absence (*not to exceed 60 days*) to obtain rehabilitation therapy from a substance abuse counselor. The substance abuse counselor can be seen via the City's Employee Assistance Program, or through a private practice. The employee must sign a release to allow the City Clerk or his/her designee, to communicate with the employee's counselor. An employee may use sick hours, annual leave and leave of absence without pay while on leave of absence.
- b. The employee must satisfy the requirements of his/her rehabilitation process as prescribed by the substance abuse counselor.
- c. The employee must have a negative drug test prior to returning to work.
- d. Upon returning to work, the employee will be tested on an unannounced and random basis, as a condition of continued employment.
- e. If an employee tests positive a second time, the employee will be dismissed from employment by the City.
- f. A refusal of a drug or alcohol test is equal to a positive test.

8. Education and Training:

Each employee covered by this policy will have access to the following drug and alcohol abuse education.

- a. A list of Substance Abuse Professionals (SAP)
- b. Periodic information regarding illegal drug use
- c. Contact information for an Employee Assistance Program (EAP)

Each employee covered by this policy will be provided a copy of this Drug Free Work Place Policy.

Supervisors will receive training on the specific, contemporaneous physical, behavioral, and performance indicators of probable drug use and one hour on alcohol misuse. Any Supervisor who has completed this training may determine whether an employee should be drug tested based on reasonable suspicion.

9. *Employee Assistance Program (EAP):*

The City is aware that many personal or health problems can and do interfere with an employee's ability to perform on the job. These problems may include emotional and mental illness, family and marital stress, abuse of drugs and others.

When seeking assistance from the *EAP*, confidentiality is assured. No information regarding the nature of the personal problem will be made known to the City with one exception: it is a condition of employment following a positive drug or alcohol test. The City will require the employee to sign a release allowing his/her rehabilitation process to be monitored.

Participation in the *EAP*, or another mental health or substance abuse counseling program, will not affect the employee's future career advancement or employment, nor will it protect an employee from disciplinary action for substandard job performance. An *EAP* is a process used in conjunction with discipline, not a substitute for discipline.

Contact the City Clerk to get information about the City's *Employee Assistance Program (EAP)* provider.

10. *Grounds for Discipline or Dismissal:*

An employee found with the presence of illegal drugs and/or alcohol in his/her system as set forth in *Section C*; purposefully tampering or adulterating a specimen; in possession of, using, consuming, selling, attempting to sell, transfer or trade, or offering for sale any form of illegal drug and/or alcohol during working hours, at City functions, or on any City property (*including parking lots and right of way*); and/or reporting to work under the influence of alcohol or with illegal drugs in an employee's system, and/or at any time during the hours between the beginning and ending of the employee's working day guilty of misconduct and subject to discipline including dismissal or suspension without pay from employment, even for the first offense. Failure to submit to any required drug or alcohol testing is considered a refusal to test and is grounds for dismissal.

- a. The City will use the *Federal Department of Transportation* guidelines to determine a refusal to test in the case of *shy bladder* (FMCSA § 40.65(a)(1) and 40.193(b)), or *shy lung* (FMCSA § 40.265).
- b. In the case of *shy bladder* or *shy lung*, the employee will have seven (7) working days to secure documentation from their physician establishing the physical condition.
- c. In the case of psychological cause, the diagnosis must have been made prior to the test. Diagnosis such as typical anxiety is not acceptable.

Employees tested for reasonable suspicion may be suspended with pay or placed in non-safety sensitive jobs (if available) pending the results of the required test and/or investigation. An employee with a negative result will be reinstated to their normal job duties. A positive test will result in immediate action up to and including dismissal. Safety sensitive jobs would include, but not be limited to: jobs specific to public

health, safety, and welfare; operation of motor vehicles or equipment; tasks required by PHMSA (pipeline operation); or any job deemed to be safety sensitive by the City Clerk.

*The City does not prohibit employees from consuming alcohol responsibly at business functions or City sponsored events where alcohol is served. Employees may not consume alcohol at these functions if they will be returning to work or if they are driving a City vehicle.

12.5 Conclusion

The City's *Drug Free Workplace Policy* is not intended to be abusive, discriminatory or to come into conflict with any public policy. We consider drug testing to be only one of several tools to achieve a safe, healthy, and productive atmosphere for our employees. This policy is available for inspection by employees or applicants during regular business hours.

All individual records of testing and results will be maintained private and confidential. With the exception of the testing laboratory, *MRO*, City Clerk, Human Resources, or State agency officials as part of an accident investigation, the results of individual drug tests will not be released to anyone without the expressed written authorization of the individual tested.

The City reserves the right to change the provisions of this policy and testing program at any time in the future without prior notice. This Policy does not constitute a contract for employment with the City.

13 Safety

13.1 Intent

This safety policy provides general direction for the administration of occupational safety and health management for the City of Bonifay. It strives to meet the Occupational Safety and Health Administration (OSHA) regulations, as adopted by the State of Florida, governing workplace accident prevention programs. It is the policy of the City to provide and maintain safe working conditions, provide routine safety training and education, and to follow practices that will safeguard all employees and result in safe and efficient operations.

It is the City's commitment to provide a safe place to work and safe equipment to use as well as to establish and insist upon safe methods and practices at all times. Employees have a right to expect that they will be provided with a proper place to work, with the proper equipment to do their job, so that they will be able to devote their energies to doing their work without danger to their life and health. Only under such circumstances can the association between employee and employer be mutually profitable and harmonious.

Safe practices, on the part of City employees, must be part of all operations. This responsibility is required of each employee who conducts the affairs of the City, no matter in what capacity they may serve. The idea of job production and safety must be inseparable.

Employee cooperation at all levels involving matters of safety will be considered a condition of employment.

The purpose of the safety policy and procedures is to provide a management system for the prevention of occupational injuries and illnesses and compliance with regulations concerning occupational safety and health. Safety policy and procedures assign safety responsibilities, proclaim City wide procedures, and set minimum safety program requirements for issues involving City departments. Additional department specific policies and procedures will be issued to support the safety policy.

Separate safety policies and procedures will be issued as needed to address specific safety and health issues or to meet the regulatory requirements for written compliance programs.

The City will neither tolerate actions which jeopardize the safety and health of employees and the general public nor the actions which disregard established federal, state, county, city, and department regulations. Employees who violate City or departmental rules are subject to disciplinary action. Fulfillment of safety-related responsibilities will be considered a factor in employee performance appraisals and promotions.

13.2 Responsibilities

All City employees share in the responsibility to establish and maintain a safe working environment. The following responsibilities are guidelines to establish accountability for the Safety Policy. These responsibilities are not in any way intended to limit innovation or initiative on the part of any employee who is working toward achieving a safe workplace.

The City recognizes that some accidents are caused by unsafe behavior and conditions and will strive to systematically eliminate unsafe acts and conditions. In meeting that goal it is the policy of the City to:

1. Provide a safe workplace including facilities, equipment, tools and vehicles that meet safety and health standards and practices.
2. Define and implement safe work practices to address hazards unique to specific job assignments.
3. Train employees in the safe performance of assigned jobs.
4. Monitor workplace conditions and employee behavior to ensure compliance with the City Safety policy, as well as individual department safety and health requirements.
5. Involve all employees in a systematic effort to recognize, report, and correct hazardous conditions and practices.
6. Investigate and analyze accidents to identify and eliminate the unsafe conditions and behaviors that caused the accidents.

City Clerk and Department Directors:

1. Ensure the design and maintenance of facilities, tools, equipment, and vehicles meet or exceed established safety standards.
2. Approve and ensure usage of policies, procedures and safe work practices for department occupations, tasks, and locations.
3. Approve and ensure usage of safety-training requirements for department employees based on their occupations, tasks, and locations.
4. Review department Accident Investigation Reports, Incident Reports and department injury and illness trends. Resolve corrective action issues that are beyond the scope of the Supervisor to accomplish.
5. Review workplace inspections with Supervisors and direct appropriate corrective action to achieve a safe work environment.

Supervisors:

1. Monitor workplace conditions and employee work behaviors through regularly scheduled inspections and frequent observation of the work environment.

2. Enforce City and departmental tool, equipment and vehicle standards and rules governing the workplace behavior of employees.
3. Ensure employee participation in City and department required safety training. Recommend additions, deletions and modifications of safety training requirements or training programs based on observed workplace conditions and employee work behavior.
4. Encourage employee involvement in safety hazard recognition and act on hazard elimination and hazard control suggestions from the safety committee.
5. Identify unsafe work conditions and unsafe practices. Correct immediate hazards within ability or report them to the Department Director, the safety committee, and/or the City Clerk.

The Supervisor is responsible for the safety and well being of their staff in the workplace. This responsibility can be met only by working continuously to promote safe working practices among all employees and to maintain property and equipment in a safe operating condition.

All Employees:

1. Abide by the City and department work practices established for specific job assignments and occupations.
2. Report occupational injuries, illnesses and near misses immediately to their Supervisor. Follow Supervisor instructions for obtaining first aid and/or medical attention. Participate in accident investigations as requested by the Supervisor.
3. Participate fully in safety training. Suggest improvements in safety training requirements or programs to the Supervisor and the safety committee.
4. Identify unsafe work conditions and unsafe practices. Correct hazards or report them to the Supervisor and the safety committee.

Safety Coordinator:

1. Assist and advise all levels of management in establishing an effective safety program.
2. Provide accident trend analysis to the safety committee.
3. Provide new employee general safety and health training/orientation.
4. Maintain accident and incident records for workers' compensation purposes.
5. Plan and coordinate inspections, safety committee meetings, and assist management in all areas of safety and health.
6. Compile a list of all hazardous chemicals that will be available in each department and keep it updated as necessary.
7. Material Safety Data sheets will be placed in a visible, accessible location within each respective department.

8. Ensure that each container of hazardous chemicals is properly labeled.
 - a. Contents
 - b. Warnings
 - c. Name and address of manufacturer
 - d. Instructions for emergency situations
9. Schedule and facilitate training for employees in safe handling practices and emergency procedures.

13.3 Safety Training

All Employees:

All employees should understand the hazards to which they may be exposed and how to prevent harm to themselves and others. No employee is expected to undertake a job until he/she has received instructions on how to do it properly and has been authorized by their Supervisor to perform that job. Employees are expected to participate and cooperate fully in training programs and to accept and follow established safety and health precautions.

Each department is expected to specify and provide safety training that is tailored to each employee's occupation, task and job location. To the extent possible, safety training should be integrated into general job training, rather than treated as a separate issue.

All safety-related training must be documented. Documentation shall include a list of employees in attendance, date, the name of the trainer, and an outline of the topics discussed or category of safety training delivered. Training records are to be maintained in the Employee Personnel files by the Human Resource Director.

New Employee Safety Orientation:

New employee safety orientation with the Supervisor is to provide the employee with information about:

1. The general hazards and safety rules of the worksite,
2. Specific hazards, safety rules and practices related to the employee's work assignments, and the employee's role in emergency situations

This training shall take place within two (2) days of the employee beginning assigned duties.

Annual Safety Training:

Annual safety training shall be conducted and be of sufficient duration and content to assure continued safe operations. Annual training should take place within thirty (30) days of each employees hire date anniversary.

Job-Specific Safety Training:

Job-specific safety training includes personal on-the-job instruction, safety meetings or formal classroom instruction intended to enhance the safety of specific tasks or occupations. Departments will provide additional training as necessary to improve employee knowledge of safety rules, procedures and safe practices. This safety training will enhance the employee's understanding of workplace hazards and the prevention of occupational injuries, rather than to prescribe the specific format of the safety training.

13.4 Safety Committee

The City of Bonifay encourages and expects employee participation in the Safety Program.

Organization:

The City Safety Committee shall be designated by the City Clerk. The safety committee will be provided time during regular work hours to meet, meeting space and resources (such as photocopies). Safety committee meetings are held quarterly and more often if needed.

Duties:

The Safety Committee is an advisory body organized to bring employees and management together in a cooperative effort to foster a safety culture and reduce on the job injuries and illnesses in the workplace. Minutes of each meeting will be available to all employees upon request. The Committee may make recommendations about the following education and communication matters:

1. Assessing and communicating hazards
2. Communicating with employees regarding safety committee activities
3. Educating employees on safety related topics
4. Motivating employees to create a safety culture in the workplace

The Committee may also recommend specific actions concerning:

1. Development of safety rules, policies and procedures
2. Control of hazards
3. Periodic evaluation of the safety program
4. Inspection of the workplace
5. Development of safety training and awareness topics
6. Keeping job specific training current

13.5 Safety Rules & Regulations

The rules listed below will apply to all employees.

1. The possession of firearms on City property or in City vehicles is prohibited unless part of the employee's job description.
2. The use or possession of alcohol, illegal drugs or other controlled substances on the job is prohibited.
3. Smoking is not permitted in City facilities or City vehicles. (See Policy 3 Section 3.12)
4. Obey all warning tags and signs; they are there because hazards exist.
5. Use all personal protective equipment and devices which are required and provided.
6. If an established job procedure must be deviated from, Supervisor approval must be obtained until a permanent procedure can be agreed upon that would not jeopardize life or property and yet afford continued efficient operations. This alternative job procedure must not create any new or additional hazards or unnecessarily expose employees to hazards.
7. Wearing seatbelt while riding/driving a City vehicle is mandatory.
8. Know the location of fire/safety exits and evacuation procedures.
9. When operating City vehicles or equipment, drivers must operate/drive safely and prudently.
10. Talking on a cell phone while driving a City vehicle is prohibited unless a hands free device can be utilized.
11. Above all, be ALERT and be RESPONSIBLE! Your safety and health depend on it.

First Aid:

Each employee will receive training and instructions from his or her Supervisor on the City's first aid procedures as well as notification of the location where first aid kits are stored. Any injury on the job must be reported to the employee's Supervisor as soon as possible.

Accidents:

The Supervisor at the location where the accident occurred will perform an accident investigation. The Supervisor shall make suggestions to the safety committee for additional safety training and/or corrective actions.

Lock Out/Tag Out:

Per OSHA Standard 29 CFR 1910.147, every department which has employees performing maintenance where there is exposure to hazardous energy; all equipment shall be locked out or tagged out to protect against accidental or inadvertent operation when such operation could cause injury to personnel. Each city department must have; locks and/or tags which are not used for anything else; procedures for performing such

maintenance specific to their area; and training for all employees involved in maintenance activities.

Every department that has employees performing maintenance where there is possible exposure must have:

1. locks and/or tags and lockout devices that are not used for anything else
2. procedures for performing such maintenance specific to their area
3. training for all employees involved in maintenance activities

Using Lockout/Tagout Procedure:

1. All equipment shall be locked out or tagged out to protect against accidental or inadvertent operation when such operation could cause injury to personnel.
2. Do not attempt to operate any switch, valve, or other energy isolating device when it is locked out or tagged out.

Office Safety:

All departments and work centers will adhere to good housekeeping practices; keeping all areas clean and orderly and keeping all equipment clean and serviceable.

Working in Extreme Weather Conditions:

The City of Bonifay climate may be severe and conditions may change rapidly. Employees are expected to monitor weather and be prepared to protect themselves against its effects.

Employees should use clothing as protection from severe weather conditions, if it is the type of clothing that may be used on the job. Check with your Supervisor for more information on what clothing is available to you.

Confined Space Entry:

A confined space is a space that has all of the following characteristics:

1. is large enough for an employee to bodily enter and configured so that the employee can perform assigned work, and
2. has limited or restricted means for entry or exit, and
3. is not designed for continuous employee occupancy.

Examples of confined spaces include: tanks, vessels, manholes, storm drains, headwalls, silos, storage bins, hoppers, meter vaults, digesters, lift and transfer stations, shafts and pits. Unfavorable natural ventilation is common in confined spaces.
DO NOT ENTER HAZARDOUS AREAS YOU ARE NOT AUTHORIZED TO ENTER.

Some City employees may, during the course of their jobs, encounter confined spaces that have not been specifically evaluated. Examples include firefighters and police officers during emergency response and inspectors, meter readers or others during the normal course of their duties. All employees who enter confined spaces must receive sufficient training to evaluate any confined space and make responsible decisions. Each department that encounters confined spaces in their assigned duties will develop, train, operate and monitor a specific confined space program for their area. Prior to entry, assume that every confined space has an unknown hazardous atmosphere.

Personal Protective Clothing and Equipment:

The City of Bonifay provides Personal Protective Equipment (PPE) if required for certain tasks or in certain locations. All employees will use PPE when and where it is required. PPE shall be properly maintained, disposed of and inspected prior to each use. Check with your Supervisor to learn what equipment is required and/or provided in your area. Departments will specify and issue all required safety equipment to employees except in some cases where the PPE must be fitted to the employee, such as safety shoes or prescription safety glasses. You must obtain department approval prior to purchase of safety shoes or glasses, and demonstrate that all safety specifications are met.

All PPE must meet the appropriate American National Standards Institute (ANSI) specifications as directed by OSHA. Any employee who provides his or her own PPE must present the PPE to their Supervisor for approval prior to use on the job.

Even where specific PPE is not required, certain types of clothing may not be appropriate for some jobs or work locations. For example, sandals, high-heeled shoes and athletic-type shoes may not be suitable for some types of jobs. Some non-PPE clothing and equipment may be provided by the department. It is the employee's responsibility to be dressed properly for work.

Hearing Conservation/Protection:

Always wear hearing protection in areas posted "HEARING PROTECTION REQUIRED" and follow department rules for use of hearing protection for designated operations or near particular equipment. In addition, follow the *three-foot rule* – use hearing protection in situations where you must raise your voice to be heard by another person at a distance of three feet away.

Respiratory Protection:

Respiratory protection is required for some employees as protection from exposure to high dust, exposure to toxic materials or oxygen deficiency. In some situations, such as dusty outdoor conditions, dust masks will be available as a convenience.

Bloodborne Pathogens:

The following precautions shall be taken to avoid exposure to bloodborne pathogens:

1. Follow department requirements concerning exposure to BBP, including use of personal protective equipment such as nitrile or other impervious gloves
2. Report all exposure incidents to your Supervisor and report to Healthmark Regional Medical Center for evaluation and treatment.
3. Follow department procedures for dealing with potentially infectious materials.
4. Do not eat, drink or use tobacco products around blood or other potentially infectious materials.
5. Do not perform janitorial, emergency rescue or other jobs where there is risk of exposure to bloodborne pathogens unless you have been trained to do so.
6. Minimize the risk of puncture by a discarded hypodermic needle:
 - a. don't reach into trash containers or attempt to compact trash by pressing with hands or feet
 - b. watch for needles in parks, rest rooms, storm sewers, sanitary water system, police vehicles and other places where they may be discarded
 - c. don't pick up a needle with your bare hands – wear gloves or use tongs
7. Avoid direct contact with blood or other potentially infectious materials:
 - a. use tongs or wear gloves to pick up condoms, sanitary napkins and other items which may be contaminated with body fluids
 - b. use an approved disinfectant to destroy BBP virus before cleaning a potentially infected area
8. Clean up your own blood if possible after a minor injury; dispose of small quantities of cleanup materials in a toilet.
9. Cover all wounds with waterproof bandages; replace the bandage as necessary.
10. Minimize contact with injured persons if you are not trained in emergency medical response.
11. Wash with soap and water immediately:
 - a. after removing gloves and other personal protective equipment
 - b. after exposure to potentially infectious materials
 - c. after cleaning or decontamination of BBP
 - d. after using the bathroom
 - e. before eating

Combustibles:

Combustibles must be stored in marked, covered containers in designated areas. Combustibles may be brought into the work area only in proper containers. Do not smoke, use a flame, or create sparks in areas posted *No Smoking* or in the vicinity of any combustibles (e.g., gas, oil, paint, varnish, thinner, solvents, and glue). Do not store any combustibles in any area where smoking is permitted without advance authorization from your Supervisor.

Visitors in the Work Area:

Because of potential safety and other problems, we cannot allow non-business visitors (including family members and, particularly, children), in any working area at any time without advance permission from a Department Director. If you observe any unauthorized non-business visitor in any working area at any time, please immediately notify your Supervisor.

Lifting:

To execute lifting safely, involves handling reasonably sized loads, employing the assistance to accomplish a lift whenever possible, and using proper body mechanics. To equip employees to succeed in this endeavor when faced with executing a lift, the following shall happen:

1. For certain disciplines with unique sets of lifting needs, a safe lifting program will be developed and communicated.
2. Safe lifting information relevant to the work the employee performs shall be shared through the new employee orientation process, reviewed periodically, and updated through training resources.

Employees shall:

1. Prepare loads that are a reasonable weight when possible, "reasonable weight" for any given job title being related to those defined in the "Physical Demands" section of their job description.
2. When possible, lifting will be planned so that assistance (mechanical or otherwise) can be arranged in advance. This is particularly important if it is non-routine and involves a heavy or bulky object, emergency situations notwithstanding. Use the assistance of mechanical means or co-workers whenever possible.
3. Employ proper body mechanics to facilitate a safe lift and transportation.

13.6 Hazardous Materials

The City of Bonifay is committed to providing all employees with information about hazardous chemicals on the worksite through communication by container labeling, Material Safety Data Sheets (MSDS) and employee information/training.

Employees have the right to know the hazards and the identities of the chemicals they are exposed to when working. They also need to know what protective measures are available to prevent adverse effects from occurring.

14 Acquired Immune Deficiency Syndrome

The City recognizes that Acquired Immune Deficiency Syndrome (AIDS), its related conditions such as AIDS Related Complex (ARC), and persons with seropositive test results for AIDS and/or ARC, are the source of considerable concern and pose significant and delicate issues for all employees.

As a result of such recognition, we have established guidelines for handling issues that may arise when an employee is affected by these conditions.

The City is committed to maintaining a safe and healthy work environment for all employees. Consistent with this commitment, the City will treat AIDS and/or ARC the same as other illnesses in terms of all our employee policies and benefits, such as group health and life insurance, disability leaves of absence, and other disability benefits.

Based on the overwhelming weight of available medical and scientific opinion, including statements from the Surgeon General of the United States, and the U.S. Public Health Service and Centers for Disease Control, there is no evidence that such diseases are casually transmitted in ordinary social or occupational settings or circumstances. Therefore, subject to changes in available medical information and/or specific conditions involving the potential for transmission of these diseases, it is the policy of the City that employees with such diseases or any of their related conditions may continue to work as long as they are able, with any reasonable accommodation required by law, to perform the essential functions of their positions. Employees who are affected by AIDS and/or ARC or any other life-threatening illness will be treated with compassion and understanding in dealing with their personal crises. Co-workers will be expected not to refuse to work or withhold their services for fear of contracting such diseases by working with such an affected employee and not to harass or otherwise discriminate against such a person.

Employees affected by or concerned about AIDS and/or ARC or any of their related conditions are not required but are encouraged to contact their Supervisor or Human Resource Department to discuss their concerns. All such communications will be treated by the City with strict confidentiality.

15 Insurance Program

15.1 Intent and Eligibility

The City of Bonifay believes it to be in the interest of all eligible employees to have some type of insurance coverage in the event of an accident, injury, or illness. Therefore, the City pledges its support of an employee/dependent group health/life insurance program.

Employees classified as regular full-time are eligible to enroll in the group insurance plan. Regular part-time and temporary employees are eligible for enrollment at their own expense. Elected Officials are eligible to enroll at their own expense through payroll deductions.

15.2 Health Insurance

The City currently offers health insurance to regular full-time employees who have been employed by the City for thirty (30) days. Health coverage will start the first day of the month following the thirty (30) days. Employees may extend health insurance to their family at the expense of the employee through payroll deductions.

Employees have up to thirty (30) days from the first day of employment to make a medical plan election. Once made, the election is generally fixed for the remainder of the plan year. However, if an employee undergoes a change in family status or qualifying event, he/she may make a mid-year change in coverage (i.e., may change coverage from individual to family or from family to individual, add or delete dependents, or revoke coverage), provided the employee does so within thirty (30) days from the date of the change in family status, in a manner which will not entitle the employee to make a mid-year change from one medical carrier to another. The employee is to contact the City Clerk to determine if a change in family status or qualifying event qualifies under the IRS regulations. For the purpose of this policy, a change in family status or qualifying event is defined as marriage, divorce, birth, adoption, over-aged dependent, death, or separation of service.

During the month of August employees are free to change their medical elections for the following calendar year, whether or not the employee has a change in family status.

The City Clerk will assist employees in making the necessary arrangements for enrollment. A complete description of the plans available and the appropriate supplements are provided to each employee as summary plan descriptions.

15.3 Health Insurance Portability and Accountability Act

The City of Bonifay complies with the provisions of the Health Insurance Portability and Accountability Act of 1996 (or “HIPAA”) to the extent that it is a covered entity.

15.4 Life and Accidental Death and Dismemberment Insurance

Eligible employees are automatically enrolled under the group life plan. The plan insures eligible employees for life and accidental death and dismemberment coverage depending upon employment classification in the amount approved by the City Council. The City assumes the employee cost only on life insurance coverage. Coverage for a spouse is available for a cost through payroll deductions. Additional coverage amounts are available at the expense of the employee.

15.5 Dental Insurance

The City offers employees dental insurance for regular full-time employees. The City pays for the monthly premium as approved by the City Council. Employees may extend the dental insurance to their family at the expense of the employee through payroll deductions.

15.6 Workers' Compensation Insurance

The City is covered under statutory state Workers' Compensation Laws. Should an employee sustain a work-related injury, they must immediately notify their Supervisor and the City Clerk. Should the employee's injury require the attention of a doctor, a list of approved physicians can be obtained by contacting the City Clerk. In the case of an emergency, the employee should go to the nearest hospital emergency room for treatment.

15.7 Social Security

The City shall participate in the Social Security System. All eligible employees' share of the Social Security taxes shall be withheld from the employee's pay on a bi-weekly basis.

16 Leave

16.1 Annual (Vacation) Leave

Intent and Eligibility:

The City of Bonifay provides each full-time employee with paid annual leave as one of the many ways we show our appreciation for your loyalty and continued service. New employees cannot use accrued annual leave hours until after 60 days of satisfactory employment has been completed.

Benefits:

Annual Leave earned per pay period for regular full-time employees.

Leave Hours Earned per Month	Leave Hours Earned per Year	Leave Days Earned per Year (8 hr workday)
8	96	12

All long-term employees currently accruing 10 hours per month will continue at that rate.

Maximum annual leave accumulation shall not exceed two hundred forty (240) hours at the end of the calendar year. Unused annual leave above two hundred forty (240) hours will be forfeited by the employee at the end of the calendar year.

If a paid holiday occurs while an employee is on approved annual leave, that day will not be charged against annual leave.

Payment for Unused Annual Leave:

Employees are not entitled to receive pay in lieu of time off for annual leave. Annual leave may be taken in increments of quarter hours. Employee will continue to accrue leave hours while on approved annual leave as long as the employee is in pay status for at least one half (1/2) of the pay period.

Any employee leaving the employment of the City will be paid for their annual leave accrued. In the event of a death of a City employee, the death payment of annual leave shall be made to the spouse or family as provided by Florida Statutes.

Should an employee be absent on the account of sickness, injury, or disability and have no available sick leave, at the request of the employee and within the discretion of the Department Director, he/she may use accrued annual leave.

Scheduling:

Requests for annual leave should be made by the employee at least seven (7) days in advance and submitted to the Supervisor. In the event of an emergency situation, the Supervisor will handle the request on a case-by-case basis.

Supervisors will notify the Department Director and respond to employee's request as quickly as possible.

Each Department Director is responsible for preparing a department annual leave schedule. Conflicts in desired dates among the employees shall be decided by the Department Director or their designee and may require an employee to postpone scheduled annual leave if the work of the City requires it.

Each employee must take twenty-four (24) hours of paid annual leave per year.

16.2 Holiday Leave:

Intent and Eligibility:

Holiday leave is a benefit provided to employees which provides them with paid time off for designated holidays observed by the City and approved by the City Council.

The City Council is empowered to declare additional holiday(s).

Benefits:

The City will observe the following days as paid holiday, eligible for holiday leave:

1. New Year's Day
2. Martin Luther King Jr. Day
3. President's Day
4. Good Friday
5. Memorial Day
6. Juneteenth
7. Independence Day
8. Labor Day
9. Veteran's Day
10. Thanksgiving
11. Day after Thanksgiving
12. Christmas Eve
13. Christmas
14. Personal

When a holiday falls on a Saturday, it will be observed on the preceding Friday. When a holiday falls on a Sunday, it will be observed on the following Monday.

Regular full-time employees are eligible to receive holiday leave of eight (8) hours of paid time off for each designated holiday.

To be eligible for holiday leave, an employee must have worked his/her regularly

scheduled hours or must have been on approved leave on the workday before and the workday after the holiday.

Hourly, non-exempt employees required to work on a designated holiday will receive double-time pay for each eight (8) hour day worked on the holiday.

For purposes of computing overtime, holiday leave for designated holidays will be considered time worked if the employee's department is closed.

Holiday Compensatory Time:

Non-exempt employees who are required to work on a designated holiday shall be compensated at his/her regular rate of pay. In addition to this, the employee shall have the option of taking eight (8) hours of paid time off within the thirty (30) days immediately following the designated holiday, or receive double time pay for the official holiday worked, excluding Public Safety employees. Exempt employees are not eligible to receive Holiday Compensatory Time however, exempt employees may be allowed some latitude with respect to time spent at work as approved by the City Clerk.

Public Safety employees, including Waste Water Treatment Plant employee, the Police Department, and Fire Department, who are required to work on a designated holiday shall be compensated at his/her regular rate of pay. In addition to this, these employees shall have the option to take eight (8) hours off with pay, with prior approval of the Chief.

Employees will schedule the use of holiday compensatory time with the Chief to meet the operational needs of the Department and the City. The employee should make every attempt to schedule holiday compensatory time off as soon as possible after it is earned.

Holiday Compensatory time earned must be depleted prior to use of accumulated annual, sick leave, and other compensatory time earned. If the use of earned holiday compensatory time will cause the employee to lose annual leave at the end of the year, in excess of two hundred and forty (240) hours an employee may accrue and carry forward into the following calendar year, the employee may first use the amount of annual leave required to avoid loss of annual leave.

Holiday Compensatory time earned may not accumulate to more than forty-eight (48) hours. If an employee's accumulated holiday compensatory leave exceeds the forty-eight (48) hours maximum, he/she shall lose the compensatory time earned in excess of the forty eight (48) hour maximum.

If an employee is separated from service (dismissed, resigns, or retires, etc.) without having used accumulated holiday compensatory time, the employee will not be paid for any accumulated holiday compensatory time at the time the separation occurs.

For record keeping purposes, use and accumulation of holiday compensatory time shall

be reported on time sheets.

16.3 Sick Leave

Intent and Eligibility:

Paid sick leave is a benefit provided to employees which provides them with paid time off within certain limitations and is not an automatic entitlement to time off work with pay. Paid sick leave provides for a genuine need of the employee. There will be no maximum amount of sick leave accrued. When an employee is out of sick leave, he/she may use earned annual leave or compensatory leave. When an employee uses all of his/her sick leave, annual leave, and compensatory leave, the employee shall be required to request leave of absence without pay.

Definition:

Sick Leave is defined as either:

1. Illness, injury, incapacitation, or quarantine of the employee or an immediate family member.
2. Routine medical, dental, or optical examinations that cannot be scheduled for the employee or an immediate family member any time other than working hours. Please note, sick leave may only be used for an appointment of a family member if the family member is medically unable to attend alone and requires your assistance. The Supervisor may require a physician note stating the need for patient assistance.

For this policy, immediate family member is defined as a parent, child, spouse, brother, sister, grandparent, grandchildren, children of spouse, parent-in-law, brother-in-law, or sister-in-law.

Benefit:

Regular full-time employees shall earn sick leave hours at the rate of eight (8) hours per month of continuous service.

Approval and Use:

Any employee who is unable to report for work and who is not on a previously approved leave of absence, is required to give reasonable notification to their immediate Supervisor. This notification must be made as soon as the employee is aware that he or she will not be able to report to work but not less than 30 minutes prior to the employee's scheduled start time.

The preferred method of notification is to call their immediate Supervisor at their work telephone number. Department Directors and the City Clerk may approve alternate methods of notification such as email, or calling the immediate Supervisor's home

phone, cellular phone, or linc, with prior written notice provided to the City Clerk of such approved alternate methods of notification.

If the employee fails to notify their immediate Supervisor of their absence, in accordance with this procedure, the employee may be subject to disciplinary action.

Sick leave may be taken in increments of quarter hours.

It is the employee's responsibility to ensure that proper notification, according to the department's guidelines, and updates on status are made to their Supervisor when absent.

It is the responsibility of the Supervisor to submit a written copy of updates received to the City Clerk to be placed in the personnel file.

Employee will continue to accrue leave hours while on approved sick leave.

Employee shall complete his/her paid sick leave request upon returning to work.

Employee shall complete his/her paid sick leave request and receive approval prior to use if needed for a scheduled appointment.

The Department Director, City Clerk or designee shall have the right to require a doctor's note to verify reason for absence that exceeds two (2) working days. Failure to provide the requested evidence shall result in leave of absence without pay. This action is within the authority of the Department Director or City Clerk.

The Department Director, City Clerk or their designee may investigate sick leave requests, if abuse is suspected, they may disallow payment and execute disciplinary action including dismissal.

The written approval of the Department Director, City Clerk or designee is required before payment of sick leave can be made.

Payment of Accrued Sick Leave:

Intent and Eligibility:

This provides for a payment of a portion of accrued sick leave at separation of service. To be eligible, employee must be a full-time regular City employee, who has completed six (6) consecutive years of full-time employment with the City. This option is a onetime payout; if an employee retires or resigns and receives payment for accrued sick leave, they are not eligible to receive this benefit again at second separation of service, should they be re-employed with the City.

Guidelines:

Employee shall be entitled to receive payment for one-fourth (25%) of their accrued sick leave hours upon separation of service.

Employee may have the option to donate a portion of remaining unused leave as a direct donation to another employee after receiving payment for one-fourth (25%) of remaining leave.

Employee may have the option to donate any remaining unused or unpaid leave to the sick leave pool, following payment of accrued leave, upon separation of service.

Procedures:

Upon notification of separation of service, the City Clerk, in consultation with the Mayor, shall determine if the employee is eligible to receive payment for one-fourth (25%) of their accrued sick leave hours.

If eligible, the City Clerk shall send a letter to the Payroll Clerk, requesting the employee receive payment for one-fourth (25%) of their accrued sick leave.

The employee may notify the City Clerk in writing of their desire to donate any remaining unused or unpaid sick leave to the sick leave pool.

The City Clerk shall send a memo to the Payroll Clerk, along with the employee's written request, to discard or transfer any remaining unused or unpaid sick leave to the sick leave pool.

The City Clerk shall notify the Sick Leave Pool Committee of any donation received at separation of service.

Family Medical Leave Act of 1993:

Requirements:

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons. Employees are eligible if they have worked for a covered employer for at least one year, and for 1,250 hours over the previous 12 months, and if there are at least 50 employees within 75 miles. For more information regarding the provisions set in the FMLA, employees may request a copy of the complete document from the City Clerk at any time.

Reasons for Taking Leave - Unpaid leave must be granted for any of the following reasons:

1. To care for the employee's child after birth, or placement for adoption or foster care;
2. To care for the employee's spouse or domestic partner, son or daughter, or parent,

who has a serious health condition; or

3. For a serious health condition that makes the employee unable to perform the employee's job.

Any leave taken by an eligible employee for one or more of these reasons will be counted against that employee's annual FMLA leave entitlement.

The method for calculating the FMLA 12-week limit will be:

For the purpose of this policy, the leave year within which an eligible employee may take his/her 12 weeks of FMLA-protected leave means the 12-month period beginning on the date the employee first takes paid or unpaid leave for any of the reasons set forth previously.

Intermittent Leave:

Leave for adoption, foster care placement, or the birth of a child may not be taken intermittently or on a reduced schedule unless the City and the employee agree to such an arrangement or—in case of adoption only—unless the placement is on such short notice that there is not time for the employee to schedule events related to the adoption around his or her work schedule. Leave for a serious health condition may be intermittent or reduced if medically necessary. For purposes of tracking and record keeping, an exempt employees' family medical leave is typically deducted in half day increments with non-exempt employees being deducted in no less than 15-minute increments. If an employee requests this type of leave on the basis of planned medical treatment, the City may require that the worker transfer temporarily to another job, with equivalent pay and benefits that better accommodates the employee's need for recurring periods of leave.

Married Employees:

When both spouses work for the City, the full amount of leave is limited to an aggregate of 12 weeks for the birth, adoption, or foster care placement of a single child.

Advance Notice and Medical Certification:

The employee may be required to provide an advance leave notice and medical certification. Leave may be denied if requirements are not met.

Employee Responsibility:

Employees must provide at least 30 days' notice when the leave is foreseeable, such as for the expected birth or adoption of a child. When this is not possible, employees are required to provide as much notice as is practical. When leave is required for a serious health condition with planned medical treatment, the employee is required to make a reasonable effort to schedule treatment so that disruption of organizational operations is minimized. While on leave the employee will be required to furnish their Supervisor with periodic reports of their status and intent to return to work as stated on FMLA form WH-

381, as appropriate for the particular leave situation.

Medical Certification:

The City requires that a request for leave be supported by a healthcare provider's certification of the medical condition of the person affected. The certification should include the date on which the serious health condition began, the probable duration of the condition, and other appropriate medical facts.

In addition, the certification should include a statement that the employee needs time off to attend to a serious health condition or is needed to care for a child, spouse, or parent, and an estimate of the amount of time that is needed. If the employee is ill, the certification should include a statement that the employee is unable to perform his or her job. When the certification is for intermittent leave for planned medical treatment, it should include the dates on which the treatment is expected to be given and the duration of the treatment.

When a certification is requested, the employee must return the completed medical certification within a reasonable period of time not more than 15 days absent unusual circumstances. An employer may delay the taking of a scheduled leave if the medical certification is not timely returned.

1. *Second Opinion:*

Whenever the City has reason to doubt the validity of the original certification, the City is allowed to require a second opinion—paid for by the City—from a healthcare provider chosen by the City. This healthcare provider may not be someone who is employed on a regular basis by the City.

2. *Third Opinion:*

The City may require the employee to obtain a third opinion—at the expense of the City—when the second opinion differs from the first. The healthcare provider for the third opinion should be approved by both the City and the employee. This third opinion is considered to be final and binding on both the City and employee.

FMLA Leave Paid or Unpaid:

An employee's accrued paid leave will be substituted for all FMLA purposes under the following circumstances:

Paid sick leave will be used for the employee's own illness or to care for the sick family member, but only in those situations in which the City would normally allow paid leave. If the City's leave plan has not allowed employees to use accrued sick leave to care for a sick family member, then the City may, but is not required to, allow substitution of paid sick leave for that purpose now under FMLA. Paid annual leave or personal leave will be used as a payment source for all or any part of the 12-week leave.

An employee must use, and in this order, earned compensatory time, sick leave, and annual leave. If an employee's occupational injury also meets the definition of a serious health condition, time on workers' compensation leave will run concurrently with FMLA leave.

Job Benefits and Protection:

Job on Return:

With some exceptions, the City is required to provide each returning employee with the same position or an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. However, City employees among the ten percent (10%) highest paid of the City ("key employees") are not required to be restored to their jobs when it would cause substantial and grievous economic injury to the City's operations. This does not mean that the City may deny leave to key employees.

Benefits:

Employees who have taken leave will not lose any benefits that accrued before the leave began. Employees will continue to accrue leave hours while on leave. However, only to the extent the employee is in pay status for at least one half (1/2) of the pay period.

Premium recovery:

The City may require employees to repay the City's share of the premium if the employee does not return from a leave for reasons other than a continuation, recurrence, or onset of a serious health condition or other circumstances beyond the employee's control.

Returning to Work:

Employees should notify the City Clerk of their intent to return to work two weeks prior to the anticipated date of return, or of any medically necessary changes in the date of return. If the leave was due to the serious health condition, the City requires written notification from the employee's health care provider, verifying his/her ability to return to work, with or without restrictions. Employees who return to work on or before the expiration of available FMLA leave will normally be returned to their former position or an equivalent job. If, however, an employee does not return prior to the expiration of FMLA leave, there is no guarantee of reinstatement. If an employee is medically released to return to work and fails to either report to work or call in with a satisfactory explanation, the City will treat this as a voluntary resignation.

FMLA does not affect any Federal or State law prohibiting discrimination or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

Sick Leave Pool:

Intent and Eligibility:

The sick leave pool will permit eligible and participating employees to pool portions of their sick leave and provide sick leave benefits to members of the pool who have exhausted all other leave including annual, sick, and compensatory leave. To be eligible you must be a full-time, regular, City Employee, who has completed the probationary period, and have a minimum of forty (40) hours of sick leave accumulated.

Guidelines for Membership and Use:

1. Employee must complete the probationary period as outlined in the City's Personnel Policy to be eligible for membership.
2. Employee must have a minimum of forty (40) hours of sick leave accumulated to be eligible for membership.
3. Employee is not eligible if he/she has been suspended from work within the current calendar year.
4. Employee is not eligible if he/she has previously abused use of leave time as determined by the Sick Leave Pool Committee.
5. Employee may reapply during open enrollment, one year following suspension, or if abuse of use of leave has been determined one year following such determination.
6. Employee must have a documented illness, accident, or injury, as certified by their treating physician, which requires absence from the workplace for a minimum of five (5) consecutive working days.
7. Employee shall not use the Sick Leave Pool for elective or cosmetic surgery, routine doctor visits, wellness check-ups, or dental services, including but not limited to cleanings, caps, braces, x-rays, bridges, root canals, and other services.
8. Employee is not entitled to draw from the sick leave pool for illness, accident, or injury to anyone other than himself/herself.
9. Employee may only request to draw from the sick leave pool if his/her entire leave balance, including all sick leave, annual leave, and compensatory leave has been exhausted.
10. Employee shall not be permitted to use more than one thousand forty (1,040) hours in any twelve (12) month period.
11. Employee shall forfeit all sick leave contributed to the sick leave pool upon separation from service.
12. Employee participation is strictly voluntary.
13. Employee may voluntarily withdraw membership from the pool at any time by notifying the City Clerk in writing, requesting to withdraw membership and providing the effective date of such withdrawal. Notification of withdrawal shall not exceed seven (7) days of the effective date of such withdrawal.
14. Upon the effective date of voluntary withdrawal, Employee shall no longer be entitled to use the sick leave pool, and shall forfeit any/all contributions. An

employee who has withdrawn sick leave hours from the pool will not be required to replace those hours at time of voluntary withdrawal.

15. Employee will continue to accrue leave hours while on FMLA leave as long as the employee is in pay status at least one half (1/2) of the pay period.
16. Employee must contribute eight (8) hours of sick leave at the time membership is established.
17. Employee must contribute a minimum of eight (8) hours of sick leave each time the pool is depleted below one hundred (100) hours, not to exceed twenty-four (24) hours contributed per member per calendar year.
 - a. If a member's sick leave balance is less than eight (8) hours at the time the pool is depleted, they shall contribute all hours which have been accumulated and shall contribute the remainder as soon as additional sick leave hours have been accrued.
 - b. If a member repeatedly fails to have enough sick leave hours to contribute to the pool, his/her use of sick leave will be investigated by the City Clerk. The Sick Leave Pool Committee shall review results of such investigation for determination of continued membership.
18. Employees with six years of continuous regular full-time service with the City, who are members of the sick leave pool, shall have the option of donating any of their accrued unused sick leave hours to the pool at time of separation of service.
19. Abuse of use of the sick leave pool shall result in termination of membership by the Sick Leave Pool Committee.
20. Alleged abuse of the sick leave pool shall be investigated by the City Clerk. The Sick Leave Pool Committee shall review results of such investigation for determination of continued membership. The employee will be subject to disciplinary action in accordance with the City's Personnel Policy and may be required to repay sick leave withdrawn from the pool.
 - a. Abuse shall include but is not limited to:
 - Misrepresentation of an illness, accident, condition, or injury, or circumstances surrounding it, in order to receive pooled leave.
 - Submittal of a false or forged document, or a statement by a physician or surgeon who is not a certified or licensed medical practitioner or who misrepresents the nature of the member's illness.
21. Withdraws from the sick leave pool will not be honored if the employee exceeds the withdrawal limit defined in this policy.
22. Worker's Compensation injuries resulting in loss of work time are not eligible for use of the sick leave pool.

Sick Leave Pool Committee:

1. The Sick Leave Pool Committee shall be comprised of the City Clerk, Deputy City

Clerk and Department Directors.

2. The Sick Leave Pool Committee will make all decisions regarding membership and use from the sick leave pool.
3. The Sick Leave Pool Committee must have four (4) members present to vote.
4. The Sick Leave Pool Committee shall meet at the request of the City Clerk, Deputy City Clerk, or when three (3) members of the Committee request a meeting.

Application for Membership:

1. Employee shall submit a written request for membership within thirty (30) days of their first anniversary date with the City, or during November of each year.
2. The month of November shall be designated as the time for open enrollment and request for membership.
3. Employee request for membership shall be submitted to the City Clerk.
4. The City Clerk shall review the request, verify eligibility, and forward the request to the Sick Leave Pool Committee for approval.
5. The Sick Leave Pool Committee shall approve or deny the membership request and notify the City Clerk.
6. The City Clerk shall provide written notification to the employee regarding approval or denial of membership by the Sick Leave Pool Committee.
7. Upon approval, the City Clerk will create a memo requesting the Payroll Clerk transfer eight (8) hours of sick leave from the employee's accrued sick leave to the sick leave pool. A copy of this memo will also be included in the employee's personnel file.
8. The City Clerk will be the primary custodian of all records and documentation regarding the administration of this policy.

Sick Leave Pool Use:

1. Employee shall submit a written request to the City Clerk, for submission to the Sick Leave Pool Committee, when requesting use from the sick leave pool.
2. The written request shall include:
 - a. The specific number of hours requested from the sick leave pool.
 - b. Documentation from their physician or surgeon stating:
 - Anticipated duration of the illness, recovery, treatment, or rehabilitation period
 - Nature of the illness, accident, condition, or injury for which leave is being requested
 - Estimated time before the employee is expected to return to work.

NOTE: In the event of a critical illness, or the employee's inability to request use of pool hours, any family member of the employee may complete the request on behalf

of the employee.

3. Upon receipt of the request, the City Clerk, with the assistance of the Payroll Clerk, shall verify the current leave balances of the employee submitting the request to ensure the employee is eligible for use of leave from the sick leave pool.
4. Should the member not be eligible for use of leave from the sick leave pool, the City Clerk will notify the employee in writing regarding their ineligibility for use of leave from the sick leave pool.
5. Should the member be eligible for use of leave from the sick leave pool, the City Clerk will notify the employee in writing regarding their eligibility for use of leave from the sick leave pool.
6. The Sick Leave Pool Committee may consult an employee's Supervisor for assistance in making the final decision regarding eligibility for use of leave from the sick leave pool.
7. The Sick Leave Pool Committee shall approve or deny the request for use of leave from the sick leave pool and notify the City Clerk.
8. The City Clerk shall provide written notification to the employee regarding approval or denial of their request for use of leave from the sick leave pool.
9. If denied, the employee may request reconsideration of the request by submitting a letter to the committee explaining reasons for such reconsideration.
10. Upon approval, the City Clerk will create a memo requesting the Payroll Clerk transfer the approved leave from the sick leave pool to the employee's accrued sick leave. A copy of this memo will also be included in the employee's personnel file.
11. The City Clerk will be the primary custodian of all records and documentation regarding the administration of this policy.
12. Requests for additional use of leave from the sick leave pool, beyond those approved by the Sick Leave Pool Committee, shall require submission as outlined above.

Sick Leave Donation:

Intent and Eligibility:

This provides for a direct donation of sick leave from one employee to another who has suffered a documented personal or immediate family member illness, accident, condition or injury. To be eligible to receive leave, an employee must have exhausted all other leave including annual, sick, and compensatory leave. To be eligible to receive leave, an employee must be a full-time, regular, City employee. The donor shall maintain a minimum of eighty (80) hours of sick leave. For the purpose of this policy, immediate family members consist of the employee's parents, children, and spouse only.

Guidelines for Donation from Employee to Employee:

1. An employee may submit a request in writing to the City Clerk requesting to donate a specific number of their sick leave hours directly to another employee.
2. The employee donating sick leave shall maintain a minimum of eighty (80) hours of sick leave following the donation.
3. Employees choosing to donate or receive sick leave shall not be required to be members of the sick leave pool.
4. Donation of sick leave may be provided from one regular full-time employee to another regular full-time employee.
5. Participation is voluntary.
6. Employees shall not attempt to coerce or pressure another employee to donate leave. The donating employee shall not receive any compensation or favors for donating sick leave. Violations to this policy will be subject to disciplinary action in accordance with the City's Personnel Policy.
7. Employee shall not be eligible if he/she has previously abused use of leave time (as determined by the Sick Leave Committee).
8. The minimum donation amount for each transaction shall be eight (8) hours.
9. The maximum donation amount shall be determined by the Sick Leave Committee in consultation with the City Clerk. Consideration will be given to the employee's recommended time off by their physician.
10. The donation cannot be cancelled once the approved transfer has been delivered to the Payroll Clerk by the City Clerk.
11. Eligible recipient of donated sick leave must have exhausted all other leave including annual, sick, and compensatory leave.
12. Eligible recipient of donated sick leave must submit documentation, to the City Clerk, from their physician or surgeon stating:
 - a. Anticipated duration of the illness, recovery, treatment, or rehabilitation period
 - b. Nature of the illness, accident, condition, or injury for which leave is being requested
 - c. Estimated time before the employee is expected to return to work, which shall be a minimum of five (5) consecutive working days
 - d. Name of family member and relation to the employee (if requesting leave due to an immediate family member illness, accident, condition, or injury)
13. Eligible recipient of donated sick leave shall have a documented condition requiring absence from work for a minimum of five (5) consecutive workdays.
14. Eligible recipient of donated sick leave may use donated sick leave consecutively or intermittently, but only in increments of four (4) hours, and only upon approval from the Sick Leave Committee in consultation with the City Clerk.
15. The City Clerk will create a memo requesting the Payroll Clerk transfer the

approved donation of leave from the donating employee to the receiving employee. A copy of this memo will also be included in both employees' personnel files.

16. Approved donations of sick leave shall be submitted by the City Clerk, to the Payroll Clerk, on or before the last day of the pay period.
17. Donated sick leave shall be applied to the pay period immediately following approval and submission to the Payroll Clerk.
18. Donation of sick leave from subordinate to immediate Supervisor is prohibited.
19. The City Clerk will be the primary custodian of all records and documentation regarding the administration of this policy.
20. Any unused donated hours will be returned to the donor.
21. Only the amount needed to bring the employee to a full pay status will be used each period.
22. Donated hours will be used in the order in which the requests are received by the City Clerk.
23. The Sick Leave Committee shall be comprised of the City Clerk, Assistant City Clerk and Department Directors.
24. The Sick Leave Committee will make all decisions regarding donations from one employee to another.
25. The Sick Leave Committee must have a minimum of four (4) members available to vote.
26. The Sick Leave Committee shall meet at the request of the City Clerk, Deputy City Clerk, or when three (3) members of the Committee request a meeting.

Donation Procedures:

1. Donating employee may submit a request in writing to the City Clerk requesting to donate a specific number of their sick leave hours directly to another employee.
2. Receiving employee must submit documentation, to the City Clerk, from their physician or surgeon stating:
 - a. Anticipated duration of the illness, recovery, treatment, or rehabilitation period
 - b. Nature of the illness, accident, condition, or injury for which leave is being requested
 - c. Estimated time before the employee is expected to return to work, which shall be a minimum of five (5) consecutive working days
 - d. Name of family member and relation to the employee (if requesting leave due to an immediate family member illness, accident, condition, or injury)
3. Upon receipt of the request and documentation, the Human Resource Manager, with assistance from the Payroll Clerk, shall verify the current leave balances of the donating employee and the receiving employee to ensure both employees are

eligible to donate/receive sick leave hours. Then forward the request to the Sick Leave Committee for consideration.

4. The Sick Leave Committee in consultation with the City Clerk shall approve or deny any request to donate sick leave.
5. The Sick Leave Committee and the City Clerk may consult an employee's Supervisor for assistance in making the final decision regarding eligibility to donate/receive sick leave.
6. The City Clerk shall provide written notification to the employees regarding approval or denial of their request to donate/receive sick leave.
7. If denied, the employee may request reconsideration of the request by submitting a letter to the City Clerk explaining reasons for such reconsideration.
8. Upon approval, the City Clerk will create a memo requesting the Payroll Clerk to transfer the approved sick leave from the donating employee to the receiving employee. A copy of this memo will also be included in both employees' personnel files.
9. The City Clerk will be the primary custodian of all records and documentation regarding the administration of this policy.

16.4 Leave of Absence Without Pay

Should a situation arise that temporarily prevents an employee from working, he/she may be eligible for a personal leave of absence without pay. However, employees must be employed for at least six (6) months prior to the requested leave.

Any request for a leave of absence without pay must be submitted in writing as far in advance as possible and will be reviewed on a case-by-case basis by the employee's Supervisor, Department Director and the City Clerk. The decision to approve or disapprove is based on the circumstances, the length of time requested, the employee's job performance, attendance, punctuality record, the reasons for the leave, the effect the employee's absence will have on the work in the department, and the expectation that the employee will return to work when the leave hours expire.

Leaves of absence will be considered only after all annual leave, sick leave, and compensatory time has been exhausted.

The maximum leave of absence without pay that may be approved is twelve (12) weeks.

During a leave of absence without pay No annual or sick leave will accrue.

16.5 Other Leave

Funeral Leave:

A maximum of twenty-four (24) regularly scheduled and consecutive hours with pay will be granted to a regular full-time employee when a death in the immediate family occurs.

A maximum of eight (8) regularly scheduled and consecutive hours with pay will be granted to a regular part-time employee when a death in the immediate family occurs.

Additional days off will require an employee to use their annual leave, sick leave, compensatory time, or leave of absence without pay.

For this policy, immediate family member is defined as parent, child, spouse, brother, sister, grandparent, grandchild, child of spouse, parent-in-law, brother-in-law, or sister-in-law. The Department Director may require evidence of death and/or funeral attendance.

Court Leave:

The City will grant employees time off for mandatory jury duty. A copy of the court notice must be submitted to the employee's Supervisor to verify the need for such leave. The employee will receive the difference between jury duty pay and his or her normal salary or wage for each day of jury duty.

The employee is expected to report for work when doing so does not conflict with court obligations. It is the employee's responsibility to keep his or her Supervisor informed about the amount of time required for jury duty and to provide documentation regarding the amount of jury duty pay received in order to receive the City provided compensation supplement.

Military Leave:

Intent:

The following information is intended to be used as a guide for military leave of absence. The provisions of the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) shall apply to City of Bonifay employees. It is the intent of

the City to comply with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) as well as any relevant provisions of Florida law, with respect to military leave.

An employee, who is a member of the United States Armed Forces, Armed Forces Reserves, as well as the federal or Florida National Guard, shall be granted military leave in accordance with applicable law.

Pay Schedule:

Employees are eligible for military leave of absence when they are assigned (volunteered or ordered) to active or inactive duty in connection with the U.S. Reserve Forces or the National Guard.

1. Compensation for employees called to military training exercises shall be full City pay up to seventeen (17) working days per calendar year. In accordance with Chapter 115, Florida Statutes, each 12-hour shift or less shall equal 1 working day and all other shifts over 12 hours and up to 24 hours shall equal 2 working days.
2. Compensation for employees called to active military service shall be full City pay for normally scheduled workdays within the first thirty (30) calendar days. An employee whose active duty extends beyond 30 days, and whose military pay is less than their City salary, will have their military pay supplemented by the City so that their total salary equals their City salary at the time they were called to active military duty. The supplement will continue for one year from the date of military activation. Adequate documentation verifying military pay must be provided to the City Clerk before the supplement can be paid. Leave accrual will continue for one year from the date of military activation.
3. Absences exceeding the respective 17 or 30 day caps may, upon request of the employee, be charged to paid annual leave, holiday or compensatory leave and/or leave of absence without pay, provided that paid leave combined with any supplemental pay does not exceed the employee's City salary.
4. For active military service or active state duty beyond the year referenced above, the employee will be on military leave of absence without pay.

Notification of Request for Military Leave:

Employees who are absent because of military obligations should request military leave as far in advance as is possible under the circumstances and must produce a copy of the official military orders as evidence of the need for leave prior to taking such leave.

Re-Employment Maximum Period:

An employee's absence from employment by reason of military service may not exceed five (5) years in order for such service member to retain re-employment rights, subject to

certain periods of time excluded from being counted toward the five (5) year period under the relevant provisions of USERRA.

Application for Re-Employment:

1. Timeliness of Request

Re-employment rights are based on the amount of time the individual served. The service member must provide the City with documentation, which establishes the timeliness of the application for re-employment, and length and character of service.

- a. If the period of active service is for less than thirty-one (31) days, the individual is required to report to the employer for re-employment on the first regularly scheduled working day after completion of service.
- b. If the period of active service is for thirty-one (31) to one hundred eighty (180) days, the individual is required to apply for re-employment rights within fourteen (14) days after completion of service.
- c. If the period of active service is over one hundred eighty (180) days, the individual must apply for re-employment within ninety (90) days after completion of service.

2. Qualifying Conditions

In addition to making a timely application for re-employment, an employee returning from military leave must:

- a. Have received an honorable discharge from military service;
- b. Must be qualified to perform the essential duties of the position; and,
- c. Must not have voluntarily remained in military service beyond five (5) years.

3. Ability to Perform the Job

The City has the right, at its own expense, to have employees returning from military leave of absence without pay medically examined to determine if they are able to return to their former positions of employment. An employee who is not qualified to fill his/her former position because of a service-connected disability will be placed in a position which he/she can hold which is as close as possible in pay and status to the position he/she formerly held.

Employees who are not qualified to fill the positions to which they would otherwise be entitled upon returning from military leave due to a lack of skill or training, are entitled to have the opportunity to receive training required to hold such positions from the City. Once trained, the employees will be placed in the new positions. If the employees fail to qualify for the new positions after a reasonable amount of training has been provided, the employees are entitled to return to their former positions.

Seniority:

Employees returning from military leave retain full seniority, based on their original dates of hire, with no adjustment or reduction for time away from the job due to military leave.

Reemployment:

A service member is entitled to re-employment based on the amount of time serviced in the uniformed services.

1. Individuals with a period of service less than 90 days shall be offered a position they would have attained if continuous employment had not been interrupted. If, however, the individual is proven to be unqualified for that position, the employer should place the individual in the position they held prior to service.
2. Individuals with a period of service over 90 days shall be offered the position which they would have attained if continuous employment had not been interrupted or a position of like seniority, status, and pay. If, however, the individual is proven to be unqualified for that position after reasonable effort by the employer to qualify the individual, the employer should place the person in the position he/she held prior to service.

Benefits:

1. Health Plans: Employees deployed for military duty must be offered the right to continue coverage under COBRA.

Continuation of Coverage. The maximum period of coverage for a person and the person's dependents under such election shall be 18 months.

2. Retirement Plan: Employees will have no forfeiture of benefits accrued during service, and therefore, no necessity to re-qualify the service member for participation in the retirement plan.

Upon re-employment of the service member, the City will be required to make any contributions that would have been made if the service member were continuously employed.

Non-Discrimination/Non-Retaliation:

USERRA prohibits discrimination against employees or applicants because they belong to or are applying to join a branch of the uniformed service. USERRA further prohibits penalizing an employee for taking or requesting time off for military service.

USERRA provides that a re-employed service member may not be discharged without cause for:

1. One (1) year, if the period of active service was more than one hundred eighty (180) days; or
2. Six (6) months, if the period of active service is between thirty-one (31) to one hundred eighty (180) days.

National Mobilization:

In the event of a national mobilization call-up or return to conscripted service, the City will revisit the Military Leave Policy and make changes/adjustments as deemed necessary.

Administration Leave for Veterans Affairs-Related Medical Activities:

Any City employee who has been rated by the United States Department of Veterans Affairs or its predecessor to have incurred a service-connected disability and has been scheduled by the United States Department of Veterans Affairs to be re-examined or treated for the disability shall be granted administrative leave for such re-examination or treatment without loss of pay or benefits. In no event shall the paid leave under this section exceed six (6) calendar days in any twelve (12) month period.

Maternity/Paternity Leave:

Maternity/paternity leave under this policy is a leave associated with the birth of an employee's own child or the placement of a child with the employee in connection with adoption or foster care. Maternity/paternity leave is charged against the employee's accumulated leave hours.

A female employee with the City may, upon the written recommendation of her physician, be granted maternity leave. Employee may use accrued sick leave hours for the first six (6) weeks of leave. Any approved leave following the six (6) weeks shall be annual leave hours or leave of absence without pay. Should medical complications for mother or infant arise during those six (6) weeks that require employee to take more leave, two (2) more weeks of sick leave hours may be approved by the City Clerk.

A male employee with the City may, upon notification of delivering physician of the infant, be granted paternity leave. Employee may use accrued sick leave hours for the first two (2) weeks of leave. Any approved leave following the two (2) weeks shall be annual leave hours or leave of absence without pay. Should medical complications for mother or infant arise during those two (2) weeks that require employee to take more leave, two (2) more weeks of sick leave hours may be approved by the City Clerk.

Health insurance benefits will continue to be provided during the paid maternity/paternity leave under this policy at the same rate as in effect before the leave was taken regardless of length of service.

Employee will continue to accrue annual and sick leave hours while on approved leave, providing the employee is in pay status for at least one half (1/2) of the pay period.

The employee must provide thirty (30) days' notice (or as much notice as practicable if the leave is not foreseeable) to the Department Director of the request for leave and complete the necessary forms and file with the Human Resource Department.

The Family Medical Leave Act (FMLA) allows employees up to twelve (12) work weeks of unpaid leave annually. Maternity/paternity leave is considered time used against the maximum twelve weeks of Family Medical Leave and runs concurrently with FMLA or any other leaves for which the employee is eligible.

Upon return from maternity leave, employee will be reinstated without loss of seniority and other benefits.

Personal Day:

In addition to paid time off for annual leave and City-designated holidays, each regular full-time employee is credited with one (1) day of paid personal time per calendar year, as of January 1st of the first calendar year after the employee's hire date. This is intended to be used for personal business.

Personal day may be used as requested, following written notice to and approval by the employee's Supervisor. Personal day may not be carried over from one calendar year to the next. Employees are not entitled to pay in lieu of taking a personal day, either before or at the time of separation of service for any reason.

Voting Leave:

The City of Bonifay believes that it is the responsibility and duty of employees to exercise the privilege of voting in elections. In accordance with this philosophy, the City will grant its employees approved time off to vote.

All employees should be able to vote either before or after regularly assigned work hours. However, when this is not possible due to work schedules, Supervisors are authorized to grant a reasonable period of time, up to one (1) hour, during the work day to vote. Time off for voting should be reported as regular time worked but with note stating leave and purpose.

Administrative Leave:

Administrative leave is leave with pay that is not charged against an employee's personal leave balances. Approval of administrative leave is limited to an amount necessary to bring the employee to full pay status. In no case can approval of administrative leave cause the employee to exceed the number of regular hours in the employee's work period. Prior approval by the City Clerk or Mayor is required.

Examples of the types of Administrative Leave and how it may be used are listed below:

1. Disaster Service Volunteers (approved by the City Clerk or Mayor)
2. Formal agency investigation for violation of a rule or statute, for which suspension is a penalty
3. Office Closure: City offices may have to be closed at times due to natural disasters or other emergency situations. When City offices are closed, administrative leave will be granted to employees assigned to the affected offices.

17 Disciplinary Actions

17.1 Policy

It shall be the City's policy to maintain a positive and progressive attitude toward its employees and to provide a system of discipline which sets forth standards of conduct and guidelines for disciplinary actions that will be applied to all employees equitably without bias or prejudice.

The Human Resource Department is designated as the official depository of all employee records. All disciplinary actions taken will be included in the respective personnel file and will be forwarded to the City Clerk.

17.2 General Provisions

1. Discipline should be corrective and constructive rather than punitive and be utilized to educate and motivate employees to exhibit behavior which will contribute to individual growth and development and to the successful operation of the City government.
2. Any City employee may be disciplined.
3. Disciplinary actions, up to and including dismissal, may arise as a result of different kinds of actions on the part of the employee, such as, but not limited to:
 - a. Failure to perform his/her job in a satisfactory manner, that is, unsatisfactory performance as to one or more requirements of the job.
 - b. Infractions of rules, regulations, policies or procedures as established either by the City Council, City Clerk, or by the department.
 - c. Offenses or misconduct that violate general rules of behavior or that are specifically prohibited by law.
 - d. Being convicted of a felony or misdemeanor involving moral turpitude.
 - e. Being absent three (3) consecutive days without approval and without prior notification to the Supervisor or Department Director.
 - Employee shall be separated from service and documented as a voluntary resignation.
 - Employee is not eligible for rehire.
 - f. Excessive tardiness or absences.
 - g. Incompetence, inefficiency, negligence, or failure to follow orders.
 - h. Abuse, misuse, or theft of public property, equipment facilities or supplies.

- i. Willfully making false statements to Supervisors, Department Directors, the City Clerk, the City Council, or to the public, or falsification of records or misrepresentation of uniform, badge or position.
- j. Violation of departmental rules, safety work habits, personnel or policy regulations, safety rules or City ordinances.
- k. Possession, use or reporting to work under the influence of alcoholic beverages or narcotic drugs (not prescribed by a physician) during working hours on City property or in a City vehicle.
- l. Acceptance of gratuity in violation of City policy and of Florida Statutes of Conduct and Ethics.
- m. Political activity prohibited by law or this policy.
- n. Violation of State and/or Federal Statutes and regulations pertaining to public employees.
- o. Refusal to work overtime when necessary and/or when the city is in a declared state of emergency.
- p. Conduct that is disruptive, insubordinate, antagonistic, offensive or injurious to the City whether in relation to co-workers, other employees, superiors, elected officials, general workers, customers, vendors, and the public in general
- q. Failure to promptly report injuries or accidents through proper channels to Supervisors.
- r. Participation in any gambling activity of any kind while on duty, in a city uniform, or while on City owned property.
- s. Smoking in City buildings and/or City vehicles.
- t. Acts of misconduct at any time which will reflect an unacceptable public image as a representative of the City of Bonifay.

17.3 Application of Disciplinary Action

Consistency in administering discipline both departmentally and City wide is desired while realizing that numerous factors should be used in determining the appropriate level of discipline.

1. Factors to consider include time of intervals between offenses, effectiveness of prior disciplinary actions, willingness to improve, overall work performance, job attitudes, and disciplinary actions previously taken with other comparable employees for similar offenses.
2. Some infractions may be more serious in one case, because of the employee's responsibility than in another case. For example, failure to be at a workstation could be a more serious offense for a 911 dispatcher than for a clerk.

3. Repetition of the same offense or other serious offenses indicate that more severe corrective action should be administered.
4. Certain offenses are of such a serious nature that immediate discharge upon the first offense is applicable. Prior to any dismissal of an employee, the Department Director will consult with the City Clerk, and contact the Human Resources Director to review the employee's personnel file.
5. Incidents of misconduct may differ in individual cases of somewhat similar incidents, and the City retains the right to treat each incident on an individual basis without creating a precedent for cases that arise in the future.

17.4 Types of Disciplinary Action

When possible, the City will administer progressive discipline. However, each incident will be evaluated on the particular facts.

Oral Counseling: given to address foreseen misconduct, attitudes, behaviors, etc. that will help the employee make necessary changes to correct inappropriate behavior in attempts to promote employee growth and avoid further disciplinary action.

Written Reprimand Level I: given where the oral and formal counseling has not resulted in the expected improvement, or when an employee commits a more serious offense.

Written Reprimand Level II: given in the event of continued and repetitive offenses for which the employee has already received counseling and written reprimand or it's a more serious offense.

Suspension: given in the event of continued and repetitive offenses for which the employee has already received reprimands, or where the serious nature of the offense. Final action shall be authorized following guidelines in the City's Municipal Code.

If an investigation is warranted based on employee conduct or an event, an employee may be placed on suspension with or without pay.

Dismissal: given for un-remedial lesser offenses, repetition of serious offenses or on the first occurrence of an extremely serious offense, an employee may be dismissed from City employment. Final action shall be authorized following guidelines in the City's Municipal Code.

17.5 Disciplinary Action Procedures

When inappropriate behavior occurs, disciplinary action can include some or all of the following steps:

1. *Authority.* Most disciplinary actions are initiated by the immediate Supervisor. In general, the final authority to approve a disciplinary action is related to the type of action taken.

<i>Type of Action</i>	<i>Authority to Approve</i>
Oral Counseling	Department Director
Written Reprimand	Department Director
Suspension With Pay	Department Director & City Clerk
Suspension Without Pay	City Clerk & Mayor
Demotion/Transfer	City Clerk & Mayor
Dismissal	Department Director & Mayor

2. All disciplinary action should be documented on the City Disciplinary Action Form and distributed as indicated on the form.
3. With respect to discipline of a Department Director, action will be taken by the City Clerk. With respect to discipline of the City Clerk, action will be taken by the Mayor and City Council.

No Council Member, acting on his or her own individual authority, may hire, transfer, raise the pay of, demote, or terminate the employment of any City employee. Such actions can only be accomplished after the whole of the City Council's approval and the approval of the appropriate Department Director or the City Clerk in accordance with established personnel policies.

18 Dissatisfaction Procedures

18.1 Employee Procedure for Resolving Dissatisfactions

Occasionally in the daily working relationship, dissatisfactions develop. These are usually due to a lack of communication, misunderstanding, and misinformation. However, before a problem can be solved, it must be expressed.

In the event a problem occurs, employees must follow these steps:

1. Consult with your immediate Supervisor to discuss your concerns. A discussion with your Supervisor will usually resolve this problem. However, if the problem is regarding your Supervisor, contact the Administration Department to schedule a meeting with the City Clerk.
2. If the matter is not resolved by your Supervisor to your satisfaction, contact the Administration Department to schedule a meeting with the Human Resources.
3. If you are still not satisfied, ask the City Clerk to schedule a meeting with the Mayor/Human Resource Director.
4. If you are still not satisfied, submit a formal grievance in writing to your immediate Supervisor to begin the Grievance Procedure that is stated in the Personnel Policy.

Following this procedure will in no way jeopardize an employee's job.

18.2 Supervisor Procedure for Resolving Dissatisfactions

Occasionally in the daily working relationship, dissatisfactions develop. These are usually due to a lack of communication, misunderstanding, and misinformation. However, before a problem can be solved, it must be expressed.

In the event a problem occurs, Supervisors must follow these steps:

1. When an employee comes to you to discuss a dissatisfaction, attempt to resolve the problem.
2. If the matter is not resolved to the employees' satisfaction, instruct them to contact the Administration Department to schedule a meeting with the City Clerk.
3. If the employee is still not satisfied, instruct them to ask the City Clerk to schedule a meeting with the Mayor/Human Resource Director.
4. If the employee is still not satisfied, instruct them to submit a formal grievance in writing to you to begin Grievance Procedure that is stated in the Personnel Policy.
5. Once a formal Grievance has been submitted to you in writing, give a copy to the City Clerk, and begin an investigation to gather facts concerning the grievance.

6. Once the investigation is complete, meet with the City Clerk to create a response letter to the employee's formal Grievance.

All documents received from employees, all findings collected during investigations, all response letters, and any other related documents must be copied to the City Clerk.

Following this procedure will in no way jeopardize an employee's job.

19 Grievance Procedures

19.1 Intent

It is the responsibility of the City to provide employees a means of assuring fair and equitable treatment in all matters related to their employment with the City.

19.2 Grievance Definition

A grievance is defined as a dispute or complaint alleging a violation of a policy, rule or procedure. If an employee has a complaint of harassment or discrimination, the employee is to follow the procedures under Policy 10.12, Anti-Harassment.

19.3 Grievance Procedure

1. Informal Discussion – An informal resolution to a complaint or problem is the most appropriate manner of resolution. The employee should first discuss it on an informal basis with their immediate Supervisor or Department Director.
2. Formal Complaint to Supervisor – If the informal resolution process fails, the employee shall submit to the Supervisor a written grievance, stating the facts of the complaint and the relief requested. The Supervisor may have a meeting with the employee to discuss the grievance. The Supervisor shall communicate a decision in writing to the employee within seven (7) working days following receipt of the written grievance.
3. Formal Complaint to Department Director – If the grievance is not resolved by the formal complaint to the Supervisor, and the employee desires additional review; the employee shall submit a written grievance to the Department Director within seven (7) working days after receipt of the decision following the previous step. The Department Director may have a meeting with the employee to discuss the grievance. The Department Director will provide a written response to the employee within seven (7) days following receipt of the grievance.
4. Formal Complaint to City Clerk – If the grievance is not resolved by the formal complaint to the Department Director, and the employee desires additional review; the employee shall submit a written grievance to the City Clerk within seven (7) working days after receipt of the decision following the previous step. Arrangements will be made for the employee to meet with the Mayor/Human Resources Director and be given the opportunity to explain his/her position.
5. City Clerk shall conduct an investigation as necessary. After considering all the information, the City Clerk shall make a decision. The City Clerk will provide a written response to the employee within seven (7) days following receipt of the grievance.
6. Should the employee be dissatisfied with the decision of the City Clerk, an appeal may be made to the Grievance Committee requesting review of the matters. The

employee who has filed a grievance may make a presentation of supporting facts and other documentation to the grievance committee.

19.4 Grievance Appeal

Grievance Committee:

The City Clerk shall appoint a committee of six (6) members to be known as the Grievance Committee. The committee shall be a cross section of City employees that will consist of a minimum of three (3) peers (levels: non-supervisory, supervisory, department director). A quorum shall consist of four (4) members and no hearing shall be held without a quorum. The City Clerk shall appoint a Chairman from among the members to preside over the proceedings. The Chairman shall not vote with the exception of when it is necessary to break a tie.

Appeal Procedure:

1. Within seven (7) calendar days of receiving the final decision from the City Clerk, the employee may submit in writing to the City Clerk a request for a hearing with the Grievance Committee.
2. After receiving this request, the City Clerk shall appoint a Grievance Committee and their Chairman and notify them of the appointment in writing within fourteen (14) calendar days.
3. The City Clerk or their designee shall provide all documentation concerning the grievable action and investigation thus far to the Grievance Committee Chairman within seven (7) calendar days following the notification of appointment.
4. After receiving documents, the Chairman is to set a hearing date and time within seven (7) calendar days, provide copies of the documents to all committee members. The committee shall conduct an investigation as necessary and will give its written decision to the City Clerk within ten (10) calendar days after the hearing.
5. With approval from the City Clerk, the committee's decision is final and shall be transmitted to the employee. If the City Clerk rejects the committee's decision, the grievance shall go to the City Council.
6. The City Clerk or their designee shall provide all documentation concerning the grievable action and investigation, including the committee's decision, to the City Council.
7. The City Council retains the right to overturn the decision of the Grievance Committee or the City Clerk by a majority of the Council. The City Council's decision will be final.

19.5 Eligibility to File a Grievance

Regular full-time and regular part-time employees shall be eligible to file a grievance under these provisions, following completion of the employee's probationary period or extended probationary period.

In the event that there is a conflict regarding whether a dispute is grievable under this policy, the matter shall be resolved by the Department Director and the City Clerk.

In the event that a Department Director has a conflict with the City Clerk, the matter shall be resolved by the Mayor.

The City Clerk may uphold the position of either party, either in whole or in part, or recommend modified actions or other solutions to resolve the situation fairly.

19.6 Time Limits

1. Failure to initiate a grievance within the time limits indicated shall be deemed a waiver of the grievance.
2. Failure at any step of this procedure by the Supervisor/Department Director/City Clerk of this procedure to communicate the decision of a grievance within the specified time limit shall permit the employee to proceed to the next step.
3. The number of days indicated at each step should be considered as a maximum and every effort should be made to expedite the process. However, the time limits specified in any step of this procedure may be extended, in any specific instance, by mutual agreement.

19.7 General Provisions

1. If a grievance arises from the action of an official higher than the Supervisor, the grievance may be initiated with a Department Director or the City Clerk.
2. If a grievance meeting is held during work hours of any required employee, such employee shall be excused without loss of pay for that purpose. Attendance at grievance meetings outside regular working hours shall not be deemed time worked.
3. An employee who resigns from City employment shall be deemed to have waived the right to initiate or to process a grievance under the provisions of this policy.
4. Nothing in this policy shall be construed to prevent or discourage informal discussion between an employee and his/her Supervisor on matters of concern to the employee.

20 Separation of Service

20.1 Layoffs

A reduction in work force is an involuntary separation, not involving misconduct, inefficiency, or other delinquency.

The employee shall be given two weeks' notice prior to layoff. The employee receives pay for annual leave and sick leave benefits, in accordance with City policy.

Temporary layoffs (six months or less) shall not be considered a break in service in determining future seniority or longevity benefits. Employee layoff is classified as a "positive dismissal."

20.2 Loss of Ability to Perform Job Duties

An employee who is unable to perform his/her job duties due to loss of license, bond, or other requirements may be separated by dismissal, transferred to other duties, or demoted.

20.3 Disability

The City is cognizant of the Americans with Disabilities Act (ADA) and supports its mandates. Employees with disabilities who request an accommodation will be considered for a reasonable accommodation as required by the ADA prior to considering dismissal. Dismissal will occur should the loss of ability to perform job duties as outlined in the employee's job description.

20.4 Dismissal

Dismissal is a result of disciplinary action.

An employee separated from service by dismissal has the right to contest the dismissal by following the Grievance Policy.

Upon dismissal, employee must return all City issued items.

20.5 Death

An employee's spouse, next of kin, or estate receives all annual leave and other benefits due to the deceased as provided by Florida Statutes and this policy.

20.6 Retirement

Employees employed in a Supervisory position are required to give a thirty (30) day notice prior to retirement in order to allow sufficient time to advertise for a replacement. The employee will receive accumulated annual leave and sick leave pay as per policy.

21 Retirement

21.1 Intent and Eligibility

The City of Bonifay shall participate in the Florida Retirement System. The City contributes depending upon employment classification at the rates set by the Florida Retirement System.

Regular full and part-time employees as well as Elected Officials are eligible to enroll in the group program selected by the City. Temporary employees are not eligible for enrollment.

21.2 Classifications

Under the Florida Retirement System (FRS), for retirement purposes, employees are classified according to their job position and the City contributes toward retirement on the classification rates, i.e. regular status, special risk, investment retiree, senior management, elected officials.

21.3 Retirement Options

Under the present retirement plan, employees may choose between the retirement options as outlined by the Florida State Retirement System. For more information, contact the City Clerk.

22 Right to Organize

The City of Bonifay is committed to treating our employees with respect and dignity and providing them with excellent benefits, optimum working conditions and competitive wages. We understand that at times employees have concerns and suggestions for improvements. We encourage all our employees to speak up and take advantage of the open-door policy. We listen to our employees and take their comments seriously.

The direct relationship between our employees and their Supervisor ensures the best environment for achievement of individual and City goals.

Employees shall have the right to organize, join, and participate, or to refuse to organize, join, and participate, in any employee organization freely and without fear or penalty or reprisal, for the purpose of collective negotiation through representatives of their own choosing on terms and conditions of employment.

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