



# CITY OF BELLE GLADE EMPLOYEE HANDBOOK

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## **VISION STATEMENT**

To serve a well informed citizenry effectively, efficiently, and ethically in a clean and safe environment.

## **MISSION STATEMENT**

Moving into the future by improving the quality of life and promoting growth through economic diversification and development of human and natural resources while providing a safe and healthy environment.

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## **CITY COMMISSION**

Steve B. Wilson, Mayor  
Gwendolyn J.L. Asia-Holley, Vice Mayor  
William A. Gear, Jr.  
Michael C. Martin  
Mary Ross Wilkerson

Lomax Harrelle, City Manager

Vivian L. Hunter, Director of Human Resources  
Lara Donlon, P.A., Law Office of Glen Torcivia

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## **INTRODUCTION**

The following policies, procedures and civil service rules shall be interpreted, applied, and enforced by the City of Belle Glade in its entirety. The City of Belle Glade believes that the most rewarding employment relationship results from open, fair, and consistent interaction between staff and those who supervise or manage operations. While no department is free from day-to-day problems, or unusual situations that may not be covered by existing policies and procedures, it is our desire to foster effective procedures at all levels.

These policies, procedures and civil service rules are subject to change, through amendments, in order to maintain their legal compliance, operational effectiveness, and the general scope of desired work-place conditions. They are subject to change without prior notice to employees and all such changes are within the sole discretion of the City. Upon amendment of any part, the City will endeavor to use normal communication channels to apprise employees, in a timely fashion, of such changes and their effect, if any. Additionally, these policies, procedures and civil service rules do not create a contract of employment. Employment with the City of Belle Glade is “at will” and not for any specified period of time.

Each employee affected by these policies, procedures and civil service rules is responsible for knowledge of and compliance with all provisions contained herein. Violations of these procedures will subject employees to disciplinary action up to, and including, termination. Employees may refer to page 60 of these procedures relating to discipline actions for more information.

### **GENERAL PROVISIONS**

#### **Purpose:**

These policies, procedures and civil service rules are to be followed by employees and the City in the administration of the City’s personnel program. It is our intent that City employees will be treated equitably, so that the citizens of the City may derive the benefits and advantages that can be expected to result from a competent and committed staff of City employees.

#### **Positions Covered:**

These policies shall apply to all employees to the extent the policies and procedures do not conflict with an employee’s collective bargaining agreement, if any.

#### **Approval:**

These policies, procedures and civil service rules shall be in force and effect after approval by the City Commission and shall replace all existing policies, procedures, rules or regulations to the extent the policies do not conflict with the City Charter or Ordinance number 04-06.

#### **Effective Date:**

These polices, procedures, and Civil Service Rules shall become effective on January 1, 2006. However, the Drug-Free Workplace policy incorporated herein shall become effective on March 1, 2006.

## **DEFINITIONS**

The following words and terms shall have the meaning indicated unless the context clearly indicates otherwise.

**ADMINISTRATIVE REVIEW** means review of a personnel action by the Director of Human Resources. Personnel action includes verbal counseling, written counseling memorandums, reprimands, suspensions with and without pay, and demotions.

**ALLOCATE** shall mean the act of assigning each position to its proper class.

**ANNIVERSARY DATE** shall mean an employee's date of hire or re-hire, whichever is later.

**APPEAL** shall mean the process of having the Civil Service Board review a termination or demotion after receipt of a properly and timely served Notice of Appeal.

**APPOINTING AUTHORITY** shall be the City Manager, or in his or her absence, the person authorized by the City Commission to perform the duties of the City Manager.

**BOARD** shall mean the Civil Service Board.

**CERTIFY** shall mean the act of the Director of Human Resources in supplying a department head with the names of applicants who are eligible for appointment to a position.

**CIVIL SERVICE** refers to the manner of employment as governed by Chapter 18 of the Charter of the City of Belle Glade, Florida, together with ordinances, rules, regulations, and personnel policies authorized thereby, as in existence from time to time.

**CIVIL SERVICE LAW** includes the provisions of the City's Charter, Ordinances and personnel policies, or any of them, in force relating to Civil Service.

**CLASS** shall mean a position or group of positions having similar duties and responsibilities, requiring similar qualifications, which can be properly designated by a title indicative of the nature of work and which carry the same range.

**CLASSIFIED SERVICE** includes all positions in the civil service previously existing or hereafter established except the following specific exemptions:

- (a) The city commission and other officers elected by popular vote and persons appointed to fill vacancies in elective offices. Members of boards appointed by the city commission.
- (b) The city attorney, his or her assistants, and their secretaries and staff.
- (c) City physician and city engineer.
- (d) Persons employed in a professional or scientific capacity to make or conduct a temporary and special inquiry, investigation or examination on behalf of the commission or a committee thereof, or by authority of the mayor and persons employed in a professional or scientific capacity on a temporary basis.
- (e) Unskilled laborers, part time workers, day laborers, prisoners, contractors, contract workers, concession holders, temporary employees and part time employees.
- (f) City Manager and his or her secretary.

CONTINUOUS SERVICE shall mean employment that is uninterrupted.

CONTRACT EMPLOYEE shall mean an employee under an individual employment contract or agreement.

DEMOTION shall mean the assignment of an employee to a position in a lower class having a lower maximum salary and status rather than the position from which the assignment is made.

DEPARTMENT HEAD shall mean the person in charge of any City department or, in his or her absence, the person having his or her responsibilities and authority.

DISMISSAL shall mean the discharge of an employee from his or her position with the City. The terms termination and dismissal are interchangeable.

ELIGIBLE shall mean a person listed on the approved active employment list.

EMPLOYMENT LIST shall mean an approved list of persons who have been found qualified for appointment to a position in a particular class. This term shall be interchangeable with eligibility register.

FULL-TIME EMPLOYEE shall mean an employee who is scheduled to work a minimum of 36 hours per week.

GRIEVANCE shall mean written notice of dissatisfaction by an employee with regular status who feels they have been unjustly treated in cases involving employment conditions.



IMMEDIATE FAMILY shall mean spouse, mother, father, son, daughter, sibling, step-father, step-mother, step-child, grandparent, and grandchild of the employee or the employee's spouse.

JOB TITLE shall mean a definite descriptive designation for a job classification.

JUDICIAL REVIEW shall mean the process of having the judiciary in the civil court system review decisions, orders and findings rendered by the Board after hearing.

LAYOFF shall mean the dismissal from employment because of shortage of work or funds, or because of changes in the organization.

NON-CONTRACT EMPLOYEE shall mean an employee who is not operating under a contract with the City.

OVERTIME PAY shall mean pay for overtime worked in excess of an employee's normal work as in accordance with the Fair Labor Standards Act.

PART-TIME EMPLOYEE shall mean an employee who is scheduled to work less than 36 hours per week.

PAY RANGE shall mean a salary range established by the City Commission with a minimum and maximum base salary.

POSITION shall mean a group of duties assigned to one person or job.

INTRODUCTORY EMPLOYEE shall mean any employee who is serving in a new position either by appointment, promotion, demotion, or reclassification.

INTRODUCTORY PERIOD shall mean a period of 6 months. During this period an employee may be discharged, demoted, or suspended without warning or statement of cause. This period may be extended by the City Manager upon recommendation of the Director of Human Resources and with input of the Department Head.

PROMOTION shall mean the assignment of an employee to a position in a higher class having a higher maximum salary than the position from which assignment is made.

REGULAR EMPLOYEE shall mean an employee who has satisfactorily completed an introductory period.

RELATIVE shall mean all those persons defined as "immediate family" in addition to uncle, aunt, first cousin, nephew, niece, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, step-siblings or half-siblings.

SUSPENSION shall mean the temporary removal from duty with or without pay of an employee for a period of time not less than 7 calendar days or longer than 30 days in any 12-month period, unless approved by the Civil Service Board.

TEMPORARY EMPLOYEE shall mean an employee holding a position other than regular full-time or regular part-time for a specified period of time.

TEMPORARY POSITION shall mean all positions that are not designated regular.

TERMINATION shall mean the discharge of an employee from his or her position with the City. The terms termination and dismissal are interchangeable.

VACANCY shall mean a position existing or newly created, which is not occupied.

## **TYPES OF EMPLOYEES**

All employees are divided into two groups: Exempt employees and Non-exempt employees.

- Exempt Employees

Personnel employed in executive, administrative, professional, outside sales or certain computer-related capacities are not subject to the overtime or minimum wage provisions of the Fair Labor Standards Act. Exempt employees complete time records for daily attendance and productivity purposes. Exempt employees are expected to work as many hours as are necessary to achieve adequate results from their efforts on the job, but do not receive overtime compensation. However, exempt employees may receive extra compensation during certain emergency conditions as more specifically set forth in Resolutions and /or Ordinances as adopted by the City Commission from time to time.

- Non-Exempt Employees

All nonexempt employees (employees subject to minimum wage and overtime provisions of the Fair Labor Standards Act), whether part-time or full-time, are required to complete an individual time record showing the daily hours worked.

The City also classifies employees as contract or non-contract. Those employees who are considered contract employees include the City Manager, outside professionals or para-professionals, outside service agents, the City Attorney, Engineers and positions filled through grant funding. All other employees are considered non-contract.

Any employee who is unsure as to his or her status under the Fair Labor Standards Act as it relates to minimum wage or overtime pay may direct their inquiries to the Human Resources Department for clarification.

## **TYPES OF POSITIONS**

ACCOUNTANT  
ACCOUNTING SPECIALIST I  
ACCOUNTING SPECIALIST II  
ACCOUNTING SPECIALIST III  
ADMINISTRATIVE ASSISTANT  
ASSISTANT CITY MANAGER  
ASSISTANT DIRECTOR OF FINANCE  
ASSISTANT DIRECTOR OF PUBLIC SERVICES  
ASSISTANT TO THE CITY MANAGER/DIRECTOR OF SPECIAL PROJECTS  
ASSISTANT TO THE FINANCE DIRECTOR  
AUTOMOTIVE TECHNICIAN  
BENEFIT SPECIALIST  
BUILDING INSPECTOR  
CASHIER  
CHIEF ACCOUNTANT  
CHIEF PLANT COORDINATOR/CHIEF PLANT OPERATOR  
CHIEF PLANT COORDINATOR SEWER SYSTEM  
CITY CLERK  
CODE ENFORCEMENT OFFICER  
COMMUNITY DEVELOPMENT MANAGER  
COMMUNICATIONS OPERATOR  
CRIME SCENE INVESTIGATOR/RECORDS CUSTODIAN  
CUSTOMER SERVICE SUPERVISOR  
CUSTOMER SERVICE REPRESENTATIVE  
CUSTODIAN  
DEPUTY CITY CLERK  
DEPUTY CITY MANAGER  
DETECTIVE  
DIRECTOR OF FINANCE  
DIRECTOR OF HUMAN RESOURCES  
DIRECTOR OF PLANNING & COMMUNITY REDEVELOPMENT  
DIRECTOR OF PUBLIC SAFETY  
DIRECTOR OF PUBLIC SERVICES  
DIRECTOR OF RECREATION  
DRIVER ENGINEER  
ELECTRICIAN  
EXECUTIVE SECRETARY  
FACILITIES MANAGER

FIRE CHIEF  
FIREFIGHTER  
FIRE LIEUTENANT  
FIRE MARSHALL  
FIELD SERVICE COORDINATOR  
FIELD SERVICES MANAGER  
FIELD SERVICE REPRESENTATIVE  
FOREMAN  
GARAGE COORDINATOR  
GRANTS AND SPECIAL PROJECTS MANAGER  
GREENSKEEPER  
GROUNDSKEEPER  
HOUSING REHABILITATION INSPECTOR  
IDENTIFICATION OFFICER  
INFORMATION SYSTEMS MANAGER  
POLICE INSPECTOR  
LEAD SERVICE TECHNICIAN  
LICENSING ADMINISTRATOR  
LIFEGUARD  
MAINTENANCE TECHNICIAN  
MAINTENANCE TECHNICIAN HELPER  
MECHANIC I  
MECHANIC II  
MECHANIC III  
NEIGHBORHOOD RESOURCE SPECIALIST  
OFFICE ASSISTANT I  
OFFICE ASSISTANT II  
PARK RANGER  
PLANNER I  
PLANNING AND BUILDING MANAGER  
PLANT OPERATOR A  
PLANT OPERATOR B  
PLANT OPERATOR C  
PLANT OPERATOR D  
PLANT OPERATOR TRAINEE  
POLICE LIEUTENANT  
POLICE OFFICER  
POLICE SERGEANT  
PRO SHOP ATTENDANT  
PUBLIC RELATIONS COORDINATOR  
PURCHASING COORDINATOR  
PURCHASING MANAGER  
RECREATION COORDINATOR  
RECREATION SPECIALIST  
REFUSE COLLECTOR

SAFE HAVEN MANAGER  
SCHOOL CROSSING GUARD  
SERVICE TECHNICIAN I  
SERVICE TECHNICIAN II  
SERVICE TECHNICIAN III  
SEWER SYSTEMS COORDINATOR  
SOLID WASTE MANAGER  
SYSTEMS PROGRAMMER  
TECHNICAL SUPPORT SPECIALIST  
UTILITIES MANAGER  
UTILITIES SYSTEMS MANAGER  
UTILITY MAINTENANCE TECHNICIAN  
WEED AND SEED COORDINATOR  
YOUTH VIOLENCE PREVENTION PROJECT COORDINATOR

The foregoing positions are subject to an approved Fiscal Year Budget and said positions may be discontinued or other positions may be added dependent upon budgeting and staffing needs at any time for any given Fiscal Year.

## **HIRING**

### **EQUAL EMPLOYMENT OPPORTUNITY**

It is the policy and practice of the City of Belle Glade to treat all employees with dignity and respect and to provide equal opportunity to all persons without regard to color, race, religion, sex, national origin, citizenship, age, disability, marital status, pregnancy, sexual orientation, military status or any other category protected by law. In addition, the City of Belle Glade prohibits retaliation against any individual who reports discrimination or harassment or who participates in any investigation of such reports, or who engages in any other activity protected by law. This policy covers all personnel actions affecting hiring, job assignments, training, promotions, transfers, compensation, discipline, termination of employees, or any other tangible employment benefit or term or condition of employment.

The City of Belle Glade will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship or where doing so would cause a direct threat to the health or safety of the individual or others. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination and access to benefits and training. If, during the course of employment, an employee incurs any type of physical or mental impairment which limits the employee's ability to perform the essential functions of his or her job, the City requires that the employee provide medical documentation on any such impairment and, if appropriate, identify specific accommodations which may assist the employee. All information provided regarding any impairment will be handled confidentially to the extent permitted by law.

Employees with questions or concerns about any type of discrimination in the workplace are required to bring these issues to the attention of their supervisor(s), the Human Resources Department, or the City Manager. Complaints should initially be made to the employee's immediate supervisor, unless the supervisor is the subject of the complaint, or if the employee is not comfortable making the complaint to that supervisor. Comments or acts of harassment, whether physical or verbal, regarding color, race, religion, sex, national origin, citizenship, age, disability, marital status, pregnancy, sexual orientation, military status or any other category protected by law that interfere with the working environment or the terms and conditions of employment are specifically prohibited. Any individual who is found to have engaged in improper harassment or discrimination in the workplace will be disciplined, up to and including discharge. This includes, but is not limited to, harassment in the form of unsolicited or unwelcome sexual overtures or physical contact. Such conduct must be reported immediately to an employee's supervisor, the Human Resources Department, or the City Manager.

## **JOB POSTING**

The City of Belle Glade provides employees an opportunity to indicate their interest in open positions and advance within the organization according to their skills and experience. In general, notices of all regular, full-time job openings are posted in-house prior to seeking applicants outside the organization, although the City of Belle Glade reserves its discretionary right to fill an open position without previously posting a notice regarding the opening.

Job openings will be posted on the employee bulletin board and remain open for a minimum of 5 days. Each job posting notice will include the dates of the posting period, job title, department, location, grade level, job summary, and qualifications (required skills and abilities).

To be eligible to apply for a posted job, employees must have performed competently for at least 6 months (in calendar days) in their current position. Employees who have received a written warning or reprimand within the 6 months prior to commencement of the advertisement period, or are on probation or suspension are not eligible to apply for posted jobs. Eligible employees should only apply for those posted jobs for which they possess the required skills, competencies, and qualifications.

To apply for an open position, employees should submit an employment application to the Human Resources Department listing job-related skills and accomplishments. It should also describe how their current experience with the City, prior work experience, and education qualifies them for the position.

Job posting is a way to inform employees of openings and to identify qualified and interested applicants who might not otherwise be known to the hiring manager. Other recruiting sources may also be used to fill open positions in the best interest of the City.

## **APPLICATION FOR EMPLOYMENT**

Employment applications and interviews are the starting point in gathering information about prospective employees. Job applications are distributed through various City of Belle Glade departments.

To be considered for employment, a completed employment application must be submitted to the Human Resources Office, including fingerprints for certain positions. Any falsification or misstatement of information on the application or during an interview will subject the employee to discipline up to, and including, termination upon discovery of the falsification or misstatement. Fraudulent conduct, false statements or omission of information by an applicant or by others under his or her direction in any application shall be deemed cause for the exclusion of such applicant from the eligible register or for discharge from the service after certification in conjunction with this policy.

Defective applications may be corrected or revised by applying in person to the Human Resources Department, provided said defect is corrected or revised prior to the final date for receiving applications for the position for which the applicant applied.

Complete applications shall be filed with Human Resources.

The applications of all individuals shall be preserved by Human Resources and retained in the individuals' personnel files upon hiring, and retained in conjunction with the applicable retention schedule promulgated by the Division of Library and Information Services, Department of State. Applications of the individuals who were not hired by the City shall be retained for 24 calendar months. Employment applications, however, shall only be considered active for 30 days following the appointment for which the application was submitted.

## **EMPLOYMENT QUALIFICATIONS**

Various positions require specific knowledge and requirements. In such cases, any applicable documents verifying such knowledge or requirements (e.g. certificates, degrees, licenses, civil service examination scores) must be provided at the time the application is submitted and prior to the applicant being placed on the eligibility roster.

Applicants shall be screened and processed through the Human Resources Department.

### **Minimum Age For Police And Fire Department Employees**

Applicants for a position in the Police Department or Fire Department shall not be less than the minimum age as of the date of commencement of employment as the same are established by City Charter, and if the Charter has no such provision, by the City Ordinance, and if the City Ordinances have no such provision, by State Statutes for such positions, and if the State Statutes have no such provision then the minimum age with

reference to the Fire Department shall be eighteen years of age, the minimum age with reference to the Police Department shall be twenty-one years of age.

### **Character And Fitness Of Applicant**

Every applicant must furnish proof of good character and physical ability to perform the essential functions of the position, with or without reasonable accommodation, to which he or she seeks appointment. Proof produced at any time to the Human Resources Department of a disability, recognized under the Americans with Disabilities Act, of the applicant such that the applicant is not capable of performing the essential functions of the position with or without a reasonable accommodation shall be deemed sufficient cause to remove him or her from an eligible register. Proof produced at any time to the Human Resources Department of the bad character, dissolute habits, immoral conduct or the dismissal for good cause from the public service of any applicant or eligible, shall also be deemed sufficient cause to remove him or her from an eligible register. Such exclusions shall be in the sole discretion of the City Manager upon recommendation by the Human Resources Department and input from the Department Head.

### **Prohibition Against Nepotism**

It is the policy of the City to avoid hiring relatives into the workplace whenever possible. However, on occasion more than one relative may work for the City. A relative is defined as an individual who is related to the employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother or half sister. The following guidelines will govern these situations:

1. When related persons work for the City, one relative may not supervise another.
2. Related persons will not be involved in evaluating each other's job performance or in making recommendations for salary adjustments, promotions or other budget decisions.
3. Related employees shall not be employed in the same division except for those employees who are currently employed in the same division at the time of the adoption of these policies.

### **Persons Previously Dismissed Or Discharged**

No application for reinstatement or for a position in the classified service shall be accepted from any person who has been dismissed or discharged from the classified service and not reinstated after the opportunity for appeal and hearing as set forth in these rules and policies.

### **EMPLOYEE SELECTION PROCESS**

When a vacancy is to be filled, qualified applicants shall be selected from an eligibility roster and referred to the appropriate department for interview selection. The Human



Resources Office shall contact the selected applicants to schedule a personal interview with the department head.

The department head and/or the appointment interview team, if any, shall provide an impartial interview for all applicants selected. Upon completion of all interviews, the name of the most suitable and capable person selected shall be submitted in writing to the Human Resources Department by the department head. The Director of Human Resources shall submit to the City Manager the department's selection for employment. The City Manager is the appointing authority and shall appoint the department's selection unless he or she has cause to reject the appointment.

## **EXAMINATIONS/TESTING**

### **Notice of Examination**

The Human Resources Department may conduct appropriate testing of applicants, as determined by the Director of Human Resources, for particular positions including, but not limited to, typing tests for secretarial positions. The result of any such testing shall be provided to the Department Head for consideration during the interview process if selected for an interview.

## **ELIGIBILITY REGISTER**

The Human Resources Department shall cause an eligibility register to be established and maintained in such manner and at such place it deems advisable to carry out the general purpose of the Civil Service Law, the City and these rules. The eligibility register shall be maintained in a location and format that is readily available to the appointing authority.

Names remaining on the eligibility register for two years and one day shall be stricken therefrom by Human Resources. The names may be replaced only after application. Any eligible who fails to report for an interview or duty within five days after notice to report shall be removed from the eligibility register by Human Resources.

Former employees terminated by the City, and not reinstated after the opportunity for appeal and hearing, shall not become eligible for re-employment with the City.

Persons who fail to comply with all reasonable and lawful requirements of the Board or Human Resources Department in regard to such factors as minimum age, physical condition, training and experience, or who have been convicted of a felony or who have attempted any deception or fraud in connection with an examination or testing shall be rejected or removed from the eligibility register.

## **NEW HIRE ORIENTATION**

The City of Belle Glade believes that a smooth and thorough orientation of new employees results in a positive integration of new employees into the City's operations. Such integration leads to a more productive and satisfying employment relationship. For this reason, new employees shall be scheduled for a thorough orientation promptly

following their appointment. At orientation the new employees will receive information regarding the City's benefits, policies, and expectations and complete the required documentation.

### **INTRODUCTORY PERIOD**

An employee's appointment to the classified service or for promotion therein shall not be complete until the employee has served a six-month introductory period (one year for public safety officers) in the position to which the employee was appointed. The Department Head shall recommend to the Human Resources Department whether such introductory employee is qualified for the position. At any time within the six-month period, the department head may dismiss the employee from such position and shall not be obligated to appoint him or her again to such position. Additionally, the employee's name shall be removed from the eligibility list.

### **IMMIGRATION LAW COMPLIANCE**

The City of Belle Glade is committed to employing only United States citizens and aliens who are authorized to work in the United States and complies with the Immigration Reform and Control Act of 1986. As a condition of employment, each new employee must properly complete, sign and date the first section of the Immigration and Naturalization Form I-9 at the time the offer of employment is accepted. The employee must also provide the supporting documents within three (3) business days or as otherwise provided by law. Before commencing work, newly rehired employees must also complete the I-9 Form if he or she did not previously do so, if his or her prior I-9 Form is more than three years old or if his or her previous I-9 Form is no longer valid. Rehired employees must also complete the I-9 Form upon acceptance of their position and also have three (3) business days to provide supporting documentation. Any employee whose immigration status changes at any time during employment must notify the Director of Human Resources immediately.

### **FILE FOLDERS**

The Human Resources Office is responsible for the maintenance and official record keeping of all Personnel records. Each employee shall have four separate but related personnel file folders. The four folders include: general personnel file; medical; workers' compensation; and, I-9 documentation. Employee I-9 documentation may be kept together with all other employee I-9 documentation in a folder or set of folders. Such grouping of I-9 documentation for all employees shall be considered each employee's I-9 folder as contemplated above.

It is the responsibility of each employee to promptly notify the Human Resources Department of any changes in personal information. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of emergencies, educational accomplishments and other such status reports should be accurate and current at all times. This information is requested and maintained in accordance with applicable law and as may be necessary for employee benefits. All

employee information changes should be reported in writing to the Human Resources Department.

The public record laws require that “all state, county, and municipal records shall be available at all times for a personal inspection by any person.” The Public Records Act requires public employers to produce most types of documents that are commonly found in an employee’s personnel file. Even though the Act does not require employers to notify employees when their records are produced, the City of Belle Glade will attempt to notify affected employees whenever possible.

### **EMPLOYEE CONFIDENTIALITY AGREEMENT**

Employees shall not divulge any information, other than public information, that was obtained as a result of his or her City position to gain personal advantage for him or her self or to gain advantage for anyone else.

#### **Definitions:**

“Information obtained as a result of City position” means any information that has not been distributed to the public through media reporting, direct mail, public hearings or published legal notices or information that is available to a member of the public only by request.

“Public Information” means any information that has been disseminated, divulged, or disclosed to the public or media through official channels such as public hearings, published legal notices, media reporting, direct mail, or information that has been disclosed under Chapter 119, Florida Statutes, after request by a member of the public.

“Personal advantage” means placing the employee or the recipient of the information in a position of advantage over the general public, a situation which constitutes a violation of the public trust; this does not refer to the divulgence or use of information in the performance of official duties.

#### **Guidelines:**

Examples of using information for personal advantage include:

1. Knowing that the price of real estate in a certain area will go up because of a proposed private development that has not yet been made public and then purchasing real estate in the area or advising others to purchase before prices increase;
2. Disclosing the low bid on an item to be purchased or contracted by the City so that another bidder can adjust its bid downward;
3. Hearing that City officials may take a particular action and “leaking” the information to a member of the public or press before the action becomes a matter of public record or is released to the press or public in general;

4. Knowing that the City staff is investigating an employee for suspected misconduct and either (a) “tipping off” the employee or providing the employee with details of the investigation; or (b) telling members of the public, including the press, details about such investigation before such details are made public;
5. Using City records to compile mailing lists for use other than official business; or
6. Using or disclosing any information that, while subject to disclosure upon request under Florida Statute Chapter 119, is not readily available to the public without making a formal request under Chapter 119, Florida Statutes.

The foregoing examples are for illustrative purposes only and are not an exhaustive list of situations where an employee is not permitted to disclose or divulge particular information.

Employees understand and agree that violation of this agreement or the confidential policies stated herein shall subject them to immediate discipline up to, and including, immediate termination or suspension. It is agreed and understood that the proper functioning of the City is impeded by disclosure of information in violation of this agreement and the policies and guidelines stated herein.

Violation of this policy shall be considered misconduct connected with employment as contemplated by Chapter 443, Florida Statutes, governing unemployment compensation and may subject the employee to immediate discharge or other disciplinary action.

### **OATH OF OFFICE**

Pursuant to Florida Statute Section 876.05, all city employees shall take the following oath before any person duly authorized to take acknowledgements of instruments for public record in this state and the oath shall be filed with the records of the City prior to the approval of any payment of salary, expenses or other compensation:

I, \_\_\_\_\_, a citizen or resident alien of the State of Florida and of the United States of America, and being employed by or an officer of the City of Belle Glade and a recipient of public funds as such employee or officer, do hereby solemnly swear or affirm that I will support the constitution of the United States and the State of Florida.

### **POLICE and FIRE UNIFORM PERSONNEL**

Both Police and Fire Departments have a set of different in-house procedures that they must follow, in accordance with the law, prior to hiring police officers and firefighters. Such procedures include, but are not limited to, background checks, polygraphs, and psychological testing.

Upon completion of the preceding procedures, the process will then require approval by the City Manager through the Human Resources Department. Upon approval by the City Manager, the employee is scheduled for the next new hire orientation and enrollment schedule with the Human Resources office.

### **TEMPORARY EMPLOYEE**

The City Manager has the authority to employ and discharge temporary employees for non-classified or classified positions only upon recommendation of the Human Resources Director. However, this method of employment shall not be used to defeat the purpose of the Civil Service System or regular hiring procedures. A temporary employee may be hired for a period not to exceed six months, with successive temporary employment in order to avoid stoppage of orderly conduct of the business of the City. However, such employment shall cease upon a satisfactory eligible becoming available.

A temporary employee does not receive any benefits other than those required by law, such as workers' compensation and federal taxes. Temporary employees are only paid for time worked. Hiring procedures are the same for temporary employees as for regular employees. However, when an emergency arises, upon the approval by the City Manager, temporary sporadic employment is allowed for a period not to exceed six months. Employees in this class are subject to all the rules, policies, regulations, testing, and other such evaluations as the regular full-time employees. Upon completion of service, employment will immediately cease.

The Board shall have the power to investigate any such employment or procedure and to enforce or cause to be enforced the provisions of the Civil Service Rules and provisions of the City Charter relating to same should any violation occur.

### **REGULAR PART-TIME EMPLOYEE**

Regular part-time employees are employed in positions employed for 36 hours or less per week. Positions of this class are not eligible for most benefits (including, but not limited to, medical, dental or life insurance, or retirement benefits by the City) other than required by law. Part-time employees are eligible for vacation and sick leave benefits at a reduced accrual rate. Employees in this class are subject to all the rules, policies, regulations, testing, and other such evaluations as the regular full-time employees.

### **POST-EMPLOYMENT PHYSICALS**

All original eligibles on the eligibility register after appointment and prior to beginning work shall have a physical examination by a physician selected by the City Commission. The physician shall certify whether or not such person is physically fit to perform the essential functions of the position, with or without accommodation, so long as the accommodation is not unduly burdensome on the City. The appointing authority, upon reviewing the physician's report may confirm the appointment or reject the appointee as being physically unfit in accordance with the physician's report and so notify the Human Resources Director. If the physician's report is such that the appointing authority is not certain the appointee is physically fit he may submit the question to the Human

Resources Director for its recommendation as to whether the appointee should begin work in the appointed position or not. The City shall pay the cost of such physical examination.

A representative from the Human Resources office will make all appointments with the contracted physician for post employment physicals as well as drug screening or EKG, if necessary. An EKG is required for Police Officers and Firefighters.

### **BACKGROUND SCREENING**

Applicants and employees may be required to submit to background screening including, but not limited to, drug and alcohol screening, credit history and criminal history checks. Such screening may require the applicant to provide his or her fingerprints through the City of Belle Glade Police Department. As a condition of employment, applicants may be required to provide such information as is necessary to conduct such screening. Failure to do so upon request shall prevent the applicant from further consideration for employment. Applicants and employees for positions in finance, as lifeguards or as water safety instructors shall be required to submit to a criminal history check prior to beginning work in such positions.

## **CLASSIFIED POSITIONS AND PAY PLAN**

### **CLASSIFICATION OF SERVICE**

All Civil Service Employees of the City shall be placed into the appropriate classified positions as designated in the "Position Classification and Pay Plan" as adopted and amended by the City Commission including titles for said positions. The Board or Human Resources may recommend a plan or amendments to the plan. However, the pay plan may be adopted or amended by the City Commission with or without recommendations by the Board.

Titles for each position in the classified service shall be descriptive of the general duties attached thereto and indicative of the grade and shall be the same for offices and positions requiring the same kind of service, regardless of the location of employment. Titles shall not be changed except by Human Resources upon written approval from the City Manager setting forth reasons why such change is desirable or necessary. Such titles shall be used to designate the office or position in all the reports to and records of the Board relating to certification.

### **CHANGE OF CLASS**

Reclassifications most often occur by reclassifying an entire class of workers when the work performed changes substantially over a period of time. These changes often take place when technology is introduced, or the mission of a section is changed in response to changing legislation or changing service demands. Reclassification may also occur where an individual's job changes through design or evolution.

Reclassifications are generally initiated through Human Resources, but may be initiated at the request of the individual or the supervisor. Reclassification initiated by the individual or supervisor shall be supported by written documentation. Such documentation will be considered in conjunction with various factors in the job weighed and considered relative to the importance of the duties and responsibilities of other positions within the overall classification system.

When Human Resources initiates a reclassification, all employees holding the same job title shall complete a questionnaire. Additionally, Human Resources may conduct a desk audit of the individual's job or a representative number of employees if the reclassification is for a group of jobs. If it is determined that a reclassification is justified, approval shall be recommended by Human Resources and the Department Head, with approval of the City Manager.

The class of an employee may only be changed by the City Commission. Each such reclassification shall be based upon a substantial change in duties and responsibilities as described in the class specifications pertaining to the employees' new classification. Where the maximum pay range of the employees' new class is less than the pay the employee received prior to reclassification, the pay shall not be reduced, but the employee shall receive the greater rate of pay between that received prior to reclassification and the pay range attained by the employee in the reclassified position.

#### **CHANGE OF DUTIES**

When the duties of an office or classified position are changed so that they substantially differ from the duties prescribed at the time such office or position was originally classified, and from the duties of other positions in the class, such change of duties shall operate to abolish such office or position and shall create a new position. The Human Resources Department shall proceed to classify such office or position by certification from an existing eligible list, promotion, demotion or transfer.

#### **CLASS PAY RANGES—COMPENSATION—WHEN PAID**

Appointment to a position either by original appointment or by promotion shall be made within the pay grade for the class as approved by the City Manager within the adopted pay grade for the position except that no employee shall have compensation reduced by reason of a promotion.

#### **NEW POSITIONS—PROCEDURE WHEN CREATED—DUTY OF CITY MANAGER**

Any new office or position shall be created by the City Commission, upon recommendation of the Department Head, and review and approval by Human Resources and the City Manager. A report of such action shall be made immediately to the Board by Human Resources setting forth a statement of the general duties, suggested salary, and any other matters affecting the character and grade of such office or position.

## **CLASSIFIED POSITIONS, SCHEDULE OF**

The “Position Classification and Pay Plan” and the “Schedule of Classified Positions”, as amended from time to time, maintained on file in the Human Resources office, are hereby adopted by reference and made part hereof as if fully set forth herein.

## **COMPENSATION**

It is the responsibility of the Human Resources Department to maintain consistent pay relationships throughout the City. It is the City of Belle Glade’s intent to uphold the principles, provisions, and standards set forth in the Equal Pay Act, the Fair Labor Standards Act, the City’s approved Compensation Salary Benefit Plan, and all other Federal and State laws relating to payment of wages.

## **PAYROLL PERIODS AND RECORDS**

The City of Belle Glade has three (3) separate payroll periods.

- *Payroll 1:*  
*Weekly payroll* –runs from Wednesday through Tuesday of each 7-day period. Non-Administrative personnel of the Public Services Departments are paid during this period.
- *Payroll 2:*  
*BI-Weekly payroll* – runs from Wednesday through Tuesday of each seven- (7) day period, on two- (2) week processing intervals. Employees paid during this cycle include all City Hall Departments, Police Department, Fire Department Administrative Personnel, Marina, Golf Course and Recreation Departments.
- *Payroll 3:*  
*Firefighter payroll* – runs on a 27-day cycle of 204 hours per cycle. Employees are paid on 14- and 13- day pay run. The first half of the 27-day pay cycle or 14 day run, firefighters are paid 112 regular hours. The second half (remaining 13 days) of the 27-day pay cycle or run, firefighters are paid 92 regular, plus overtime, leave, or holiday hours remaining as applicable. Employees in this run include Firefighters, Fire Pump Engineers, and Fire Lieutenants.

Payroll 1 employees – are paid 52 weekly payrolls per calendar year; Payroll 2 employees – are paid 26 Biweekly payrolls per calendar year; Payroll 3 employees—are paid 27 payrolls per calendar year.

## **TIMESHEETS**

The Human Resources office processes employee payroll timesheets on a biweekly basis.

## **ADVANCE PAY**

The City will not provide pay advances on wages or leave to employees.



## **PAYROLL PROCESSING**

Each department is required to record and report all hours worked at the time hours are worked on the applicable timesheets. Supervisors will record and approve hours at the conclusion of each pay period on the employee's individual timesheet.

Completed timesheets must be verified and acknowledged by the employee and submitted to the Finance Department for audit, verification of leave hours and processing.

Payroll checks are distributed by the Human Resources Department to the individual departments on Friday for departmental pickup. No employee is permitted to pick up his or her payroll check from the Human Resources Department without prior approval from the department head.

## **EMPLOYEE DEDUCTIONS**

### **Insurance Remittance and Deduction Process**

Employee insurance premiums, voluntary and noncontributory premiums, are processed on a monthly payment schedule. Voluntary insurance premiums are deducted from an employee's payroll according to their pay schedule. Calculations are derived by multiplying the monthly amount times twelve (12) months, dividing the product by the number of pay periods. (i.e. \$12 monthly x 12 months divided by 26 pay periods = \$5.54 per pay period).

### **Contributory Life/Health Insurance Premiums**

All employee or dependent changes and new enrollments are processed on the first day of the month following the employee's eligibility date.

### **Other Pay Deductions**

The law requires that employers make certain deductions from every employee's compensation. Among these are applicable Federal income taxes. Employers also must deduct Social Security and Medicare taxes from each employee's earnings subject to any specified limit that is called the "wage base". The employer also matches the amount of Social Security or Medicare taxes paid by each employee. Other deductions may be made for health and life insurance, 401(k) contributions or obligations to the employer, or as required by law. Questions concerning pay check deductions should be directed to Human Resources in writing.

### **Pay Adjustments**

Precautions are taken to ensure that employees are paid correctly. If an error does occur in timekeeping, overtime, pay deductions or any other compensation issue, the employee must notify the department designee in writing who shall notify the Human Resources Department in writing immediately, but no later than two working days from receipt of the check in question, to make appropriate pay adjustments on the forthcoming payroll.

## **OVERTIME POLICY**

It is the policy of the City that overtime work is to be discouraged. Overtime work may be required of an employee provided such overtime shall be limited to emergency conditions which endanger the public health, safety or welfare; or for services required for the protection or preservation of public property; or to perform the essential functions of a department which cannot be deferred and which cannot be performed with the personnel available during normal working hours, either because of vacancies in authorized positions or because of abnormal/unusual circumstances in the activities of the department. When possible, advance notification of these mandatory assignments will be provided. All overtime work must receive the supervisor's prior authorization. Overtime assignments will be distributed equitably and practically to all employees qualified to perform the required work.

Overtime compensation is paid to all nonexempt employees in accordance with federal and state wage and hour laws. Overtime pay is based on actual hours worked. Time off on sick leave, vacation leave, or any leave of absence will not be considered hours worked for purposes of performing overtime calculations. Overtime pay shall be paid to non-exempt employees for hours worked in excess of 40 hours during any given workweek. However, fire protection employees shall be paid overtime for hours worked in excess of 204 hours during the 27-day work period.

Failure to work scheduled overtime or work overtime without prior authorization from the supervisor will result in disciplinary action, up to and including possible termination of employment.

## **LEAVES OF ABSENCE WITH PAY**

Employees may be granted leaves of absence with pay upon approval of the Department Head and the City Manager for the following:

### **COURT LEAVE**

Employees requesting leave for court appearances, whether as a witness or to serve on a jury, shall be paid in accordance with the following guidelines. However, all employees absent from work pursuant to this provision shall provide the immediate supervisor with either the summons or subpoena requiring attendance in addition to the amounts paid to the employee as a witness or juror. The City will deduct any amount paid to the employee by a third party for such appearance from the amount of paid leave.

1. If an employee receives a subpoena as a trial witness or to give a deposition regarding matters that arose out of the scope and course of City employment, the employee should notify his Department Head or designee for further direction. The employee will be granted leave with pay. For accounting purposes, the subpoena must be attached to the payroll timesheets and attendance confirmed by the clerk of court to receive leave pay.

2. If an employee is summoned for jury service, the employee will be granted leave with pay up to a maximum of 7 days. For accounting purposes, the subpoena must be attached to the payroll timesheets and attendance confirmed by the clerk of the court to receive leave pay.
3. If an employee is summoned or receives a subpoena as a trial witness or to give a deposition in a matter that is not job related, the employee will not be granted leave with pay. In such cases the employee shall use vacation leave or leave without pay.
4. If an employee is a party to, or is a prospective beneficiary of, litigation that is not job related, the employee shall not be granted leave with pay. In such cases the employee shall use vacation leave or leave without pay.

### **OFFICIAL TRAINING COURSES**

Employees may be granted leave with pay for official training courses such as conferences, conventions, workshops, seminars, or similar meetings. However, such leave must be approved in advance, in writing, by the employee's supervisor and the City Manager. Successful completion of training will not result in an increase in pay unless the training results in a promotion or reclassification.

### **MILITARY LEAVE**

All commissioned reserve officers or reserve enlisted personnel in the United States military or naval service or members of the National Guard shall receive a leave of absence without loss of vacation leave, pay, time or efficiency rating, on all days during which they are engaged in training ordered under the provisions of the United States military or naval training regulations when assigned to active or inactive duty. In any one annual period, leaves of absence shall not exceed 17 days provided that leaves of absence for additional or longer periods of time for assignment to duty functions of a military character shall be granted without pay and without loss of time or efficiency rating.

All officers or enlisted personnel in the National Guard or a reserve component of the Armed Forces of the United States who are granted leave to perform active military service shall receive their full pay for the first 30 days of any such leave.

Employees seeking to invoke military leave shall provide advance notice to the City unless such notice is precluded by military necessity or otherwise impossible or unreasonable as interpreted under applicable law.

Employees on military leave for periods of more than 30 days shall provide the City with such documentation that can be used to establish the employee's basic eligibility for protection under the Uniformed Services Employment and Reemployment Rights Act of 1994. If the employee is unable to provide satisfactory documentation of military service in excess of 30 days, the City reserves the right to contact the military unit with assistance from the employee to obtain such documentation.

Employees on military leave will be reinstated with the City of Belle Glade in accordance with applicable State and Federal Laws.

Upon the return of any employee from Military Leave, as described above, the temporary services of the employee filling his/her position shall be terminated or said temporary employee moved elsewhere in the City's service, at the City's sole discretion.

## **SICK LEAVE POLICY**

### **Purpose**

Paid leave is granted solely for the purposes of caring for illness of the employee or the employee's immediate family. In the event of a death in the employee's immediate family or a death in the employee's spouse's immediate family, the bereavement policy below provides for the use of some portion of sick leave to be applied to situations involving death.

### **Accrual**

Full-time, regular employees who work 40 or more hours each week, accrue a total of 8 hours of sick leave per month.

Part-time regular employees who work 24-39 hours per week accrue a total of 4 hours sick leave per month.

Firefighters accrue a total of 11.2 hours of sick leave per month.

### **Maximum Accumulation of Sick Leave**

Full-time employees may accumulate no more than 400 hours.

Part-time employees may accumulate no more than 200 hours.

Firefighters may accumulate no more than 672 hours.

### **Use of Sick Leave**

Employees begin accruing sick leave hours upon commencement of employment. However, employees are not permitted to use sick leave until after successful completion of the probationary period.

Employees shall request foreseeable sick leave in writing a minimum of 30 days in advance of such leave. Should such leave be unforeseeable, the employee shall request such leave as soon as practicable after learning of the need for sick leave. Employees who use sick leave for three consecutive business days or shifts shall submit a medical certification regarding the use of such leave within 15 days of the first day the leave began. Additionally, employees who use sick leave for three consecutive business days or shifts shall submit a health care provider's certification that the employee is able to return to work and any medically necessary work-related restrictions.

### **Unused Accumulated Sick Leave**

Eligible employees may be awarded compensation for unused accumulated sick leave. An employee is eligible if the employee is in “good standing” and (a) retires at normal retirement age, or beyond, (b) concludes employment by taking early retirement prior to reaching the normal retirement age, or (c) who resigns from the City.

“Good Standing” is defined as:

1. An employee who was not terminated by the City;
2. An employee whose resignation or retirement was not a result of, or related to, any disciplinary action imposed by the City Manager;
3. An employee who has not been accused, or convicted of any criminal act; or the employee has not been engaged in any action that is detrimental to the City, unbecoming a City employee, or unethical or otherwise inappropriate action as determined in the sole discretion of the City Commission;
4. An employee who does not have an investigation pending as to any action or inaction taken by the employee, or an employee whose separation from employment was not the result of, or related directly or indirectly to, any proposed investigation or disciplinary action by the City Manager;
5. An employee whose has not received any written disciplinary action within the past 30 days; and
6. An employee who has no pending hearings before the Civil Service Board.

Good Standing shall be determined by a Determination Team comprised of the Assistant City Manager, Director of Human Resources, the employee’s immediate Director, and two additional directors who shall within three weeks of the employee’s resignation, submit their written recommendation to the City Commission at the next Commission meeting. Final determination of whether the award is made shall be within the sole discretion of the City Commission and shall not be appealable.

Employees who do not meet the definition of “good standing” as defined in subsection 3, 4, and 5, shall not have the award presented to or considered by the Commission, until such time any pending investigation or hearings have been concluded.

In the event the City Commission determines an award be given to an employee meeting the qualifications contained herein, compensation for the employee’s unused accumulated sick leave shall be compensated in accordance with the following formula:

- a. The employee’s total number of hours of unused accumulated sick leave shall be calculated as follows: the total allowable number of unused accumulated sick leave hours, up to the maximum allowed by these policies, shall be multiplied by the employee’s hourly rate of pay at the time of retirement or resignation, and then multiplied by the percentage associated with the number of years served. The product of that

calculation shall be the amount paid to the employee for unused accumulated sick leave.

- b. The percentages associated with the number of years served are as follows:

0-4 years service	0%
5 years service	20%
6 years service	24%
7 years service	28%
8 years service	32%
9 years service	36%
10 years service	40%
11 years service	44%
12 years service	48%
13 years service	52%
14 years service	56%
15 years service	60%
16 years service	64%
17 years service	68%
18 years service	72%
19 years service	76%
20 years service	80%
21 years service	84%
22 years service	88%
23 years service	92%
24 years service	96%
25 years service	100%

- c. In determining total years of service where the total years of service is a fractional year of less than six (6) months shall be ignored and a fractional year of more than six (6) months shall be included as one full year in determining the total years of service.

The provisions regarding compensation for unused accrued sick leave do not create any vested right in any municipal employee and are awarded only at the sole discretion of the City Commission by a motion passed by the majority of the commissioners present at any Commission meeting and subject to funding availability.

### **BEREAVEMENT POLICY**

Employees who wish to take time off due to the death of an immediate family member or relative, as both terms are defined below in this bereavement policy, must obtain approval from their supervisor immediately.

CITY defines “immediate family” for the purposes of this policy as spouse, mother, father, son, daughter, sibling, step-father, step-mother, step-child, grandparent, and

grandchild of the employee or the employee's spouse. The CITY defines "relative" for the purposes of this policy only as the following persons who legally reside at the home of the employee: uncle, aunt, first cousin, nephew, niece, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, step-siblings or half-siblings.

Up to 3 days of paid bereavement leave (chargeable to accumulated sick leave and/or vacation leave) will be provided to eligible employees in the following classification(s):

- Regular full-time employees
- Regular part-time employees

where the leave results from the death of a member of the immediate family or a relative whose funeral services are scheduled to occur no more than 250 miles from the City of Belle Glade.

Up to 5 days of paid bereavement leave (chargeable to accumulated sick leave and/or vacation leave) will be provided to eligible employees in the following classification(s):

- Regular full-time employees
- Regular part-time employees

where the leave results from the death of member of the immediate family or a relative whose funeral services are scheduled to occur in excess of 250 miles from the City of Belle Glade.

Bereavement pay is calculated based on the base pay rate at the time of absence and will not include any special forms of compensation, such as commissions, bonuses, or shift differentials.

Bereavement leave will normally be granted unless there are unusual business needs or staffing requirements. Employees may, with their Department Head's approval, use any available paid leave for additional time off as necessary.

## **VACATIONS**

### **Accrual**

Vacation leave is accrued monthly. An employee may accrue vacation leave up to the maximum as stated below. All vacation leave accumulated in excess of the below stated shall be forfeited at the end of month closing, except to the extent that the employee was denied the opportunity to take such vacation leave by the City.

### **Amount**

Each part-time and full-time regular City employee having up to five (5) years of service with the City shall earn vacation leave at the following rate:

Regular Scheduled Hours (Weekly)	Rate of Leave Credited Per Month (Hours)	Accumulation Maximum (Hours)
20-36 part-time	4	160
40	8	320
56	11.2	448

Each part-time and full-time regular City employee having more than five (5) years of service with the City but less than ten (10) years of service with the City shall earn vacation leave at the following rate:

Regular Scheduled Hours (Weekly)	Rate of Leave Credited Per Month (Hours)	Accumulation Maximum (Hours)
20-36 part-time	5	200
40	10	400
56	14	560

Each part-time and full-time regular City employee having more than ten (10) years of service with the City shall earn vacation leave at the following rate:

Regular Scheduled Hours (Weekly)	Rate of Leave Credited Per Month (Hours)	Accumulation Maximum (Hours)
20-36 part-time	6	240
40	12	480
56	16.8	672

#### **Procedures for Use of Vacation Leave**

Every employee who has completed six full calendar months of service at a satisfactory or above rating may request the opportunity to take vacation leave, subject to the Department Head's approval, which may be denied for any non-discriminatory reason. However, employees who wish to use vacation leave must make such request in writing to the department head no later than one (1) day prior to the start of the proposed vacation.

#### **Effect of Holidays on Vacation Leave**

When a legal holiday falls during an employee's scheduled vacation leave or sick leave, such leave should not be charged, but rather holiday charged.

#### **Payment on Termination**

Accrued vacation leave, up to the maximum allowable amount, will be paid upon termination only to those employees who have been continuously employed by the City for a minimum of six calendar months.



### **Vacation Accrual During Leave Without Pay**

Employees who have been absent without pay shall not accrue vacation leave during the time the employee was absent without pay.

### **Sickness While on Vacation**

Sickness while on a scheduled vacation can not be charged to sick leave with pay.

### **Vacations Deferred**

The City Manager, the authoritative body, upon receipt of a written request for vacation deferment may advance written notice to the department head and employee(s) in danger of exceeding the maximum accrual in order that the vacation(s) in question be deferred until a later date, provided that such deferment is justified and based on good cause. Deferred vacation leave shall not exceed 80 hours in excess of the employee's maximum accumulation allowable. Such notice of deferment shall be given within a reasonable time, prior to any employee's forthcoming vacation.

## **LEAVES OF ABSENCE WITHOUT PAY**

An absence of an employee from duty, including any absence for a single day, that is not authorized shall be deemed to be an absence without leave and recorded as an unexcused absence. Any such absence shall be without pay and will subject the employee to disciplinary action, including suspension, demotion or dismissal in appropriate cases. Three unexcused absences in a 120-day period (excessive absenteeism) will automatically subject the employee to immediate dismissal and shall be considered misconduct connected with employment as defined under Chapter 443, Florida Statutes, governing unemployment compensation.

The absence of any employee from duty for three consecutive work days or in the case of shift personnel, for three consecutive scheduled shifts or in either of the aforementioned for a longer period, without notice to his or her department head (or where applicable, to the shift officer) of the reason for such absence and his intention to return, shall be considered in effect a voluntary resignation without notice (abandonment of the position). Failure of an employee to report for work at the expiration of a leave of absence or vacation, or upon the physician's return to work release for full or light duty in cases of work-related injuries, shall separate the employee from the City's service and shall be considered in effect a voluntary resignation (abandonment of the position).

Any employee whose employment is terminated due to excessive absenteeism or abandonment of the position is not eligible for rehire by the City of Belle Glade.

## **FAMILY AND MEDICAL LEAVE POLICY**

Eligible employees will be granted up to 12 weeks, or 26 workweeks in the case of service member family leave, of unpaid family, medical, or exigency leave during a 12-

month period in accordance with the Family and Medical Leave Act of 1993. Regular employees may be granted additional leave following 12 weeks of FMLA leave up to a maximum of six months leave. However, any such additional leave does not entitle the employee any protections afforded under the FMLA and the employee may not be reinstated to the same or similar position.

### **Notice**

Employees need to provide the department head with no less than 30 days written notice of their intent to take such leave when the leave is foreseeable. If such leave is unforeseeable, the employee shall provide notice as soon as possible after the employee learns of the need for the leave. Employees on approved family or medical leave with or without pay must make monthly contact with their department or division during their absence.

### **Definitions**

1. Active Duty – means duty under a call or order to active duty under a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code.
2. Contingency Operation – as referred to in section 101(a)(13) of title 10, United States Code means a military operation that—
  - a. is designated by the Secretary of Defense as an operation in which members of the armed forces are or may become involved in military actions, operations, or hostilities against an enemy of the United States or against an opposing military force; or
  - b. results in the call or order to, or retention on, active duty of members of the uniformed services under section 688, 12301(a), 12302, 12304, 12305, or 12406 of this title, chapter 15 of this title, or any other provision of law during a war or during a national emergency declared by the President or Congress.
3. Covered Service Member – means a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for an injury or illness incurred in the line of duty on active duty in the Armed Forces that may render the member medically unfit to perform the duties of the servicemember’s office, grade, rank or rating.
4. Health Care Provider – means:
  - a. a doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the State in which the doctor practices; or
  - b. any other person determined by the Secretary of Labor to be capable of providing health care services.
5. Next of Kin – means the nearest blood relative of that individual;
6. Outpatient Status – with respect to covered servicemember, means the status of a member of the Armed Forces assigned to –
  - a. military medical treatment facility as an outpatient; or
  - b. unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

7. Serious Health Care Condition –is an illness, injury, impairment, or physical condition that involves:
- a. Any period of incapacity or subsequent treatment connected with inpatient (overnight) care in a hospital, hospice, or residential medical care facility; or
  - b. A period of incapacity requiring absence of more than three consecutive, full calendar days from work, school, or other regular daily activities and any subsequent treatment or period of incapacity relating to the same condition that also involves:
    - i. Treatment two (2) or more times within thirty (30) days of incapacity, unless extenuating circumstances exist, by (or under supervision of) a health care provider; or
    - ii. Treatment by a health care provider on at least one (1) occasion that results in a regimen of continuing treatment under supervision of a health care provider.
- The first, or only, treatment visit under Subsections (a) or (b) must take place in person within seven (7) days of the first day of incapacity.
- c. Any period of incapacity due to pregnancy, or for prenatal care;
  - d. Any period of incapacity (or treatment therefore) due to a chronic serious health condition, which is defined as:
    - i. A condition that requires visits at least two(2) times per year for treatment by (or under the supervision of) a health care provider;
    - ii. Continues over an extended period of time, including episodes of a single underlying condition; and
    - iii. May cause episodic rather than a continuing period of incapacity such as asthma, diabetes and epilepsy.
  - e. A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective such as Alzheimer’s, stroke, or terminal diseases;
  - f. Any absences for restorative surgery after an accident or injury or to receive multiple treatments (including any period of recovery there from) by, or on referral by, a health care provider for a condition that likely would result in incapacity of more than three consecutive days if left untreated, such as chemotherapy, physical therapy, or dialysis.
7. Reduced Leave Schedule – means a leave schedule that reduces the usual number of hours per workweek, or hours per workday, of an employee.

8. Exigency-- one that is related to, or necessitated by, the active duty or call to active duty status of a covered military member and is also one of the following:
  - a. Short-notice deployment;
    - i. Leave for this purpose may be used for seven (7) calendar days beginning on the date the covered military member is notified of an impending call or order to active duty in support of a contingency operation.
    - ii. Leave for this purpose is used to address issues that may arise from the fact that a covered military member is notified of an impending call or order to active duty in support of a contingency operation seven (7) or less calendar days prior to the date of deployment.
  - b. Military events and related activities;
    - i. To attend any official ceremony, program, or event sponsored by the military; and
    - ii. To attend family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross.
  - c. Childcare and school activities;
    - i. To arrange for alternative childcare when the active duty or call to active duty status of a covered military member necessitates a change in the existing childcare arrangement for a child of a covered military member at the time FMLA leave is to commence;
    - ii. To provide childcare on an urgent, immediate need basis (but not on a routine, regular, or everyday basis);
    - iii. To enroll in or transfer to a new school or day care facility a child of the covered military member when enrollment or transfer is necessitated by the active duty or call to active duty status of a covered military member.
    - iv. To attend meetings with staff at a school or a daycare facility, such as meetings with school officials regarding disciplinary measures, parent-teacher conferences, or meetings with school counselors, for a child of the covered military member.
  - d. Financial and legal arrangements;
    - i. To make or update financial or legal arrangements to address the covered military member's absence while on active duty or call to active duty status, such as preparing and executing financial and healthcare powers of attorney, transferring bank account signature authority, enrolling in the Defense Enrollment Eligibility Reporting System (DEERS), obtaining military identification cards, or preparing or updating a will or living trust.
    - ii. To act as the covered military member's representative before a federal, state, or local agency for purposes of arranging or appealing military service benefits while the covered military member is on active duty or call to active duty status, and for a

- period of 90 days following the termination of the covered military member's active duty status.
- e. Counseling;
    - i. To attend counseling provided by someone other than a healthcare provider for:
      - 1. The employee;
      - 2. The covered military member; or
      - 3. The child of the covered military member.
  - f. Rest and recuperation;
    - i. Leave may be taken for up to five days for each instance of rest and recuperation.
    - ii. To spend time with a covered military member who is on short-term, temporary, rest and recuperation leave during the period of deployment.
  - g. Post-deployment activities;
    - i. To attend arrival ceremonies, reintegration briefings and events, and any other official ceremony or program sponsored by the military for a period of 90 days following the termination of the covered military member's active duty status; and
    - ii. To address issues that arise from the death of a covered military member while on active duty status, such as meeting and recovering the body of the covered military member and making funeral arrangements.
  - h. Additional activities.
    - i. To address other events provided that the employer and employee agree that such leave shall qualify as an exigency, and agree to both the timing and duration of such leave.

### **Eligibility**

To be eligible for family or medical leave, an employee must have been a City of Belle Glade employee for at least 12 months and have worked for at least 1250 hours during the previous 12-month period. Employees who do not meet the eligibility requirements for FMLA leave may request a leave of absence without pay from the department head and City Manager. Any unpaid leave not covered by FMLA shall be granted only within the sole discretion of the City Manager and may be denied for any nondiscriminatory reason.

In addition to the foregoing eligibility requirements, the employee must also show that the reason for the leave falls into one of the following categories:

- the birth of a son or daughter, and to care for the newborn child;
- the placement with the employee of a child for adoption or foster care, and to care for the newly placed child;
- to care for an immediate family member (spouse, child, parent, and parent "in-law") with a serious health condition;

- when the employee is unable to work because of a serious health condition;
- to care for a covered service member who is a member of the Armed Forces, including the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for an injury or illness incurred in the line of duty on active duty in the Armed Forces that may render the service member medically unfit to perform the duties of the service member's office, grade, rank or rating. The employee must be the family member or the next of kin (nearest blood relative) of the covered service member; or
- to address any qualifying exigency arising out of the fact that a spouse, child, or parent who is also a covered military member in the National Guard or Reserves is on active duty or called to active duty status in support of a contingency operation. Such leave is not available to an employee who is the family member or next of kin of a service member of the Regular Armed Forces. Additionally the call to active duty refers to a Federal call and not a State call, unless the State call was ordered by the President of the United States under certain circumstances.

#### **Birth, Adoption or Foster Care of a Child**

- A. An eligible employee can take up to 12 weeks of leave during a 12-month period measured forward from the first date family or medical leave is used. This applies equally to mothers and fathers. However, if both the mother and father are employed by the City of Belle Glade, the aggregate number of workweeks of leave that both can receive is limited to 12 work weeks during any 12-month period;
- B. The entitlement to leave expires at the end of the 12-month period beginning on the date of the birth, or placement of a child;
- C. Employees are required to use all paid sick and annual leave before taking unpaid leave;
- D. This type of leave shall not be taken by employees intermittently or on a reduced work schedule, unless the employee has prior written approval from the department head and City Manager.

#### **Leave due to serious health condition of the employee or to care for a family member having a serious health condition.**

For purposes of this section, family member is defined as a spouse, parent, parent-in-law or child. Spouse is defined in accordance with applicable state law. Parent means a biological parent or an individual who legally stands or stood in the place of the biological parent. Child means a biological, adopted or foster child, a stepchild, a legal ward or child of a person standing in the place of the biological parent.

An eligible employee can take up to 12 weeks of leave during a 12-month period measured forward from the first date leave is used.

Employees using FMLA leave for a serious health condition are required to exhaust their sick and annual leave balances before FMLA leave becomes unpaid.

Spouses employed by the City of Belle Glade are limited to a combined total of 12 workweeks of family leave for the care of an employee's parent or child who has a serious health condition.

### **Medical Certification**

The employee shall provide the City of Belle Glade Human Resources office with complete and sufficient certification of the need for leave from the health care provider of the employee, family member, or covered service member within 15 days of notification of the need for leave. The certification shall state:

1. The date on which the serious health condition began;
2. Health care provider contact information;
3. The probable duration of the condition;
4. The appropriate medical facts of the condition;
5. If the patient is the employee, information sufficient to establish the employee cannot perform the essential functions of the job, any other work restrictions, and the duration of the inability;
6. For family leave or service member leave, a statement that the employee is needed to care for the family member, and an estimate of the amount of time that such care is needed.
  - a. In the case where an employee is unable to return to work because he/she is caring for a service-member who is recovering from a serious injury or illness sustained in the line of duty while on active duty, a certification must be issued stating such by the health provider of the service-member being cared.
7. The medical necessity of any intermittent leave request and estimate of the frequency and duration of episodes of incapacity.

The City shall provide the appropriate certification form to be used for all employees requesting FMLA leave. When the certification is returned incomplete or insufficient, the City will notify the employee in writing what additional information is necessary. A certification is not sufficient if it is complete, but the information provided is vague, ambiguous, or non-responsive. The City will give the employee seven (7) calendar days to correct an incomplete or insufficient certification.

The certification shall be signed by the health care provider responsible for providing such services and not by a staff member employed by the health care provider. The employee will be required to obtain subsequent re-certification on a reasonable basis.

The City of Belle Glade may require, at its own expense, that the employee obtain the opinion of a second health care provider designated or approved by the City, however, the health care provider cannot be employed on a regular basis by the City.

Employees failing to provide complete and sufficient certifications as required, and after any opportunity to correct, may be denied the taking of FMLA leave.

### **Service-Member Family Leave**

For purposes of this section, family member is defined as a spouse, parent, or child. Spouse is defined in accordance with applicable state law. Parent means a biological parent or an individual who legally stands or stood in the place of the biological parent. Child means a biological, adopted or foster child, a stepchild, a legal ward or child of a person standing in the place of the biological parent. Next of kin is the nearest blood relative of the service member (other than the spouse, parent, or child of the covered service member) in the following order of priority: blood relative who has been granted legal custody of the covered service member by court decree or statute; brothers and sisters; grandparents; aunts and uncles; and first cousins; unless the covered service member has specifically designated in writing another blood relative as the nearest blood relative for purposes of military caregiver leave under the FMLA.

- An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service-member, who is recovering from a serious illness or injury sustained in the line of duty on active duty, may take up to a total of 26 workweeks of leave during a 12-month period to care for the service-member. The leave described in this paragraph shall only be available during a single 12-month period.
- During the single 12-month period, eligible employees are entitled to a combined total of 26 workweeks of leave for all types of FMLA leave;
- If both a husband and wife are employed by the City, the aggregate number of workweeks of leave that both can receive is limited to 26 workweeks during the single 12-month period for service member leave or a combination of service member leave and the other types of FMLA leave available;
- If an eligible employee does not take all of his or her 26 workweeks of leave entitlement under this section during the single 12-month period, the remaining part of the 26 workweeks of leave entitlement is forfeited. However, the leave entitlement is applied on a per-covered-service member, per-injury basis such that an eligible employee may be entitled to take more than one period of 26 workweeks of leave if the leave is to care for a different covered service member or to care for the same service member with a subsequent serious injury or illness, except that no more than 26 workweeks of leave may be taken within any single 12-month period. When the eligible employee takes leave to care for more than one covered service member or for a subsequent serious injury or illness of the same covered service member, and the single 12-month periods corresponding to



- the different military caregiver leave entitlements overlap, the employee is limited to taking no more than 26 workweeks of leave in each single 12-month period;
- Where leave qualifies as both leave to care for a covered service member and leave to care for a family member with a serious health condition during the single 12-month period, the City must designate such leave as leave to care for a covered service member in the first instance. This leave must not be designated and counted as both leave to care for a covered service member and leave to care for a family member with a serious health condition.
  - Service member leave may be taken intermittently or on a reduced leave schedule when medically necessary;
  - Employees using FMLA leave for service member leave are required to exhaust their sick leave then their paid time off balance before FMLA leave becomes unpaid.

**Leave due to a qualifying exigency arising out of the fact that a spouse, child or parent, who is also a National Guard or Reserve, is on active duty or called to active duty status in support of a contingency operation**

Leave taken due to a qualifying exigency may be taken on an intermittent or reduced leave schedule basis.

Eligible employees may take up to 12 weeks of leave measured forward from the first date leave is taken for a qualifying exigency.

**Intermittent or reduced work week leave**

Leave can be taken intermittently or on a reduced work schedule when medically necessary or as a result of a qualifying exigency. The taking of the leave intermittently or on a reduced work schedule shall not reduce the total amount of leave to which the employee is entitled. However, the employee must provide a certification from the health care provider stating that the employee's reduced work schedule is necessary and the expected duration and schedule of the intermittent leave or reduced work schedule. Such certification must also include the information listed under the foregoing "Medical Certification" section and shall also be signed by the health care provider responsible for providing such services and not by a staff member employed by the health care provider.

If an employee requests intermittent leave or leave on a reduced work schedule that is foreseeable based on a planned medical treatment, the employee:

1. May be required to transfer temporarily to an available alternative position (for which they are qualified) which has an equivalent pay and benefits and which better accommodates recurring periods of leave than the regular position of the employee.
2. Must make reasonable efforts to schedule the treatment so as not to unduly disrupt operations.

**Health Insurance During FMLA Leave**

During approved FMLA leave, the City is required to maintain group health insurance benefits. Maintenance of such group health insurance requires that the employee continue to contribute any co-payment of his or her normal portion of the insurance premiums to the City in order to maintain insurance coverage. For details on continuation of health insurance benefits for dependents, contact the City of Belle Glade's Human Resources Department.

### **Return from FMLA**

Employees returning from an FMLA leave are required to submit a fitness for duty certification by their healthcare provider prior to returning to work demonstrating the employee can perform the essential functions of the job. Failure to provide that certification may delay the employee's reinstatement.

After the beginning of the leave an employee may discover that circumstances have changed and the amount of leave time originally anticipated is either reduced or needs to be extended. In foreseeable circumstances where it is necessary to change leave time the employee is required to give the City notice within two business days.

An employee who accepts other employment, or who fails to return to work on the next regularly scheduled work day following the expiration of the leave, or who does not accept a position offered by the City when returning from a leave, will be considered to have voluntarily resigned from their employment.

Questions on Family and Medical Leave can be directed to the Human Resources Department. Forms relating to the Family and Medical Leave Act are attached in the appendix to these policies.

## **WORK SCHEDULES AND ATTENDANCE**

### **HOURS OF WORK**

The normal workday for full-time employees is eight hours long, forty hours weekly for general and police employees and 24 hours for fire personnel. Starting and ending times may vary from department to department, but generally administrative personnel work 8:00a.m. until 5:00p.m. Public Service personnel generally work from 7:00a.m. until 3:30p.m.

Many City departments perform around-the-clock services, and if you are employed in such a department you may be required to work different shifts and possibly longer hours. Your supervisor will explain your particular work schedule to you.

## **LEGAL HOLIDAYS**

All part-time and full-time regular employees are entitled to eleven (11) paid Holidays each year. Legal Holidays to be observed are:

New Years Day (January 1)  
Martin Luther King Jr. Birthday (third Monday in January)  
Washington's Birthday (third Monday in February)  
Memorial Day (last Monday in May)  
Independence Day (July 4)  
Labor Day (first Monday in September)  
Veteran's Day (November 11)  
Thanksgiving Day (fourth Thursday in November)  
Christmas Day (December 25)  
Two additional days to be determined by the City Manager

Should a holiday fall on a Saturday, the preceding Friday shall be considered the holiday for the City employees. If the Holiday falls on a Sunday the following Monday shall be considered the legal Holiday. Holiday hours shall be paid at a rate of not greater than 8 hours for full-time regular employees and at a rate not greater than 4 hours for part-time regular employees.

If you must work on a holiday, you will receive payment for the holiday at the regular rate of pay in addition to the actual hours worked.

Hourly rate employees must work their regular work day immediately before and after the holiday in order to receive pay for the holiday or be on an authorized paid leave immediately before and after the holiday. Temporary employees shall not be entitled to holiday leave with pay.

## **ATTENDANCE**

Attendance is an essential function of every position at the City of Belle Glade. Absenteeism places a burden on other employees and City resources. If an employee is unforeseeably unable to work as scheduled, he or she must notify the immediate supervisor as soon as possible in advance of the anticipated absence but not later than one-half hour prior to the employee's scheduled start time. Poor attendance is disruptive and may lead to disciplinary action, up to and including termination. Attendance problems are not tolerated and may lead to termination after the first offense. However, three unexcused absences in any 120 day period shall lead to immediate termination.

## **TARDINESS POLICY**

Punctuality and consistent attendance are essential functions of every position within the City of Belle Glade and are extremely important to the proper performance of the City's functions.

This policy shall be administered on a rolling annual basis. This period shall begin with the date of the employee's first violation. Future violations will be measured from the date of the first violation in the preceding one year period. Violations occurring more than one year from the current violation shall not be considered for disciplinary purposes. The following example illustrates this policy:

1/15/02	First Violation
3/10/02	Second Violation
11/12/02	Third Violation
2/5/03	This becomes the Third Violation because the original first violation (1/15/02) is more than one year old and is dropped. The original second violation (3/10/02) now is considered the first violation as it is within one year from the most recent (2/5/03).

1. Any employee reporting to work later than the scheduled start time shall be in violation of this policy.
2. The first violation of this policy shall subject the employee to a verbal reprimand. The employee shall be given a notice that the policy has been violated and that future violation may result in disciplinary action.
3. The second violation of the tardiness policy will result in a written warning.
4. The third violation of the tardiness policy shall result in a final written warning.
5. The fourth violation of the tardiness policy shall result in a seven-day suspension without pay.
6. The fifth violation of the tardiness policy shall result in termination of employment.

Any employee believing that a violation of the policy should be excused must submit a written request to his/her department head to have said violation considered excused for good cause. Good cause is determined by the Department Head and the Director of Human Resources but shall not include oversleeping. Such written request shall be made and delivered to the individual's department head and to the Director of Human Resources by the close of the next business day after the violation (i.e. the incident of tardiness). Failure to timely request an excuse for the violation is a waiver of any right that the employee may have to contest the violation and the resulting discipline.

Upon receipt of a request to have a violation excused, the department head shall determine whether the individual has demonstrated good cause so that said violation shall be excused. Any violation that the Department Head excuses shall not be considered a violation. The maximum number of excused violations within one year will not exceed two.

## **EMERGENCY CLOSING**

At times, emergencies such as severe weather, fires, power failures, or hurricanes can disrupt the City's operation. In extreme cases, these circumstances may require the closing of City facilities.

When operations are officially closed due to emergency conditions, the time off from scheduled work will be paid to employees who were scheduled to work during the closing. Employees who are on scheduled paid leave during an emergency closing shall not receive any additional compensation associated with an emergency closing and shall only be entitled to the amount due to the employee under the applicable paid leave policy.

In cases where an emergency closing is not authorized, employees who fail to report for work will not be paid for the time off. Employees may request available paid leave time such as unused vacation benefits for the unauthorized time away from work.

## **HEALTH AND SAFETY**

### **WORKERS COMPENSATION**

A Workers' Compensation Insurance program is provided at no cost to all employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical or hospital treatment. This program provides certain financial benefits in the event of personal injury or death by accident, arising out of or in the course or scope of employment, and such diseases or infections as naturally or unavoidably result from such injury.

Any employee who sustains a work-related injury or illness must inform his or her supervisor immediately, regardless of how minor an on-the-job injury may appear. The supervisor and the designated representative, as posted on employee bulletin boards, must immediately complete all appropriate forms, including the First Report of Injury and contacting GENEX Managed Care, and give the employee direction on how and where to proceed for medical treatment. This will enable an eligible employee to qualify for coverage as quickly as possible.

The employee shall obtain medical care only from authorized medical network providers. Only the employee's treating physician can approve treatment by another physician. Once the employee has been seen by an authorized medical care coordinator, the primary care provider, the employee is permitted to make only one change to a different medical care coordinator during the course of treatment for that injury. Employees must return to work as soon as the physician releases the employee to work or for light duty, subject to availability.

GENEX has provided an informal and formal grievance procedure available for employees, medical providers, insurers or self-insured employers who may have complaints involving the managed care system. All medically-related issues will be

reviewed by physicians. Either procedure may be used at any time. However, the employee has up to one year from the date of occurrence to file a formal grievance.

**Informal Grievance Process:**

1. Upon verbal notice of a complaint, the Grievance Coordinator (1-800-477-3502) will complete the Internal Grievance/complaint form and will seek telephonic resolution to the concern.
2. All medically related issues will be reviewed by physicians.
3. If the complaint is of an administrative matter, the review will be conducted by the administrator involving the area of concern.
4. An attempt will be made to resolve the complaint within ten (10) working days after receipt of the dispute.
5. Documentation of resolution will be sent to all concerned parties.

**Formal Grievance Process:**

1. Upon receipt of the Formal Grievance Form, the Grievance Coordinator will contact all involved parties to obtain resolution within 30 days of receipt of the Formal Grievance.
2. If the grievance is concerning a medical care provider, the grievance will be reviewed by a board certified physician other than the health care provider or clinic against whom the complaint is directed. The reviewing physician will be case-matched to the treatment in question.
3. If the dispute is not resolved in this process, the Quality Assurance committee will review the grievance and take necessary action to resolve the issue. The Review Committee may meet with the provider or employee to review the grievance.
4. A dispute shall be resolved within 30 days of receipt of the grievance. All involved parties will be informed in writing of the resolution.
5. Each employee has a right to file an appeal by filing a petition for benefits with the Division of Workers' Compensation, Employee Assistance Office, Centerview, 354 Forrest Building, Tallahassee, FL, 32399-0680, after completion of the formal Grievance process or during arbitration.

**DRUG FREE WORKPLACE**

The City of Belle Glade is committed to providing a safe work environment and to fostering the well-being and health of its employees. That commitment is jeopardized when any City employee illegally uses drugs on the job; comes to work under the influence; possesses, distributes or sells drugs in the workplace; or abuses alcohol on the job. Therefore, the City has established the following policy:

1. It is a violation of City policy for any employee to use, possess, sell, trade, offer for sale, or offer to buy illegal drugs or otherwise engage in the illegal use of drugs on the job;

2. It is a violation of City policy for anyone to report to work under the influence of illegal drugs or alcohol;
3. It is a violation of City policy for anyone to use prescription drugs illegally. (However, nothing in this policy precludes the appropriate use of legally prescribed medications);
4. It is a violation of this policy to unlawfully manufacture, distribute, dispense, possess, or use controlled substances in the workplace;
5. It is a condition of employment to abide by the Drug-Free Workplace Policy;
6. Violations of this policy subject all employees to disciplinary action up to and including immediate termination.

It is the responsibility of the City's supervisors to counsel employees whenever they see changes in performance or behavior that suggest an employee has a drug problem. Although it is not the supervisor's job to diagnose personal problems, the supervisor should encourage such employees to seek help and advise them about available resources for getting help. Everyone shares responsibility for maintaining a safe work environment, and co-workers should encourage anyone who has a substance abuse problem to seek help.

The goal of this policy is to balance our respect for individuals with the need to maintain a safe, productive and drug-free environment. The intent of this policy is to offer a helping hand to those who need it, while sending a clear message that the illegal use of drugs and the abuse of alcohol are incompatible with employment at the City of Belle Glade.

### **Authority for Drug Testing**

Florida Statute Section 440.102 outlines the drug-free workplace program requirements.

### **Definitions**

1. Confirmation Test, Confirmed Test, or Confirmed Drug Test: a second analytical procedure used to identify the presence of a specific drug or metabolite in a specimen, which test must be different in scientific principle from that of the initial test procedure and must be capable of providing requisite specificity, sensitivity, and quantitative accuracy.
2. Drug: alcohol, including a distilled spirit, wine, a malt beverage, or an intoxicating liquor; an amphetamine; a cannabinoid; cocaine; phencyclidine (PCP); a hallucinogen; methaqualone; an opiate; a barbiturate; a benzodiazepine; a synthetic narcotic; a designer drug; or a metabolite of any of the substances listed in this paragraph.
3. Drug Test or Test: any chemical, biological, or physical instrumental analysis administered, by a laboratory certified by the United States Department of Health and Human Services or licensed by the Agency for Health Care Administration, for the purpose of determining the presence or absence of a drug or its metabolites.

4. Employee: any person who works for salary, wages, or other remuneration for an employer.
5. Employee Assistance Program: an established program capable of providing expert assessment of employee personal concerns; confidential and timely identification services with regard to employee drug abuse; referrals of employees for appropriate diagnosis, treatment, and assistance; and follow-up services for employees who participate in the program or require monitoring after returning to work. If, in addition to the above activities, an employee assistance program provides diagnostic and treatment services, these services shall in all cases be provided by service providers pursuant to Florida Statute Section 397.311(28).
6. Employer: a person or entity that employs a person and that is covered by the Workers' Compensation Law.
7. Initial Drug Test: a sensitive, rapid, and reliable procedure to identify negative and presumptive positive specimens, using an immunoassay procedure or an equivalent, or a more accurate scientifically accepted method approved by the United States Food and Drug Administration or the Agency for Health Care Administration as such more accurate technology becomes available in a cost-effective forum.
8. Job Applicant: a person who has applied for a special-risk or safety-sensitive position with the City and has been offered employment conditioned upon successfully passing a drug test, and may have begun work pending the results of the drug test.
9. Medical Review Officer or MRO: a licensed physician, employed with or contracted with an employer, who has knowledge of substance abuse disorders, laboratory testing procedures, and chain of custody collection procedures; who verifies positive, confirmed test results; and who has the necessary medical training to interpret and evaluate an employee's positive test result in relation to the employee's medical history or any other relevant biomedical information.
10. Prescription or Nonprescription Medication: a drug or medication obtained pursuant to a prescription as defined by Florida Statute Section 893.02 or a medication that is authorized pursuant to federal or state law for general distribution and use without a prescription in the treatment of human diseases, ailments, or injuries.
11. Safety-Sensitive Position: a position in which a drug impairment constitutes an immediate and direct threat to public health or safety, such as a position that requires the employee to carry a firearm, perform life-threatening procedures, work with confidential information or documents pertaining to criminal investigations, or work with controlled substances; a position subject to Florida Statute Section 110.1127; or a position in which a momentary lapse in attention could result in injury or death to another person.
12. Special-Risk Position: a position that is required to be filled by a person who is certified under Chapter 633 or 943 of the Florida Statutes.



## **Types of Testing Required**

1. Job Applicant Drug Testing: Job applicants for safety-sensitive or special risk positions must submit to a drug test. Refusal to submit to a drug test, or a positive confirmed drug test, shall be used as a basis for declining to offer employment to the applicant.
2. Reasonable Suspicion Drug Testing: Employees will be tested following any observed behavior creating “reasonable suspicion”. These behaviors may include the following:
  - a. Direct observation of drug/alcohol use, or the symptoms of being under the influence of a drug or alcohol;
  - b. Abnormal behavior while at work or a significant deterioration in work performance;
  - c. A report of drug use, provided by a reliable and credible source;
  - d. Evidence that an individual has tampered with a drug test while working for the City;
  - e. Information that an employee has caused, contributed to, or been involved in, an accident while at work;
  - f. Evidence that an employee has used, possessed, sold, or solicited drugs while working or while on the employer’s premises or while operating the employer’s vehicle, machinery or equipment.
3. Follow-Up Testing: If the City requires an employee to enter an employee assistance program, or a drug rehabilitation program, as a condition of continued employment after a confirmed, positive drug test, the City requires the employee to submit to a random drug test, at least once per year for a two year period after completion of the program. Advance notice of the testing date will not be given to the employee being tested. If the employee voluntarily enters the program, the City is not required by law to conduct follow-up testing, but may do so in its discretion.
4. Routine Fitness-For-Duty Testing: Employees who ordinarily must submit to annual physical fitness for duty examination must also submit to drug testing at that time.

## **Confidentiality**

All information, interviews, reports, statements, memoranda, drug test results, written or otherwise, received or produced as a result of a drug-testing program are confidential and may not be used or received in evidence, obtained in discovery, or disclosed in any public or private proceedings, except in accordance with Florida Statute Section 440.102 or in determining compensability under Chapters 440 and 443, Florida Statutes.

The City, the laboratories, medical review officers, employee assistance programs, drug rehabilitation programs and their agents shall not release any information concerning drug test results obtained under Florida Statute Section 440.102 without first obtaining a

release from the affected individual in accordance with Florida Statute Section 440.102 and other applicable laws or regulations.

### **Drugs To Be Tested**

The City will test for the following drugs: ALCOHOL, AMPHETAMINES, CANNABINOIDS (MARIJUANA), COCAINE, OPIATES, PHENCYCLIDINE (PCP), METHAQUALONE, BARBITURATES, BENZODIAZEPINES, METHADONE AND PROPOXYPHENE.

### **Testing Location**

The City only uses laboratories for drug testing that are licensed by the Florida Agency for Health Care Administration or that are certified by the U.S. Department of Health and Human Services. You may be tested at the following laboratory:

Name           DSI Laboratories  
Address        12700 Westlinks Drive, Ft. Myers, Florida 33913  
**Telephone (239) 561-8200**

The City's Medical Review Officer is:

Name           Palm Glades Rural Health Associates  
Address        217 West Avenue "A", Belle Glade, Florida 33430  
Telephone     (561) 992-4888  
Email:         [pgrha@bellsouth.net](mailto:pgrha@bellsouth.net)

### **Testing Procedures**

Employees or job applicants may confidentially report the legitimate use of prescription or non-prescription medications both before and after being tested to the testing laboratory and the Medical Review Officer.

Employees and job applicants have the right to consult the testing laboratory for technical information regarding prescription and non-prescription medication.

Within 5 working days after receiving notice of a positive confirmed test result, an employee or job applicant may submit information to the medical review officer explaining or contesting the test result, and explaining why the result does not constitute a violation of the City's policy. If the employee's or job applicant's explanation or challenge is unsatisfactory to the medical review officer, the medical review officer shall report a positive test result back to the City. Any employee or job applicant may contest the drug test result pursuant to law or to rules adopted by the Agency for Health Care Administration.

All employees or job applicants must notify the laboratory of any administrative or civil action brought pursuant to Florida Statute Section 440.102.

### **Consequences Of Positive Confirmed Test Result**

Any employee receiving a positive confirmed test result shall be subject to immediate termination. Additionally, the employee may lose his or her right to workers' compensation, unemployment compensation, medical and indemnity benefits.

*An employee or job applicant has 180 days after receiving written notification of a positive test result to have the sample retested at his or her own expense at another licensed or certified laboratory chosen by the employee or job applicant.*

### **Consequences Of Conviction for Violation of Criminal Drug Statute Occurring in the Workplace**

All employees shall report any conviction for a violation of a criminal drug statute occurring in the workplace to the Director of Human Resources in writing, no later than five calendar days after such conviction. The Director of Human Resources shall notify the City Manager.

Within 30 calendar days of receiving such notice from a convicted employee, the City Manager shall take one of the following actions:

- a. Take appropriate disciplinary action against the employee, up to and including termination;
- b. Require the employee to participate satisfactorily in a drug abuse or assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.

### **Affect Of Refusing To Submit To Drug Testing**

An employee who refuses to submit to drug testing shall be subject to immediate termination. Additionally, the employee may lose his or her right to workers' compensation, unemployment compensation, medical and indemnity benefits. A job applicant who refuses to submit to drug testing will not be hired.

### **Medications That May Alter Or Affect The Drug Test**

Some common medications may alter or affect a test result. They are listed below for your information. Due to the large number of obscure brand names and the marketing of new products, this list cannot, and is not intended to, be all-inclusive.

ALCOHOL                      All liquid medications containing ethyl alcohol (ethanol). Please read the label for alcohol content. As an example, Vick's Nyquil is 25% (50 proof) ethyl alcohol, Comtrex is 20% (40 proof), Contact Severe Cold Formula Night Strength is 25% (50 proof) and Listerine is 26.9% (54 proof).

AMPHETAMINES Obetrol, Biphphetamine, Desoxyn, Dexedrine, Didrex, Ionamine, Fastin.

CANNABINOIDS Marinol (Dronabinol, THC).

COCAINE Cocaine HCl topical solution (Roxanne).

PHENCYCLIDINE Not legal by prescription.

METHAQUALONE Not legal by prescription.

OPIATES Paregoric, Parepectolin, Donnagel PG, Morphine, Tylenol with Codeine, Empirin with Codeine, APAP with Codeine, Aspirin with Codeine, Robitussin AC, Guaiatuss AC, Novahistine DH, Novahistine Expectorant, Dilaudid (Hydromorphone), M-S Contin and Roxanol (morphine sulfate), Percodan, Vicodin, Tussi-organidin.

#### BARBITURATES

Phenobarbital, Tuinal, Amytal, Nembutal, Seconal, Lotusate, Fiorinal, Fioricet, Esgic, Butisol, Mebaral, Butabarbital, Butalbital, Phrenilin, Triad.

#### BENZODIAZEPINES

Ativan, Azene, Clonopin, Dalmane, Diazepam, Librium, Xanax, Serax, Tranxene, Valium, Verstran, Halcion, Paxipam, Restoril, Centrax.

#### METHADONE

Dolophine, Metadose.

#### PROPOXYPHENE

Darvocet, Darvon N, Dolene.

### **Employee Assistance Programs**

Employees may contact the EAP if they need help in dealing with substance abuse. A list of local employee assistance programs and local drug rehabilitation programs follows:

#### **Comprehensive Alcoholism Rehabilitation Programs, Inc.**

125 NW 2nd St  
Belle Glade, FL 33430-3013  
(561) 992-1352

#### **Pregnant and Addicted (PANDA)**

816 NW Avenue D  
Belle Glade, Florida  
(561) 992-1375

**Western Palm Beach County MH Clinic**

408 SE Avene E  
Belle Glade, Florida 33430  
(561) 992-1330

**Abuse Counseling and Treatment**

P.O. Box 60401  
Ft. Myers, Florida 33906-6401  
(239) 939-3112

**Effective Date of Drug Free Workplace Policy**

This Drug-Free Workplace policy shall go into effect on March 1, 2006. The previously adopted Drug-Free Workplace Policy shall remain in full effect until midnight on February 28, 2006.

**WORKPLACE VIOLENCE**

The City of Belle Glade expressly prohibits any acts or threats of violence on its premises at any time. Firearms or other weapons may not be brought onto City premises or work sites, except by authorized law enforcement personnel. If an employee feels threatened, or witnesses threatening or violent activity, he or she should alert co-workers of the need for assistance. Any employee who violates this policy will be subject to disciplinary action, up to and including termination.

**FIRST AID, FIRE AND EVACUATION**

Discovered or suspected fires should be reported by calling 911 immediately. Exit signs are posted and employees should be familiar with all escape routes. First Aid Kits and fire extinguishers are available at each facility and at various worksites.

**SAFETY**

Establishment and maintenance of a safe environment is the shared responsibility of the City and its employees. The City will attempt to do everything within its control to ensure a safe environment and compliance with safety regulations. Employees are expected to exercise caution in all work activities, follow safety training and guidelines, correct unsafe conditions and report defective equipment and vehicles to the immediate supervisor.

Employees must observe the following safety rules at all times:

1. No alcohol or drugs on the job at any time.
2. Report all job accidents immediately (see Accident Reporting section for procedures to follow).
3. Be responsible for keeping office work area and job sites clean and neat at all times.

4. Do not remove or bypass any guards on any machinery at any time.
5. Employees must advise supervisors when additional equipment or instruction is needed to do the job safely.
6. Employees should lift with their legs, not their back. Employees should get assistance with loads over 50 pounds or loads employees feel they are unable to lift.
7. Advise supervisors of any hazardous conditions in the workplace.
8. Follow all other written and spoken safety rules.

### **USE OF CITY VEHICLES AND EQUIPMENT**

Any employee whose job involves driving a vehicle for city-related work shall be subject to periodic checks of their driving records. It is essential that City vehicles be used with the utmost care and discretion at all times. Most City vehicles and equipment are distinctively marked, and the manner in which they are operated reflects directly on the City's public image. The following guidelines must be observed by any employee having use of any City vehicle:

1. City employees are permitted to use City vehicles and equipment for the performance of their professional duties only. Under no circumstances are the City vehicles or equipment to be used for personal business or pleasure.
2. For those vehicles assigned for use 24 hours per day, off-street parking should be provided, where possible, when a vehicle is taken to a place of residence. Safety belts, where available, must be worn at all times. Before a City vehicle may be driven to and from work, the City employee must obtain approval from the City Manager.
3. All mechanical defects or malfunctions must be reported to the central garage within 24 hours of the occurrence. A written notice of the mechanical defect or malfunction must be reported to the central garage in writing within 2 business days of the occurrence.
4. Employees assigned a City vehicle shall maintain the vehicle in a neat and clean manner. Employees shall not keep personal items in the City vehicle and shall ensure that the vehicle is free from trash or debris. The employee shall regularly wash and clean the vehicle.

Violations of this policy shall result in disciplinary action up to, and including immediate discharge.

### **DRIVER'S LICENSE REQUIREMENT**

This policy shall apply to all City departments and employees who are required to operate motorized equipment as part of their job description.

All Employees must immediately inform their supervisor if their driving privileges are restricted, suspended, or revoked by the Department of Highway Safety and Motor Vehicles, Division of Drivers Licenses. Supervisors are required to immediately forward

the information in written form through the chain of command to the Department Director and the City Manager's Office.

Driving a City vehicle or a personal vehicle on City business is expressly prohibited for any employee who does not possess a valid Florida Driver's License. The employee must cease and desist any further driving and will be placed on administrative leave without pay or reassignment if possible. Any employee found to be in violation of this provision will be subject to disciplinary action up to and including termination.

If the employee's job duties require operation of a motor vehicle, the employee with the suspended, restricted or revoked driving privileges is subject to reassignment, suspension, or demotion or termination dependent upon the circumstances for which the driving privileges were restricted, suspended or revoked pursuant to a hearing with the City Manager or the City Manager's designee.

### **EMPLOYEE RECOGNITION SAFETY AWARD**

Each month, the Safety Committee, upon approval by the City Manager, may select an employee who has an outstanding record of workplace safety. The employee shall be recognized at a City Commission Meeting, presented with a certificate and a \$50.00 gift certificate. This program is designed to increase the awareness of management and staff about safety issues such that the City will reduce the number of work-related injuries suffered by employees.

### **ACCIDENT REPORTING**

#### **Workers' Compensation Claims Reporting Procedure:**

##### **Emergency Reporting Process**

All losses of a serious nature are to be reported immediately by telephone to Human Resources who will immediately contact Public Risk Management (PRM) 1-800-367-1705 (i.e. hospitalization, death). Do not wait for notice of injury to be completed. Notify PRM immediately and then complete notice of injury.

##### **Non-Emergency Reporting Process**

- 1) Employee reports injury to their supervisor
- 2) Employee completes "Employee Account of the Accident" section of the Accident Investigation Report. If employee is unable to complete his/her account of the accident, the supervisor is to provide this information.
- 3) Supervisor completes Supervisor's Analysis of Accident section of the Accident Investigation Report.
- 4) Supervisor completes Supervisor Injury Investigation-Strain Supplement form, only if injury is a back injury, strains or suspected hernia.
- 5) Supervisor submits above form or forms to their designated department secretary who will complete BCL1 (the employee should sign this form if possible). The

departmental Secretary will then notify Human Resources by telephone and follow up with the completed forms. Human Resources will then notify PRM.

- a) Supervisor monitors employee's work status and advises Human Resources office immediately following physician's authorized return to work. Human Resources notifies PRM of the employee's work status followed by a facsimile of said copy to PRM. Employee must bring in return to work authorization, or no work status certificate.
- b) For all Lost-time Claims, Human Resources Department will complete a 13-week wage statement and forward to PRM. Report subsequent lost time immediately if initial report revealed no lost time.
- c) Submit all original physician certificates and work status reports to the Human Resources Department. The Human Resources office shall advise PRM/GENEX of employee's doctor's appointments, disability and return to work status via telephone and/or facsimile.
- d) All employees must report injuries, incidents, or accidents to their supervisor immediately.

### **Vehicular Accident Reporting Procedures**

All City of Belle Glade vehicles are equipped with an accident reporting kit. The reporting kit is equipped with the necessary information to afford both parties efficient reporting procedures. Contents of the kit are as follows:

- Drivers Accident Report Card—What to do in case of an accident
- Two Witness Cards

Following the accident, both employee and supervisor have a reporting responsibility.

The Employee's responsibilities are as follows:

1. Stop immediately.
2. Obtain medical aid for injured persons.
3. Always call the Police. Failure to report an accident is grounds for immediate termination. Any incident involving City property should be properly reported. If an incident involves a Public Safety vehicle, to assure an impartial report, it is preferable that an outside agency perform the investigation (i.e. Sheriff Department, etc.).
4. Call supervisor for assistance and investigation.
5. Never admit the City's fault or talk to anyone about the accident except PRM's adjusters, investigating police and your supervisor.
6. Obtain names, addresses, phone numbers, tag numbers of other drivers and witnesses.
7. Prepare accident report kit form 135A.
8. If the City vehicle is inoperable or unsafe to drive, notify the police dispatch for instructions for the designated wrecker service for towing to vehicle maintenance.
9. Assist the supervisor in completing the Supervisor's Investigation-Motor Vehicle Report.



10. Assist the supervisor and/or clerical staff in completion of Auto Accident Report G112.

The Supervisor's responsibilities are as follows:

1. Assure proper care of injured persons.
2. Assure that proper police agency is notified.
3. Try to determine cause of accident.
4. Review the accident kit form 135A and complete investigation report G137.
5. Try to maintain all evidence, including photos.
6. Prepare or assist clerical staff with submission of auto accident report G112R, properly code and submit to PRM, along with police report. If the police report is not readily available, do not delay reporting claim to PRM. The police report may be submitted later.
7. In the case of serious property damage or bodily injury, call PRM immediately.

### **General Liability Reporting Procedures**

General Liability claims include all liability claims other than injuries or damages caused by City vehicles. This includes occurrences such as slip and fall, potholes, civil rights, false arrest, injury on recreation equipment, or improper warning in construction areas.

1. Call the Police, if appropriate. Any incident involving property damage or bodily injury on City property must be properly reported.
1. Secure names, addresses and telephone numbers of injured individuals and witnesses.
2. Maintain evidence (i.e. rug, photos of potholes, allegedly defective chair, etc.).
3. Do not commit the City of Belle Glade to anything, and never admit fault. You may advise the claimant that the "claim is being submitted to claims adjuster for consideration".
4. Have claimant complete Liability Incident Report form and return completed form to Human Resources.
5. Always follow the Emergency or Nonemergency reporting procedures when you are injured.

### **Property Claims Reporting Procedures**

Property losses include those losses to real or personal property owned or under the care and custody of the City of Belle Glade, except for vehicles. Examples include, but are not limited to, windstorm, fire, theft, or vandalism.

1. The department or division responsible for the damaged property will investigate and report the loss on form 220R Loss Report-Property to the designated office proper coding and referral to PRM.
2. The property must be protected from further damage.
3. The claims adjuster will contact the City for instructions and adjustment.

## **OUTSIDE EMPLOYMENT POLICY**

The purpose of this policy is to establish guidelines for monitoring and controlling outside employment and not to prohibit outside employment.

The City of Belle Glade believes that employees forced by economic necessity or desire to supplement their income by taking outside employment should be allowed to do so. This policy is based on the premise that employees will first meet the demands of their job with the City. To avoid any misunderstanding, City employees are required to obtain written authorization from their department head and final approval from the City Manager, upon the recommendation of Human Resources, prior to accepting outside employment.

- If at the time an employee is offered a position, he or she has another job, the employee must provide written notice of the job as outlined in the Procedures Section of this policy.
- If an employee desires to obtain a second job while working for the City of Belle Glade, the employee must provide a written request as outlined in the Procedures Section of this policy.
- Employees currently holding a second job will be permitted to continue as long as that position does not impair his or her work performance with the City.
- This policy shall be applicable to all City of Belle Glade employees regardless of pay grade or job class.

### **Procedures**

Written request shall contain:

1. Name of outside agency or company and nature of business
2. Potential, if any, conflict with City job
3. Position title
4. Hours of duty
5. Proposed start date of employment

The written request shall be forwarded to the Human Resources Department following approval by the employee's department head. Upon receipt, the Human Resources Department shall review the request for clarity and forward to the City Manager for action. The employee shall receive written notification of the results of his or her request in writing within 10 business days from the date the initial request was submitted to the employee's department head.

### **Examples of Reasons for Denial include, but are not limited to, the following:**

1. Conflict with obligations to the City

2. Introductory Status
3. Unsatisfactory job performance
4. The employee is receiving workers' compensation benefits
5. The employee is receiving sick leave benefits from the City

Additionally, outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from individuals outside the City for materials produced or services rendered while performing their jobs with the City.

## **DAMAGED PROPERTY AND CORRECTIVE ACTION POLICY**

The City of Belle Glade has developed procedures and guidelines for reporting, documenting, and instituting corrective actions for any damage incident. The purpose of this policy is to reduce the number of damage incidents through the application of corrective actions, when deemed appropriate.

### **Reporting of Damage Incident:**

- A. The employee involved in a damage incident will report injury of City personnel or citizens, incidents of property damage, equipment, vehicle, or damage to private property immediately to their supervisor.
- B. The employee's immediate supervisor will be responsible for ensuring the incident is investigated, documented, and properly reported to the next supervisory level in the chain of command.
- C. The employee's immediate supervisor will ensure that the damage incident is investigated independently and thoroughly, and not by the employee directly involved in the damage incident.
- D. Should the incident require investigation by another agency, the supervisor will document the investigating agency and officer's name within the supervisory report.
- E. The immediate supervisor will be responsible for obtaining all completed reports, documents and photographs concerning the damage incident, and forward copies of all data to the Human Resources Department.
- F. The immediate supervisor will be responsible for contacting the Human Resources office to immediately schedule a mandatory post-accident drug and alcohol screening of the involved employees to take place on the day of the incident as soon as possible after the incident. Should the accident occur outside the normal work hours, the immediate supervisor shall be responsible for ensuring screening is completed at an authorized facility and in compliance with the City's Drug Free Workplace Policy and applicable state laws.
- G. The investigative reports must also include the following information:

1. Estimates of repairs or replacement costs from (3) reputable and licensed businesses, or cost of parts and materials required to repair the damages; automobile estimates and repairs provided in compliance with the City's auto insurance coverage procedures.
2. All completed reports from the City of Belle Glade Police Department and/or investigating agency with jurisdiction over the damage incident.
3. All City of Belle Glade reports, documents, and photos.

**Responsibilities of Department Head:**

- A. *The Department Head shall receive all reports and documents from the immediate supervisor. Failure of the immediate supervisor to report the damage incident as outlined above shall result in disciplinary action, up to and including termination, against both the immediate supervisor and the department head responsible for same.*
- B. Upon receipt of all reports and documents, the department head shall review all submitted information to determine responsibility. The department head must determine whether the employee is partially, or totally responsible for the damage incident; or whether the employee is not responsible for the incident. Prior to making such determination, the department head shall confer with the respective Division and/or Line Supervisors in order to determine the employee's responsibility level, if any.
- C. Upon conclusion of the incident meeting, should the employee involved in the damage incident be required to receive some form of corrective action, the suggested corrective action will be documented and forwarded (in writing) to the Human Resources Director for recommendation who will then forward it to the City Manager for final approval.

**Corrective Action Guides:**

If the damage incident warrants the issuance of corrective action on the part of the employee involved, the following may be used or adapted to fit the incident:

1. Oral counseling (documented in the employee's personnel file).
2. Written counseling statement (documented in the employee's personnel file).
3. Defensive driving or pursuit driver's training course attendance.
4. Loss of "Take Home Vehicle" privileges for a specific period.
5. Charged a financial cost for the repaired or replaced property in compliance with all wage and hour laws.
6. Seven (7) or more days of suspension without pay, depending on the total damage costs and the type of incident.
7. A third damage incident within a two- (2) year period can result in an extended period of suspension without pay, or termination of employment.

8. An employee involved in any damage incident that was avoidable or a result of the employee not following proper procedures shall result in the following disciplinary actions in addition to any of the foregoing actions:
  - a. First incident shall result in at least 7 calendar days of suspension without pay.
  - b. A second incident, occurring within one calendar year of the first, shall result in 14 calendar days of suspension without pay.
  - c. A third incident, occurring within one calendar year of the second, shall result in termination.
9. An employee involved in any damage incident may be subject to discipline, up to and including termination, even after the first damage incident if, in the discretion of the City Manger and Human Resources, the circumstances warrant more severe discipline than normally imposed.

Regardless of the corrective action deemed appropriate, especially those involving vehicle accidents, any damages that are to be repaired, must be accomplished by the City's Garage Division or through the City's Purchasing Division process, or at a reputable and licensed business dealing in the type of repairs needed. The City's insurance carrier must first authorize all outside repairs.

Repairs to City vehicles, equipment or property, which may be accomplished in-house, shall not relieve the employee from corrective action.

### **Procedure**

The City Manager or designee shall review the recommendation for any corrective action imposed upon any employee as a result of a damage incident. The City Manager may reject, modify or accept said recommendation and such decision shall be final. *The City Manager or designee shall be responsible for imposing discipline on any department head or supervisor who fails to follow the damage reporting procedures.*

## **ANTI-DISCRIMINATION AND ANTI-HARASSMENT POLICY**

In order to provide a productive and pleasant working environment, it is important that the City of Belle Glade maintain an atmosphere characterized by mutual respect. Accordingly, verbal or physical conduct by any employee which harasses, disrupts, or interferes with another's work performance or which creates an intimidating, offensive or hostile environment will not be tolerated. The City believes that each employee should be able to work in an environment free of discrimination and any form of harassment based on any protected category or characteristic including: race, color, military status, religion, age, sex, pregnancy, national origin, citizenship, disability, marital status, sexual

orientation or any other category protected by law. In addition, the City will endeavor to protect employees, to the extent possible, from reported discrimination or harassment by non-employees in the workplace.

The City of Belle Glade is an equal opportunity employer. All personnel actions including hiring, promotions, selection for training, compensation, layoffs, recall from layoffs, and terminations will be administered in a manner consistent with general principles of non-discrimination.

Each supervisor has a responsibility to maintain the workplace free of any form of sexual harassment and any other harassment based upon any characteristics stated above or otherwise protected by law. No supervisor is to threaten or insinuate, either explicitly or implicitly, that any employee's refusal or willingness to submit to sexual advances will affect the employee's terms or conditions of employment. Other sexually harassing or offensive conduct in the workplace, whether committed by supervisors, nonsupervisory employees or nonemployees, is also prohibited. Such conduct may include the following:

1. Sexual flirtations, touching, advances or propositions;
2. Verbal abuse of a sexual nature;
3. Graphic or suggestive comments about an individual's dress or body;
4. Sexually degrading words to describe an individual;
5. The display in the workplace of sexually suggestive objects or pictures;
6. Spreading gossip about a person because of that person's protected characteristic;
7. Unwanted comments, serious or humorous directed at an individual or about an individual which refers or relates to his or her protected characteristic;
8. Making unwanted suggestive telephone calls to an individual on the basis or because of that person's protected characteristic;
9. Writing unwanted suggestive letters denigrating an individual because of one of the above-mentioned protected characteristics;
10. Any comments referencing that individual's protected characteristic in employment practices that is of a derogatory or denigrating nature.

Actions or words that constitute unwelcome harassment of employees by anyone, including non-employees, in the workplace are not acceptable and must be reported to the immediate supervisor, the Director of Human Resources, the City Manager, or the City Attorney. Each supervisor is responsible for making sure that all employees within his or her area of responsibility are aware of this policy, for ensuring that personnel decisions are in accordance with this policy, and consulting with the Human Resource Department when improper behavior is observed or reported.

Employees who believe they have been harassed or discriminated against should inform the person engaging in such behavior that such conduct is unwelcome and must stop. Should the employee feel uncomfortable directly confronting the alleged harasser, the

employee may choose to skip to the next step by immediately notifying management. Any employee, who has a complaint of discrimination or sexual harassment at work by anyone, including supervisors, co-workers, or visitors, must immediately report his or her complaint to the immediate supervisor, the Director of Human Resources, the City Manager, or the City Attorney. If for any reason, the alleged discrimination or sexual harassment cannot be reported to the immediate supervisor or the employee reasonably believes such report would be ineffectual, the employee should report the matter directly to the City Manager, Director of Human Resources or the City Attorney. Supervisors who receive reports or complaints of discrimination or harassment shall immediately notify the Director of Human Resources.

All such complaints will be investigated in a timely and in as impartial and confidential a manner as possible under Florida law. Investigation by the City, however, does not toll or alter the time for filing a charge with the Equal Employment Opportunity Commission. The investigation of a complaint will normally include conferring with the parties involved and any named or apparent witnesses. All employees shall be protected from coercion, intimidation, retaliation, interference or discrimination for filing a complaint or assisting in an investigation. If a violation is found to exist, appropriate disciplinary action will be taken, up to and including termination. A non-employee who subjects an employee to discriminatory conduct or sexual harassment in the workplace may be reported to the City's Police Department. Other action may be taken as appropriate or allowed by law.

## **EMPLOYEE DONATIONS OF VACATION LEAVE TO OTHER CITY EMPLOYEES POLICY**

City employees will be allowed to donate unused, accrued vacation leave to another City employee on medical leave without pay. The donated time will be credited to the employee who is on medical leave without pay as sick leave.

1. Approval of the City Manager is required.
2. There shall be no solicitation for donations outside of the department, nor shall any time donations be accepted from outside the department. This program is entirely voluntary; the decision to donate to an eligible individual and the amount of hours donated is left to each employee.
3. An employee may donate up to 40 hours for full-time regular employees and up to 20 hours for part-time regular employees. Ongoing donations will not be accepted, but rather, there shall be a restricted time period for making donations.
4. The total of all donations to any one employee may not exceed 60 days or 480 hours for full-time regular employees and may not exceed 60 days or 240 hours for part-time regular employees. The value of donated time will be transferred to the employee on leave.

The employee receiving the donations must:

1. Be a full-time or part-time regular employee.
2. Be on leave in excess of 31 consecutive days. Donations are transferred to the receiving employee on the 32<sup>nd</sup> day, even if the receiving employee's paid leave was exhausted after a lesser number of days. Such donations are not retroactive in that upon receipt of donated paid leave on the 32<sup>nd</sup> day, the employee on leave will not be permitted to apply any donated time received to days of leave occurring prior to the transfer of donated time on the 32<sup>nd</sup> day.
3. The crisis must be of a certified medical nature involving the employee, employee's spouse, children or parents.
4. Have exhausted all personal, sick and vacation leave balances.
5. Not have any disciplinary action in his or her file relating to abuse of sick or vacation leaves.
6. Must not qualify for compensation under the City's disability plan or workers' compensation.

**Procedures:**

- A. All requests for donations shall be forwarded by the department head through Human Resources to the City Manager for approval. The request should describe the circumstances surrounding the employee's need for assistance. The decision of the City Manager is final.
- B. Once approved, it is the department head's responsibility to distribute the request for donations.
- C. A team of employee volunteers shall be selected by the department head and shall coordinate each request.
- D. The attached authorization form will be used by employees wishing to donate. Completed forms will be forwarded to the Finance Department to tabulate the value of the donated hours, convert the hours to the donee's pay rate and submit a memo to Human Resources for credit and deduction of donors' time.
- E. If the donations exceed the 60 days or 480 hours permitted for full-time regular employees or 240 hours for part-time regular employees permitted, all excess leave will be returned to the most recent donor(s). Authorization should be sequentially numbered as received in order to return hours to donors.
- F. If the leave taken by the receiving employee does not exceed the 60 days or 480 hours permitted for full-time regular employees or 240 hours permitted for part-time regular employees, all excess leave will be returned to the most recent donor(s).



## **RETIREMENT BENEFIT**

Procedures for retirement and the benefits available to employees in conjunction with retirement are set forth in the City's Summary Plan Description and City Code.

## **GENERAL INFORMATION**

### **PERSONAL APPEARANCE**

Dress, grooming, and personal cleanliness contribute to the morale of all employees and affect the business image the City presents to customers and visitors.

During business hours, employees are expected to present a clean and neat appearance and to dress according to the requirements of their positions. Employees who appear for work inappropriately dressed will be sent home and directed to return to work in proper attire. Under such circumstances, employees will not be compensated for the time away from work.

Appropriate attire for office personnel includes the following:

1. Women may wear dresses, pant suits, dress pants, skirts and jackets, skirts and dress blouses. Women shall not be permitted to wear clothing that would expose their shoulders (ie tank/tube tops) midriff, or upper thigh. Dress and skirt hem length shall be at least 2 inches below the tip of the middle finger with arms extended along the side of the body. No denim (*except on Business Casual Fridays, and as appropriate*) or "sweat suits" will be permitted. Footwear should be appropriate for business attire.
2. Men may wear suits, long pants and polo or collared shirts with or without a tie, depending upon the style of the shirt. Footwear should be appropriate for business attire.

Appropriate attire for uniformed personnel includes the following:

All uniformed personnel shall be dressed in uniform at all times while on duty.

Appropriate attire for employees in the field includes the following:

Employees working in the field and who are not in an office environment for more than 20% of the day shall be permitted to wear clothing appropriate to the work being performed outside of the office environment. Depending on the work performed, such clothing may include, but is not limited to, rain gear, safety-work boots, denim pants or jeans, cotton t-shirts, or hats.

Any employee who is unsure as to the appropriate attire, or who has safety concerns regarding required attire, for his or her department should consult human resources for direction and guidance.

## **INTERNET/INTRANET/E-MAIL POLICY**

City of Belle Glade's Internet, Intranet and Electronic Mail Systems are intended to facilitate City business objectives and communication among employees, customers and other governmental and business associates for messages, memoranda, research or other work related tasks. Since computer systems are not completely secure, these systems are not intended to transmit sensitive materials, such as personnel decisions and other similar information which may be more appropriately communicated by written memorandum or personal conversation.

The internet, Intranet and E-mail systems are City property and are intended for City business. The systems are not to be used for employee personal reasons or personal gain or to access, support or advocate non-City related business or purposes. All data and/or electronic messages created, received or transmitted within the system are the property of City of Belle Glade. E-mail messages may need to be retained as public records depending on their content if so, the Department of State Records retention schedules shall apply. (see: Retention of E-mail, below).

In addition, the City through its managers and supervisors will review the contents of any employee's Internet/Intranet/E-mail communications when necessary for City business purposes. However, employees may not intentionally intercept, eavesdrop, record, read, alter, or receive other persons' Internet/Intranet/E-mail messages without proper authorization. Employees who misuse Internet/Intranet/E-mail privileges shall be subject to discipline up to and including discharge.

All Department directors are responsible for the implementation and adherence of this policy within their departments. Department Directors (or their designees) are encouraged to work with their department's entire staff toward that end. In the event that any department or division policy contradicts this policy, this policy shall govern. This policy may be changed only upon the written approval of the City Manager and adopted by the City Commission.

### **Confidentiality**

Although confidential passwords are issued, users will be aware that this does not suggest that the system is for personal confidential communication, nor does it suggest that access to and use of City of Belle Glade Internet/Intranet/E-mail is the property right of the employee. Passwords should be changed every 6 months to ensure security of the E-Mail system. Users should not share their password with anyone else. The Internet/Intranet/Email systems are restricted to City business related usage only. Users have the ability to change their password at any time from their assigned computer, but any changed passwords must be provided to the City's I.S. Manager.

### **Prohibited Uses**

The Internet/Intranet/E-Mail system shall not be used to create access or transmit any offensive or disruptive messages or data. Among those which are considered offensive

are any messages or data which contain sexual implications, racial slurs, gender specific content, or any other comment that offensively addresses someone's age, sexual orientation, religious or political beliefs, national origin, or disability.

Incidental and occasional personal use of this equipment is permitted, but information and messages stored in our system will be treated as business related.

All users of the Internet/Intranet/E-Mail system are subject to discipline pursuant to the City of Belle Glade Personnel Manual and applicable Collective Bargaining agreements, as well as all State and Federal Laws.

### **Retention of Public Record E-Mail Messages**

Florida's Public Records Law creates a significant challenge in managing E-mail, mainly because E-mail messages are by nature both informal and efficient. Most E-mail users prefer to eliminate the handling, filing and archiving tasks often associated with hard copy. Because E-mail and paper-based communications are utilized so differently, many users may not have systems in place for periodically reviewing, storing or deleting E-mail. However, it is important to remember that all E-mail messages are public records which have varying retention requirements according to the nature of their content.

All City staff is responsible for adhering to the retention schedules established by the Florida Department of State: Bureau of Archives and Records Management (BARM) for all public records, including E-mail messages. These schedules are available at the Department of State's Internet web site as follows:

<http://www.dos.state.fl.us/dlis/bann/genschedules/gensched.htm>

These retention schedules are based on a record's informational content, not its format. Each year, City offices are required to file records disposition requests via the City Clerk for all Public Records which have met their recommended retention periods and are to be destroyed, including any Public Record E-mail message, which may fall under that category.

According to the most recently updated Bureau of Archives and Records BARM, General Records Schedule, many E-mail messages are transitory communications, which are non-vital and may be discarded routinely without their written approval. However, depending on the content of the E-mail message, it may be considered a more formal record and should be retained according to the BARM record retention schedules. Retention of most E-mail messages falls within the following two categories:

- 1. Retain until obsolete, superseded or administrative value is lost.**

Examples:

- a) Routine announcements and information including notices of seminars for workshops, queries regarding processes or ideas and general information regarding programs;
- b) Reference files that are general information files used in daily functions of the administrative area;
- c) Meeting notices, statistical records, reading files and recipients interdepartmental memos.

## **2. Retain for Three Fiscal Years.**

Examples:

General correspondence, sender's inter-departmental memos, and most fiscal and budget records. Any record that sets policy, establishes guidelines or procedures, certifies a transaction or becomes a receipt would fall under this classification.

E-mail which fails into the category of "retain until administrative purpose is served" may be deleted on a daily basis when no longer needed. However, E-mail which has a longer retention period – such as correspondence or senders memos – must be retained through the three year retention period, either on the users E-mail system or in hard copy format. Like all Public Records, it must remain easily accessible during its retention period.

City employees should be aware that even when they have deleted a message from their mailbox it may not yet have been completely removed from the E-mail system. The message may be residing in the recipient's mailbox or may have been forwarded to other recipients. Furthermore, the message may be stored temporarily on the server's back-up system.

Automated backup of some City E-mail by the Management Information Systems is performed as part of standard data processing contingency practices. The Division has a program which tracks and logs any email that comes through the Exchange server. Users should only request an email through this program only if emails cannot be found any other way. This process requires the Systems Administrator to detach the information store from the Exchange server to search for emails and can result in server downtime.

Therefore, staff shall plan and implement procedures, under the direction of the City Manager, for the management accessibility of E-mail messages in order to ensure compliance with the law. If departments have deleted email that is required by law to keep under the retention schedule, they should contact the I.S. Division *immediately* in order to recover the deleted files. The Exchange server will not permanently delete email until 1,095 days has passed.

### **Employee Termination, Leave of Absence, Vacation, and Other**

Former employees have no special access rights to their E-mail messages other than a public records request for records within their retention period. Supervisors or management may access an employee's E-mail or Internet files if employees are on leave of absence, vacation, or are transferred from one department/division to another department/division and as necessary for the City's business purposes. Department Heads and Managers may also access the user's computer system for investigative or disciplinary purposes.

### **Penalties**

The misuse of Internet/E-mail privileges shall subject the offender to discipline up to and including termination. In addition, the City does not in any way condone the use of computer systems (hardware and/or software) for the use of mischief or criminal activities, and will take the appropriate action needed to seek prosecution toward the individual(s).

### **VOICE MAIL AND TELEPHONE EQUIPMENT**

Employees are prohibited from using personal cellular phones during working hours except in the event of an emergency or during a regularly scheduled break. Cellular telephones, if brought into the workplace, must be turned off except during the employees' regularly scheduled breaks. However, city-issued cellular telephones must remain in the "on" position during working hours. Personal calls during the workday, regardless of the telephone used, interfere with employee productivity and distract others. Employees whose job responsibilities include regular or occasional driving should refrain from cellular phone use while driving. Safety must come before all other concerns. The City is not responsible for the loss of personal cellular phones brought into the workplace. Employees are responsible for City-issued communication equipment and must pay for the cost of replacing any lost or damaged equipment, subject to any restrictions imposed by Federal or State law.

The use of these systems may not be used for solicitation of commercial ventures religious or political causes, outside organizations or other non-job related solicitations. Furthermore, these systems may not be used to create any offensive or disruptive messages, including any violation of the anti-discrimination and anti-harassment policy.

### **TELEPHONES**

Employees are not permitted to incur charges on any City equipment including telephones, cellular phones, pagers or computers that are not directly related to City business. Any employee who uses such equipment in violation of this policy shall be personally responsible for the full amount of any charges incurred including any interest charged by the company providing the service on the City's equipment. Any charges incurred by employees in violation of this policy shall be deducted from the employee's

next paycheck immediately following discovery of said charges so long as such deduction does not reduce a non-exempt employee's pay below the minimum wage as established by the Fair Labor Standards Act.

Moreover, should the charges to the employee exceed the amount that may be deducted from the next paycheck, the City shall continue to deduct the charges from each successive paycheck until the City is completely and fully reimbursed for such charges.

Employees have no expectation of privacy with respect to information in voice mail and voice mail because such information is the sole property of the City and may be inspected by management or others at any time, with or without prior notice. The contents of electronic mail obtained through legitimate business purposes may be disclosed within the City without permission of the employee.

Any violation of this policy shall be subject to discipline up to, and including, termination.

### **PERSONAL CHARGES INCURRED BY EMPLOYEES FOR USE OF CITY PROPERTY**

All employees who incur any charges in violation of the foregoing policy shall be personally responsible for said charges. The City shall deduct the charges incurred from the employee's next paycheck immediately following discovery of said charges so long as such deduction does not reduce a non-exempt employee's pay below the minimum wage as established by the Fair Labor Standards Act. Moreover, should the charges exceed the amount that may be deducted from the employee's next paycheck, the City shall continue to deduct the charges from each successive paycheck until the City is completely and fully reimbursed for such charges. Should said charges exceed what may be deducted during a one-month period, or \$50 in one month, whichever is greater or occurs first, shall subject the employee to immediate termination or other disciplinary action.

### **INSPECTIONS**

To maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives or other improper materials, the control, possession, transfer, sale or use of such materials on the premises and field areas is prohibited. The cooperation of all employees in administering this policy is required. Desks, computers and other storage devices may be provided for the convenience of employees, but remain the sole property of the employer. These storage devices, as well as any articles found within them, can be inspected by management or other City representatives at any time, with or without prior notice. The City will not condone theft or unauthorized possession of the property of the employees, the employer, visitors or customers. To enforce this policy, the City Manager or designee may inspect desks, packages, and persons entering and/or leaving the premises. Any

employee who wishes to avoid inspection of any articles or materials should not bring such items onto the premises.

### **SUGGESTION PROGRAM**

As employees of the City of Belle Glade, you have the opportunity to contribute to our future success and growth by submitting suggestions for practical work-improvement or cost-savings ideas.

All regular employees are eligible to participate in the suggestion program.

A suggestion is an idea that will benefit the City of Belle Glade by solving a problem, reducing costs, improving operations or procedures, enhancing customer service, eliminating waste or spoilage, or making the City a better or safer place to work. Statements of problems without accompanying solutions or recommendations concerning co-workers and management are not appropriate suggestions.

Submit suggestions in writing to the City Clerk's Office which will forward them to the City Manager. As soon as possible, you will be notified of the adoption or rejection of your suggestion.

Special recognition will be given to employees who submit a suggestion that is implemented.

### **POLITICAL ACTIVITIES**

- (A) No person shall be appointed or promoted to, or demoted or dismissed from, any position in the classified service, or in any way favored or discriminated against with respect to employment in the classified service because of his or her political opinions or affiliations.
- (B) No person shall seek or attempt to use any political endorsement in connection with any appointment to a position in the classified service.
- (C) No person shall use or promise to use, directly or indirectly, any official authority or influence, whether possessed or anticipated, to secure or attempt to secure from any person an appointment or advantage in appointment to a position in the classified service, or an increase in pay or other advantage in employment in any position, for the purpose of influencing the vote or political action of any person, or for any consideration; however, letters of inquiry, recommendations, and references by public employees or public officials shall not be considered political pressure unless any such letter contains a threat, intimidation, or irrelevant, derogatory, or false information. "Political pressure" includes the use of official authority or influence prohibited by Florida Statute Chapter 110.
- (D) No employee in the classified service, and no member of the Board, shall directly or indirectly coerce or attempt to coerce, command or advise any other officer or employee to pay, lend, or contribute any part of his or her

salary, or any money, or anything else of value to any party, committee, organization, agency, or person for political purposes. Nothing in this paragraph shall prohibit an employee from suggesting to another employee in a non-coercive manner that he or she may voluntarily contribute to a fund which is administered by a party, committee, organization, agency, person, labor union or other employee organization for political purposes.

- (E) No person shall directly or indirectly give, render, pay, offer, solicit or accept any money, service, or other valuable consideration for or on account of any appointment or proposed appointment, promotion or proposed promotion to, or any advantage in, a position in the classified service.
- (F) Any officer or employee in the civil service who violates any of the foregoing provisions of this section shall forfeit his office or position, and for one year shall be ineligible for any office or position in the civil service.
- (G) Nothing contained in this section shall be deemed to prohibit any public employee from expressing his or her opinions on any candidate or issue or from participating in any political campaign during the employee's off-duty hours, so long as such activities are not in conflict with the other provisions of this section.
- (H) No employee shall hold public office while in the employment of the City or take any active part in a political campaign while on duty or within any period of time during which the employee is expected to perform services for which he or she receives compensation from the City.
- (I) No employee shall use the authority of his or her position to secure support for, or oppose, any candidate, party or issue in a partisan election or affect the results thereof.
- (J) No employee or official shall use any promise of reward or threat of loss to encourage or coerce any employee to support or contribute to any political issue, candidate, or party.

## **MENTOR AND VOLUNTEER PROGRAM POLICY**

### **Purpose and Scope**

The purpose of this policy is to set forth procedures for employee participation in the City's Mentor and Volunteer Program. This program is in keeping with the Governor's Mentoring Initiative.

### **Authority**

Authority is designated to the City Manager by the City Commission for administration of this policy.



## **Policy Statement**

The City of Belle Glade supports the Governor's Mentoring Initiative and Palm Beach County's Volunteer program, which:

- Is built on the foundation that education is the most important opportunity we offer children, and
- Provides for community service that meets the needs of children in the community.

## **Definitions**

- a. Activities – Community-based services and programs which serve children. Examples include:  
Mentoring, tutoring, guest speaking or other related services for a school district at the direction of a volunteer coordinator for an established school mentoring and volunteer program; programs designed to build and strengthen the character and competence of youth; or programs designed to protect children.
- b. Authorized Leave – An authorized leave of absence with pay. Authorized leave counts as hours of pay, but does not count as hours of work for overtime purposes.
- c. Cumulative Use – The combined use of up to four hours of authorized leave to be used at one time when participating in a specific volunteer activity or special event during a calendar month.
- d. Employee – A full-time regular worker of the City of Belle Glade.
- e. Mentor and Volunteer Program – A City-sponsored program which provides services to schools and community-based organizations.
- f. Rest Break – A period in short duration, not to exceed fifteen minutes, which may be granted to an employee during the first and second half of the work shift. Rest breaks are considered as hours of work.
- g. Supervisory Discretion – An option of the supervisor to approve or deny a request for authorized leave for participation in the Mentoring and Volunteer Program.
- h. Time Sheet – Individual attendance and leave reports, or leave and time distribution reports.

## **Registration**

An employee interested in participating in the Mentoring and Volunteer Program must complete the following steps in the registration process before participation begins:

1. Inform his or her immediate supervisor of an interest to participate.
2. Supervisory approval must be obtained.
3. Contact the City's Mentoring and Volunteer Program Coordinator within the Human Resources Department. The coordinator (Human Resources Department representative) will provide an information packet that will include the following:
  - Mentoring and Volunteer Authorization Form
  - Form MVP-1, Registration and Training Certification
  - Form MVP-2, Volunteer Certification for Authorized Leave
  - Instructions for completion of necessary forms
4. The employee will complete Part I of Form MVP-1 (see Attachment 1) and ensure that the supervisor and organization representative complete Parts II.
5. Each educational institution/community service organization may require a fingerprinting and criminal background check on the potential participant. If fingerprinting was not a term and condition of employment with the City of Belle Glade, this background check will be the responsibility of the employee, and will not impact an employee's employment.
6. Mentors are asked to commit to a child as outlined in the preferred program's guideline.

### **Training/Orientation**

1. Certification
  - a. The educational institution/community service organization is required to provide training or orientation to each employee, outlining volunteer responsibilities.
  - b. If the educational institution/community service organization has not established a training program, a representative of the organization should meet with the employee to explain the volunteer duties and requirements.
  - c. Upon completion, the organization's coordinator must complete Part II of City Form MVP-1, certifying the completion of the training or orientation process.
2. Use of Leave
  - a. Time spent in required training or orientation shall be considered authorized leave and will be coded as MVP (Mentoring and Volunteer Program) on the employee's individual time sheet. The employee's department payroll clerk will be responsible for tracking the MVP hours for each volunteer within his or her respective department. Should the required time exceed one hour, the employee shall be allowed to

accumulate up to four hours of mentoring and volunteer program leave hours for this purpose.

- b. City Form MVP-2, Volunteer Certification for Authorized Leave (See Attachment 2) must be completed for time spent in training and orientation. This document is also used for volunteer activities as outlined in subsection b. (2) of “Authorized leave”.
- c. The employee is responsible for coordinating the completion of City Form MVP-2 with the organization’s coordinator, and must submit the completed form at the end of the leave period to his or her supervisor.

### **Registration Documentation**

Upon completion of registration and training/orientation, the employee must submit the original City Form MVP-1 to the City’s Mentoring Coordinator. The information shall be used for tracking and statistical purposes.

The employee shall also provide a copy of Form MVP-1 to his or her supervisor. The supervisor will determine a schedule that will not adversely effect the department operations. When the supervisor approves a mentoring and volunteer program schedule for the employee the form must be forwarded to the Human Resources Department for final review and approval by the City Manager. Upon approval by the City Manager, participation may begin.

After the approval process is complete, the City’s Coordinator shall provide an executed copy of the Form MVP-1 as follow:

- To the Employee
- To the Organization
- To the City’s Human Resources Department

Should it be necessary for the City’s Coordinator to return the Form MVP-1 to the employee for completion, and/or discontinue or delay an employee’s participation, notice must also be provided to the contacts outlined above and the employee’s supervisor, as necessary.

### **Authorized Leave**

Authorized leave used for participation in the City’s Mentoring Program shall count as hours of pay, but not as hours of work for overtime purposes or for FMLA eligibility. Mentoring and Volunteer Program hours shall be differentiated from work hours eligible for overtime, by use of the MVP code on the employee’s timesheet.

1. Use of Leave

In granting authorized leave for any purpose under this section, the supervisor shall take into consideration the impact of such leave on the employee's work unit.

- a. Each employee may be granted up to one hour of authorized leave per week not to exceed four hours per calendar month including, but not limited to the following school or community voluntary activities.
  - b. Mentoring and volunteering, tutoring, guest speaking and participating in an established mentoring program serving a school district, providing related services at the direction of the program volunteer coordinator.
  - c. Participating in community service programs that meet the needs of children. Examples: Guardian Ad Litem, Big Brother/Big Sister, and Communities In Schools.
  - d. If the actual volunteered time is less than one hour, the employee shall be allowed to use the remainder of the hour to assist with travel. Any additional time needed must be covered by the employee's personal leave, leave without pay, or as outlined in (3) below.
  - e. Because authorized leave is not accrued, the employee is not entitled to use the remaining time to volunteer on another workday during the same workweek.
  - f. At the discretion of the immediate supervisor, the employee may work a flexible schedule to assist with additional time needed for travel. Such schedule may include:
    - Earlier arrival to work
    - Later departure from work
    - Taking a reduced lunch break
    - Working on normal days off
- At no time shall rest breaks be accumulated, combined or used for the volunteer period or travel.
- g. At the discretion of the immediate supervisor, the employee may work a flexible schedule to assist with additional time required for travel as outlined above.
  - h. If an employee does not use authorized leave as authorized in this section, the employee shall not accrue or be paid for such leave.

## 2. Procedures for requesting leave.

Upon reasonable notice, an employee may be allowed to use authorized leave as provided in this section of the policy, unless work-related factors make approval inadvisable.

- a. When authorized leave is requested, appropriate forms must be completed in advance by the employee and signed by the immediate supervisor for approval.
- b. Each employee must provide certification of all volunteer activities from the organization for each pay-period by completion of City Form MVP-2.

The employee must ensure that Parts II and III are properly completed and certified prior to submission to supervisor.

- c. The original MVP-2 must be submitted to the employee's supervisor at the end of each bi-weekly leave period with the official timesheet. Failure to do so shall result in the absences(s) being charged to annual leave, leave without pay and/or unexcused absence.

### **Maintenance**

In order to provide proper accounting of all City Mentoring and Volunteer Program activities, the procedures outlined below must be followed.

1. The City's Mentoring and Volunteer Coordinator shall maintain a file that includes official registration forms, training/orientation certifications, and other pertinent information regarding employees approved participation.
2. The Mentoring and Volunteer Program Coordinator shall provide a quarterly report of all the City's activities to the City Manager's Office and the City Clerk's Office. This report shall include the following:  
Name of person completing status report  
Number of employees mentoring/volunteering  
Authorized leave hours used  
Location(s) where employees are serving/volunteering
3. A copy of the employee's official timesheet and the original MVP-2 must be submitted to the Human Resources Department at the end of each pay period.

Each employee must submit the aforementioned stated documents even if the authorized leave used is offset due to extra hours worked.

4. Upon receipt of the proper documentation, the department payroll clerk shall certify the authorized leave used and enter the number of approved hours onto the individual timesheet in the appropriate manner.

5. A copy of the MVP-2 shall be kept in the employee's personnel file for tracking purposes.
6. Should an employee violate the City's rules by misusing or abusing authorized leave under the Mentor and Volunteer Program, the department shall make necessary amendment(s) to the employee's timesheet and action taken in accordance with City disciplinary procedures.
7. An action form describing the amendment and a copy of the revised timesheet shall be forwarded to the Human Resources Department.

#### **Abuse or Misuse of Program**

If, as the result of an investigation, it is determined that an employee has engaged in activities that are in violation of the Mentoring and Volunteer Program's intent, he or she shall be subject to the following:

- a. Shall no longer be allowed to participate in the Program
- b. Must repay any compensation received in violation; and
- c. Shall be subject to disciplinary action in accordance with City policy.

#### **PERFORMANCE EVALUATIONS**

Employee performance is essential to the success of our City and ensures quality of service to our citizens. Once each year, on or about the employees' anniversary date of hire, the Department Head, or his or her designee, will review the employee's job progress and assist the employee in setting new job performance plans. When an employee is promoted to another position, with a corresponding pay increase, that employee's anniversary date is adjusted to reflect the date the employee began in the new position.

Newly hired employees, and employees who have been promoted or transferred, shall be given performance reviews after 30 days, 60 days, 90 days and 120 days to ensure that the employee is meeting the standards and requirements of the newly held position. After the 120-day performance review, the next review will occur on or about the employee's anniversary date.

Performance reviews are designed to provide a basis for understanding between the employee and the City with respect to each employee's job performance, potential and development within the City. Performance reviews are not necessarily designed to adjust an employee's salary. A performance review, however, may form the basis for a salary adjustment. Any salary adjustment, whether upward or downward, will be based primarily on merit. Salary adjustments are also made at the sole discretion of the City.

All salary adjustments, whether upward or downward, shall become effective the first full pay period following the employee's date of evaluation.

Failure of any department head, or supervisor as designated by the department head, to conduct timely and complete performance reviews of employees within his or her department shall be used as a factor in that department head or supervisor's own performance evaluation. Additionally, such failure may be used as a basis for disciplinary action against the department head or supervisor up to, and including, termination.

Performance evaluations shall consider and assess the employees excused absence rating measurement. The following measurements shall be used:

Rating #	Rating Defined	Number of Excused Hours
1	Unsatisfactory	120 or more hours
2	Fair	80-119 hours
3	Good	40-79 hours
4	Exceeds Expectations	16-39 hours
5	Outstanding	0-15 hours

Performance reviews resulting in any factor rating of less than 3 shall require the employee to be placed upon an "Improvement Plan" for those factors in which he or she rated at less than 3. Such Improvement Plan shall be instituted by the department head, or supervisor as designated by the department head, after consulting the Human Resources Department. Human Resources shall be provided a copy of all performance reviews within 3 business days of the date of the review. All performance reviews showing an employee rated on any factor at less than 3 shall be submitted to Human Resources within the same time frame but shall be submitted with a cover sheet indicating the need for an Improvement Plan along with a copy of the proposed plan. Upon receipt of the review and proposed improvement plan, Human Resources shall adopt, edit, reject or revise such plan and return to the department head or supervisor for implementation within 2 business days of receipt of the performance review and proposed plan.

Those employees who are placed on an Improvement Plan shall be required to undergo additional performance reviews 30 days, 60 days and 90 days after the plan is implemented. Failure of employees to improve performance to at least a 3 in the factors which originally rated at less than 3 within 90 days shall be subject to termination, reassignment, transfer or demotion at the sole discretion of the City.

## **TRANSFERS**

### **Method of Transfer Within Department**

Transfer from one position to a similar position of the same class, grade and character of work and having the same pay within a department upon approval by or direction of the City Manager.

#### **Method of Transfer to Different Department**

The City Manager may transfer an employee from a position in one department to a similar position of the same class, grade, character of work, and pay in another department.

#### **Method of Transfer to Lower Grade**

The City Manager may transfer an employee to a position in a lower class.

#### **Method of Transfer Within Police Department**

The Chief of Police may assign or change duties of an employee within any class within the Police Department upon approval by the City Manager. However, the Chief of Police shall not assign or change the duties of an employee from one range to another.

#### **When Transfers Not Permitted**

Transfers shall not be permitted where the examination upon which the appointment of the employee was based was not of the character and standard to test the fitness of such employee for the position to which it is proposed the transfer be made.

#### **Voluntary Transfers**

Employees who request and are granted a transfer to another position, which involves a change in classification levels, should be placed in the new range at the same dollar level as his or her present salary. If the employee's present salary is above the maximum salary level for the range, the salary of the employee should be capped or reduced to the maximum level indicated by the new range.

#### **Involuntary Transfers**

There are two types of involuntary transfer, one is for the good of the employee, and the other serves the best interests of the department. An example of a transfer for the good of the employee would be an individual who is no longer physically capable of performing their duties. Rather than terminating the individual, the department may determine that an involuntary transfer to a less strenuous position would be acceptable. In this instance, should the transfer be to a position classified at a lower level, the employee's salary would be at the same dollar level in the new range. If the employee's current salary is above the maximum level in the new range, the salary would be capped or frozen at the maximum level. The employee would be ineligible for any increases, either cost of living or merit, until the range advanced enough to accommodate the increase.

Involuntary transfers for the best interest of the department would be initiated by the department rather than the individual. Transfers could be of a temporary nature to address a particular problem or personnel shortage. Assignments usually exceed 30 days in length and should not be confused with the routine assumption of higher level duties,



which occur in the absence of a supervisor for vacation or short-term illness. Employees assigned, through this type of involuntary transfer, to a lower classification level should not be penalized in salary or longevity by placement in a lower classification level. He or she should continue in the previous classification level enjoying all the benefits and increases, as though no reassignment had taken place.

Employees temporarily reassigned to a higher classification level for the benefit of the department, should be granted a 5% increase or the minimum level in the new grade, whichever is greater. Regular increases should be granted during the period of reassignment. Should this employee be reassigned back to the original classification or another assignment, which carries a lower classification level, the pay should be at the same dollar level. Should the employee's salary exceed the maximum in the new range, and the reassignment is not for disciplinary reasons, the salary level of the employee would be frozen at the highest salary attained.

## **COMPENSATION DIFFERENTIAL POLICY**

The City Manager, or his or her designee, shall increase the salary of all full-time employees who are assigned the sole responsibilities of a budgeted vacant position of a higher pay grade than outlined in the employee's job description. Such increase shall be either an increase of 10% or a change in pay to the salary of the vacant position, whichever is greater. Said increase in pay shall not exceed 6 months, or as extended by the City Commission. Moreover, the following conditions must be met:

- a. the assigned position must be vacant for 30 days or more;
- b. the assigned position must be of a higher pay grade;
- c. the assigned employee must be a full time employee;
- d. the assigned employee must receive written documentation from the City manager or his or her designee regarding the assignment; and
- e. the assignment cannot exceed 6 months per occurrence, or as extended by the City Commission.

## **DISCIPLINARY PROCEDURES**

The following procedures apply to all employees of the City.

### **DISCIPLINARY ACTIONS**

Disciplinary problems are generally dealt with through the following types of actions:

1. Oral reprimand;
2. Written reprimand;
3. Suspension with or with or without pay;
4. Change in assignment or transfer;

5. Reduction in pay;
6. Demotion;
7. Discharge.

Discipline shall generally be instituted by the immediate supervisor, the Department Head, the Director of Human Resources or the City Manager. *However, in instances of suspension, change in assignment or transfer, reduction in pay, demotion or discharge, such disciplinary action must first be approved in writing by the City Manager.*

A written record of every disciplinary action, including memorandums evidencing oral reprimands, shall be made by the disciplining authority, and such record shall state the time, place and nature of the problem, together with a brief summary of the action taken and signed by the disciplining authority and the employee against whom action has been taken. Should the employee refuse to sign the written record, the record shall state that the employee refused to sign and a witness shall sign and attest to the employee's refusal to sign the record. Such record shall become a part of the employee's personnel record and a copy shall be furnished to the employee, employee's department head, the City Manager, and the Director of Human Resources. Except as otherwise provided herein, such written record shall be completed, filed and copies furnished to the appropriate persons within 2 business days of the date of the action by the disciplinary authority.

Nothing herein shall be construed to prohibit the City from imposing discipline in any order it deems appropriate for each situation. The City does not have a policy of progressive discipline and each and every employee may be terminated at any time for any non-discriminatory reason.

### **DEMOTIONS**

Employees who are demoted for disciplinary reasons should expect to be penalized by a reduction in salary or wages to be determined by the supervisor, Department Head, and approved by the City Manager. Employees demoted for reasons of reduction in force initiated to increase productivity or meet budget restrictions, shall be assigned at the same dollar level in the new classification range. Should the present salary of the employee exceed the maximum of the assigned range, the employee's salary should be capped or frozen at the top step in the newly assigned range.

### **CAUSES FOR TERMINATION, SUSPENSION, OR REDUCTION IN RANK**

Employees in the civil service who perform or permit any of the following acts shall be subject to suspension, reduction in rank or termination:

- (a) Making any false statement, certificate, mark, rating, or report with regard to any test, certification or appointment made under any provision of these rules or policies or in any manner commits or attempts to commit any fraud preventing the impartial execution of the rules and policies;

- (b) Directly or indirectly giving, rendering, paying, offering, soliciting or accepting any money, service or other valuable consideration for or by reason of any appointment, proposed appointment, promotion, or proposed promotion to a position in the classified service;
- (c) Employees incurring personal charges on City property in excess of what may be lawfully deducted from wages or salary during a one-month period, or \$50.00 in one month, whichever is greater or occurs first;
- (d) Receiving pay, bribes, tips or other valuable consideration from any source, other than regular pay from the City, for any work, services, favors, protection, influence, help, aid, assistance or promises or any of these in connection with their position, except as may be specifically authorized in writing by the City Manager for some legitimate enterprise or purpose;
- (e) Taking part in a strike against the City, interfering with other employees or prospective employees, or otherwise disrupting the lawful and orderly process of the City government;
- (f) Advocating the overthrow of the government of the United States or of the State of Florida or any other State by force or violence, or giving or offering aid or assistance to any group or individual who might advocate such overthrow;
- (g) Converting to his or her own personal use any property, material, item or thing belonging to the City or for which the City may be held responsible, except by specific authority in writing from the City Manager, with a copy furnished to the City Commission;
- (h) Being convicted of a felony criminal offense;
- (i) Willfully, wantonly, or negligently inflicting brutality or cruelty to an inmate or prisoner of the City or to a person in the City's custody. However, if the act was committed in self defense, to protect the lives of others, or to prevent the escape of a person lawfully in custody, such factors will be considered by the City Manager in determining what disciplinary action will be taken against the employee;
- (j) Violating any provision of the Civil Service Law, Rules of the Civil Service Board or Personnel Policies of the City of Belle Glade;
- (k) Conducting actions unbecoming an officer or employee of the City.
- (l) Any employee who has violated any lawful or proper official regulation or order; or who has failed to obey any lawful or proper direction made and given by an authorized employee of the City where such violation or failure to obey amounts to an act of insubordination or resulted in, or reasonably might be expected to result in, loss or injury to the City, the public, or to prisoners or wards of the City;
- (m) Any employee who has been intoxicated or under the influence of drugs or alcohol while on duty;
- (n) Any violation of the City's Drug-Free Workplace Policy;
- (o) Any violation of the City's Anti-Harassment and Anti-Discrimination Policy;
- (p) Any employee who has committed any act that amounts to an act of insubordination;

- (q) Any employee who is offensive in his conduct or language towards the public or City officers or employees;
- (r) Any employee who has solicited the vote of a member of the City Council for or against a proposed ordinance or resolution, or a proposed item in a budget, or an appropriation ordinance concerning his department, where such solicitation is charged and established to have been made elsewhere than a public hearing of the City Commission or some committee thereof;
- (s) Any employee who obtains a less than 3 in his or her overall performance rating;
- (t) Any employee who is careless or negligent of the property of the City;
- (u) Any employee who has used or threatened to use, or attempted to use political influence in securing promotion, leave of absence, the level of disciplinary action, transfer, change of grade, pay or character of work;
- (v) Any employee who engages in political activities while on duty;
- (w) Any employee who has sided or been induced, has induced, or has attempted to induce any other employee of the City to commit any unlawful act, any violation of these rules, any city department regulations, or any authorized directive from a supervisor employee of the City;
- (x) Any employee who has taken any fee, gift or other valuable thing in the course of his work for the City for his personal use, from any person, when such fee, gift, or valuable thing is given in the hope or expectation of any favor or better treatment than that accorded to any other person in connection with such work;
- (y) Any employee who has been absent from duty without leave, contrary to the rules or policies or has failed to report after his leave of absence has expired.
- (z) Any employee who engages in work for any other entity or individual while on leave from the City of Belle Glade under the sick leave, FMLA, or workers' compensation policies without prior approval by the City Commission.

## **GRIEVANCE**

A grievance is not related to disciplinary action, demotion or termination.

In conjunction with the foregoing, any employee who believes that a condition affecting him or her is unjust, inequitable, a hindrance to effective performance of his work for the City or creates a problem with reference to such work, excepting matters pertaining to disciplinary actions, terminations, demotions, transfers and layoffs, shall be entitled to have such condition considered a grievance upon filing a written complaint describing the condition together with its resulting effect and requesting consideration of remedial action. Such writing shall be signed by the complainant and delivered by him to the head of the department in which he is employed within 20 calendar days from the date the condition arose. The department head shall immediately investigate the subject matter of such grievance and make every effort to resolve the grievance within 15 calendar days from the date the grievance was filed.

Upon receipt of the grievance, the department head shall cause a copy to be furnished to the City Manager and the Director of Human Resources. If the grievance is not resolved within 15 calendar days from the date of filing, the Director of Human Resources shall review the subject matter of the complaint with the employee and the employee's department head in an effort to resolve the issue. Based upon that information, together with any other information the Director of Human Resources may deem appropriate, the Director of Human Resources shall issue a written decision with reference to such grievance and provide a copy to the department head and the complaining party. If the matter cannot be resolved by the Director of Human Resources within 15 calendar days, the City Manager shall review the grievance. The written decision of the City Manager shall be issued within 60 calendar days from the date the written notice of grievance was filed. The City Manager's decision shall be binding.

There shall be no appeal from any decision a City Manager issues regarding a grievance.

### **APPEALS**

Only non-introductory, regular full-time employees who are subject to the Civil Service Rules may appeal to the Civil Service Board. Appeals will only be heard regarding terminations and demotions pursuant to Section 2-210(c) of the City of Belle Glade Code of Ordinances and will not be heard regarding any other matter. *The Civil Service Board shall not entertain appeals relating to disciplinary actions, suspensions, administrative leave or other matters not resulting in a termination or demotion.*

To appeal a termination or demotion subject to the appellate process, the employee must:

1. File a written notice of appeal with the secretary of the Board, who shall forward a copy of same to Human Resources, within thirty calendar days from the employee's receipt of notice of demotion or termination from which the appeal is sought.
2. The written notice of appeal shall refer specifically to the demotion or termination from which the appeal is taken, specifying the date, the person instituting the demotion or termination and briefly describing the demotion or termination.
3. The secretary of the Board shall immediately, and within no later than three (3) business days, forward a copy of the notice of appeal, along with a copy of the record of the demotion or termination, to the chairman of the Board and shall notify the employee of receipt of such notice of appeal along with confirmation that the notice of appeal has been forwarded to the chairman of the board.
4. A defect in the form of the notice or an omission of any required information may defeat an appeal if all of the required information is not submitted within the time to file a notice of appeal. Upon notification from the City or the Board, the employee must, within ten days from the date of the notification, supply any omitted information or correct the form of the notice. If the

employee fails to supply same within the time prescribed, the appeal may be dismissed at the sole discretion of the Board.

### **PROCEDURES FOR THE APPEAL HEARING**

1. After receipt of the notice of appeal, the Board shall, at the next meeting, establish a date and place for the hearing and give the appealing employee, his department head, Director of Human Resources, and the City Manager reasonable notice thereof. Said notice shall conspicuously advise that, if the employee decides to appeal any decision by the board, he or she will need a record of the proceedings and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.
2. No hearing shall be held unless a quorum of the Board is present.
3. The Chairman of the Board shall begin the hearing by explaining the procedures to be followed at the hearing.
4. Each party shall have the right to be accompanied, represented and advised by counsel, or to represent him or herself.
5. Each party shall have the opportunity to present an opening statement.
6. Testimony of witnesses shall be under oath or affirmation with opportunity for cross-examination.
7. As presiding officer, the Chairman of the Board shall have control of the proceedings and shall take whatever action is necessary to insure an equitable, orderly, and expeditious hearing. All parties shall abide by his decisions, except when a Board member objects to a decision to accept evidence, in which case the majority vote of the Board will govern.
8. The Chairman, or any member of the Board, may direct questions to any witness at any time during the proceedings.
9. The employee has the burden of proving his or her case by clear and convincing evidence.
10. Each party may object to clearly irrelevant material, but no technical elections shall be allowed.
11. Before closing the Hearing, the Chairman shall allow each party to make a closing statement. The Board, taking into consideration the facts surrounding the demotion or termination from which the appeal is taken, at its discretion, may or may not order all or part of the hearing on the appeal to be stenographically reported at the expense of the Board.
12. The appearance fee of a stenographer or court reporter, if any, shall be paid by the requesting party. If both parties request such attendance, the fee will be shared equally by the Board and the appealing employee. Each party shall bear their own costs if ordering any stenographic record.

### **DECISIONS AND ORDERS OF THE BOARD**

All appealable demotions and terminations shall be upheld unless the appealing employee proves his or her case by clear and convincing evidence. Additionally, all appealable demotions or terminations shall not be reversed or modified unless a minimum of 4

Board members out of 5 votes for same. However, should the Board hearing the appeal be comprised of less than five members, the demotion or termination shall not be reversed or modified unless by majority vote.

Within thirty (30) calendar days from a hearing on appeal, the Board shall make its written findings and decisions, and transmit a copy of same to the employee, the City Manager, the Director of Human Resources, and the appropriate department head. However, all deliberations of the Board shall occur at properly noticed, public meetings. The decision shall incorporate an order of the Board sustaining, reversing, or altering the decision of the disciplining authority to demote or terminate the employee. Such order may include, but need not be limited to, reinstatement with or without back pay or other appropriate and just decisions based on the circumstances of the appeal provided that no such order shall provide any greater penalty than that administered in the demotion or termination from which the appeal was taken. The decision and order of the Board shall be issued under the signature of the Chairman of the Board.

If any Board member(s) disagrees with all or any part of the Board's decision and order, and wishes the basis for the disagreement to be incorporated in the decision and order, the Board's decision and order shall include any such dissent, indicating the member dissenting and the reasons for the disagreement.

### **REHEARING**

Any party may apply to the Board for a rehearing by filing with the secretary of the Board a written petition for rehearing within 15 calendar days from the date of the decision or order of the Board.

The petition for rehearing shall not include any new grounds or positions from those taken in the original hearing, and must set forth concisely and without argument the alleged omissions, oversights, causes or grounds on which it is based.

A copy of any petition for rehearing shall be served on the opposing party.

Only one such petition shall be allowed. The opposing party may file and serve a reply to the petition for rehearing within 5 days after such party has been served with a copy of the petition.

Within 30 calendar days from receipt of a petition for rehearing, the Board shall enter its order denying or granting the rehearing. If the Board grants a rehearing, the order granting the same may limit the scope of the rehearing as the Board may determine.

The procedures on any rehearing shall be limited to arguments relating to errors, omissions and oversights committed by the Board and no new evidence or testimony shall be permitted at any such rehearing.

## **JUDICIAL REVIEW**

Any decision and order of the board after hearing on an appeal shall be reviewable only by the judiciary on the grounds that:

1. The Board did not afford a fair and equitable hearing;
2. The decision of the Board was not in accordance with existing laws or rules and regulations promulgated thereunder;
3. The decision of the Board was not based on substantial evidence.

Any judicial appeal shall be initiated within thirty calendar days from the date of the order from which the Judicial appeal is taken in accordance with the applicable Florida Statutes, including Florida Statute Section 120.68.

## **SEPARATION**

### **EMPLOYMENT SEPARATION GENERALLY**

Employment is based on mutual consent. Both the employee and the employer have the right to separate from employment at will, with or without cause, at any time.

Employee benefits will be affected by employment separation. Upon separation of employment, employees will be paid for accrued vacation benefits. Employees will not be paid for any sick leave that is unused at the time of separation unless approved by the City Commission in accordance with any policy, resolution or ordinance in effect on the date of separation from employment. Some benefits may be continued at the employee's expense. Employees will be notified in writing of the benefits that may be continued and of the terms, conditions and limitations.

### **PRE-TERMINATION MEETINGS**

Pre-termination meetings are scheduled for terminating employees by the Director of Human Resources. The pre-termination meeting affords the employee an opportunity to be heard with respect to the reasons and or facts the employee believes do not support a termination of employment.

### **VOLUNTARY RESIGNATION**

This includes all separations of employees who voluntarily terminate their employment. To ensure accuracy of personnel records and proper consideration of any application for re-employment, employees should notify immediate supervisors in writing, giving specific details of the resignation as far in advance as possible, but not less than two weeks. However, those employees working as division managers or at a higher level shall give no less than 30 days notice of their resignation. Employees are normally expected to assist in the transfer of their duties to a co-worker designated by the supervisor.

Employees who fail to report to work for three consecutive days without proper notification and approval of absence will be considered to have abandoned their jobs and



voluntarily terminated their employment. The Human Resources Department will enter a termination notification into the employee's personnel file. Moreover, such employees will not be eligible for rehire by the City of Belle Glade.

### **LAYOFF**

A layoff occurs where, due to lack of work or funds, a department must reduce the number of persons employed in a given class, provided such class consists of 5 or more individuals. A layoff may be instituted by the City Commission by majority vote upon recommendation of the City Manager or the Human Resources Director. Such recommendation shall include any budgetary considerations relating to such layoff.

Where a layoff is ordered, employees shall be released in the following order:

- (a) Emergency
- (b) Temporary
- (c) Seasonal
- (d) Employees who have not yet completed the Introductory Period
- (e) Part-Time
- (f) Full-Time

Within each of the categories determining the order in which employees are to be subject to layoff, the department head shall have the discretion to determine the order of layoff as to each employee. Such discretion shall be based upon the employees' seniority, performance history, and other relevant factors. Seniority shall not be the sole determinative factor and shall not be weighed more heavily than other factors.

Where possible, employees subject to layoff shall be considered for transfer to another department. However, in order to be considered for transfer, the employee must be in good standing, must have worked for the City for 5 consecutive and continuous years, and must not have any derogatory or disciplinary action in his or her personnel file for the previous two years. Additionally, any transfer shall be to a similar position with like duties, responsibilities and qualification requirements in another department. Such transfers shall be subject to the procedures outlined in these policies.

“Good Standing” is defined as:

1. An employee who has not been accused, or convicted of any criminal act; or the employee has not been engaged in any action that is detrimental to the City, unbecoming a City employee, or unethical or otherwise inappropriate action as determined in the sole discretion of the City Commission;
2. An employee who does not have an investigation pending as to any action or inaction taken by the employee, or an employee whose separation from employment was not the result of, or related directly or indirectly to, any proposed investigation or disciplinary action by the City Manager;

3. An employee who has not received any written disciplinary action within the past 30 days; and
4. An employee who has no pending hearings before the Civil Service Board.

Good Standing shall be determined by a Determination Team comprised of the Assistant City Manager, Director of Human Resources, the employee's department head, and two additional directors who shall determine by majority vote whether the employee may be transferred in lieu of layoff. The meeting of the Determination Team shall be held in public and properly noticed.

## **INVOLUNTARY TERMINATION**

This includes separation from employment that has been initiated by the City.

### **Discharge**

#### Temporary, Part-time or Introductory Employees:

These City employees who are subject to the Civil Service Regulations may be discharged from employment on recommendation of the employee's department head with the approval of the City Manager, or upon independent action of the City Manager. The employees who are discharged shall be given written notice of the dismissal. The employee's position shall cease immediately upon delivery to the employee of such notice.

#### Regular Employees: (Disciplinary/Performance)

The employees who are subject to the Civil Service Regulations may be discharged by the City Manager after the pre-termination hearing. The employee shall receive a written notice specifying the reasons for discharge and signed by the person exercising such authority. The effective date of discharge shall be the date of delivery of such written notice to the employee, and the date and time of service shall be indicated upon the notice. Executed copies of the notice shall be delivered to the City Manager, the Department Head, the Director of Human Resources and the secretary to the Civil Service Board and bargaining unit, if applicable, who shall advise the chairman of the Board of receipt of such notice within two (2) business days. The notice shall be filed in the employee's personnel file.

#### Regular Employees: (Nondisciplinary)

These employees who are subject to the Civil Service Regulations and who are discharged because positions are abolished or because of lack of work or funds, shall be entitled to written notice indicating that the reason for discharge is the result of abolishment of the position and not by reason of any misconduct or improper action by the employee.

## **POST TERMINATION NAME-CLEARING HEARING**

All employees are entitled to a name-clearing hearing when false and stigmatizing information is placed in files, subject to the public records laws, attending their

termination. Employees wishing to avail themselves of this procedure must submit a request for name-clearing hearing in writing to the Human Resources Department within 10 calendar days of the date of termination. Within 10 calendar days of receipt of same, the City will schedule a name-clearing hearing. Presiding at said hearing will be the City Manager, the Director of Human Resources and one Department Head chosen by the City Manager and the Director of Human Resources. At the hearing, the terminated employee shall be permitted to present evidence and testimony relative to the falsity of the stigmatizing information. The City will also be permitted to present such evidence or testimony relative to the veracity of the stigmatizing information.

Employees subject to the Civil Service Rules may incorporate the name-clearing hearing into the Appeals procedure so long as the City receives notice of same at the time the appeal from demotion or termination is submitted. In the event an employee chooses to incorporate the name-clearing hearing into the appeals procedure, the appeals procedures will govern.

### **RETURN OF PROPERTY**

Employees are responsible for all property, including keys, computer and telephone codes, credit cards, pagers, cellular phones, radios, materials, tools, work orders, handbooks, manuals and other written information issued to them or in their possession or control. Employees must return all property of the employer that is in their possession or control in the event of termination of employment or immediately upon request. Where permitted by applicable laws, the City may withhold from the employee's paycheck the cost of any items that are not returned when required and may take appropriate action to recover or protect its property including, but not limited to, deducting the value of such items from the employee's final paycheck so long as such deduction does not reduce said employee's pay below minimum wage if such employee is not exempt from the Fair Labor Standards Act.

## **DOMESTIC VIOLENCE IN THE WORKPLACE LEAVE POLICY**

### **DOMESTIC VIOLENCE POLICY STATEMENT**

Domestic violence permeates the lives and compromises the safety of individuals each day, with tragic, destructive, and often fatal results. Domestic violence occurs within a wide spectrum of relationships, including married and formerly married couples, couples with children in common, and couples who live together or have lived together.

Domestic violence is not a private matter. In addition to exacting a tremendous toll from the individuals it directly affects, domestic violence often spills over into the workplace, compromising the safety of both victims and co-workers and resulting in lost productivity, increased health care costs, increased absenteeism, and increased employee turnover.

Therefore, the City of Belle Glade, to the fullest extent possible without violating any existing rules, regulations, statutory requirements, contractual obligations, future or current policies and/or agreements, designates the human resources department to implement the following guidelines.

### **DEFINITIONS**

For purposes of this policy, the following terms will be defined as follows.

**Domestic Violence:** A pattern of coercive tactics, which can include physical, psychological, sexual, economic and emotional abuse, perpetrated by one person against a family or household member, with the goal of establishing or maintaining power and control over the victim.

**Family or Household Member:** Includes persons related by blood or similarity; persons legally married to one another; persons formerly married to one another; persons who have a child in common, regardless of whether such persons are married or have lived together at any time, and unrelated persons who are continually or at regular intervals living in the same household or who have in the past continually or at regular intervals lived in the same household.

**Abuser:** A person who perpetrates a pattern of coercive tactics which can include physical, psychological, sexual, economic, and emotional abuse against a family or household member, with the goal of establishing or maintaining power and control over the victim.

**Victim:** The person against whom an abuser directs coercive and violent acts.

**Domestic Violence Service Provider:** Agency or staff member of an agency that primarily or exclusively provides comprehensive services to victims of domestic violence, including licensed residential programs.

### **GUIDELINES**

#### **Employee Awareness**

Increase awareness of domestic violence and inform employees of available sources of assistance.

- Post information on domestic violence and available resources in the work site in places where employees can obtain it without having to request it or be seen removing it, such as employee rest rooms or lounge areas. Such information shall include available sources of assistance such as Employee Assistance Programs, and local domestic violence service providers. Information shall be made available on employee bulletin boards, as appropriate.
- Include information on domestic violence awareness and services in new employees' benefits packages and as part of new employee orientation.

## **Notice**

When an employee needs to be absent from work as a result of being a victim of domestic violence, agencies will assist the employee in determining the best use of her/his attendance and leave benefits, taking into consideration the employee's particular situation.

## **Eligibility**

In accordance with Section 741.313, Florida Statutes, eligible employees are allowed to take up to three working days of leave within a 12-month period, if the employee or a family or household member is the victim of domestic violence and if the leave is sought for specific reasons related to the domestic violence.

## **Acceptable Reasons:**

- Seek an injunction for protection against domestic violence, repeat violence, dating violence, or sexual violence;
- Obtain medical care or mental health counseling for the employee or a family or household member to address physical or psychological injuries resulting from the domestic violence;
- Obtain services from a victim-services organization;
- Make the employee's home secure from the domestic violence perpetrator or to seek new housing to escape the perpetrator; or
  - Seek legal assistance to address issues arising from the domestic violence and to attend and prepare for court-related proceedings arising from the domestic violence.

This leave may be with or without pay. Should the employee elect leave with pay, he/she must use his/her vacation and/or sick leave if eligible.

## **Non-Discriminatory and Responsive Personnel Policy for Victimized Employees**

The City of Belle Glade will take reasonable steps to ensure that personnel policies and procedures do not discriminate against victims of domestic violence and are responsive to the needs of victims of domestic violence.

Employees are required to submit documentation to justify absences. The City of Belle Glade is aware that victims of domestic violence may initially lack documentation or may have difficulty obtaining documentation without compromising their safety. Therefore, the Director of Human Resources shall consult with the employee to identify what documentation she/he might have, or be able to obtain that will not compromise his/her safety-related needs and will satisfactorily meet the documentation requirement of the City of Belle Glade.

Employees who are victims of domestic violence and who separate from a spouse (or terminate a relationship with a domestic partner, if covered), shall be allowed to make reasonable changes in benefits at any time during the calendar year where possible, in accordance with statute, regulation, contract, plan document and policy.

### **Workplace Safety Plans**

Have in place workplace safety response plans and provide reasonable means to assist victimized employees in developing and implementing individualized workplace safety plans, consistent with existing collective bargaining agreements, statutes and regulations. Facilitate in the enforcement of all known court orders, particularly orders in which abusers have been ordered to stay away from the work site. Assist the victim in enforcement of an existing order, including gathering and providing evidence relating to whether a violation of an order has occurred.

Managers, supervisors, human resources personnel, and security staff shall inform victims of any confidentiality limitations that may exist (such as the appropriate sharing of information through the supervisory chain of command). Information related to an employee being a victim of domestic violence shall not be divulged without the express written consent of the victimized employee, unless it is determined that maintaining said confidentiality puts the victim or other employees at risk of physical harm. In these cases, where possible, give prior notification to the victimized employee of the intent to provide information to other parties.

Consult with victimized employees to develop and implement individualized workplace safety plans, which may include, when appropriate, advising co-workers of the situation; setting up procedures for alerting the public safety agency (i.e. Sheriff Dept, etc.); temporary relocation of the victim to a secure area; options for voluntary transfer or permanent relocation to a new work site, if vacancy is available and employee meets eligible requirement; reassignment of parking space; and keeping a photograph of the abuser and/or a copy of any existing court orders in a confidential on-site location and providing copies to security personnel.

### **Accountability for Employees Who Are Offenders**

Hold accountable employees who engage in the following behavior: (1) misusing City of Belle Glade resources to commit an act of domestic violence; (2) committing an act of domestic violence from or at the workplace or from any other location while on official City business; or (3) misusing their job- related authority and/or City of Belle Glade resources in order to negatively affect victims and/or assist perpetrators in locating a victim and/or in perpetrating an act of domestic violence.

Take corrective or disciplinary action in accordance with existing policies, statutes and regulations against any employee who is found to have threatened, harassed, or abused a family or household member at the workplace, from the workplace, or on City business using any workplace resources such as work time, workplace phones, FAX machines, mail, e-mail, or other means.

In cases in which an agency has verification that an employee is responsible for a domestic violence-related offense, or is enjoined by a final order of protection as a result of domestic violence, and said employee has job functions that include the authority to take actions that directly impact victims of domestic violence and/or actions that may

protect abusers from appropriate consequences for their behavior, the City shall determine if corrective action is warranted, in accordance with existing policy, statutes and regulations.

In cases in which an employee intentionally misuses his/her job-related authority and/or intentionally misuses City of Belle Glade resources in order to negatively impact a victim of domestic violence, assist an abuser in locating a victim, assist an abuser in perpetrating acts of domestic violence, or protect an abuser from appropriate consequences for his/her behavior, said employee shall be subject to corrective or disciplinary action, in accordance with existing policy, statutes and regulations.

### **Training**

Make training on domestic violence and its impact on the workplace available for all managers, supervisors, human resources personnel, and employees. Training shall be strongly encouraged.

Training shall prepare staff to identify possible clues and indicators of victimization, make appropriate referrals, work with professionals to assist identified victims in safety planning, and develop individualized responses in recognition of the physical, social, and cultural realities that may affect an individual victim's situation. Training shall also include information on the ways in which domestic violence impacts on the workplace, including the potential impact on worker productivity, and the safety risks to on-site personnel and visitors.

### **Management/Supervisory Responsibility**

All managers/supervisors shall set a tone communicating that domestic violence is behavior that will not be tolerated and that the City of Belle Glade will actively provide information and reasonable support to employees who are victims of such abuse.

All managers/supervisors shall follow the policy and procedures set forth in this policy. All managers/supervisors shall disseminate copies of the City of Belle Glade's *Domestic Violence in the Workplace Policy* to all employees upon implementation and to all new hires.

## **COMPRESSED WORK WEEK POLICY**

### **PURPOSE:**

This policy establishes a compressed work week schedule for full-time employees by implementing a 4-day, 10-hour work schedule, Monday through Thursday.

The compressed work week will enhance employee morale, improve employee job satisfaction and retention, reduce the City's energy costs and improve public accessibility

to City services by extending City Hall and Public Works hours Monday through Thursday.

Eligibility for departments utilizing 4-day work schedules will be determined based on operational need. Some City services require continuous coverage and may not operate under the 4-day work schedule. The City may modify or discontinue the 4-day work schedule at any time, for any reason, with or without prior notice.

**PROCEDURE:** -

*The below noted procedure and schedule will only effect employees working a compressed work week.*

1. Effective January 1, 2010, City Hall employees and Public Works employees will shift to a four (4) day work schedule, Monday through Thursday and will be closed for public business on Friday. City Hall business hours shall be from 7:30 a.m. to 6:30 p.m., Public Works business hours shall be from 7:00 a.m. to 6:00 p.m. Employees within the Parks and Recreation Department, and the Sanitation Division will continue their current schedule.
2. There shall be no change in the employee's current lunch schedule. All lunch breaks and practices shall remain the same.
3. An employee who works the compressed work week schedule and takes vacation or sick time, will have accrued leave time hours deducted from his/her leave bank based on the work hours established for his/her workweek. For example, if an employee's normally scheduled work hours on Monday are ten (10) hours and he/she takes a vacation day on Monday, his/her vacation leave bank will be charged for ten (10) hours.
4. When a City designated holiday falls on Monday, Tuesday, Wednesday, or Thursday and the City is closed, employees working the compressed work week schedule will be paid eight (8) hours of holiday pay. An employee may receive ten (10) hours of pay by applying two (2) hours of vacation leave, or they may elect to take two (2) hours of excused unpaid time on a holiday.
5. A holiday that falls on Friday, Saturday, or Sunday will be treated as a floating holiday for employees working the compressed work week schedule, whereby, eight (8) hours will be added to the employee's vacation leave bank.
6. Continuation of the compressed work week schedule will be determined by the City Commission pursuant to feedback from the City Manager after evaluation of employee responsiveness, ease of implementation, operational effects, cost savings, and the quality and quantity of service provided to the citizens.



## **HOLIDAY SCHEDULE:**

All part-time and full-time regular employees are entitled to receive eleven (11) designated paid holidays each year.

Legal Holidays to be observed:

- New Year's Day - January 1<sup>st</sup>
  - Dr. Martin Luther King Jr. Birthday – 3<sup>rd</sup> Monday in January
  - Washington's Birthday (President's Day) – 3<sup>rd</sup> Monday in February
  - Memorial Day - Last Monday in May
  - Independence Day - July 4<sup>th</sup>
  - Labor Day - 1<sup>st</sup> Monday in September
  - Veteran's Day - November 11<sup>th</sup>
  - Thanksgiving Day - 4<sup>th</sup> Thursday in November
  - Christmas Day - December 25<sup>th</sup>
- Two additional days to be determined by the City Manager

Should the employee need to work on a holiday, you will receive payment for the holiday at the regular rate of pay in addition to the actual hours worked.

Hourly rate employees must work their regular work day immediately before and after the holiday in order to receive pay for the holiday or be on an authorized paid leave immediately before and after the holiday. Temporary employees shall not be entitled to holiday leave with pay.

Holiday hours paid for hours not worked will not count for purposes of overtime calculation.

**Employee Acknowledgement**

The Civil Service Rules, Personnel Policies and Procedures describe important information about the City of Belle Glade and I understand that I should consult with my immediate supervisor or the Human Resources Director regarding any questions not answered in the handbook.

I have entered into my employment relationship with the City of Belle Glade voluntarily and hereby acknowledge that my employment is at will and that there is no specified length of employment. Accordingly, either the City of Belle Glade or I may terminate the employment relationship at will at any time, with or without cause, so long as there is no violation of applicable federal or state law.

Because the information, policies, and benefits described in the rules, policies and procedures are subject to change as needed, I acknowledge that revisions to the policies and procedures may occur, except to the employment-at-will policy. Any such changes will be communicated as soon as possible after the change is instituted. I also understand that the revised information may supersede, modify or eliminate existing policies. I also understand that only the City Commission has the ability to adopt revisions to the rules, policies and procedures in this manual.

Furthermore, I acknowledge that this manual of rules, policies and procedures is neither a contract of employment nor a legal document. I have received the manual and understand that it is my responsibility to read and comply with the policies contained herein and any revisions made hereafter.

I also understand that as a condition of appointment and as required by State law, I must take the following Loyalty Oath as prescribed by Section 876.05(1), Florida Statutes:

I, \_\_\_\_\_, a citizen of the State of Florida and of the United States of America or a resident alien, and being employed as an officer of the City of Belle Glade, and a recipient of public funds as such employee or officer, do hereby solemnly swear or affirm that I will support the Constitution of the United States and of the State of Florida.

EMPLOYEE NAME (printed): \_\_\_\_\_

EMPLOYEE SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

*\*\*Return original signed acknowledgment to Human Resources for placement in personnel file.*

**EMPLOYEE ACKNOWLEDGEMENT OF  
IMPLEMENTATION OF UPDATED DRUG-FREE WORKPLACE POLICY**

I, \_\_\_\_\_, hereby acknowledge that I received a copy of the Drug-Free Workplace Policy that is to become effective on **March 1, 2006**. I understand it is my obligation to read and understand the policy and that failure to comply with said policy at any time after its effective date shall subject me to disciplinary action up to, and including, termination and that I may forfeit my workers' compensation and unemployment compensation benefits.

I further acknowledge that the Notice to Employees of the Drug-Free Workplace policy was distributed to me and all employees at least 60 days prior to the policy's effective date.

- It is a violation of our policy for any employee to use, possess, sell, trade, offer for sale, or offer to buy illegal drugs or otherwise engage in the illegal use of drugs on the job;
- It is a violation of our policy for anyone to report to work under the influence of illegal drugs or alcohol;
- It is a violation of our policy for anyone to use prescription drugs illegally. (However, nothing in this policy precludes the appropriate use of legally prescribed medications);
- It is a violation of this policy to unlawfully manufacture, distribute, dispense, possess, or use controlled substances in the workplace;
- It is a condition of employment to abide by the Drug-Free Workplace Policy;
- Violations of this policy subject all employees to disciplinary action up to and including termination.

Finally, I agree that neither the issuance of these policies, nor the acknowledgement of its receipt, constitutes or implies a contract of employment.

Dated this \_\_\_ day of \_\_\_\_\_, 200\_\_.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Employee Printed Name

\_\_\_\_\_  
Witness Printed Name

*\*\*Return original signed acknowledgment to Human Resources for placement in personnel file.*

AMENDMENTS:

- CLASS PAY RANGES – COMPENSATION – WHEN PAID
- CLASSIFIED POSITIONS AND PAY PLANS
- EMPLOYEE DONATIONS OF VACATION LEAVE TO OTHER CITY EMPLOYEES POLICY
- DOMESTIC VIOLENCE IN THE WORKPLACE LEAVE POLICY
- LEAVES OF ABSENCE WITH PAY
  - Bereavement Policy
  - Sick Leave Policy
- DRIVER LICENSE’S REQUIREMENT
- USE OF CITY VEHICLES AND EQUIPMENT
- INTERNET/INTRANET/E-MAIL
- VOICE MAIL AND TELEPHONE EQUIPMENT
- COMPRESSED WORK WEEK POLICY