

# **TOWN OF LOXAHATCHEE GROVES**

155 F Road Loxahatchee Groves, FL 33470



## **AGENDA MEMO**

**TO:** Town Council of Town of Loxahatchee Groves

**FROM:** Amber Schneider

**VIA:** Francine L. Ramaglia, Town Manager

**DATE:** August 6, 2024

**SUBJECT:** *Resolution No. 2024-60 - Approving Human Resources Policy Manual Updates*

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### **Background:**

As part of our ongoing efforts to ensure the Town's HR policies are current, in compliance with all legal requirements and provide an effective communication device for employees, we have reviewed and revised the Town's HR manual based on the detailed line by line review performed by Council with direction from its labor attorneys over the course of several public meetings and workshops devoted solely to Council's editing and discussion of the manual. This was the second review of the manual by the Town which adopted the water control district manual (LGWCD Personnel Policies & Procedures Manual, 2014 with 2017 PPM update for PTO) when it became a dependent district of the Town and during the transition to a more traditional local government staffing model following the expiration of the contract with Underwood Management Group.

The first review in 2019 restructured the personnel manual into a Human Resource Policy Manual (HRPM) which the Council approved on January 7, 2020. At the request of the incoming manager in 2022, the Town undertook a more comprehensive word for word review led by the Town's labor attorneys. The resulting document required a cleanup and reformatting for readability, elimination of conflicts/consistency between sections and effective implementation due to the heavily edited text and related items in different areas.

Staff along with assistance from our labor attorney, made the formatting changes and other wordsmithing keeping at top-of-mind council's intent. There were approximately 60+/- areas discussed for changes/redrafting or adding sections by the Council in 2022—that were collectively written and reviewed by staff and attorneys numerous times in the past year, including a final detailed review last month with

Mr. Torcivia. Each change was tracked with issues noted, discussed and resolved in finalizing the attached updated manual for consideration.

There were several areas tagged by staff and the attorney as requiring additional Council discussion/consideration. This updated manual includes recent changes in law such as the updated accommodations for pregnancy and clarifying that weapons, including guns, continue to be prohibited while performing job-related duties, which remains in compliance with applicable and recently enacted laws.

The draft of the updated manual was provided to all Councilmembers prior to holding individual meetings with each council person to review the updated manual. We received very few comments in the meetings and have incorporated them in the changes outlined below. Following the meetings, Mr. Torcivia touched based with Councilmembers to see if any additional changes were necessary.

**Pg 9: Section 3:** Added definition for "*Substantive.*"

**Pg 13:** Changed definition of "Regular Part-time Employee" to *fewer than 29 hours per week*, requiring benefits. This is a legal definition relative to ACA regulations.

**Pgs 13-14:** Added *Volunteer policy/resolution information* as approved by Council subsequent to initial draft.

**Pg 14:** Updated rehiring policy to apply to all employees, not just medical reasons, returning within two years to be eligible for PTO as before.

**Pg 16:** Retitled Section 10 to include "*Transfers of Employees.*"

**Pg 27:** Holiday Paid Leave staff updated verbiage to indicate personal days can not be carried forward into following fiscal year – *'Employees will celebrate thirteen (13) holidays, eleven (11) of which are shown on the schedule below, and two (2) of which are personal holidays intended to be used for any purpose. Personal holidays must be taken as a full day with pay that cannot be carried into the following fiscal year, compensated as holiday pay, or paid out upon separation.'*

**Pg 28:** Holiday on Scheduled Workday staff clarified rate of pay or compensatory day – *'Non-exempt employees who are regularly scheduled to work on the observed holiday and actually work on the holiday in order to maintain essential services to the public shall be paid at the rate of one and one-half of their regular rate of pay for all hours worked on the holiday or shall be given compensatory time equal to one day off, which must be used in the same pay period it is earned, at the discretion of the Town Manager and/or their designee.'*

**Pg 28:** Bereavement, staff is suggesting up to 5 days– *'Regular full-time employees may be granted up to five (5) working days off with pay, upon signed request, and by approval of the Town Manager. Such time may be taken intermittently within sixty (60) days of death of an immediate family member. If additional days off are necessary, or if the employee wishes to attend the funeral of someone outside his/her immediate family, PTO may be requested. For purposes of this section, the employee's immediate family shall include the following for either the employee or their spouse/registered domestic partner: parent, sister, brother, children.'*

- Pg 33:** Jury Duty, staff is suggesting up to 5 paid days for employees to fulfill this civic duty – *‘The Town will provide paid leave to an employee reporting to jury selection. If an employee is chosen to serve on a jury the Town will provide up to five (5) days of paid time for civic service. Upon receipt of the notice to serve jury duty, the employee should immediately notify their supervisor. The employee should provide their supervisor with a copy of the notice which will be attached to the employee’s timesheet. Upon the employee’s return to work, they should provide the supervisor with appropriate documentation from the court indicating the number of days served. ‘*
- Pg 35:** Payout at Separation, staff realized the 5 year service requirement had been removed and has replaced it – *‘Employees voluntarily separating from Town employment with at least (5) years of continuous service with the Town and who provide at least a two-week (2) notice of resignation shall receive a payout any PTO accrued and unused as of the date of separation at their current rate of pay with a maximum potential payout of 80 hours. ‘*
- Pg 37:** Serious Illness Leave Bank, Eligibility for Use by updating family definition to match with Bereavement Leave- *‘Eligible employees are entitled to use Serious Illness Leave for their serious health condition or for the serious health condition of an immediate family member (parent, spouse, registered domestic partner, sister, brother, children).’*
- Pg 38:** Notice of Return wording changed to reflect failure to return will be considered resignation - *‘The employee shall notify their Department Director and the Town Manager in writing if s/he will not be returning from leave as planned. Failure to report back to work at the end of the scheduled leave will be considered a voluntary resignation by the employee.’*
- Pg 39:** Payout at Separation staff added in 5 year limit for payout – *‘At separation, Town employees with at least (5) years of continuous service with the Town and who provide at least a two-week (2) notice of resignation shall be paid one half of the Serious Illness Leave bank balance at the employees’ current pay rate with a maximum potential of 240 hours.’*
- Pg 40:** Employment of Family Member staff changed to reflect ability of some family members to be hired as long as they are not direct reports of each other – *‘It is the Town’s policy to not employ the spouse, domestic partner, or romantic partner of a Town employee. Family members of a Town employee may not regularly work in a position where a direct or indirect reporting relationship exists, which could cause a conflict of interest.*  
  
*No employee may participate in, either directly or indirectly, employment decisions that may involve a direct benefit (such as work assignments, performance reviews, job classifications, hiring, or discipline) to a domestic partner or a romantic partner or family member as defined above.’*
- Page 42:** Added *“including but not limited to”* list to Disciplinary Action section from district's old policies, requiring review.
- Page 45:** Created Designated Beneficiary form added (*now located on page 102*).
- Pg. 65:** Post Accident Testing updated chart to test after all incidents even if no ticket – *changed to make second column all yes*

**Pg 98:** Added Charter of the Town of Loxahatchee Groves to the oath.

Councilmembers subsequently received an email from a resident expressing concerns with the manual and staff reached out to councilmembers as well as to the resident to see if there were any issues that needed additional consideration. Should we receive any information and/or additional feedback, we will send out an update to this agenda item prior to the council meeting.

This document has had a very detailed review and has been compared to at least a dozen or more other small cities, water control districts, neighboring communities and the County. The Town generally provides lesser benefits than other agencies and is more current.

**Recommendations:**

Move that Town Council adopt ***Resolution No. 2024-60*** adopting the 2024 HRPM for the Town of Loxahatchee Groves.