

# EMPLOYEE HANDBOOK



## Marion County Board of County Commissioners

*Empowering Marion for Success!*

*(Effective September 6, 2023)*

# Marion County Board of County Commissioners Employee Handbook

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# **SECTION 1**

## **GENERAL PROVISIONS**

### **1.1 GENERAL POLICY**

It is the policy of the Marion County Board of County Commissioners to:

1. Attract and recruit the best qualified candidates for employment from the competitive market on the basis of their character, cultural fit, ability, knowledge, skills, and demonstrated performance;
2. Create a positive and productive employment environment by providing opportunity for development, involvement, and advancement within the system;
3. Retain the best qualified employees through a competitive, fair, and engaging work environment;
4. Provide reasonable compensation, benefits, assurances, and safeguards to its employees;
5. Ensure that all job opportunities are equally available to all applicants and employees regardless of race, color, religion, sex, marital status, age, national origin, political affiliation, or disability, except when the disability is job related and cannot be reasonably accommodated.

### **1.2 PURPOSE**

1. The purpose of this handbook is to foster a positive employment environment of mutual benefit and protection to both the employee and the county while encouraging employee and public confidence in the organization, consistent with the policies of the Board of County Commissioners.
2. The personnel system will provide a means of equitable recruitment, selection, development, and retention and ensure that:
  - a. Classification and Pay Plans shall be adopted that shall conform to the principles of like pay for like work.
  - b. Employment in the service of Marion County shall be made attractive as a career.
  - c. Each employee shall be encouraged to render his/her best service to the County.
  - d. High morale will be maintained by fair administration of policies and by consideration of the rights and interests of the employees consistent with the best interest of the citizens of the County.
  - e. The relationship between County management and its employees shall be open and direct.

### **1.3 POLICY ON EQUAL EMPLOYMENT OPPORTUNITY**

It shall be the continuing policy of the Marion County Board of County Commissioners to afford equality of opportunity for employment to all persons without regard to race, color, religion, sex, marital status, age, national origin, political affiliation, or disability, except when the disability is job related and cannot be reasonably accommodated. Persons shall be judged by such factors as their qualifications when seeking employment and in no case shall hiring, training, promotion, or advancement opportunities, rates of pay, conditions of employment, performance ratings, discipline or termination be influenced, made or withheld on the basis of the above cited factors. Programs and benefits offered to County employees shall also be afforded without regard to the above cited factors except as required or allowed by law.

### **1.4 ADMINISTRATION AND AMENDMENT**

1. These policies and procedures shall be implemented consistent with applicable state and federal law governing the employment relationship.
2. The County Administrator shall:
  - a. Be responsible for the preparation and updating the handbook. Any proposed amendments/changes associated with the contents of this Handbook shall be subject to Departmental and Division review and be subject to approval of the Board of County Commissioners.
  - b. Promote and improve employee relations.
  - c. Establish a fair, consistent, and expeditious program for processing of employee grievances and disciplinary actions in a manner that is consistent with relevant principles of due process of law.
  - d. Establish fair and consistent hiring practices to be followed by County Administration and Department management personnel.
  - e. Establish practices concerning promotion, demotion, classifications, reclassification, title changes, and vacancies.
  - f. Establish procedures for the suspension, placement on administrative leave, or termination of employees.
  - g. Change or amend policy or procedural guidelines when such an amendment is necessary to promote the efficiency of the County government and remove ambiguities in interpretation. All such amendments/changes shall be made available to any interested employee or person. All such amendments or changes to handbook policy must be approved by the Board of County Commissioners.
3. The Human Resources Director, Assistant County Administrator, Department Directors, and all supervisory personnel will be responsible for the proper and effective administration of this Handbook within their respective areas of responsibility.

## **1.5 DIVISION/ DEPARTMENT POLICIES**

1. Any Division/ Department policies or procedures associated with the contents of this manual may serve as supplements to this Handbook. In the event of conflict in any section, the County Handbook shall prevail.
2. Any Division/ Department policy and procedure will be submitted through the Human Resources Director to the County Administrator for approval with regard to conformity to this Handbook.

## **SECTION 2**

### **STANDARDS OF CONDUCT**

#### **2.1 POLICY OF THE COUNTY**

1. Marion County is committed to the establishment and maintenance of a human resources system of personnel management that is fair and consistent in the implementation of policies and provides exemplary customer service to the community by employing and retaining individuals of the highest caliber who display our core values in the performance of their duties.
2. Employees are encouraged to develop skills and seek formal training that will enhance their personal development and add to their overall experience within the organization.
3. It is the policy of the County to expect from its employees compliance with all Policies, Procedures, State Statutes, and Federal Regulations in the performance of their duties, as well as compliance with all safety rules and standards. An employee who violates any of these policies and procedures may be subject to disciplinary action.

#### **2.2 EQUAL EMPLOYMENT OPPORTUNITY (EEO)**

1. The County is committed to ensuring that all applicants, employees, and volunteers are afforded equal opportunities in the workplace.
2. All applicants and employees shall be afforded equal employment opportunities regardless of race, color, age, gender (including pregnancy status), religion, national origin, disability status, marital status, genetic information or any other status protected by the law except where such factor is a bona fide occupational qualification or is required or is otherwise a permissible consideration by State or Federal law.
3. The County is committed to a policy of fairness and equity for all employees and will give every employee the opportunity to achieve maximum potential.
4. Applicants and employees who meet all necessary employment standards and are otherwise qualified shall be provided reasonable accommodation(s) and access for known disabilities, providing that the accommodation will not create an undue hardship on the employer and/or prevent the proper performance of the essential duties and responsibilities of the job. Physical standards will be fair, reasonable, and adapted to the requirements of the job. Such standards will be based on complete, factual information regarding working conditions, hazards, and essential physical or mental requirements of each job. Physical standards will not be used to arbitrarily eliminate disabled persons from consideration.
5. The County Administrator shall designate the Human Resources Director to serve as the Equal Opportunity Employment Officer to administer, coordinate, and supervise all equal employment concepts, projects, and the Affirmative Action Plan.
6. The County shall take affirmative action as called for by applicable laws and



Executive Orders to ensure that minority group individuals, females, disabled veterans, recently separated veterans, other protected veterans, Armed Forces service medal veterans, and qualified disabled persons are introduced into our workforce and considered for promotional opportunities.

### **2.3 AMERICANS WITH DISABILITY ACT COMPLIANCE**

It is the policy of the Board of County Commissioners to comply at all times with the provisions of the Americans with Disabilities Act of 1990 (ADA) and ADA Amendments Act of 2008 (ADAAA). The County will act positively to provide reasonable accommodations to a qualified individual so that the person might be able to perform the essential functions of a position in the agency. The essential functions of a job, including any written position description will be used in determining an individual's qualification for protection under the ADA.

### **2.4 CODE OF ETHICS**

1. It is the policy of Marion County that Chapter 112, Part III, Florida Statutes, Code of Ethics shall be adhered to by all County employees. All employees should govern themselves positively so ethical situations do not reflect negatively upon themselves or the County.
2. Conflicts of Interest: No County employee shall engage in any act which is a conflict of interest, or creates an appearance of a conflict of interest, within the performance of their official duties. Conflicts of interests are any direct or indirect monetary or material benefits accruing to a County employee as a result of a contract or transaction which is or may be the subject of an official act or action by or with the County. No employee may use, or corruptly attempt to use, his or her official position or any property or resource within his or her trust, or perform his or her official duties to obtain a special privilege, benefit or exemption for himself or herself or others. County employees may not receive County-provided services that are not available to the public, unless authorized by the Board of County Commissioners through approved personnel policies or other directives.
3. Whenever an Assistant County Administrator or Department Director requires a County service that could reasonably appear to be of exceptional benefit not available to the public, they must obtain written approval from the County Administrator before engaging those services. The Board of County Commissioners must approve such an action if the County Administrator receives such services.
4. An employee shall be deemed to have a conflict of interest if the employee:
  - a. Has any financial interest in any sale to the County of any goods or services when such financial interest was received with prior knowledge that the County intended to purchase the property, goods, or services or has any non-business relationship with any vendor or contractor which could reasonably be construed by a prudent person that the employee's independence, impartiality, and fairness has been compromised.

- b. Solicits, accepts, or seeks a gift, gratuity, or favor from any person, firm, or corporation involved in contract or transaction which is or may be the subject of official action by the County.
  - c. Directly or indirectly gives or receives, or agrees to receive compensation, gift, reward, commission, or gratuity from any source except the County or those groups approved by the County Administrator, or designee for any matter directly connected with or related to his or her official services as an employee of the County.
  - d. Engages in, accepts employment from, or provides services for private interests for any compensation or consideration having monetary value when such employment or service is incompatible with the proper discharge of official duties.
  - e. Participates in his or her capacity as a County employee in issuing of a purchase order or contract in which he or she has a private pecuniary interest, directly or indirectly.
  - f. Discloses or uses without authorization confidential information concerning property or affairs of the County to advance a private interest with respect to any contract or transaction which is or may be the subject of official action of the County.
  - g. Has an employment related financial or personal interest in any legislation coming before the County Commission and participates in discussion with or gives an official opinion to the County Commission on the nature and extent of such interest.
5. No employee of the County shall request, use, or permit the use of County-owned vehicles, clothing, equipment, materials, or other property for unauthorized personal convenience, for profit, for private use, or as part of secondary employment. Use of County property is for the conduct of official business only.
  6. Authorized personal uses may include taking an assigned County vehicle to lunch on workdays as needed or momentary stops at convenience stores when the travel is in conjunction with official or authorized business. However, Assistant County Administrator and Department Directors may be assigned a County vehicle for their convenience and may use their vehicle beyond the scope of this section, if approved by the County Administrator.
  7. Employees shall not alter, falsify, destroy, mutilate, backdate, or fail to make required entries on any records within their control, nor shall they allow other persons to do so.
  8. No County employee may use County time or property in a manner to promote any political issue or candidate, or to solicit funds for any political purpose, or to influence the outcome of any election. No County employee shall hold any publicly elected office when the holding of such office would be incompatible or would substantially interfere with the discharge of official duties.
  9. Recognizing that personal friendships often occur from official contact between employees

and persons engaged in official business with the County, reasonable exceptions are permitted for those occasions which are social in nature and are not predicated on the employee's ability to influence, directly or indirectly, any matter before the County. Examples of acceptable contact include: a meal or social event, exchanges of floral offerings or gifts of food to commemorate events such as illness, death, birth, holidays, promotions and does not exceed a nominal value of twenty-five dollars (\$25.00). Additionally, employees shall not promote any commercial enterprise or their self-employment unless such promotion is presented to all employees of the County, the promotions are provided by Human Resources for proper handling, and the employee does not receive anything of value in promoting.

10. The County Administrator shall investigate, or cause to be investigated, all suspicions, allegations, and complaints of unethical conduct by County Employees. The County Attorney shall investigate, or cause to be investigated, all suspicions, allegations, and written complaints of unethical conduct against the County Administrator. Complaints or allegations which may be criminal in nature may be referred to an appropriate outside agency for investigation. Interpretations of this policy shall be referred to County Administration or the Human Resources Director.

#### **2.4.1 POLICY AGAINST FRAUDULENT OR DISHONEST ACTS**

1. It is the policy of Marion County that all County employees shall adhere to the County code of Ethics in Section 2.04, the Code of Ethics for Public Officers and Employees as stated in Chapter 112, Part III, Florida Statutes, and this policy against fraudulent and other dishonest acts.
2. The term fraud can be defined as, but is not limited to, any dishonest or fraudulent act(s) to include: intentional material misstatement of the financial statements, forgery or alteration of any document, misappropriation of funds, supplies, etc., improper handling or reporting of money or financial transactions, profiting by self or others as a result of inside knowledge, destruction or intentional disappearance of records, furniture, fixtures or equipment, accepting or seeking anything of material value from vendors or persons providing services or materials to the County for personal benefit, and/or any similar or related irregularity.
3. Opportunities for fraud may occur because of the following reasons: poor internal controls, management override of internal controls, collusion between employees and third parties, poor or non-existing ethical standards, lack of control over supervisors by managers, and type of organization. In those instances where internal controls need strengthening, the Internal Auditor may be consulted for assistance on how to enhance those controls.
4. Managers at all levels of County management are expected to set the appropriate tone by displaying the proper attitude toward complying with laws, rules, regulations, and policies.
5. Managers are responsible for establishing and maintaining proper internal controls to provide for the security and accountability of the resources entrusted to them.
6. Managers should be cognizant of the risks and exposures inherent in their areas

of responsibility, and be alert for the symptoms of fraudulent or other dishonest acts.

7. All employees are encouraged to be alert for possible fraud and are required to promptly report any suspected fraud.
8. Reporting – Any employee who has knowledge or a reasonable suspicion that a fraudulent or other dishonest act has occurred should report it through the chain of command (supervisor, department director, Executive Director, Assistant County Administrators or County Administrator). If the employee has reason to believe that the employee’s supervisor is involved, the employee shall report the suspected fraud to the department director. However, if the employee believes that the department director is involved in a fraud, then he or she shall notify the Assistant County Administrator or County Administrator directly. Supervisors and managers at all levels of management who become aware of suspected fraudulent and dishonest activity are to respond in a consistent and appropriate manner and shall report the suspected activity to the next level in the chain of command to the fullest extent practicable. Employees may report their suspicions directly to the Clerk of the Circuit Court, Internal Audit Division. Although employees are encouraged to identify themselves and otherwise cooperate in the process, employees may remain anonymous if they so desire. However, specific information is necessary to allow for full investigation. Employees are required to cooperate fully in any subsequent investigation. The Internal Audit division will notify the County Administrator of the reported allegation if the allegation appears reasonable. A member of the public with knowledge or reasonable suspicion of fraud, waste or abuse is encouraged to contact the Internal Audit Division with specific and detailed information regarding the suspected fraudulent conduct.
9. Investigation – The County Administrator shall investigate, or cause to be investigated, all suspicions, allegations, and complaints of unethical or fraudulent conduct by County employees. Should the County Administrator determine assistance is needed, the County Administrator will promptly notify the Clerk of the Circuit Court to request the assistance of the Internal Audit Division. The County Attorney, with the approval of the BCC Chairman, shall investigate, or cause to be investigated, all suspicions, allegations, and written complaints of unethical or fraudulent conduct against the County Administrator. Complaints or allegations which may be criminal in nature may be referred to an appropriate outside agency for investigation. Interpretations of this policy shall be referred to County Administration or the Human Resources Director. All employees shall cooperate during the investigation.
10. The County Administrator or Designee will determine the appropriate action upon completion of the investigation, which may include disciplinary action.
11. The County makes every attempt to protect employees from retaliatory action due to reports of suspected fraud in accordance with section 112.3187, Florida Statutes (Whistle-blower Act). The Act protects an employee from retaliatory action by an organization against an employee who reports an appropriate contractor that creates a substantial and specific danger to the public’s health, safety, or welfare. Additionally, the Act protects employees reporting improper use of a government office, gross waste of funds, or any other abuse or neglect of duty on the part of an agency, public officer, or employee.

## **2.5 POLITICAL ACTIVITY**

1. County employees shall not use their official authority or influence for the purpose of interfering with an election or a nomination of office, for influencing another person's vote, or affecting the result thereof.
2. No employee, official, or other person shall solicit verbally, by letter or in any other manner, any assessments, petitions, contributions, or services for any political party or individual candidate from any employee during their hours of duty, service, or work with the County.
3. Nothing herein contained shall be construed to restrict the right of the employee to hold membership in and support a political party, to vote as they choose, to express opinion on all political subjects and candidates, to maintain political neutrality, to attend political meetings after working hours, or to campaign actively during off-duty hours in all areas of political activity.

## **2.6 EMPLOYMENT OF RELATIVES**

The intent of this provision is to restrict the employment of relatives within the County departments/offices and prohibit preferential treatment or favoritism such relationships may cause. For the purpose of this policy, "relative" is a 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 County will exercise sound business judgment in the placement of related employees in accordance with the following guidelines:

1. In compliance with Florida Statute 112.3135, no relative of a County employee may be appointed, employed, promoted or transferred within the same Department/program where a relative of the individual has direct supervision, jurisdiction, or control over the position.
2. No relatives permitted to work in the same work unit or in any other positions in which the County believes an inherent conflict of interest may exist. Additionally, no employee is permitted to report directly to a relative.
3. If, while employed by the County, individuals become related by marriage or adoption, all stipulations in 2.6.1 and the following policy shall apply:
  - a. If neither individual has direct in-line supervision, control, nor jurisdiction over the other nor work in the same work unit, both employees may retain their positions.
  - b. Should marriage or adoption occur between the supervisor and a subordinate employee, one of the employees must transfer to end the supervisory relationship, if possible, or if not possible, be terminated from the position.

- c. If the employees cannot decide who is to be transferred or terminated within thirty (30) days, the County will make the decision.

## **2.7 OUTSIDE EMPLOYMENT AND ACTIVITIES**

1. Employees of the County shall not engage in any outside employment, enterprise, or other activities, whether paid or unpaid, which would interfere, be inconsistent, incompatible, or in legal, ethical, or technical conflict with their duties as County employees or with the functions and responsibilities of the Department or office for which they work.
2. Any County employee who engages in non-County employment or activity shall not be able to receive Workers' Compensation or a disability plan when illness, injury, or disability results from such outside employment or other activities.
3. Employees must complete the Outside Employment form and have their Department Director, Assistant County Administrator, and Human Resources Director sign prior to engaging in outside or self-employment or other activities. A new form is required if the employee changes positions within the county and any denial shall follow the same process.
4. Permission to engage in outside employment or other activities may be denied or withdrawn at any time when it is determined by the approving authority such activity interferes with the employee's production, efficiency, causes a discredit to, or is in conflict with the interests of the County.

## **2.8 RELEASE OF INFORMATION (PUBLIC RECORDS)**

1. Florida Statutes defines public records as "all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance in connection with the transaction of official business by any agency." Additionally, "every person who has custody of a public record shall permit the record to be inspected and examined by any person desiring to do so, at any reasonable time, under reasonable conditions."
2. As County employees, we are all responsible for the proper handling of public records. This section on public records is not intended to answer all questions that may arise regarding public records requests. It is only a partial guide concerning public records. Questions or concerns about public records should be directed to your Department Director or the County Attorney's office. Routine and usual public records requests may be processed normally within each department. Department Directors must be informed of public records requests that are significant or those that are not routine or usual and the Director shall inform Assistant County Administrator or Administration of these types of requests.
3. Unless release of information is a normal part of their duties, an employee will refer all inquiries to the Assistant County Administrator or Department Director. It is not the intent of the County to be secretive or to withhold information, but to ensure that all

information released is true and accurate.

4. Public records are open for inspection by any person at any reasonable time. The request for a public record does not have to be written, nor does the requesting person have to provide a reason for the request. Employees responding to a public records request may not impose conditions on the inspection that would restrict access to the record. If part of the record is “exempt”, that portion should be covered or excised, but the remainder of the record shall be available for inspection.
5. Responses to a public records request must be in a reasonable time frame. If it takes longer than the agreed date, the Assistant County Administrator or Department Director should notify the requesting individual or agency of what you have and when the other information can be produced. If it is a lengthy request, you may suggest the person write down what they are requesting so that mistakes will not occur. If they refuse, write down what they are requesting in order to make a proper response. In any case, public records requests must be responded to and the request does not have to be in written form. Employees responding to a public records request must retain all correspondence or notes related to the public records request.
6. It is important to note that any document or record that we create (including paper “sticky” notes) is a public record and must be maintained or destroyed in accordance with the instructions written in the Florida General Records Schedule for Local Government Agencies. (Note: E-mail not prepared in connection with official agency business does not fall within the Florida Supreme Court’s definition of public records and need not be retained. For example, a written note or E-mail reminding another employee of a private birthday party would not be public record. However, “sticky” notes and other attachments that are prepared in connection with agency business would be public record).
7. Employees have no right of personal privacy in any material created, stored in, received, or sent over the Department’s E-mail system.
8. Failure to provide proper control over public records, including responding to public records requests, can lead to an investigation by the State Attorney’s Office.

## **2.9 SOLICITATION AND DISTRIBUTION**

1. Employee contributions to recognized charitable organizations are purely voluntary. No coercion of an employee to make contributions shall be permitted. Employees are prohibited from soliciting any other employees of the County on behalf of any organization, including any labor union, labor organizations, or employee organizations during working hours or the working hours of employees solicited unless the solicitation has been expressly approved by the County Administrator.
2. Employees are prohibited from distributing literature which tends to promote any organization, including any labor unions, labor organizations, or employee organizations during working hours or in any area where County work is being performed. Distribution of County sanctioned programs is not restricted by this

policy.

## **2.10 USE OF COUNTY PROPERTY**

### **1. General Use:**

- a. Employees are expected to exercise reasonable care in safekeeping, use and preservation of County equipment, tools, vehicles, materials, uniforms, etc. Employees shall return in good condition any County property upon the request of their supervisor.
- b. All employees shall promptly report in writing to their supervisors the loss, damage, or unserviceable condition of any County property. Supervisors shall then forward the report to the Department Director.
- c. Negligence in the use and care of County property including abuse, misuse, willful or negligent loss or destruction, can result in disciplinary action and/or restitution. Serious cases may result in civil or criminal action.
- d. Personal use of County equipment, materials, tools, supplies, etc., is not permitted and may constitute a criminal offense. Where any County equipment, materials, tools, supplies, etc., are to be used for any non-County purpose (e.g. a civic or charity event), the Assistant County Administrator, must approve of it in writing in advance.
- e. County property may be assigned to employees for use at home based upon position responsibilities when such home use promotes the effectiveness of office operations for the benefit of County personnel and the public.
- f. In all cases, the use of equipment outside of the County shall be limited to County related work and no equipment can be utilized for the personal benefit of any employee or family member. All use of equipment must have prior authorization by the Assistant County Administrator.
- g. Use of County vehicles will be in accordance with the Risk & Benefits Procedure Manual, dated November 2021 or as modified thereafter.

### **2. Telecommunications:**

- a. County telephones, cellular phones, and related equipment are to be used only for the performance of County business. Assistant County Administrator and Department Directors are responsible for the proper care, security, and usage of telephones and related equipment assigned to their areas.
- b. The printed record of a telephone call, generated and distributed from a communications provider, is public record and as such, is subject to the standards applied to public records.
- c. Employees who lose their assigned cellular phone or pager and it is determined to be lost due to an act of negligence, may be required to reimburse the County for the replacement cost of the cellular phone or pager. An employee may be



obligated to reimburse the County for any personal cell phone use.

- d. Unauthorized use of camera/photo cellular phones or other electronic devices to create or transmit images of County employees, work areas, or County documents is prohibited. Use of camera/photo phones are strictly prohibited in restricted access areas and areas where privacy would be expected (e.g., locker rooms, rest rooms, showers).
3. Internet Use:
    - a. County employees may be approved for access to the internet at the office based upon the position of responsibilities when such use promotes the effectiveness of office operations for the benefit of County personnel and the public.
    - b. Internet use will be in accordance with current Administrative Policies.
  4. County Vehicle:
    - a. When driving a county vehicle, employees may not read or respond to emails or text messages.
    - b. Employees are required to use safety belts while operating or riding in any County motor vehicle in accordance with FL State Statute 316.614. Drivers are required to enforce the use of seatbelts in all county vehicles for passengers in the front seat.
    - c. There shall be no smoking of any kind in a county vehicle.

Please refer to Risk and Benefits Services Safe Use of County Vehicles Procedure #C6 for additional guidelines, procedures and requirements.

## **2.11 DRESS AND APPEARANCE**

1. County employees are expected to maintain high personal, moral, and ethical standards. One of the most noticeable expressions of these personal standards is dress and appearance.
2. Work attire that is appropriate for employees in one department may not be appropriate in another. Work clothes and uniforms that are provided for many department employees generally set the standard for their function. Issued work clothes or uniforms must be properly worn by the assigned employee. Determination of an employee's specific dress and appearance is a Department Director's responsibility and will be treated as such. Personal appearance standards are to be established in departmental rules, subject to approval of the Assistant County Administrator.
3. Where County uniforms are required, they shall be worn only while on duty conducting County business. County uniforms shall not be altered in any way or embellished with non-authorized pins, emblems, insignias, etc.
4. An employee may not wear a County uniform while engaging or participating in

any activity that may reflect poorly on the County.

5. Workplace attire shall reflect the County's core values and respect its diverse culture. An employee's attire must be free of any offensive, political or discriminatory words or slogans.

## **2.12 DRIVING RECORDS**

1. Any employee who is required as a condition of employment to possess and maintain a valid Florida driver's license will immediately, upon his or her knowledge, inform their supervisor should his or her license become denied, expired, restricted, suspended, or revoked.
2. Any employee who receives a traffic citation while driving a County vehicle or personal vehicle will inform their supervisor no later than the next working day following the circumstances regarding the citation.
3. Periodic checks of employee driving records may be conducted by the County in order to ensure adherence to this policy.

## **2.13 SUBSTANCE ABUSE PROGRAM**

The County acknowledges the importance of establishing and maintaining a drug free workplace, complying with all regulations related to drug use, including the Federal Drug Free Workplace Act of 1988 and the Omnibus Transportation Employee Testing Act of 1991.

1. Definitions:
  - a. Drug/Substance Abuse: Includes the use of illicit or misuse of controlled substances, alcohol, or other psychoactive drugs.
  - b. Safety Sensitive Positions: A position in which having illicit drugs in one's system or a blood-alcohol level equal to or in excess of .02 percent constitutes an immediate and direct threat to public health and safety; where such position requires the employee: use of a commercial driver's license; to carry a firearm; to perform life-threatening procedures; work with confidential information or documents pertaining to criminal investigations; or work with controlled substances; and/or a position in which momentary lapse in attention could result in injury or death to another person.
  - c. Controlled Substances: A drug, alcohol, narcotic, or mind-altering substance which includes, but is not limited to alcohol, amphetamines, barbiturates, benzodiazepines, hallucinogens, methadone, methaqualone, opiates, morphine, cocaine, cannabinoids, phencyclidine, propoxyphene, narcotics, steroids, synthetic narcotics, designer drugs, or any metabolite of the previously mentioned substances.
2. Procedure:
  - a. The manufacture, use, possession, or distribution of illicit or non-prescribed

controlled substances on the job or on County property is strictly prohibited. Employees are required to report to work in a fit condition for duty. Having illicit drugs in one's system or a blood-alcohol level equal to or in excess of .02 percent is strictly prohibited.

- b. Employees that manufacture, possess, use or distribute drugs on the job or on County property shall be subject to administrative action up to and including termination of employment. Any confiscated drugs or contraband will be turned over to local law enforcement officials.
- c. An employee taking a legally prescribed medication that may alter his or her ability to safely perform their job duties must report these medications to the Employee Health Clinic prior to reporting to work with the drugs in their system. A member of the medical staff will counsel the employee on any restrictions to their work duty status. The Clinic will notify the respective supervisor of the employee's status. An employee's failure to report any medication that may cause drowsiness or impair his or her ability to safely perform his or her job duties will be considered a violation of this policy and the employee shall be subject to administrative action, up to and including termination of employment.

- d. Drug abuse and alcoholism are recognized as an illness and/or disorder.

Therefore, any employee that seeks help on a voluntary basis, prior to reasonable suspicion or drug/alcohol testing, will be offered treatment through the County's contract providers under the benefits specified under the County's group health insurance program. The employee will be asked to sign an agreement with the Employee Health Clinic authorizing the clinic to receive notification of attendance, progress, and recommendations from their Substance Abuse Professional concerning the employee's work duty status and follow-up controlled substance screening. Voluntary enrollment into a substance abuse program is protected by confidentiality laws.

- e. An employee that fails to comply with a treatment program and/or has a positive follow-up controlled substance screen will not be offered further job protection and shall be immediately suspended without pay pending termination of employment.
- f. Employees that do not voluntarily seek help but whose work performance or behavior indicates possible substance abuse will be required to submit to a reasonable suspicion drug/alcohol test.
- g. Any employee who refuses to submit to test for drugs or alcohol pursuant to this policy, shall be presumed, in the absence of clear and convincing evidence to the contrary, as having illicit drugs in his or her system or a blood-alcohol level equal to or in excess of .02 percent.
- h. The provisions of Section 440.102(8), Florida Statutes will govern the release of any information, interviews, reports, statements, memoranda, and drug and/or alcohol testing results received by the County through the Drug Free Workplace and Testing Program.

### 3. Employee Testing:

- a. Pre-employment: Any applicant made a conditional offer of employment with the County will be required to take a post-offer drug urinalysis test. Those applicants whose confirmed test results indicate a presence of an illegal substance or the presence of a controlled substance that has not been prescribed by their physician will be notified by Human Resources that the job offer has been withdrawn.
- b. Commercial Driver's License positions (CDL): Any applicant conditionally offered a position requiring a CDL will be required to take a drug urinalysis test. A negative test result must be received from the Medical Review Officer (MRO) before the applicant can perform any functions of their job description as mandated in the Omnibus Transportation Employee Act of 1991. Those applicants whose confirmed test results indicate the presence of a controlled substance that is an illegal substance, or one that has not been prescribed by a physician, will be notified by Human Resources that the job offer has been withdrawn.
- c. Applicants who have their conditional job offer withdrawn due to failing a pre-employment drug screen shall be eligible for consideration of future employment after one (1) year. Any applicant who fails two pre-employment drug screens will not be eligible for future employment.
- d. Current employees being promoted or reclassified to a position requiring a CDL will be required to take a drug and/or alcohol test in accordance with paragraph b above. Those employees whose confirmed test results indicate the presence of a controlled substance that is an illegal substance, or one that has not been prescribed by a physician, shall be subject to disciplinary action, up to and including termination of employment.
- e. Any employee causing or contributing to the cause of a motor vehicle accident or property/equipment damage may be tested for alcohol and drugs following the accident. If the cause of an accident is uncertain, a drug urinalysis and breath alcohol test will be done. Workplace accidents may require testing for alcohol and/or drugs.
- f. Employees operating under their CDL license are required to undergo a random testing program. Each month a computer selected, random drawing of names will be performed by the Employee Health Clinic. The selected employees will be tested for alcohol and drugs on an unannounced basis just before, during, or just after performance of their job functions. Not less than 25% of the total number of safety sensitive employees will be tested for alcohol and 50% of the total number of safety sensitive employees will be tested for drugs each calendar year, or in accordance with percentages established by Federal law. Employees refusing to test or testing positive for drugs or alcohol shall face disciplinary action, up to and including termination of employment.
- g. Reasonable Suspicion: Reasonable suspicion is based on a belief that an employee is using or has used drugs and/or alcohol in violation of this policy. The belief is drawn from specific objective and articulated facts, and reasonable inferences drawn from those facts in light of experience. Approval for such testing may be authorized by the County Administrator, Assistant County Administrator, or

Human Resources Director or his or her designee. If testing is conducted based on reasonable suspicion, the Assistant County Administrator or Department Director or their designee will immediately document the circumstances which formed the basis of determination that reasonable suspicion existed to warrant the testing. The Assistant County Administrator or Department Director will notify the approving authority of the documented circumstances. Upon determination by the approving authority that reasonable suspicion testing is warranted, the approving authority will notify the Employee Health Clinic. Among other things, such facts and inferences in determining reasonable suspicion may be based upon:

- h. Observable documented phenomena while at work, such as observation of drug or alcohol use or of physical symptoms or manifestations of being under the influence of a drug or alcohol.
- i. Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
- j. A report of drug or alcohol use provided by a reliable and credible source.
- k. Evidence that an individual has tampered with any drug or alcohol test during his or her employment with the County.
- l. Information that an employee has caused or contributed to a motor vehicle or workplace accident while on duty.
- m. Evidence that an employee has used, possessed, sold, solicited, or transferred drugs or alcohol while working or while on County premises, or while operating County vehicles, machinery, or equipment.
- n. Reports that an employee has been arrested for use (including driving under the influence), possession, selling, solicitation, or transferring illicit drugs while on or off duty.

4. Follow-up Testing:

- a. If an employee seeks voluntary employee assistance for a drug or alcohol-related problem, he or she will be required to submit to a drug and/or alcohol screening with the County's contract providers or the employee's preferred substance abuse professional.
- b. Controlled substance screening will be conducted on an unannounced basis for a total of at least six (6) tests in the following (12) twelve months. Follow up testing will continue for two (2) years or longer as recommended by their Substance Abuse Professional. Any subsequent positive drug or alcohol screens will be considered a violation of this policy.

5. Alcohol Testing Results: In compliance with the Federal requirements concerning the treatment of CDL employees who test positive for alcohol, the following will be adhered to for all employees:

- a. An employee with a confirmed breath alcohol level of 0.001 to 0.019 while at work will receive a written reprimand and counseling on the use of alcohol within four (4)

hours of the work day. The employee will be offered referral to a Substance Abuse Counselor if the employee feels they have an alcohol or drug addiction.

- b. An employee with a confirmed breath alcohol level of 0.02 to 0.039 while at work will be considered impaired and will be immediately removed from their position for at least twenty-four (24 hours), without pay, and shall be recommended for termination of employment to the Human Resources Director.
  - c. Employees with a confirmed breath alcohol level above 0.04 while at work will be considered impaired and will immediately be removed from their position and suspended without pay pending termination of their employment by the Human Resources Director.
6. Education and Training: The Human Resources Department will establish and provide the following training:
- a. Supervisory training may be provided on an annual basis to review the Substance Abuse Policy, signs and symptoms of impairment, drug addiction, and required testing procedures. Supervisors will be required to take this training every three (3) years.
  - b. Employees required to hold a CDL as a condition of employment will be provided pre-employment training on Substance Abuse and provisions of the Omnibus Transportation Employee Testing Act of 1991. This training will contain an overview of testing requirements, testing procedures, signs and symptoms of impairment and review of the substance abuse policy. Employees will be provided with updates as appropriate.

## **2.14 PROHIBITION OF HARASSMENT**

1. Policy: The County is committed to maintaining a work environment free of harassment whether such harassment is based on gender, sexual preference, race, national origin, disability, religion, age, or marital status. The County will not tolerate the harassment of its employees, supervisors, co-workers, vendors, customers or anyone else. All personnel are responsible for maintaining a workplace that is free of harassment and intimidation. The County is committed to promptly and thoroughly reviewing all complaints of harassment. If after a thorough investigation it is determined that harassment has occurred, immediate and appropriate disciplinary action will be taken, up to and including termination of employment.
2. Harassment is defined as the unwanted and/or verbal or nonverbal conduct which threatens, intimidates, pesters, annoys, or insults another person, where such conduct has the purpose or effect of creating an offensive, intimidating, degrading, or hostile work environment, or interferes with or adversely affects a person's work performance.
3. Sexual Harassment is defined as unwanted and unwelcome sexual advances, requests for sexual favors, and any other verbal or physical conduct of a sexual nature when:
  - a. Submission to the conduct is an explicit or implicit term or condition of employment or continued employment; or

- b. Submission to or rejection of the conduct is used as a basis for employment decisions affecting an employee, such as promotion, demotion, or evaluation; or
- c. The conduct has the purpose or effect of interfering with an employee's work performance or creating intimidating, hostile, or offensive work environment. No supervisor shall threaten or insinuate, either explicitly or implicitly, directly or indirectly, that an employee's refusal to submit to sexual advances will have an adverse effect on the employee's employment, performance evaluation, pays, advancement, assigned duties, shifts, or any other conditions of employment or career development.

Examples of sexual harassment in the workplace that apply to all employees include repeated offensive flirtations, advances, propositions, patting, touching or pinching, staring at or brushing against the body, sexually degrading words used to describe an individual, telling off-color jokes, terms of endearment ("honey" "sweetie," "dear"), or the display in the workplace of sexually suggestive objects or pictures (i.e. adult magazines with sexually suggestive images or literature).

#### 4. Prevention of Harassment in the Workplace (Employees' Responsibility):

- a. All personnel are responsible for maintaining a workplace that is free of harassment and intimidation. If any employee experiences or witnesses harassment in the workplace, they have an obligation to report such conduct to his/her supervisor, Department Director, Assistant County Administrator, or the Human Resources Director.
- b. An employee who reports conduct prohibited under this policy will not be disciplined, suspended, retaliated against, or terminated from employment based upon their reporting of harassment incident. However, an employee who intentionally files a false or fabricated report of harassment or an employee who intentionally testifies falsely in a harassment investigation shall be subject to administrative action against them, up to and including termination of employment.
- c. All employees have a responsibility to cooperate fully with an investigation into allegations of harassment. Failure to cooperate fully in an investigation may result in administrative action against that employee, up to and including termination of employment.
- d. All complaints of harassment are taken seriously. Investigations will be conducted in an expeditious and timely manner. Failure to cooperate fully in an investigation may result in administrative action against that employee, up to and including termination of employment.
- e. Employees should not assume that the County is aware of a harassment problem. Employees must report conduct they reasonably believe violates this policy in order for the County to investigate and take remedial action. Employees will not be penalized in any way for bringing forward legitimate complaints under this policy to the proper persons designated to handle these complaints.

## 5. Supervisors' Responsibility:

- a. In addition to the aforementioned responsibilities of all employees, supervisors are also responsible for immediately reporting complaints, observations or concerns of harassment to their Department Director, Assistant County Administrator, or Human Resources Director. Failure to report harassment may be grounds for discipline, up to and including termination.
- b. In any case in which a supervisor is witness to a situation of harassment, the supervisor shall instruct the offender to immediately stop the harassing behavior.
- c. When receiving a complaint of harassment, supervisors should instruct the complaining employee that anything they say may be reported to the investigating officials.

## 2.15 WORKPLACE VIOLENCE

1. The County recognizes that workplace violence can affect all aspects of our work and preventing acts of workplace violence is the responsibility of all employees.
2. It is the policy of the County to provide a safe and productive environment for all employees. Therefore, intimidation, threats and acts of violence will not be ignored, condoned or tolerated. Any and all acts of intimidation, threats or acts of violence will be considered serious misconduct and will be the basis of disciplinary action, up to and including dismissal. These acts will be referred, when appropriate, to legal authorities.
  - a. Intimidation – An act toward another person, the purpose of which is to coerce and the result of which could reasonably cause the other person to fear for his or her safety or safety of others.
  - b. Threat of violence – A communicated intent to inflict physical or other harm on any person or on property
  - c. Act of violence – Exercise of physical force against another person or against property.
3. Definition: Workplace violence is defined as any verbal or physical action that is communicated or perceived as a threat, harassment, abuse, intimidation or personal contact that produces fear, causes bodily harm or damage to County property or the property of employees. Workplace violence may involve family, friends, strangers, co-workers, contractors, or customers.
  - i. Any employee who commits, or threatens to commit, any violent act against any person while on County property or while on duty, may face disciplinary action, up to and including termination of employment.
  - ii. Any employee who commits or threatens to commit any violent act against another person off duty may face disciplinary action, up to and including termination of employment, if that threat or violent act could or does adversely affect the County or its reputation within the community.
  - iii. Any employee who is threatened with or subjected to any violent act shall



immediately notify their supervisor, their Department Director, Assistant County Administrator, or the Human Resources Director.

iv. Any employee who becomes aware that another employee has been threatened with or subjected to any violent act shall immediately notify their Supervisor, Department Director, Assistant County Administrator, or the Human Resources Director.

v. Prohibited Items:

1. Employees are prohibited from bringing firearms or other weapons into any County building or vehicle (except sworn law enforcement officers and weapons assigned to employees as a requirement of their job description). County property includes, but is not limited to, employee desks, offices, lockers, toolboxes, etc.

The County reserves the right to search or inspect any item the employee may have on County property, including personal belongings, for the prevention of workplace violence. Any illegal items discovered may be taken into custody and turned over to the appropriate law enforcement agency.

2. Employees are permitted to keep a personal firearm or weapon in their personal vehicle provided the firearm is unloaded and the firearm or weapon is kept in a rack or case and the vehicle remains locked on County property. Any such possession of a firearm must be in accordance with applicable Federal, State, and County laws and ordinances.

vi. Reporting Acts of Violence:

1. Human Resources will investigate any reports or complaints of workplace violence. Based on the facts established from the investigation, a determination will be made as to further action to be taken, including notifying local law enforcement authorities of actual threats or acts of violence.

2. An employee who reports conduct prohibited under this policy will not be disciplined, suspended, retaliated against, or terminated from employment based upon their reporting of a workplace violence incident. However, an employee who intentionally files a false or fabricated report of workplace violence or an employee who intentionally testifies falsely in a workplace violence investigation shall be subject to disciplinary action up to and including termination of employment.

## **2.16 EMPLOYEE REFERENCES**

1. The County shall only respond to official employment reference requests (those requests from other employers or law enforcement agencies).
2. To ensure consistency and legality of responses, all requests for employment references shall only be provided by the County Administrator, Assistant County Administrator, or Human Resources. Any questions or concerns related to providing

reference requests should be directed to Human Resources.

## **2.17 EMPLOYEE REIMBURSEMENT OF EXTENSIVE TRAINING COSTS**

1. Employees who receive extensive, skill-based training that exceeds a total cost of \$2,000.00 or an accumulated amount of \$5,000.00 for multiple courses in one calendar year, (including tuition, instructional materials, travel, lodging, meals, and other costs associated with the training program) will be required to agree to the terms as outlined in the letter of agreement prior to participating in any extensive, skill-based proficiency training.
2. There shall be a letter of agreement for each participant in the extensive, skill-based proficiency training. Grouping or combining different training opportunities is not permitted without the approval of the County Administrator. Employees who refuse to sign a letter of agreement or refuse to agree to the terms outlined in the letter of agreement may not be disciplined, demoted, or discharged solely for the reason of not signing or agreeing to the terms of agreement. Employees refusing to agree to the terms outlined in the letter of agreement or who refuse to sign the letter of agreement shall not attend any extensive, skill-based proficiency training program.
3. Employees will make arrangements for reimbursement of monies through Human Resources when the employee does not complete the terms of the training contract. Reimbursement may be made in full or in part through payment or through voluntarily relinquishing any pays or other monies due them at termination. Reimbursement made through payments must be accompanied with a signed promissory note from the employee. All reimbursement monies collected by Human Resources will be delivered to Finance for deposit into the proper account.
4. This policy does not apply to attendance at professional seminars, conferences, and symposiums.

## **2.18 EMPLOYEE RECOGNITION AWARDS**

The purpose of Employee Recognition Awards are to officially recognize County employees for their dedication and commitment to their jobs, their coworkers, and to the community. Appreciation certificates, mementoes, and plaques may be provided to employees when warranted subject to the County Administrator's approval. Recognition will be based on but not limited to the following criteria:

1. Service recognition will be conducted quarterly for those employees with years of service in increments of five (5) years starting at the five-year point. Employees with five (5) or ten (10) years of service will be formally recognized by the Department Director or designee. Employees when reaching the 15, 20, 25, etc., years of service will be recognized by the Board of County Commissioners during a scheduled Board meeting. The Chairperson of the Board will present the employees with their respective service award and certificates of appreciation for their contributions.

2. Employee recognition awards such as employee or supervisor of the year or special recognition for a project or achievement may be awarded to employees throughout the year.
3. Regular part-time employees will be credited with their time in the same manner as full-time employees. Temporary employees, who transition to regular positions without a break in service will be considered for service awards at the beginning of their temporary employment start date.
4. Funding for this program will be managed by the Human Resources Department.

## **2.19 EMPLOYEE ASSISTANCE PROGRAM (EAP)**

The County provides confidential and voluntary assistance through its employee assistance program (EAP) to all employees and their family members who may be faced with challenges of financial concerns, legal issues, alcohol or drug problems, marital problems, illness of a family member, emotional worries, child care problems, etc.

For the welfare of employees as well as for effective business operations, The County encourages its employees to take advantage of this valuable benefit. Employees and their family members can refer themselves to the EAP. The program may be reached 24 hours a day on weekdays and weekends.

The County recognizes that employees may sometimes need support and treatment for psychological or emotional problems.

EAP counselors are available via phone to talk with employees or family members to assess a problem and develop a plan for resolution. The counselors may suggest a referral to an outside resource, such as a therapist, agency, physician, treatment facility or other professional that would be appropriate to assist in resolving the problem or situation.

There is no charge for employees or their families to use the services of the EAP. The EAP counselors will make every effort to coordinate referrals for ongoing treatment with the employee's health insurance coverage and ensure that employees requesting treatment for psychological and emotional problems are given prompt attention.

1. If an employee is referred to the Employee Health Clinic for EAP services, the Employee Health Clinic may refer employees to our contract providers. An employee voluntarily coming to the clinic may be referred to EAP or the employee may opt to see their private therapist.

Any work restrictions resulting from the treatment must be received in writing and turned into the Employee Health Clinic.

2. The clinic may evaluate the employee to determine the reason for the referral: psychological, emotional, domestic violence, or substance abuse problems.

3. An employee coming to the clinic requesting assistance for alcohol or substance abuse will be placed under voluntary EAP, provided the County has no prior knowledge of the employee violating the County's substance abuse policy. Should the County have prior knowledge or suspicion of an employee's violation of the County's substance abuse policy, then the employee shall face administrative action against them, up to and including, termination of their employment.
4. If an employee expresses the possibility of suicidal or homicidal thoughts, the Marion County Sheriff's Department or the Ocala Police Department will be asked to send an officer to the Clinic to interview the employee. The purpose of the interview is to determine if the employee meets law enforcement's criteria to exercise their authority under the Baker Act.
5. Employees requesting voluntary referral to EAP counseling for a personal issue not related to substance abuse may be directed to contact the Employee Health Clinic at 352-671-8437.
6. Employees that participate in a voluntary EAP program are responsible for any associated costs of treatment not covered under the EAP program.
7. Department Directors may request that an employee be mandated to an EAP program. The referral will be directed to Human Resources for approval by the Human Resources Director or their designee. Mandated EAP referrals may be approved when there is documentation of decreased work production, increased sick leave use or when an employee's behavior, actions or words create a concern for the employee's health or for the safe operation of the workforce.

Mandatory application of the EAP program shall be conducted as follows:

- a. A Department Director provides the Human Resources Director or the Employee Health Clinic the needed documentation to support the referral to a mandated EAP program.
  - b. The Human Resources Director will confer with the Employee Health Clinic regarding the employee's referral for mandated employee assistance and the reasons for the referral.
  - c. If the decision is made to mandate the employee to the EAP program, the employee will be informed of the reasons for the referral and directed to the clinic by their supervisor or the Human Resources Director.
  - d. Employees will be required to sign a release of information form that the Clinic can confirm compliance with the treatment program. This form acknowledges the employee understands that the Clinic staff will report any noncompliance issues to the Human Resources Director and/or the Department Director.
8. Employees who refuse to be mandated into an EAP program or employees who fail to maintain compliance throughout the program, or are unable to complete the program shall be subject to administrative action against them, up to and including, termination of employment.
    - a. Clinic staff will provide the employee with the EAP contact information.

- b. The employee will then be required to contact EAP to set up an appointment.
  - c. The employee will sign a check list certifying receipt of the mandated EAP procedure, a completion of release of information form, and a signed agreement for disclosure of noncompliance issues to the Human Resources Director and/or the Department Director.
  - d. The employee's compliance with the EAP program will be reported to the Clinic throughout the treatment process.
9. Employees voluntarily requesting referral for substance abuse problems are required to sign a Release of Medical Information and consent form authorizing abuse substance screening by unannounced urine and/or breathe alcohol test for the time period of (2) two years from date of referral. The follow-up testing time frame is done according to the recommendations of the Substance Abuse Counselor.
  10. Employees working under a CDL A or B license must complete required therapy prior to returning to any safety sensitive functions.
  11. Employees that perform driving or hazardous duties as part of the essential functions of their jobs are required to provide proof of attending therapy. The Clinic personnel will provide the employee with a copy of the Work Duty Status Form for their supervisor's attention.
  12. Any employee volunteering for treatment of a substance abuse problem must remain compliant throughout the process and complete their therapy regime or be subject to administrative action against them, up to and including termination of their employment.
  13. Any employee volunteering for treatment of a substance abuse problem must sign an agreement stating the employee agrees to complete the full course of therapy regime and an acknowledgment the Clinic will inform the Human Resources Director in the event of a positive substance abuse screening test and/or failure to complete his or her therapy regime.
    - a. Failure to sign this form will be considered a refusal for treatment. A refusal for treatment shall subject the employee to administrative action against them, up to and including termination of their employment.
  14. Any future positive substance abuse screenings will result in administrative action up to and including termination.
  15. The Voluntary Referral for Substance Abuse check-off list will be signed by the nurse and the employee and placed in an EAP folder along with the Release of Information form, permission slip for unannounced substance abuse screening and the agreement for completion of therapy and/or subsequent employer notification.

## **2.20 PREVIOUSLY TERMINATED EMPLOYEES**

Employees who are terminated from County employment for disciplinary reasons

(performance or behavior) or who have resigned in lieu of termination shall not be eligible for future employment with the County, unless approved by the County Administrator.

## SECTION 3

### LEAVE AND ATTENDANCE

#### 3.1 ANNUAL LEAVE

1. Accrual of Annual Leave: All full-time and part-time regular employees who are filling established budgeted positions shall earn annual leave with pay. Part-time employees shall earn such leave on a pro-rated basis. Accrual of leave will begin upon their first day of employment. Employee use of annual leave is at the approval of the Department Director or designee. Annual leave may only be used in increments of 15 minutes or greater.
2. Annual leave is not included in the calculation of overtime.
3. Temporary employees shall earn annual leave but are not authorized to use annual leave during their temporary employment. The accrued leave can only be used if the employee is hired into a regular position without a break in their employment. Temporary employees who terminate their employment or who are at the end of their temporary employment period and are not hired into a regular position shall not be paid for their leave accruals.
4. Annual leave may only be used in lieu of sick leave when all accrued sick hours have been exhausted.
5. Full-time regular employees earn annual leave at the following rates:

<b><u>Service Years</u></b>	<b><u>Leave Earned Per Pay Period</u></b>	<b><u>Total Leave Earned per Year</u></b>
0 - 4	3.70 hours	96 hours
4.1 - 9	4.62 hours	120 hours
9.1 + years	6.15 hours	160 hours

6. Part-time employees earn annual leave at the following rates:

<b><u>Service Years</u></b>	<b><u>Fraction of Hours Leave Earned per Hour Worked</u></b>
0 - 4	.0462
4.1 - 9	.0577
9.1 +	.0768

7. Employees may accrue annual leave in excess of the annual limitations during the calendar year. However, excess annual leave greater than the carry-over limitations must be used by the employee prior to the end of the last full payroll period of the year or it will be forfeited. Requests for carrying over amounts of annual leave greater than

authorized may be approved by the County Administrator, provided the reasons for the non-use of annual leave are attributable to organizational demands. Such requests must be submitted by the employee's respective Assistant County Administrator with justification as to why the employee was unable to take leave. The carry-over limitations of annual leave accrual are:

<u>Service Years</u>	<u>Carry-Over Limitations</u>
0 - 4	200 hours
4.1 - 9	240 hours
9.1 +	300 hours

8. Employees who voluntarily resign with a written notice of resignation of ten (10) business days or more or a two week equivalent based on the employees schedule and have been employed with the County for more than one (1) year shall be paid for all unused, accrued annual leave. Employees terminating from the County without providing a written notice of ten (10) business days or a two-week equivalent based on the employee's schedule whose termination is the result of disciplinary action or resignation in lieu of disciplinary action or termination will forfeit all accrued annual leave, unless otherwise decided by the Assistant County Administrator.

### **3.2 SICK LEAVE**

1. Sick leave accrual is a privilege provided to all regular full-time and regular part-time employees. Sick leave use is intended for the necessary absence from work due to a personal illness or injury or other personal medical absences for the employee or their immediate family.
2. Sick leave is not included in the calculation of overtime.
3. Full-time employees shall accrue sick leave at the rate of four (4) hours each bi-weekly pay period for a total of one hundred and four (104) hours annually. Part-time regular employees earn sick leave on a pro-rated basis and must be regularly scheduled to work at least twenty (20) hour per week in order to earn sick leave. Regular part-time employees earn at a rate of .05 hour for each hour worked. Employees shall not retain more than 1040 hours on the books at any one time. Hours beyond that point will be forfeited.
4. Employees shall start accruing sick leave upon their first day of employment.
5. Temporary employees shall earn sick leave hours but are not authorized to use sick leave during the temporary employment. A temporary employee's sick leave can only be used if the employee is hired into a regular position without a break in their employment. Temporary employees lose their sick leave credits if there is a break in their employment time.
6. Employee use of sick leave is at the approval of their Department Director or designee.
7. Sick leave abuse is defined as a series of repetitive and undocumented absences that occur over a period of time on predictable occasions. For example, consistent absence on the day preceding or following the employee's regular day off; on the same day of



each week or month; and/or on one or two different days each month. Other examples may be:

- a. Frequent use of sick leave in conjunction with holidays, or distribution of pay checks.
  - b. Frequent use of sick leave when scheduled for undesirable temporary shifts or assignments, or during periods of peak work load.
  - c. Requesting sick leave for an absence for which annual leave has previously been denied.
  - d. Frequent occurrences of illness during the work day.
  - e. Peculiar and increasingly improbable excuses.
  - f. Using sick leave immediately after it is accrued/earned without documentation.
8. It is the responsibility of each supervisor to control the abuse of sick leave by early identification of a pattern of absence. When the supervisor determines a pattern of usage that indicates abuse of sick leave by the employee, the supervisor will:
- a. Discuss and document the employee's sick leave usage pointing out to the employee the specific dates that appear to constitute a pattern of sick leave abuse.
  - b. Afford the employee an opportunity to explain any physical or medical condition to the employee health clinic which may establish that the absences in question were for a bonafide reason.
  - c. Where the employee does not provide appropriate justification or explanation for his/her pattern of absences, the supervisor must inform the employee in writing that the approval of future sick leave will be granted only after the employee presents medical certification of a bonafide illness to the Employee Health Clinic, and that such certification is required until the individual's attendance improves. If the employee does not provide acceptable medical certification, then the absence constitutes unauthorized leave and will be handled as a disciplinary action in accordance with Section 10.09 of this handbook.
9. Approved leave under the Family Medical and Leave Act (FMLA) shall not be considered as sick leave abuse when all procedures are being followed in accordance with 3.04 of this handbook.
10. Sick leave may not be advanced to employees. Only leave hours "on the books" can be used as sick leave.
11. Employees calling in sick for same day sick leave must call in prior to the start of their assigned shift or in accordance with their department established policy. Failure to do so may result in denying the sick leave authorization and charging the employee with administrative leave without pay or with use of annual leave.
12. An employee who has ten (10) continuous years or more of employment with the County is eligible for payment of a portion of unused sick leave hours upon termination. Employees who meet the criteria stated above and who do not provide ten (10) business days' notice a two week equivalent based on the employees schedule of

resignation or who are terminated for disciplinary reasons or resign in lieu of termination shall forfeit all accrued sick leave unless otherwise directed by the County Administrator.

- a. Employees with more than ten (10) years but less than twenty (20) years of continuous County employment may be paid for ten (10) percent of their accrued sick leave hours, at their regular rate of pay at the time of termination.
- b. Employees with more than twenty (20) years but less than thirty (30) years of continuous County employment may be paid for twenty (20) percent of their accrued sick leave hours, at their regular rate of pay at the time of termination.
- c. Employees with more than thirty (30) years of continuous County employment may be paid for thirty (30) percent of their accrued sick leave hours, at the regular rate of pay at the time of termination.
- d. Employees with less than ten (10) years of County employment shall not be reimbursed for any unused sick leave hours.

### **3.3 INCENTIVE HOURS**

#### **1. Sick Leave Incentive Hours**

- a. Employees who manage their sick leave accruals responsibly may earn incentive hours based on the amount of sick leave hours that are not used in a year period ending with the last full payroll period of the year. To earn incentive (annual leave hours), an employee must use less than twenty-four (24) hours of sick leave per calendar year.
- b. Employees with less than six (6) months of continuous County employment are not eligible for incentive hours. Employees with more than six (6) months of continuous County employment, but less than one (1) year are provided a prorated amount of incentive hours.
- c. Incentive hours earned shall be credited towards an employee's annual leave balance. Sick Leave Donated hours shall not count against Sick Leave Incentive Hours. Use of Donated Leave shall count toward Sick Leave Incentive Hours.
- d. The maximum amount of incentive hours available to full-time employees is 32 hours of annual leave earned. Incentive hours for part-time employees will be managed on a pro-rated basis.

Example:

0 sick hours taken – 32 hours annual leave earned

4 sick hours taken – 26 hours annual leave earned

12 sick hours taken – 16 hours annual leave earned

20 sick hours taken – 6 hours annual leave earned

2. Safety Incentive Hours:

a. Safety incentive hours will be awarded to each full-time and part-time employee if they are in a department that meets all requirements for the quarterly department safety awards. In order for departments to qualify, they must meet all the requirements as outlined in Section 3 of the Safety Recognition and Incentive Program. Departments are divided into three risk exposure type category groupings: high, medium and low risk. The department risk exposure categories are outlined in Section 4 of the Safety Recognition and incentive Program.

1. Department employees in the high risk exposure category will receive 2 hours per quarter.
2. Department employees in the medium risk exposure category will receive 1.5 hours per quarter.
3. Department employees in the low risk exposure category will receive 1 hour per quarter.

b. Safety incentive hours will be calculated at the end of each quarter and distributed to departments following the conclusion of each fiscal year and no later than October 31.

c. Employees are able to begin using their safety hours at the beginning of the calendar year and are required to use or lose their safety hours by the end of the following payroll calendar year. Safety incentive hours will be forfeited at time of resignation or retirement (there is no pay out for accrued safety hours.)

**3.4 FAMILY AND MEDICAL LEAVE ACT OF 1993 (FMLA)**

1. Eligibility: An employee must have been employed with the County for at least twelve (12) months without a break in service of more than seven (7) years and must have worked at least 1,250 hours in the past year to be entitled to the leave benefit provided by the Federal Family and Medical Leave Act of 1993. All eligible employees are entitled to a total of twelve (12) weeks (480 hours) of said leave during a twelve (12) month period. The County will use a rolling twelve (12) month period measured backward from the date an employee uses FMLA. For example, if an employee has taken five (5) weeks of FMLA prior to twelve (12) months expiring, he or she could take an additional seven (7) weeks under this policy. All eligible employees are also entitled to a total of twenty- six (26) weeks of military caregiver leave during a single twelve (12) month period. The single twelve (12) month period is measured forward from the date an employee's leave to care for the covered service member begins.

FMLA may be taken for one or more of the following reasons:

- a. Birth of a child in order to care for such child within one year of birth;
  1. If both parents work for Marion County, the rolling FMLA time of up to 12 weeks for bonding must be shared by both parents (creating a combined total of up to 12 weeks for bonding)
- b. Placement of a child with the employee for adoption or foster care within one year of placement;
  1. If both parents work for Marion County, the rolling FMLA time of up to 12 weeks for bonding must be shared by both parents (creating a combined total of up to 12 weeks for bonding)
- c. Caring for a spouse, child, or parent with a serious health condition, or
- d. The serious health condition of the employee.
- e. A qualifying exigency arising out of the fact that a spouse, son, daughter or parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves, or
- f. The spouse, son, daughter, parent or next of kin of a covered service member with a serious illness or injury.

Employee's total leave entitlement is limited to a combined total of twenty-six (26) weeks for all qualifying reasons under FMLA and military leave.

2. Definitions:

- a. Child – biological, adopted, or foster child; stepchild; legal ward; or child of a person standing in loco parentis who is under eighteen (18) years of age; or eighteen (18) years of age or older and incapable of self-care because of mental or physical disability.
- b. Health Care Provider – a doctor of medicine or osteopathy who is authorized to practice medicine or surgery by the State in which the doctor practices, physician assistant or other paraprofessional medical professional performing within the scope of their practice as defined under state law.
- c. Parent – the biological parent of an employee or an individual who stood in loco parentis to an employee when the employee was a child.
- d. Spouse – A husband or wife as defined or recognized under state law for purposes of marriage in the state where the employee resides.
- e. Serious Health Condition – an illness, injury, impairment, or physical or mental condition that involves inpatient care at a hospital, hospice, or residential medical care facility, or continuing treatment by a health care provider.
- f. Continuing Treatment – treatment two or more times by a health care provider within a thirty (30) day period. For chronic conditions, such visits must take place at least twice a year.

- g. Qualifying Exigency – a non-medical activity that is directly related to the covered military member’s active duty or call to active duty status.
  - h. Active Duty or Call to Active Duty – duty under a federal call or order (not a State call) in support of a contingency operation made only to members of the National Guard or Reserve components or a retired member of the Regular Armed Forces or Reserve.
  - i. Covered Service Member – *current* member of the Regular Armed Forces, National Guard, or Reserve receiving medical treatment, recuperation or therapy, including those on the temporary disability retired list because of an injury or illness incurred in the line of active duty.
3. Maintenance of Benefits:
- a. An employee shall be entitled to maintain group health insurance coverage on the same basis as if he or she had continued to work for the County. To maintain uninterrupted coverage, the employee will have to continue to pay their share of insurance premium payments. This payment shall be made either in person or by mail to Risk & Benefits Services. If the employee’s payment is more than thirty (30) days overdue, then coverage will be dropped by the County.
  - b. If the employee contributes to a life insurance or disability plan, the County will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee is required to make arrangements with Risk & Benefits Services to make the necessary payments to continue coverage. Failure to do so may void the employee’s coverage.
4. Job Restoration: An employee who utilizes FMLA or military caregiver leave under this policy will be restored to the same job or a job with equivalent status, pay, benefits, and other employment terms upon return from an approved FMLA. Use of FMLA or military caregiver leave will not normally result in loss of any employment benefits earned or entitled to before leave.
5. Use of Unpaid Leave: The County requires employees to first use paid sick leave and then annual leave time during FMLA. All accrued leave on the books must be used before being provided leave without pay, this includes, comp time and any personal days, unless otherwise approved by the County Administrator. Employees on military exigency leave are required to exhaust all annual leave time before being provided leave without pay, unless otherwise approved by the County Administrator.
6. Use of Intermittent Leave:
- a. Intermittent use of the twelve (12) weeks of FMLA or a reduced work week must be coordinated with the Department Director and should not unduly interrupt the operations of the County. Intermittent leave must be recommended by the employee’s attending physician, shall not be construed as light duty or restricted work permission. Requests for intermittent leave for the birth of a child, to care for a newborn child, or for the placement of a child with the employee for adoption or foster care other than for prenatal care visits or extenuating circumstances will be considered on a case-by-case basis.

- b. When using intermittent leave the employee must notify the department and the Employee Clinic of any absence taken under Intermittent FMLA.
  - c. Intermittent leave is defined as FMLA leave taken in separate blocks of time due to a single qualifying reason.
7. FMLA in Conjunction with a Holiday:
- a. Intermittent use of FMLA in conjunction with a holiday: The holiday is paid as holiday time.
  - b. Continuous use of FMLA in conjunction with a holiday: The holiday is paid as holiday time and will be counted against the employee's FMLA time.
8. FMLA in Conjunction with Worker's Compensation: Employees who lose time from work for a work-related injury will automatically be placed on family medical leave, if they are eligible and meet the requirements of the Family and Medical Leave Act. This action shall not affect the employee's worker's compensation benefits under Florida Statute 440.
9. Procedure for Requesting FMLA or Military Caregiver Leave:
- a. All employees requesting leave under this policy must complete the FMLA or Military Caregiver Leave forms available from Human Resources. Employees must give the County thirty (30) days' notice of use of such leave. If this is not possible, the employee must give as much notice as possible. Employees must make a reasonable effort to schedule the treatment and/or intermittent leave to minimize disruptions to County operations.
  - b. While on FMLA or military caregiver leave, employees are required to communicate with their supervisor on a regular basis of the status of their medical condition and their projected time to return to work.
  - c. FMLA and military caregiver leave approval is handled on a case by case basis and is dependent upon the documentation provided by the employee's health care provider and the Federal regulations under the act.
  - d. If an extension of the approved leave is required, documentation from the health care provider must be submitted to Human Resources or the Employee Health Clinic.
10. Human Resources will issue approval/denial of FMLA or military caregiver leave requests to the employee and the department contact.
11. Upon return to work from continuous FMLA, the employee must provide documentation from the health care provider to the Employee Health Clinic with a fitness for duty certification if required.
12. Employee's timesheets must indicate time used as FMLA or military caregiver leave.
13. Employees using FMLA for birth of a child can use sick leave until released for work by the physician (usually six (6) weeks). Any time used after release to work will be charged against annual leave or leave without pay.
14. Use of sick leave under FMLA or military caregiver leave is charged against

requirements for incentive hours and will follow regular sick leave procedures covered in Section 3.02 of the Employee Handbook.

15. Employees with an ongoing medical FMLA issue are required to recertify their FMLA request every six (6) months.
16. When the County has enough information to determine that an employee's absence is being taken for a FMLA qualifying reason, the County will notify the employee that the leave is designated and will be counted as FMLA.
17. An employee who is on **continuous** FMLA and has exhausted all FMLA time allowed, will be granted two (2) additional pay periods before being notified by Human Resources of an Administrative Status Meeting.
18. An employee who is on **intermittent** FMLA and has exhausted all FMLA time allowed, will be granted one (1) additional pay period before notified by Human Resources of an Administrative Status Meeting.

### **3.5 ADMINISTRATIVE LEAVE WITH PAY**

1. Exempt employees may be authorized administrative leave with pay when they work an excessive amount of hours in a single pay period. Additionally, such time may not be "banked", but must be used within ninety (90) days. Administrative leave with pay shall not be taken in conjunction with annual leave, sick leave, or a holiday without prior approval of the Department Director.
2. The Human Resources Director in consultation with the County Administrator, or their designee may approve administrative leave with pay in conjunction with an official investigation, misconduct of an employee or inappropriate behavior when it is in the best interest of the County to remove the employee from the workplace. When an employee is placed on administrative leave with pay for an investigation, misconduct or inappropriate behavior, the Human Resources Director or designee shall coordinate this action with the Department Director and the Assistant County Administrator, as applicable.
3. Administrative leave with pay may be approved by the County Administrator or his designee for training time away from the office, leave for special time off, or other purposes such as award or merit recognition.

### **3.6 ADMINISTRATIVE LEAVE WITHOUT PAY**

1. Employees may be provided administrative leave without pay, when, in the judgment of the Assistant County Administrator the employee has a justifiable need for this consideration. Leave without pay will be documented on a personnel transmittal (PT) and approved by the Human Resources Director or designee. Employees provided administrative leave without pay will not receive holiday pay, if the holiday is within the administrative leave without pay period granted.
2. Employees must have exhausted all annual leave and/or sick leave (if absence is for medical purposes) prior to going on an unpaid status.

### **3.7 ADMINISTRATIVE LEAVE WITHOUT PAY (PENDING PRE-TERMINATION HEARING)**

1. Employees pending a pre-termination hearing as a result of misconduct or inappropriate behavior shall be placed in an Administrative leave without pay status until the pre-termination hearing.
2. If the employee is not terminated, he or she will be paid for the time he or she was in the leave without pay status.

### **3.8 COURT OR JURY DUTY**

1. An employee who is summoned as a member of a jury is granted administrative leave with pay. Employees summoned for jury duty, but not selected must report back to the job site after release from the courts. Employees who are subpoenaed or required to appear in court relating to County business or as a witness for the County or State (not personal cases) are paid at their regular rate if called away from the work site. Any witness fees or stipend received (except travel and meal allowances) must be returned to the Finance office.
2. Employees who are absent from work due to personal litigation or court cases may be allowed to use annual leave with their Department Director's approval. Employees will not be reimbursed for meals, lodging, or travel expenses incurred while in service as a juror or witness, unless travel is out of the County and expenses are related to County business.

### **3.9 MILITARY LEAVE**

1. The County recognizes the sacrifices and contributions that military veterans have made throughout history in service of our Nation and State.
2. Employees who are members of the United States Armed Forces, Armed Forces Reserves, including the Florida National Guard, shall be entitled to administrative leave with or without pay during periods of military training or service. Such leave, with or without pay shall adhere to the Federal and the Florida Administrative Code and Florida Statutes.
3. Employees must submit valid military orders when requesting a leave of absence when called to active duty or active duty for training.
4. Employees must contact Risk Management prior to departing on military training or service to review their benefit options.

### **3.10 BEREAVEMENT LEAVE**

Employees, upon request, shall be granted up to 3 (three) days of administrative leave with pay to attend the funeral affairs of an immediate family member.



Bereavement leave must be taken within thirty (30) days of the death unless otherwise approved by the Human Resources Director. (See Section 17 for the definitions of Immediate Family Members.)

### **3.11 EMPLOYEE SICK LEAVE DONATION POOL**

1. The County provides a leave donation pool to eligible employees for an extensive, non-routine illness or disability of the employee, their spouse, child, parent, or a person living in the home whom the court has designated the employee as the legal guardian. An illness for the purpose of this program will be defined as an illness or disability requiring extensive medical care. The leave donation pool shall be provided under the general guidance of the Human Resources Director. Eligible employees may request or donate leave as described in this policy. Participation in the leave donation pool shall be strictly voluntary. Leave shall be permitted from the leave donation pool to the participating employee requesting leave subject to the provision of this policy.
2. For the purpose of this policy, the following definitions shall apply:
  - a. Donor: An eligible participating employee who has elected to donate sick leave or annual leave to the sick leave pool.
  - b. Recipient: An eligible participating employee who has suffered an extensive, non-routine illness or disability requiring extensive medical care as specified in paragraph one (1) above and has been authorized to request leave from the sick leave pool.
3. This policy is applicable to all employees of the County who are eligible to accrue and use paid leave and who have been continuously employed for not less than twelve (12) months in a County position(s) entitled to earn and use leave.
  - a. Employees requesting donated leave will automatically be placed under the Family Medical Leave Act (FMLA) if otherwise eligible. FMLA will run concurrently with donated leave.
  - b. Each Department Director or Assistant County Administrator, the Director of Human Resources or designee shall have the discretion to approve or deny all requests for leave from the pool. If a Department Director, Assistant County Administrator, or designee denies a request for leave from the pool, reasons for the denial will be provided in writing to the Human Resources Director.
4. Sick Leave Pool Participation Requirements – An employee must:
  - a. Be employed in a County position eligible to earn and use leave;
  - b. Have been continuously employed for not fewer than twelve (12) consecutive months by the County in a position(s) entitled to earn leave;
  - c. Have a combination of 160 hours between accrued sick leave and accrued annual leave;
  - d. Have not submitted a written notice of resignation or retirement, excluding DROP.
  - e. Participants must be willing to donate a minimum of 16 to a maximum of 40 hours

when they initially enroll in the donation pool.

- f. Employees will have the opportunity to enroll in the Sick Leave Donation Pool once a year at open enrollment. Newly hired employees will be given the opportunity to complete a Sick Leave Pool Enrollment form at orientation. The hours will be taken from the new hire at their one year anniversary date as long as they have enough hours accrued.
  - g. Participants must donate eight (8) hours if the bank falls below a designated safety level of 2000 hours. If sick leave has been exhausted, then eight (8) hours of annual leave will be donated.
  - h. Participants will be required to fill out a Sick Leave Pool Enrollment form when they initially enroll in the donation pool. Completion of this form will allow the employee continued participation in the pool from year to year. Completion of this form will allow the Human Resources Department to deduct the eight (8) hours required in section 6(g) to refill the bank from any employee enrolled. If an employee wishes to remove themselves from the pool, written notification must be submitted to Human Resources.
  - i. Sick leave contributed to the sick leave pool by a member shall remain in the pool and be forfeited upon the employee's cancellation of membership in the pool, retirement, or termination.
  - j. Members who use sick leave pool benefits shall not be required to replace the hours used.
  - k. Donating leave to the pool will not affect an employee's incentive hours.
  - l. Part-time employees wishing to participate in the Sick Leave Pool must have worked at least 1,250 hours in the past year and have a combined 160 hours between accrued sick leave and accrued annual leave.
5. To be eligible to request donated leave:
- a. The employee must be a participant in the donation pool;
  - b. Be employed in a position eligible to earn and use leave;
  - c. Have been continuously employed for not fewer than twelve (12) consecutive months in a position entitled to earn leave;
  - d. Not have received a formal disciplinary action (for conduct) or been on an attendance plan in the twelve (12) month period preceding the request;
  - e. Have exhausted all accrued leave (Sick, Annual and Comp Time).
  - f. Have used their Personal Day.
  - g. The maximum allowed single event usage will be four hundred eighty (480) hours or twelve (12) weeks of paid leave. However, the leave will be credited to the employee as needed, not all at one time.
  - h. Participants may only request leave once in a twelve (12) month period. Requested leave will not be carried over year after year. Requested leave will be awarded for a rolling 12 month period in accordance with FMLA leave section 3.04 of this handbook.

- i. While using donated leave, the recipient will be in an active pay status and, as a result, will accrue annual and sick leave, in accordance with Section 3.01 Annual Leave and 3.02 Sick Leave of this handbook. All accrued leave must be used prior to continuing to use donated leave.
6. Use of donated leave: All donated leave is considered sick leave, and is therefore subject to applicable provisions of the County policy governing sick leave usage.
7. An employee may not request leave donations for:
  - a. Any occupationally related accident or illness which is under Worker's Compensation benefits;
  - b. Disability incurred in the course of committing a felony or assault;
  - c. Child birth;
  - d. Intentional self-inflicted injuries;
  - e. Cosmetic, routine or elective surgery not permitted under FMLA.
8. An employee may not use donated leave in the following circumstances:
  - a. During periods of disciplinary probations or suspensions; or
  - b. While receiving disability insurance benefits.
9. Use of the Pool:
  - a. Participation in the Pool does not guarantee hours may be withdrawn from the Pool. All hours will be disbursed based on availability and approval by the Human Resources Director.
  - b. Employee must provide to the Employee Health Clinic medical documentation from a licensed health care provider documenting the circumstances of the extension, non-routine illness requiring extensive medical care.
  - c. The Certification of Health Care Provider Form must include the following information:
    - i. The date the extensive, non-routine illness requiring extensive medical care began;
    - ii. The probable duration of the condition/treatment or absence in days, weeks, or months;
    - iii. The appropriate medical facts within the health care provider's knowledge.
  - d. Submission of this request is the Employee's release to allow the Clinic Manager Registered Nurse to review the request and determine if the request meets the intent and purpose of this program.
  - e. If the request for leave from the pool is approved, the Director of Human Resources or designee will designate the employee as a recipient under the provisions of this policy.
  - f. After approval of leave from the pool, the Director of Human Resources or designee will provide the respective department payroll specialist a payroll notification form of acceptance of hours.

- g. The department payroll specialist will be responsible each pay period to request the number of hours needed from the pool in accordance with 7(g) of this policy.

### **3.12 ATTENDANCE**

1. Punctual and regular attendance is a condition of employment. Employees are required to report to work at the appointed time, as scheduled, and to work the entire shift. Each Department Director is responsible for maintaining an accurate attendance record of their employees.
2. Employees who are unable to work or unable to report to work on time shall notify their supervisor, another departmental supervisor, or any person of authority within the Department no later than thirty (30) minutes after the start of the employee's scheduled shift or in accordance with the Department's designated policy. If an approved absence continues beyond one (1) day, the employee is responsible for informing their supervisor or Department Director of the expected length of absence, if possible. Employees out on sick leave for three (3) consecutive days must report to the Employee Health Clinic (with a medical provider's note) for medical clearance to return-to-duty, or if they require further medical attention. The Clinic shall either provide a return-to-work report for the employee to give to their supervisor or inform the employee they are not cleared for work and the Clinic will notify the employee's supervisor of the determination.

### **3.13 TIME REPORTING**

All non-exempt employees must complete a time sheet or time card or electronic timekeeping record daily. If a time clock is malfunctioning, the employee shall write their start and stop times on a time card and their supervisor shall initial that the times reported are the actual start and stop times for the employee.

### **3.14 OVERTIME DISCLAIMER**

Leaves of absence shall not be counted as time worked for the purpose of computing eligibility for overtime.

## **SECTION 4**

### **HOLIDAYS**

#### **4.1 HOLIDAYS**

1. The County recognizes nine (9) official holidays:
  - a. New Year's Day
  - b. Martin Luther King, Jr. Day
  - c. Memorial Day
  - d. Independence Day
  - e. Labor Day
  - f. Veteran's Day
  - g. Thanksgiving Day
  - h. Friday after Thanksgiving Day
  - i. Christmas Day
2. When a holiday, falls on a Saturday, the holiday will be observed on the preceding Friday. When a holiday falls on a Sunday, the holiday will be observed on the following Monday.
3. If Christmas day falls on a Tuesday, the preceding Monday will also be a holiday. If Christmas day falls on a Thursday, the following Friday will also be a holiday. When Christmas Eve falls on a Tuesday, Wednesday or Thursday, County departments may close early. When this occurs employees scheduled to work from noon to close of business on Christmas Eve will receive four (4) hours of Administrative Leave with Pay at the discretion of the County Administrator. Employees required to continue to work will receive straight-time pay for hours worked, except hours covered by FLSA requirements. Additionally, when this occurs, Department Directors may offer a modified schedule to employees that do not work a regular 8:00am - 5:00pm schedule with approval of the County Administrator.
4. Employee Personal Day: All regular full-time and part-time employees who are not in their initial hire probationary period, will be granted a "Personal" day. Employees must use their "Personal" day by the end of the payroll calendar each year with the approval of the immediate supervisor. The "Personal" Day may not be carried over to the next year. The "Personal" Day must be used in a one (1) work day increment of the employee's regular scheduled work day. The "Personal" Day is not included in the calculation of overtime.
5. When operations allow and a holiday falls on the employee's regularly scheduled work day, the employee will be off for the day.

#### **4.2 HOLIDAY PAY**

1. When a holiday falls outside the employee's regularly scheduled work week, the following procedure shall apply. All employees must elect one (1) of the following options: A or B. Once an option is selected, the option shall remain in effect for the payroll year and shall not be changed. Selection of the desired option must be made

between October 1 and November 1 of each year, changes will go into effect the first pay period of each year. Any employee that fails to make a selection will default to Option A. Employees that do not wish to make a change to their election in subsequent years will remain in their initial election. New hires covered by this agreement must make their selection within thirty days of hire or will default to Option A. New hires covered by this agreement must make their selection with their department payroll specialist within thirty days of hire or will default to Option A.

Options:

- A. When a holiday falls outside of the full-time employee's regularly scheduled work week, the holiday will be converted to (8) eight hours of annual leave, excluding when Christmas Eve is observed as a half-day, to be used in accordance with the annual leave article of the employee handbook.
  - B. When a holiday falls outside of the full-time employee's regularly scheduled work week, the employee will be paid for the (8) hours of holiday pay, excluding when Christmas Eve is observed as a half-day, on the date of the holiday at straight time.
2. Regular part-time employees shall receive holiday pay for those holidays they are regularly scheduled to work and shall be paid only those hours that they were regularly scheduled to work. For example, a regular part-time employee who regularly works a five (5) hour shift will receive five (5) hours of holiday pay if they are regularly scheduled to work on that day.
  3. To receive holiday pay, an employee must be in an approved pay status their regularly scheduled work day prior to and immediately after a holiday. Supervisors shall require an attending physician's note for any employee who is on sick leave the day prior to and or immediately after a holiday.
  4. Temporary employees are not eligible for holiday pay.

#### **4.3 HOLIDAY ON A SCHEDULED WORK DAY**

1. All regular full and regular part-time, non-exempt employees who work on an official, designated holiday shall be paid premium pay. Premium Pay shall be no more than the rate of time and one-half for the number of hours worked, in addition to their holiday pay.
2. An employee who was scheduled to work on a day designated as a holiday but calls in sick will be credited with holiday time for that day upon presentation of medical documentation to the Employee Health Clinic.
3. Employees in an approved leave status who are regularly scheduled to work on the day of the holiday will receive holiday pay at the straight time rate.
4. All regular full-time employees who work will receive holiday pay for their regularly scheduled hours for the designated day of the holiday. In other words, a full-time employee who regularly works an eight (8) hour shift will receive eight (8) hours of holiday pay. A full-time employee who regularly works a ten (10) hour

shift will receive ten (10) hours of holiday pay. When an employee works on the day of the holiday, or when the holiday falls within an employee's regularly scheduled work week, holiday pay is included in the calculation of overtime.

## **SECTION 5**

### **HOURS OF WORK**

#### **5.1 NORMAL WORK WEEK**

Forty (40) hours shall constitute a normal workweek, not including meal periods, for all full time employees. Exempt employees are compensated on the basis that extended workdays and/or workweeks may be required to accomplish expected assignments of the positions. Employees filling such positions are expected to work in excess of forty hours when necessary to complete the assignment. This policy does not place guarantee or place a limitation on the number of hours to be worked in any one day, or the number of days per week, or any other work period. Employees will adhere to the assigned work hours designated by the Department Director or designee. Hours will not be adjusted without the approval of the Department Director or designee. Non-exempt employees shall not begin work more than seven (7) minutes prior to a designated start time nor end later than seven (7) minutes beyond the designated ending time without prior approval of overtime. Violations of this shall be grounds for disciplinary action.

#### **5.2 FLEXIBLE WORKING SCHEDULES (FLEX-TIME)**

Assistant County Administrator upon recommendation of the Department Director may authorize flexible working schedules during an employee's normal workweek within their Division. Flexible working schedules may be authorized on a discretionary basis where such authorization:

- a. enhances service hours;
- b. improves operational efficiency, or accommodates an employee's personal needs without interfering with the operation's service delivery;
- c. falls within the start and end of the County designated pay period;
- d. does not exceed 40 hours in any work week unless approved in advance as overtime

#### **5.3 OVERTIME**

Work in excess of forty (40) hours for non-exempt employees shall be kept to a minimum and avoided whenever reasonably possible. Employees shall be required to work overtime when requested, unless excused by the supervisor. All overtime shall be approved by the Assistant County Administrator or designee in advance. When possible, the Department Director or designee should adjust the employee's hours within the workweek to avoid overtime.



#### **5.4 MEAL PERIODS**

One (1) hour is the normal time allotted for meal periods. Supervisors may adjust the meal period to thirty (30) minutes to accommodate operational services. Meal periods should not be taken at the beginning or end of any work schedule without the prior approval of the employee's supervisor.

#### **5.5 REST BREAKS**

Rest breaks are not a right, but a privilege provided when time permits and circumstances dictate, and must be arranged so as to not interfere with County business. Rest breaks are usually scheduled for no more than fifteen (15) minutes in the morning and fifteen (15) minutes in the afternoon, according to the needs of the work unit; they shall not be accumulated and used to leave early or as other leave with pay and must be taken at the work site.

## **SECTION 6**

### **PROBATIONARY PERIODS**

#### **6.1 NEW-HIRE PROBATION**

1. All new-hire employees shall be placed into an initial one (1) year probationary period. This shall include temporary employees moving to a regular position.
2. Employees who are in a training status beyond the one (1) year probationary period shall have their probationary period extended until completion of the training or they otherwise become qualified for the position.
3. No transfers outside the employee's department will occur during the initial training status or during the initial three (3) months of the one (1) year probationary period unless the transfer is approved by the current employee's Director or the transfer is for the good of the County.

#### **6.2 PROBATIONARY PERIOD FOR PROMOTIONAL AND LATERAL APPOINTMENTS AND RECLASSIFICATION**

1. An employee who is promoted, a regular part-time employee who gains regular full time status, or a regular employee who is competitively appointed to a lateral position shall serve a probationary period of ninety (90) calendar days.
2. Any employee who is serving in a new-hire probationary status and is promoted shall serve the remainder of the original probationary period or ninety (90) calendar days, whichever is greater.

#### **6.3 PROBATIONARY PERIOD FOR DEMOTIONS**

1. Upon a non-disciplinary demotion, a regular full time employee will not be required to serve another probationary period.
2. Any employee demoted for disciplinary reason may be required to serve a new probationary period of up to six (6) months beginning the effective date of the demotion.

#### **6.4 EXTENSION OF PROBATIONARY PERIOD**

1. The Department Director for good reason, may extend an employee's probationary period for a period not to exceed three (3) additional months.
2. The Department Director considering extension of an employee's probation shall consult with the Human Resources Director or designee.

## **6.5 DISMISSAL DURING THE PROBATIONARY PERIOD**

1. At any time during the probationary period, an employee may be terminated when deemed to be in the best interest of the County.
2. Department Director shall consult with the Assistant County Administrator and with the Human Resources Director when considering removal of an employee during the probationary period.
3. Employees terminated during the initial probationary period have no right to appeal.

## **6.6 “TRAINING STATUS” PROBATIONARY PERIOD**

The probationary period is used as an integral part of the examination process, to closely observe the employee’s work, to secure the most effective adjustment of the new, or promoted employee to the position, and to reject any employee whose performance or conduct is unsatisfactory.

The “Training Status” period is designed to allow employees to be promoted without entirely possessing the minimum knowledge, skills, abilities and/or education required for the position. This is permitted when the requirements for the position can be achieved through minimal training and education. This period of time can be from six (6) months to two (2) years.

When an individual has completed their training and is qualified to perform all phases of the job independently, the individual shall be removed from the “Training Status” probation. The date of removal from “Training Status” now becomes the effective date of the promotion into the position. This date becomes the official record of promotion.

Once the “Training Status” period has been completed, the employee will then be entered into a promotional probationary period for the position. Promotional probationary periods will be conducted in accordance to Section 6.02 above.

1. Employees who are promoted into a “Training Status” shall have their training probationary period established in a training plan. Pay increases for employees in a training status shall be in accordance with Section 8.03.
2. Once removed from the “Training Status” probationary period the employee may be qualified to receive a pay increase.
3. The date of removal from “Training Status” shall be the established date for future evaluation periods, pay increases and the adjusted assignment date.
4. Unsuccessful candidates may, during the “Training Status” probation, be offered the position previously held or offered another position in which the employee is qualified, be placed on an extension to the “Training Status” probationary period, or be terminated.

## **SECTION 7**

### **CLASSIFICATION PLAN**

#### **7.1 PURPOSE**

1. The Position Classification Plan provides a systematic arrangement and inventory of positions. The plan groups the various positions of the County into classes indicative of the range of duties, responsibilities, and level of work performed.
2. The class titles standardize the meaning, allocation, and usage of the plan based upon the similarity of work and duties performed.
3. Each classification shall have a job title, a job description, and a pay grade.

#### **7.2 USE**

The Classification plan will be used to:

- a. Determine qualifications and standardize salary ranges to be paid for the various classes of work.
- b. Establish lines of promotion and career matrices.
- c. Assist in developing employee training programs.
- d. Provide uniform terminology.

#### **7.3 JOB DESCRIPTIONS**

1. It is the policy of the County that each job has an accurate, corresponding job description. Job descriptions are subject to change at any time and the County reserves the right to amend, supplement, change, delete, or rescind any job description as the County deems necessary and appropriate. Additionally, job descriptions do not absolutely limit the duties expected of employees and employees are expected to perform whatever duties are assigned by their supervisors.
2. Department Directors, in coordination with Human Resources are responsible for the development of job descriptions for positions within their department. Department Directors shall use a Position Description Questionnaire provided by Human Resources in developing job descriptions.
3. Job descriptions shall be reviewed each time a position becomes vacant or at a minimum annually to ensure they are current and match the requirements of the position.
4. Changes to job descriptions that do not increase the pay grade or changes that decrease the pay grade may be approved by the County Administrator, or designee. New job descriptions or changes to job descriptions that increase the pay must be approved by the Board of County Commissioners. Job descriptions must be presented to Human Resources for factoring within the County's approved compensation and pay plan.

When the job description is complete and factored, Human Resources will present the job description to the County Administrator or the Board of County Commissioners for approval.

5. Yearly, during budget preparations, all newly proposed positions must have the position evaluated for salary and job description presented to Human Resources for factoring. When the proposed job is factored, Human Resources will notify the Assistant County Administrator, Department Director, Administration, and Budget that a newly created position exists with the pay grade for the position. The position and job description only become effective upon approval of the Board of County Commissioners.

#### **7.4 RECLASSIFICATION**

Reclassification occurs when external market survey data, organizational demands, or internal job evaluations recognizes a significant change is needed in the classification of a position, either filled or not filled by an employee. Three types of reclassification may occur:

1. **Reclassification/Down:** Results when a designated pay grade for the newly defined position is lower than the pay grade of the former position.
2. **Reclassification/Up:** Results when the designated pay grade of the newly defined position is higher than the pay grade of the former position.
3. **Reclassification/Lateral:** Results when the pay grade of the newly defined position is the same as that of the former position.

All reclassifications must occur at the beginning of a pay period and should be submitted to Human Resources prior to the effective date.

## **SECTION 8**

### **COMPENSATION AND PAY**

#### **8.1 DEVELOPMENT AND MAINTENANCE OF SALARY RANGES**

The County shall develop and maintain salary ranges within the Salary Schedule, and upon the following provisions, assign individual classes to the established pay grade.

1. Each salary range shall be comprised of a minimum and maximum amount.
2. The County shall establish salary range minimum and maximum amounts for each salary range based on competitive market salary survey data and/or other factors as determined appropriate by the County.

#### **8.2 NEW-HIRE SALARY DETERMINATION**

1. An applicant who is hired by the County shall receive the base rate of pay at the minimum of the pay grade for the position. However, the Department Director may recommend to the County Administrator or designee up to fifteen (15) percent above the minimum rate if it can be justified and documented based on the following:
  - a. The individual's qualifications and/or the knowledge, skills, and abilities must substantially exceed the requirements for the position to which the individual is hired. The Department Director must determine that the individual's qualifications or knowledge, skills, and abilities relate to the requirements of the positions and will enhance the individual's ability to perform the duties and responsibilities assigned the position to which the appointment is being made; and
  - b. The Department must have experienced difficulty in filling the position at the minimum of the salary range approved for the class. The Department Director in coordination with Human Resources must have actively recruited for vacancies in the class and have documented inability to fill positions after such recruitment has been completed; and
  - c. The needs of the County.
2. The County Administrator may authorize a starting salary above the minimum of the pay grade up to 75% of the range of the pay grade based on the needs of the County, ability of the labor market to provide qualified candidates, and the experience and qualifications of the selected candidate.

#### **8.3 TRAINEE STATUS SALARY (INTERNAL & EXTERNAL)**

1. Applicants who may not entirely possess the minimum knowledge, skills, abilities, and education required for the position may be hired and placed into a "training status" if

obtaining the requirements for the position can be achieved through minimal training and education.

2. "Trainee Status" must be documented and approved at the time of hire by the Human Resources Director or designee.
3. Applicants hired into a trainee status shall be hired at a rate of up to fifteen (15) percent below the minimum of the pay grade until the minimum qualifications for the position are met.
4. "Trainee Status" will not exceed two (2) years and employees on "Training Status" shall not be eligible for any special merit raises.
5. Based on the training plan, the employee may receive incremental pay increases if they meet or exceed the expectations outlined in the training plan. However, these pay increases must be established in the training plan.
6. Applicants hired into a "Training Status" must agree to, and sign a training plan developed by the Department Director and approved by the Assistant County Administrator. The plan must include a description of the task(s) to be learned, the measurement which is to be used to determine if the task(s) was or were learned, and the time table for accomplishment. Employees may be administratively terminated for not completing the terms and conditions of their employment if they do not satisfactorily complete the training plan in the time frame established. The personnel transmittal will indicate if the employee is hired into a training status.

#### **8.4 EMPLOYEE PAY INCREASES, LUMP SUM AWARDS, AND WORKING OUT OF CLASS PAY**

1. Employees may receive pay increases by one of the following methods:
  - a. Based on available funding, the Board of County Commissioners may approve an annual across-the-board pay increase. This pay increase may be for all employees or for selected pay grade classifications. Employees on disciplinary probation at the time of the annual increase shall not receive this pay increase until they have been removed from disciplinary probation status.
  - b. Based on available Department funding, an employee who displays sustained and exemplary performance, or significant performance achievement, may be eligible for a one-time special merit award payment or a special merit increase in the form of a specified amount added to their annual pay up to six (6) percent of the employee's regular pay. Special merit increases will not exceed the maximum range of the pay grade. All special merit increase requests will be approved by the County Administrator after he or she has consulted the Chairman of the Board.
  - c. Based on available Department funding, Department Directors may present to the County Administrator for approval an increase in pay for one or more employees, not to exceed 75% of the range in order to provide the most competitive pays and improve overall retention rates. All competitive pay increases must be approved by the County Administrator after he or she has

consulted the Chairman of the Board. For more than one employee, the request shall also be presented to the Board for approval.

2. Employees may receive supplemental pays under certain conditions. All supplemental pay requests must be submitted to the Human Resources Director and approved by the County Administrator. Supplemental pays may be paid under the following conditions:
  - a. When a non-supervisory employee assumes the temporary duties and responsibilities of a supervisory position due to the absence of the supervisor. The acting status must be for a period of more than ten (10) consecutive work days or 80 hours. The employee shall be paid at the minimum rate of the position or six (6) percent above their current pay, whichever is greater. A supervisor may be eligible for acting status if approved by the County Administrator.
  - b. When a non-exempt employee performs more than fifty (50) percent of his or her duties and responsibilities out of classification, the employee may be paid at the minimum rate of the out of classification position or six (6) percent above their current pay, whichever is greater. The employee must have the proper training to perform the tasks assigned and the out of classification duties must be performed for forty (40) or more hours or five (5) or more consecutive work days.

## **8.5 DEMOTION, LATERAL MOVE AND PROMOTION COMPENSATION AND PAY**

1. An employee reclassification occurs when an employee is moved from one job class to another. Promotions occur as a result of the hiring process or approval by the Board of County Commissioners.
2. Three types of employee reclassifications may occur.
  - a. Demotion: An Employee who voluntarily demotes to a lower pay grade will receive a six (6) percent reduction in salary, but the resulting salary shall not exceed 15% above the minimum of the lower pay grade unless approved in writing by the County Administrator. An employee who voluntarily demotes to a previously held position within one (1) year will receive pay equal to the amount previously received by the employee for that position. Any annual increases received by the employee since leaving that position will be added to the employee's base pay. Employees involuntarily demoted based upon department or county needs will have their new pay rate determined at the discretion of the county administrator not to exceed the maximum of the new pay grade. This provision does not apply to disciplinary demotions. Employees demoted for disciplinary reason shall receive the minimum pay rate of the pay grade in which demoted. In the case of a County-wide pay grade adjustment, the employee's salary shall be adjusted based on the practicality of the new pay rate, subject to approval by the County Administrator and approved by the



Board of County Commissioners.

- b. Lateral Move: Results when the pay grade of the newly defined position is the same as that of the former position. The employee shall not receive any increase or decrease in pay, unless approved by the County Administrator.
- c. Promotion: Salary determinations of internal promotions obtained through the Hiring Process will be per section 8.02 (New-Hire Salary Determination) of this handbook.

Employees placed into a higher reclassified position outside of the hiring process shall receive the minimum of the new grade or a six (6) percent increase over their current pay (the amount to be determined at the discretion of the department). The reclassified amount shall not exceed the maximum of the new pay grade.

- d. All reclassifications in this section must occur at the beginning of a pay period and Human Resources must be notified prior to the effective date.

## **8.6 OVERTIME PAY**

- 1. Supervisors shall avoid overtime to the extent possible by adjusting employee schedules within the same work week. All overtime will be pre-approved by the respective Assistant County Administrator or designee. If overtime is unavoidable, overtime shall be permitted for all non-exempt employees who work more than forty (40) hours in a single work week. Overtime pay is calculated at time and one half rate of the employee's regular rate for all hours worked beyond the forty (40) hour work week, excluding premium pay. Overtime shall be recorded daily on the official time sheet. Overtime accrual shall not be recorded beyond the work week. Holiday hours will be counted towards overtime calculations. If an employee is required to work scheduled overtime, forty-eight (48) hours' notice should be given. Emergency overtime does not require any prior notification.
- 2. Non-exempt employees may earn compensatory time at one and one-half times their regular rate of pay for any hours worked in excess of forty (40) hours per work week excluding premium pay or in accordance with the provisions of the FLSA. "Example: non-exempt employees working 41 hours would receive 1.5 hours of compensatory time." These employees may earn compensatory time at the same rate in lieu of monetary overtime compensation with the prior approval of the Assistant County Administrator or their designee. Application for approval of compensatory time for the current pay period must be submitted in writing on the appropriate form to the department's payroll clerk by 10:00 AM on the first Monday after the previous pay period ends. Approval of compensatory time will be indicated by the Department Director on the bi-weekly time sheets. All employees must elect one (1) of the following options for time worked in excess of forty (40) hours per work week:
  - a. Option A (earned as compensatory time at one and one-half times the hours worked)
  - b. Option B (compensated at one and one-half times their regular rate of pay)

Once an option is selected, the option shall remain in effect until the next election period. Selection of the desired option must be made on or before January 1 and August 1 of each year, changes will go into effect the pay period following January 1 and August 1 of each year. Any employee that fails to make a selection will default to Option A. Employees that do not wish to make a change to their election in subsequent years will remain in their initial election. New hires covered by this agreement must make their selection with their department payroll specialist within thirty days of hire or will default to Option A.

3. Employees may accumulate a maximum of 240 hours of compensatory time and must use this time prior to using annual or sick leave.
4. All overtime work must have prior authorization of the Assistant County Administrator or designee. Employees in an exempt position shall not be eligible for overtime pay.

## **8.7 ON-CALL, STAND-BY, CALL-IN PAY (Non-Exempt), and EMERGENCY PAY**

1. Employees may receive “on-call” pay under the following guidelines:
  - a. Every employee in positions which provide “unscheduled” service on a recurring basis may volunteer or be designated “on-call” during other than normal working hours. A non-exempt employee who is assigned to be on-call for hours beyond the normal work day and for at least one week, shall be paid one hundred (\$100) dollars for each week assigned “on-call”. Public Safety Communications employees will receive on-call pay based on pro-rated amount to be specified in the department’s standard operating guidelines (SOG’s) as approved by the County Administrator.
  - b. The amount of “on-call” pay will increase to one hundred fifty (\$150) dollars for each week if an employee is required to be “on-call” more than twice in an eight (8) week period due to staffing shortages. Any additional “on-call” pay must be approved by the Department Director in advance.
  - c. Exempt employees may be designated as “on-call” and may be eligible for the one hundred (\$100) dollar payment if approved by the Assistant County Administrator. Exempt employees should only be designated as “on-call” and receive the one hundred (\$100) dollar payment in extraordinary circumstances, example: severe staffing shortages.
  - d. If a non-exempt employee is “on-call” and is called in to work, he or she must record all actual hours worked but will receive a minimum of two (2) hours pay at the regular rate pay. Multiple calls that run together are counted as one call for this provision. The employee must be called and respond from somewhere other than their work site or duty station to count as a new call. Actual hours worked by an employee while “on-call” are subject to the provisions of overtime.

- e. If an “on-call” non-exempt employee is called in on a County designated holiday, the employee will receive a minimum of two (2) hours at the time and one-half rate of the employee’s regular rate of pay.
2. Employees may receive “stand-by” pay under the following guidelines:
  - a. Employees placed on “stand-by” are considered to be “engaged in employment” and shall receive the regular pays for all “stand-by” time. Assistant County Administrator may place employees on “stand-by” only in emergency circumstances and with the approval of the County Administrator. Hours worked in “stand-by” status will count towards the computation of overtime.
  - b. Employees on “stand-by” are considered to be “on-the-clock” and therefore cannot engage in any personal behavior that would prevent them from performing their assigned or emergency duties.
3. Employees who are off-duty and are not in an “on-call” or “stand by” status who are called back to work beyond the normal work day, must record all actual hours worked, but will receive a minimum of two hours of “call-in” pay at the time and one half rate of the employee’s regular rate of pay for all hours worked in a “call in” status.
4. Non-exempt employees required to work when the county is closed during a “declared emergency” may receive “emergency essential” pay under the following guidelines:
  - a. Employees who are designated by the department directors as “emergency essential” personnel and work the day(s) of the declared County emergency will be paid at time and one-half rate of pay for all hours worked while performing in an “emergency essential” status.
  - b. Employees who are designated by the department directors as “emergency essential” personnel and work the day(s) of the declared County emergency will also receive administration leave with pay for hours that the County is closed.
  - c. Administrative leave with pay will not count toward overtime.
5. Exempt Employees required to work during a “declared emergency” may be compensated for hours worked in excess of their normally scheduled workweek.
  - a. During a declared emergency, the Board of County Commissioners shall have the authority to authorize additional compensation for exempt employees who work in excess of their regularly scheduled work week. The rate of pay for such additional hours worked shall be equivalent to the exempt employee’s hourly rate of pay computed as if the employee was not paid on a salary basis. The additional compensation shall be in addition to the employee’s regular salary. The Board of County Commissioners will identify the beginning and ending dates in which additional compensation will be paid the employees who are eligible for additional compensation, and the Human Resources Department will

provide the appropriate forms for exempt employees to document their hours worked. Nothing herein shall be construed to affect the exempt status of such employees.

- b. On occasion, the County may be tasked to provide support to other States, Counties, or Cities to assist in a declared emergency. In these cases, the Department Director must receive an official State or Federal tasking. Upon receiving an official tasking, the Board of County Commissioners shall have the authority to authorize additional compensation for exempt employees who work beyond their regularly scheduled work week in accordance with the provisions stated in paragraph 5a above

## **8.8 HOLIDAY PAY**

Additional information regarding holidays is addressed in Section 4 of this handbook.

## **8.9 CAPPED EMPLOYEES**

A “capped” employee is an employee who has reached the maximum in their pay grade. Capped employees will no longer receive pay increases without moving to a higher pay grade.

## **8.10 WORKERS’ COMPENSATION (ON THE JOB INJURIES)**

1. Reporting:
  - a. All employees and volunteers are covered by the Florida Workers’ Compensation statutes for injuries or illnesses that “arise out of and in the course of their employment.
  - b. Procedures for reporting work related injuries are addressed in the Risk and Benefits Services procedures manual at Section D1 On-The-Job Injuries.
  - c. It is the responsibility of every employee or volunteer to immediately report any and all injuries that occur while working in the course of their employment to their immediate supervisor. In the event that an employee is not immediately aware of an injury, the report should be made when the employee first becomes aware of the injury.
  - d. It is the responsibility of the Supervisors/Departments to complete and submit the incident report online to Risk and Benefit Services the same day or within 24 hours.
  - e. Employees receiving medical treatment must follow-up the same or next business day at the Employee Health Clinic to receive an Employee Duty Status form to deliver to their Supervisor and prior to returning to work.
2. Benefits:
  - a. All authorized Workers’ Compensation medical care will be paid in accordance

with Florida Statute Chapter 440. All subsequent and ongoing treatment must be within the Marion County Workers' Compensation provider network and arranged through the Employee Clinic and/or Risk and Benefit Services.

- b. Workers' Compensation pays will not be paid for absences during the first seven (7) calendar day waiting period per Florida Statute Chapter 440. The employee may choose to use any of his or her leave or take leave without pay. If the absence exceeds twenty-one (21) calendar days, the County will pay (or reimburse leave hours) for the initial seven (7) calendar days.
- c. If an employee is not able to work the remainder of their work day due to the injury, they will be paid administrative leave with pay for the remainder of the day for the date of injury.
- d. Workers' Compensation pays will be paid at approximately 66 2/3 % of the average weekly pay (AWW) at the time of the accident. Federal or FICA taxes not withheld.
- e. Workers' Compensation administrative leave will be paid for time used at authorized medical appointments during employee's work hours.
- f. Employees may NOT use his/her sick or vacation time to supplement Workers' Compensation pays.
- g. Employees unable to work due to a work-related injury will be placed on Family Medical Leave in accordance with the Family Medical Leave Act (FMLA) beginning on the date of the first work-related absence.
- h. Workers' Compensation pays may be reduced or denied if the employee knowingly violates a safety rule including the County's substance abuse policy and the violation can be reasonably shown to have caused or contributed to the injury.
- i. Any questions concerning payment of Workers' Compensation should be addressed to Risk and Benefit Services.

## **8.11 PARTIAL EDUCATION BENEFIT**

1. It is the policy of the Board of County Commissioners to financially assist eligible employees (when funds are available) who are pursuing educational opportunities to improve themselves and the delivery of our services to the community.
2. Employees must obtain prior approval for education assistance from their Department Director and Human Resources before starting classes. Final payments for education assistance must receive approval from the County Administrator before payment. Partial education assistance may only be used for employees in obtaining a job-related degree, complete job related courses or obtain job related certificates. To be eligible to participate in the partial education program, an employee must:
  - a. Be a full-time, regular employee and been employed at least six (6) months prior to the start of the classes.

- b. Be on active employee status at the time of application and upon completion of classes. An employee will not be reimbursed if he or she leaves the employment with the County before completing the course, or in case of course completion, before reimbursement can be processed.
    - c. Select courses which have a relationship to the employee's present job, possible future assignment or promotion, or pursuing a degree which is related to the employee's job.
    - d. Attend courses which will not interfere with normally scheduled work unless use of accumulated annual leave and approved by the Department Director.
    - e. Select courses offered at an accredited secondary school, college or university, or business school, technical institute or trade school. Questions regarding the qualification of an educational institution will be addressed by the Human Resources Director.
3. Employees who participate in the program must agree to be employed with the County for two (2) years following the course completion date. Employees who retire, or are terminated within the two (2) year period shall reimburse the County for education benefits paid to them for courses completed during the preceding twenty-four (24) months. Reimbursements may be made in a cash payment or from monies due at the time of termination.
4. Assistance will be made to approved applicants who complete the courses in accordance with the following:
  - a. Payment will only be made for satisfactory completion of the undergraduate course with grades of A, B, C, or "Pass" when used by the school in lieu of a letter grade; or completion of graduate courses with grades of A or B, or "pass" when used in lieu of a letter grade. The Human Resources Director will rule on any questions arising as to satisfactory completion.
  - b. Payment will be made for 50% of tuition costs up to a maximum of \$500.00 per course, and 100% of lab fees up to a maximum of \$20.00 per course.
  - c. A maximum of \$1,200.00 per fiscal year will be approved per employee.
  - d. Payment will not be made for textbooks, materials, other course fees, student activities, or parking fees.
  - e. The County will reimburse employees only to the extent that they are not reimbursed through other Federal, State, or local programs.
  - f. Payment is made only on receipt of evidence of payment and certification of passing grades or successful completion, where appropriate.
  - g. Request for payment shall be made within thirty (30) days after completion of an approved course.
5. Application for approval of courses will be made on the Partial Education Assistance Program application form. An application for each course is submitted to the Department Director for evaluation and approval and forwarded to Human Resources for processing. Applications must be approved by Human Resources prior to the start of the course.

## **8.12 LONG TERM DISABILITY**

The County provides all full-time regular employees long term disability insurance. This insurance is for employees who, due to a personal injury or illness, become unable to perform the essential functions of their job and the disability is expected to last more than four (4) months. Employees considering long term disability should contact Risk and Benefits Services.

## **SECTION 9**

### **NONDISCIPLINARY SEPARATION FROM COUNTY EMPLOYMENT**

#### **9.1 RESIGNATIONS**

An employee wishing to leave County service in good standing shall provide a written notice of resignation to the appropriate supervisor stating the date and reasons for leaving. The resignation should be submitted at least (10) business days or a two week equivalent based on the employees schedule prior to the date of leaving. The County may waive the required (10) business days or a two week equivalent based on the employees schedule if extenuating circumstances exist. Failure to provide proper notice may cause denial of reemployment rights and/or forfeiture of payment of any unused leave benefits. The positions of Department Director and above shall provide a written notice of resignation at least (30) days prior to the date of leaving.

#### **9.2 LAYOFFS**

When the Board of County Commissioners or the County Administrator determines that a lack of work or funding exists to support a position, the decision may be made to lay off employees as the County deems necessary. Such action will be taken to support the most cost effective and efficient action possible, without regard to an employee's sex, race, color, national origin, age, marital status, or disability.

#### **9.3 MEDICAL SEPARATIONS**

In the event it becomes necessary to terminate the employment of a County employee due to physical inability to perform the job, such termination shall be deemed a medical dismissal. Medical dismissals shall be without prejudice and the employee shall receive payment of leave benefits authorized in this handbook. Employees will be considered for medical termination if the physical inability to perform the essential functions of their job exceeds four (4) months or if the employee is placed on long term disability.

#### **9.4 RETIREMENT**

County employees are covered under the Florida Retirement System. Employees who are considering retirement should contact the Human Resources Department at least ninety (90) days prior to the month that they want to begin receiving retirement benefits to initiate the retirement process. Employees who retire are eligible for re-hire subject to FRS re-employment restrictions and approval of the Board of County Commissioners.



## **SECTION 10**

### **EMPLOYEE DISCIPLINE**

#### **10.1 EMPLOYEE DISCIPLINE**

1. It is the goal of the County to emphasize quality and excellence in all aspects of County operations. If an employee performs well, we expect our supervisors to recognize and reinforce the individual's good performance. If an employee has a problem involving the broad categories of attendance, work performance, conduct, behavior, and/or safety, the discipline process is to be utilized as soon as the problem is identified. Our discipline process is designed to: correct performance/job-related problems as they arise; build genuine employee commitment to the organization, not merely compliance with policies and standards; and, encourage and promote development of effective working relationships between supervisors and their subordinate staff. Supervisors and managers should be fair and consistent in the implementation of disciplinary actions.

#### **10.2 PROCEDURES**

1. Discipline will be a process that emphasizes an employee's responsibility for his or her own behavior. It should focus on communicating an expectation of change and improvement in a respectful, non-threatening way, while maintaining concern for the seriousness of the situation. Key aspects include recognizing and encouraging good performance, correcting performance problems through coaching and counseling, building commitment to high work standards and safe work practices, and providing/promoting excellence in the delivery of services. In summary, this process holds individuals accountable for their actions.
2. Each supervisor and manager at the County are responsible for communicating County rules, practices, and expectations according to the guidelines set forth in this policy.
3. Every individual initially appointed to or promoted into a supervisory or managerial position must complete the County's discipline training within one hundred eighty (180) days.
4. Informal Discussion:
  - a. Positive Contacts: Positive contacts recognize good performance and serve to encourage staff to continue to perform their assigned tasks in the same manner. Employees can be recognized informally ("pat on the back", placing an employee on a special committee, provide expanded training opportunities, etc.) or more formally with written commendations. All supervisors and managers are expected to regularly review the performance of subordinate employees and conduct positive contact discussions when appropriate. Any positive contact and/or recognition should be noted in an employee's productivity file.

- b. **Informal Coaching:** Informal coaching is a brief informal discussion between a supervisor and an employee concerning the need to improve in such areas as attendance, work performance, conduct, behavior, and/or safety. Informal coaching may include corrective feedback or referral for additional training. Supervisors are encouraged to make an informal note for placement in the employee's productivity file.
  - c. **Performance Improvement Discussions:** The performance improvement discussion is a more structured discussion that enables the supervisor to address a specific problem with an employee in such areas as attendance, work performance, conduct, behavior, and/or safety. The objective of the discussion is to ensure that the employee recognizes that a problem exists, to mutually develop an effective solution, and to avoid the need for formal disciplinary action. Supervisors should inform the employee that this is still an informal discussion. Performance improvement discussions, if properly carried out, can resolve many performance problems. Documentation of these discussions should be documented on the County Pre and Post Discipline Action Worksheets. A copy of the Post Discipline Action Worksheet will be made available to the employee. The supervisor should provide positive feedback when improvement does occur and document the improvement on the supervisor's copy of the Post Discipline Action Worksheet.
5. **Formal Discipline:** There are five (5) types of formal discipline in the discipline process. The type of discipline administered to an employee will depend upon the seriousness of offense. Supervisors and Managers must ensure fair and consistent implementation of formal discipline. The formal types of discipline are Verbal Reprimand, Written Reprimand, Disciplinary Probation, Suspension without Pay, and Termination of Employment. All actions involving formal disciplinary action will be forwarded to the Human Resources Director and supervisors are to consult with the Human Resources Director concerning the disciplinary action to be used prior to the implementation of disciplinary action. Supervisors must complete the Notice of Disciplinary Action Form and the Pre and Post Disciplinary Action Worksheets for all types of formal discipline. The types of formal discipline are:
- a. **Verbal Reprimand:** A verbal reprimand is a formally documented session between the employee and supervisor identifying the performance or behavior the employee is lacking in and the expectations the supervisor has for the employee. During this process, the supervisor informs the employee of the reasons for the discipline and concentrates on gaining the employee's agreement to change his/her behavior in accordance with accepted performance standards.
  - b. **Written Reprimand:** A Written reprimand is a more serious form of the formal disciplinary process. During this process the supervisor holds a formal disciplinary discussion with the employee about the problem and explaining that the employee must take full responsibility for his or her own behavior and performance. Written reprimands will be approved by the Department Director.
  - c. **Disciplinary Probation:** When an employee's performance or behavior warrants increased attention to the infraction or when increased monitoring of the employee's performance or behavior is required then a Department Director may

place the employee on disciplinary probation for up to six (6) months. Supervisors should strongly encourage an employee on disciplinary probation to improve their performance or behavior. Failure to do so may result in additional disciplinary action up to and including termination of employment. Disciplinary probations will be approved by the Department Director and Assistant County Administrator.

- d. **Suspension Without Pay:** Suspension without pay is a forced, temporary, unpaid absence from duty which may be imposed as a penalty for significant misconduct or repeated infractions. A suspension is a severe disciplinary action. Suspension without pay greater than five (5) working days requires the approval of the Assistant County Administrator and County Administrator. All levels of formal discipline for County Attorney employees shall be imposed by the County Attorney.
- e. **Disciplinary Demotion:** Demotions occur when the employee's performance or behavior clearly indicates the employee is not performing at the level required of the employee's job description or position requirements.

### **10.3 ADMINISTRATIVE HEARINGS (SUSPENSION WITHOUT PAY)**

1. An administrative hearing will be conducted prior to suspending an employee without pay for disciplinary reason. The administrative hearing is a due process opportunity for the employee and the employer to bring into record the evidence or documentation to support the reason the employee should be suspended without pay or not. Employees will receive written notification of the hearing at least three (3) calendar days prior to the hearing.
2. The Department Director or designee will conduct the administrative hearing with a representative of Human Resources present. The Department Director will present all the evidence or documentation available to support his or her tentative decision to impose such action against the employee. The employee will also present all of the evidence or documentation to support the reason why such an administrative action should not be imposed against them.
3. The Human Resources representative will act as a professional observer in the hearing, providing guidance and consistency to the process, based on the application of County policies and procedures and remaining consistent with past and previous actions for similar infractions. The decision to suspend the employee without pay will be made by the Department Director.
4. Employees may appeal suspensions without pay for disciplinary reasons to the County Administrator in writing, within ten (10) calendar days of the notification of the suspension. Failure to appeal in a timely manner will result in the administrative action imposed as being final. The decision by the County Administrator in these appeals is final.
5. Administrative hearings (suspension without pay) for County Attorney employees will be conducted by the County Attorney's Office.

#### **10.4 ADMINISTRATIVE HEARINGS (TERMINATION OF EMPLOYMENT)**

1. The Human Resources Director or his/her designee shall conduct all administrative hearings for termination of employment for all employees of the County except the County Administrator, the County Attorney, and Assistant County Attorney. The Human Resources Director or designee shall act in a professional manner in the hearing, providing guidance and consistency to the process, basing his or her decisions on the application of County policies and procedures and remaining consistent with past and previous actions of similar infractions.
2. The Assistant County Administrator, Department Director, or designee will present to the Human Resources Director the recommendation to terminate an employee for performance and/or behavioral problems based on County policies and procedures. After review of the reasons for such a recommendation, if the Human Resources Director concurs that the reasons have merit, he or she will schedule an administrative hearing and inform the employee of such a hearing and the date, time, and location of said hearing and the employee's rights concerning the hearing.
3. During the hearing, the Assistant County Administrator or Department Director will present all the evidence or documentation available to support his or her recommendation to terminate the employee. The employee will also present all the evidence or documentation to support the reason why such an administrative action should not be imposed against them. The Human Resources Director or designee will render a decision on the appropriate action.

#### **10.5 TERMINATION APPEAL PROCESS**

1. Employees may appeal termination for disciplinary reasons to the County Administrator in writing within ten (10) calendar days of the notification of termination. Failure to appeal in a timely manner will result in the administrative action imposed as being final.
2. During the appeal hearing, the Human Resources Director and the employee will bring into record the evidence or documentation to support why the imposed administrative action should remain imposed or overturned. The County Administrator may conduct a review of the Administrative action in the manner of his or her choice.

#### **10.6 ASSISTANT COUNTY ADMINISTRATORS, EXECUTIVE DIRECTORS, FIRE CHIEF AND DEPARTMENT DIRECTORS**

The positions of Assistant County Administrator, Executive Director, Fire Chief, and Department Director serve at the sole discretion of the County Administrator and the procedures as outlined in Sections 10.04 and 10.05 of this Handbook do not apply.

## **10.7 DEPUTY CHIEF AND DIVISION CHIEFS**

The position of Deputy Chief and Division Chief serve at the sole discretion of the Fire Chief in consultation with the County Administrator. Any employees in these classifications may appeal termination for disciplinary reasons to the County Administrator in writing within ten (10) calendar days of the notification of termination.

## **10.8 COUNTY ATTORNEY EMPLOYEES**

In accordance with Marion County Code (Ord. No. 92-49), the County Attorney may employ, suspend, discharge or remove assistant County Attorneys and support staff subject to budget approval and pursuant to County personnel rules.

## **10.9 DISCIPLINARY VIOLATIONS**

1. Employees may face disciplinary action up to and including termination of employment, when, in the County's opinion, the employee's action, performance, or behavior is detrimental to the reputation and effectiveness of the County.
2. Employees may be disciplined, up to and including termination of employment, for any of the following violations. This list is not all inclusive.
  - a. Tardiness.
  - b. Excessive tardiness or absenteeism.
  - c. Absenteeism of one (1) day without notification.
  - d. An absence of three (3) or more consecutive days without notification and/or approval (this may be considered as job abandonment and a voluntary resignation).
  - e. Leaving the workplace, without the specific permission of the supervisor, Department Director, Assistant County Administrator or County Administrator.
  - f. Discourtesy to co-workers, subordinates, supervisors or citizens.
  - g. Horseplay.
  - h. Incompetence or substandard job performance; or inefficiency in the performance of an employee's duties; or unsatisfactory job performance.
  - i. Inattention to duty or carelessness.
  - j. Failure to notify supervisor of an on-the-job injury or accident within a reasonable amount of time.
  - k. Failure to notify supervisor of a traffic violation or accident while using a County vehicle in a reasonable amount of time.
  - l. Causing or contributing to the cause of an on-the-job accident resulting to personal injury or injury to others.

- m. Misuse of County Equipment.
- n. Abuse, carelessness, or other behavior resulting in the loss or damage to County property or equipment or the property or equipment of another person.
- o. Unauthorized possession or use of County property or the property of another person.
- p. Theft of County property or property of another person.
- q. Inadvertent or isolated violation of a County or Department policy (other than “serious” misconduct which results from lack of good judgment.
- r. A serious misconduct violation of any County or Department policy.
- s. Violation of safety policies and procedures.
- t. Offensive conduct (rudeness, profanity, inappropriate touching, etc.).
- u. Insubordination.
- v. Conviction, pleading no contest to, having adjudication withheld, or prosecution deferred or a felony or 1st degree misdemeanor or other serious crime.
- w. Dishonesty, fraud, or other misconduct or moral turpitude.
- x. Falsification (deliberate or otherwise) of any County record(s) including, but not limited to, employment applications, leave requests, time cards or time sheets.
- y. The deliberate possession, use, or distribution of obscene or pornographic material including the viewing, downloading or electronic mailing of obscene or pornographic material using the County intranet, internet, and electronic mail systems.
- z. Conduct, on or off duty, which could affect the performance of one’s job or could have a negative impact on the County, including the County’s reputation and its ability to provide public service.
- aa. Possession of explosives or unauthorized weapons on or in County property.
- bb. Failure to obtain or maintain job proficiency, certification, or licensing requirements as required by the job description (including valid motor vehicle operator or commercial driver’s license (CDL).
- cc. Violation of the County’s policy on Employee Ethics.
- dd. Violation of the County’s policy on Employee References.
- ee. Violation of the County’s policy on Attendance.
- ff. Violation of the County’s Leave Policy.
- gg. Violation of the County’s Sick Leave Policy (including sick leave abuse).

- hh. Violation of the County's policy on Sexual or Workplace Harassment.
- ii. Violation of the County's policy on Workplace Violence.
- jj. Violation of the County's policy on Outside Employment.
- kk. Violation of the County's policy on Dress Code.
- ll. Violation of the County's policy on Political Activity.
- mm. Violation of the County's policy on Investigations.
- nn. Violation of the County's policy on Substance Abuse.
- oo. Reason not listed here, when, in the County's opinion, the employee's action, performance or behavior is detrimental to the reputation and effectiveness of the County.

## SECTION 11

### EMPLOYEE GRIEVANCE PROCEDURE

#### 11.1 EMPLOYEE GRIEVANCE

It is the policy of the County that all employees are treated equally and fairly and that all problems are resolved at the lowest possible level. However, the County recognizes that sometimes situations arise in which an employee feels they have not been treated fairly or in accordance with County policies and procedures. Through this policy, non-bargaining unit employees may grieve disciplinary actions (not including suspensions without pay, demotions or terminations; these administrative actions have separate appeal procedures), or occurrences where they believe their treatment violates the Employee Handbook (except performance reports or appraisals). Employees may not grieve decisions and policies of the Board of County Commissioners.

#### 11.2 GRIEVANCE PROCEDURES

1. An employee should first try to resolve any problem or complaint with their supervisor.

Such discussions should be held with a view towards reaching an understanding which will bring about resolution in a satisfactory manner without need for recourse under the formal grievance procedure. Supervisors should endeavor, when feasible, to work for an agreeable solution to an employee's complaint provided that the solution is within the supervisor's authority and represents a sound leadership and management philosophy.

2. Any grievance that is not filed in a timely manner by the employee (at any step of the process) shall be null and void and will not be continued. A grievance becoming null and void shall stand at the appropriate level that it was last addressed. Grievances delayed due to management actions shall be reviewed by Administration for appropriate action. The following depicts the steps in the grievance process:

***Step I: Written Statement to the Immediate Supervisor.***

An employee who has a grievance may present it to the immediate supervisor or in writing to the Human Resources Director or designee. Most job-related dissatisfaction or problems can be handled by the Supervisor.

An employee wishing to apply for resolution through the grievance process shall submit his or her grievance on the Marion County Employee Grievance Form.

This form is available through the Human Resources Department. The employee will document the basic, factual information, the specific disciplinary action or the section of the Employee Handbook allegedly violated and the remedy desired.



***Step II: Request to the Human Resources Director***

The grievance form must be submitted to the Human Resources Department within ten (10) calendar days of the occurrence of the event giving rise to the alleged grievance. Human Resources will date stamp the grievance. The Human Resources Director will accept or reject the grievance. If accepted, notification shall be sent to the grieving employee's immediate supervisor and employee within five (5) calendar days from receipt of the employee's grievance. The immediate supervisor shall then take appropriate action. If rejected, the Human Resources Director shall notify the employee within five (5) calendar days with a copy to the immediate supervisor.

***Step III: Immediate Supervisor Meeting***

Within five (5) business days there will be a meeting between the supervisor and the employee. The supervisor will document the resolution or the response to the allegations.

A resolution will be forwarded through the chain of supervision to Human Resources. A resolution exists only when signed by both employee and supervisor/management employee.

A response will be given back to the employee so they can decide whether to continue the process. In those instances where the problem cannot be resolved in this first step, the employee may continue the process accordingly.

In the event the immediate supervisor is not available to receive the grievance form, the employees may by-pass this step and proceed directly to the Department Director or the grievance time will remain suspended until the immediate supervisor becomes available to receive the grievance form. The immediate supervisor shall provide a written decision on the grievance form and return the grievance form to the employee within five (5) business days after receiving the grievance form.

***Step IV: Written Request to Department Director***

Should the immediate supervisor not resolve the grievance to the satisfaction of the employee, the employee may present the grievance form to the Department Director within five (5) business days of the immediate supervisor's dated response. The Department Director shall make every effort to resolve the complaint at this point by encouraging open communication and understanding.

The Department Director shall meet with the employee, review the grievance and render a decision based on applicable policies or procedures, the facts of the grievance, the discussion with the employee, and any other available information. The Department Director shall provide a written decision on the grievance form and return the grievance form to the employee within five (5) business days after receiving the form.

***Step V: Written Request to the Assistant County Administrator***

If the Department Director has not resolved the grievance to the satisfaction of the employee, the employee may submit the grievance form to the Assistant

County Administrator within ten (10) business days of the Department Director's dated, written response requesting the Assistant County Administrator to render a decision.

Through open communication and understanding reviewing all policies or procedures, the facts of the grievance and through discussion with the employee, the Assistant County Administrator shall try to resolve the issue.

The Assistant County Administrator shall provide a written decision on the grievance form and return the grievance form to the employee within five (5) business days after receiving the form.

Should the Assistant County Administrator not resolve the grievance to the satisfaction of the employee, the employee may proceed to the next step in the grievance process.

***Step VI: Written Petition to the Human Resources Director***

If the Assistant County Administrator has not resolved the grievance to the satisfaction of the employee, the employee may submit the grievance form to Human Resources within ten (10) calendar days of the Assistant County Administrator dated, written response, requesting the Director of Human Resources to empanel a committee of employees to hear the grievance.

A committee composed of three employees shall be convened by the Human Resources Director to hear informal testimony and review appropriate documentation. The committee shall be composed of computer selected, randomly chosen employees who are not from the grieving's department. One of the committee members shall be a person in a supervisory position but not a Department Director. The Human Resources Director or designee shall arrange for the grievance hearing within a reasonable amount of time (scheduling permitting) and shall act as the non-voting Chairperson.

Every employee is responsible for the proper application of the grievance policy. In the instances where a grievance committee is empaneled, Department Directors should support the membership of their employees on the committee as much as possible, considering operational demands.

When an employee is unable to participate as a grievance committee member, the Department Director must notify the Human Resources Director, either in writing or through electronic mail, of the employee's inability to serve.

After the hearing, the Grievance Committee shall render a decision by a majority vote with a written decision explained on the grievance form within five (5) business days of the hearing. The Grievance Committee shall either decide to agree with the employer or agree with the employee. During the grievance hearing, the Human Resources Director or designee may work with all parties for an agreeable solution to an employee's grievance before any decision is rendered.

In the event the decision is not unanimous, the minority opinion shall also be included in the written decision. Copies of the completed grievance forms shall

be provided to the Department Director and the employee for proper notification. Original forms shall be maintained by the Human Resources Director for proper filing.

The Grievance Committee's decision shall be presented to the County Administrator for approval.

The Human Resources Director shall develop guidelines for the administration of the committee hearings.

The Human Resources Director may make a decision if a committee of peers is not appropriate.

***Step VII: Appeal to the County Administrator***

Grievance committee decisions may be appealed to the County Administrator by the employee by forwarding their appeal on the grievance form to the County Administrator within five (5) business days of the dated, written decision of the grievance committee. The County Administrator shall review the documentation and/or may choose to hear additional testimony or receive additional documentation. The County Administrator may change, alter, rescind, increase, or decrease any of the administrative actions that prompted the grievance. The County Administrator should respond in writing within fifteen (15) business days (scheduling permitted). The decision of the County Administrator is final.

## **SECTION 12**

### **INVESTIGATIONS**

The County Administrator may investigate, or cause to be investigated, a violation of any Board or County policy in this handbook or any other case or instance that may disrupt the effective or efficient management of the County or any case or instance that may impinge or damage the County's reputation. Investigations concerning severe violations of the Employee Handbook shall be conducted by the Human Resources Director or his or her designee, unless otherwise directed by the County Administrator. Employees may be placed on administrative leave with or without pay (pending an investigation) by the County Administrator, Assistant County Administrator, or the Human Resources Director or designee when such action is in the best interest of the County.

## SECTION 13

### EMPLOYEE SUGGESTION PROGRAM

#### 13.1 PURPOSE

The purpose of the Employee Suggestion Program is to provide a formal program for County employees to submit suggestions to Administration which will enhance the effectiveness of County government in terms of cost savings and improved services. A suggestion is a timely, constructive idea related to the improvement of methods, equipment, procedures, work conditions, safety, and/or reduction of time or expense. A suggestion may be a completely new idea or a new application or a modification of an existing idea.

#### 13.2 PROCEDURES

1. The County Administrator shall appoint a suggestion awards committee. The suggestion awards committee will consist of five employees selected by the County Administrator and must include one representative from Administration and one representative from Human Resources. The committee shall provide functional direction, coordination, and evaluation of the eligible suggestions submitted by employees.
2. Initial committee membership terms shall be: one at-large employee will be selected to serve for one (1) year, two at-large employees will be selected to serve for two years and two at-large employees will be selected to serve for three years. All subsequent appointments will serve a three year term on the committee. The two members from Administration and Human Resources will serve at the discretion of the County Administrator.
3. All employees of the Board of County Commissioners are eligible to submit suggestions. However, the County Administrator, Assistant County Administrator, and Department Directors shall not receive any monetary reward for their suggestions. Some examples of suggestions and ideas that shall not be considered for awards are:
  - a. Matters that are already under study or review by management
  - b. A duplicate of another suggestion already received by the program
  - c. Matters requiring legal adjudication
  - d. Stricter enforcement of already existing rules, regulations or laws
  - e. Requests for additional equipment of a common nature or for obvious replacements, repairs or maintenance
  - f. Decisions of the Board
4. Since an idea is of no tangible value until it is implemented, a suggestion is not processed for award consideration until evidence or implementation is received by the Awards Committee or until it has been determined that a definite cost savings will accrue as a result of the suggestion. This evidence can consist of the

department's statement that the suggestion was implemented on a certain date or by providing a copy of implemented paperwork, such as a purchase order for equipment not yet received.

5. Suggestion Awards that generate measurable, identifiable savings or income and are approved for implementation will be evaluated for the savings to be realized during the first year of implementation. Where these savings can be accurately determined, the employee will receive a minimum of \$50.00 up to an award of 10% of the first year's savings with a maximum award of \$2,500.00.
6. Where the savings cannot initially be accurately determined, the employee will receive a minimum award of \$50.00 up to a partial award of 8% of the estimated savings up to the maximum monetary award allowed. After the first year's savings can be accurately determined, the employee may receive an additional award to bring the total to 10% of the first year's savings, up to the maximum monetary award allowed.
7. Suggestions that significantly improve the quality of work life but do not generate measurable, identifiable savings or income, or suggestions that significantly improve customer service may receive financial compensation.
8. Intangible suggestion awards are determined by merit, potential impact, and complexity or when precise savings cannot be calculated, with a minimum of \$25.00 and a maximum net award of \$500.00.
  - a. Class 1 Awards - \$500.00 – Suggestions which result in an unidentifiable savings in time, materials or operating costs or represent a substantial improvement in procedures, working conditions, customer service, or safety.
  - b. Class 2 Awards - \$250.00 – Suggestions which result in an unidentifiable savings in time, materials, or operating costs or represent a significant improvement in procedures, working conditions, customer service, or safety.
  - c. Class 3 Awards - \$100.00 – Suggestions which result in a one-time improvement in time, materials, or operating costs or represent a definable improvement in procedures, working conditions, customer service, or safety.
  - d. Class 4 Awards - \$50.00 – Suggestions which may or may not result in minor cost savings, but contribute to improved efficiency of operations, safety, or services to the public.
9. Approved suggestions which are not recommended for monetary awards, but which represent some improvement in government operations will be awarded a Certificate of Appreciation presented by the Board of County Commissioners or the County Administrator. All awards are subject to applicable Federal and State taxes which will be deducted from the award prior to payment.
10. All awards require the approval of the County Administrator. Decisions of the County Administrator are final as to eligibility, adoption, or rejection of the idea and the amounts and types of awards.

11. Eligible suggestions will be considered for an award when they are implemented or when an implementation date is established to occur within one year of the date of receipt of the suggestion. Preference will be given to the suggestion with the earliest date of receipt when duplicate suggestions are received. Multiple employees may submit a suggestion together but any monies awarded will be divided into equal amounts. When an employee is notified that a suggestion is rejected, the employee may resubmit the idea for re-evaluation after six months. However, for an idea to be re-evaluated, the employee must furnish additional information or evidence to show that conditions have changed sufficiently to warrant reconsideration of the idea.
12. All suggestions which are submitted under the provisions of this program become the property of Marion County. Employees who leave County employment while they have a suggestion that is being considered forfeit all rights and recognitions (monetary or otherwise) for their suggestions.

## **SECTION 14**

### **RECRUITMENT AND SELECTION**

#### **14.1 RECRUITMENT**

1. Every effort will be made to source candidates from a wide geographic area to ensure recruitment of well qualified candidates.
2. Position vacancies shall be normally publicized through job postings. Job vacancies may also be announced by advertising in local and/or other statewide newspapers, job site internet locations, professional journals, etc.
3. Recruiting practices shall be conducted on the basis of character, cultural fit, knowledge, skills, ability, education, and experience without regard to any individual's sex, race, color, religion, national origin, age, marital status, or disability.
4. Marion County may promote employees from within its own organization, benefits of which include lower turnover, better employee morale, a recruiting competitive advantage, better succession planning, reduced recruiting costs and other benefits. Whenever appropriate, Marion County may promote County employees from within the organization in order to receive the benefits of such advantages. The County Administrator may approve the promotion of a County employee to a vacant position outside of the application process when it is in the best interest of the County.
7. The County reserves the right to use any outsourced firm or recruitment firm to recruit and/or hire when the County Administrator deems it to be in the best interest of the County.

#### **14.2 APPLICANT SELECTION PROCESS**

1. For more detail on the County selection process, please view the latest Administrative Policy on Recruitment and Selection.

#### **14.3 VETERANS PREFERENCE**

1. Assistant County Administrators, Department Directors, Managers, and Supervisors are required to know and abide by the requirements of veterans preference in their hiring decisions. Additionally, all US military veteran applicants will be interviewed for positions where they meet the minimum requirements/qualifications of the job description. A veteran has a "one shot" or "single claim" opportunity to claim veterans' preference per employer. In other words, the entitlement to preference may only be used in employment or re-employment. If an employee claimed veteran's preference on their initial hire date, the employee must have a break in employment and been deployed, come back to the County and be reinstated or re-employed in order to qualify for



veteran's preference for a promotion within the County.

2. If a veteran completes the required assessment, they will be interviewed regardless of the results of the assessment.

#### **14.4 FALSIFICATION OF APPLICATION**

1. Any applicant supplying substantive false or misleading information on their employment application is subject to being removed from current and future hiring consideration. Any employee supplying false or misleading information on their internal employment application may be subject to administrative action.
2. Substantive false or misleading information includes, but is not limited to: driver's license record, formal education, and certifications, employment history and personal knowledge, skills, and abilities.

#### **14.5 RESIDENCY**

Positions designated to serve at the sole discretion of the County Administrator, as defined in Section 10.06 will be required to reside in Marion County within (1) one year of assuming the position. Exceptions to the policy may be made by the County Administrator based on special circumstances and/or other job related factors.

#### **14.6 RELOCATION REIMBURSEMENT**

The County Administrator may offer a relocation reimbursement, of up to \$10,000, for professional level positions or positions that have proven difficult to fill. Recipients of any relocation reimbursement must provide receipts for moving expenses through Human Resources and may be required to pay back the reimbursement if they leave the County within two year of receiving the reimbursement.

## **SECTION 15**

### **EMPLOYEE TRAINING AND DEVELOPMENT PROGRAMS**

#### **15.1 PURPOSE**

The County offers to each employee training programs that are designed to allow the employees opportunities to develop themselves for future positions and promotions within the organization. These training programs can also be used as a guide for Assistant County Administrators, Directors, Supervisors and employees to determine what courses an employee will need within the fiscal year for professional growth.

Employees will be able to develop themselves professionally through a series of courses offered through different development programs. Assistant County Administrators, Directors, Supervisors, and employees should use the training programs as tools in determining employee goals and objectives for each fiscal year.

#### **15.2 LEADERSHIP DEVELOPMENT PROGRAM**

Exempt employees are encouraged to participate in the Leadership Development Program. This track is designed for Assistant County Administrator, Department Directors, Supervisors, and Supervisors in training. In order to obtain Program Certification, an employee are required to complete all the core courses listed, as well as four additional elective courses. Employees will be required to complete an evaluation after each instructor lead course and a certificate of completion will be granted. The Human Resources – Training Division will update the employee training record and employees can request his or her training record from Human Resources. All courses required for the Leadership Development Program can be found on Marion on the Inside’s training page or by contacting Human Resources.

#### **15.3 ONLINE TRAINING PROGRAMS**

Further development by employees and supervisors can be acquired through online course offerings. The online employee and leadership development programs require completion of a list of courses that may change annually. These courses can be completed using the online training provider. All courses required for the Online Programs can be found on Marion on the Inside’s training page or by contacting Human Resources.

#### **15.4 SPECIAL PROGRAMS**

Special programs will be available for employees and supervisors that are based on the current development needs of the workforce and the initiatives of the county. These programs will change on an annual basis.

## **15.5 TRAINING ATTENDANCE**

Employees are discouraged from attending more than 2-3 courses per month as workload, budgeting, and staffing issues may arise at the worksite. Management may request and monitor the employees progress by contacting the Training Manager, or by viewing an employee's Training Transcript through the Human Resources' Training Division. Employees are encouraged to attend online training as available.

## **15.6 MANDATED TRAINING**

The County will ensure compliance with Federal and State mandated laws and all County Administrative training by providing mandated training courses that will demonstrate our commitment to ensure a safe and productive work environment for all employees. All County employees (exempt and non-exempt) will be required to attend the following training courses within the first year and a half of their employment hire date. These courses include:

- Cultural Diversity \*
- Professional Ethics \*
- Sexual and Employee Harassment\*
- Substance Abuse Prevention \*
- Effective Customer Services and Telephone Skills
- The Strategic Hiring Process\* (all employees who could serve as a potential hiring panel member)
- Violence in the Workplace \*
- Title VI (every 3 years)

This is not a comprehensive list and other trainings may be added to the listed of mandatory courses. The County Administrator shall have the final authority of mandatory courses.

\*Employees are required to re-take the mandatory course marked with an asterisk (\*) every four years in order to meet Federal and State guidelines.

All County employees will also be required to take the following training courses in addition to any others deemed necessary on an annual basis:

- Information Technology Security Awareness Training
- Public Records Requests

### **Additional Courses for Exempt Employees:**

- Documenting and Disciplining Employee Behavior (within 90 days of hire or of assuming a supervisory position within the County)
- New Supervisors (within the first six months of hire or of assuming a supervisory position within the County)

Employees who fail to complete these courses within the specified time frame may be subject to administrative action, as determined by the Assistant County Administrator.

### **15.7 COURSE/PROGRAM OFFERINGS**

All courses and trainings provided to employees will be approved by the County Administrator, or designee prior to implementation.

## **SECTION 16**

### **TRANSITIONAL WORK PROGRAM**

#### **16.1 TRANSITIONAL WORK PROGRAM**

The goal of the County is to help facilitate employees on restricted duty for work related injuries to return as a productive member of the Marion County BCC workforce.

Returning valued employees to a fully-productive position not only helps the employee, but also co-workers, the department, organization and the citizens of Marion County.

#### **16.2 PURPOSE**

1. To provide transitional work duty assignments, in a safe and productive manner, for employees with work related injuries (as defined Florida State Statute Chapter 440) that make them temporarily unable to perform their regular job functions.
2. Employees receiving workers compensation benefits for work related injuries will be assessed for their ability to participate in the Marion County BCC Transitional Work Program. This program is meant to be of limited duration of no longer than four months. Evaluation of participant's progress will be completed every 30 days by a team that may consist of the contracted medical provider, Employee Health Nurse, Human Resources' designee, Risk and Benefit Services designee, Department Manager/Supervisor and the employee. This policy does not include employees absent or on restricted duty for personal illnesses or injuries.
3. Employees should be returned into the workforce in a safe and timely manner. Each employee should have an individualized work program that meets their restrictions yet progresses as work restrictions are changed. Employees that are not able to safely perform at their normal work site may perform their transitional duty in other areas of their department unless their manager/supervisor feels their restrictions cannot safely be met, or their department does not have any transitional work assignments available, or providing transitional work would cause an undue hardship.

#### **16.3 PROCEDURES**

1. Human Resources will notify all current and prospective employees about the Transitional Work Policy. A designee of Human Resources will be assigned as part of the transitional duty team and will have the responsibility of ensuring compliance with this policy.
2. Employees not able to perform all the Essential Functions of their job duties after the end of the temporary transitional duty will, on written request, be provided a list of all in-house postings for any open position in the Marion County BCC. Employees are advised that any absences for appointments regarding their workers compensation case will result in their not being eligible for Workers'

Compensation pays under Florida State Statute Chapter 440.

The Transitional Program is a program that temporarily allows employees to work on a restricted duty status within their department. This program is offered for a maximum duration of four (4) months. Cumulative trauma conditions caused by repetitive motions may cause the need for restrictions or adjustments of job duties for longer than four (4) months. Extended adjustments should not cause a hardship for the department, and the employee must be able to meet the Essential Function of their job description.

3. The Human Resources' Director or designee will meet with the employee on continued restrictions at the end of their Transitional Program. Employees whose temporary restrictions exceed four months will be scheduled for an Administrative Conference with the Human Resources Director to determine feasibility of continued employment with the County in accordance with Section 9.03 of the Employee Handbook.
4. Risk and Benefits Services will maintain compliance with Florida's Workers' Compensation Laws. Employees not eligible for transitional duty will continue to receive Workers' Compensation pays as applicable to the Florida State Statute 440 and Marion County BCC policies.
5. Department manager/supervisors will receive notification of work restrictions provided to the employee by the Employee Health clinic on a work duty status form. It will be up to the department manager/supervisor to determine if the department has transitional duty available according to current caseloads and work needs. The department manager/supervisor may assign the employee within the department to another work site if their current work site does not have assignments that meet the work restrictions.

Employees that have difficulty working within their restrictions or have an increase in physical symptoms will be referred to the Employee Health Clinic for evaluation. If the employee's current work restrictions would cause undue hardship to the department, or if there are no positions available, given the employee's restrictions, then the work duty status form should be signed by the manager/supervisor indicating no transitional work duty is available. Copies of the work duty status form is to be sent to Risk and Benefits Services and the Employee Health Clinic. This procedure should be repeated each time the manager/supervisor receives a work duty status form.

It is the supervisor's responsibility to insure that employees are assigned to job functions that meet the current work restrictions.

6. The authorized medical provider will assess and prescribe treatment/referral for all workers compensation injuries and illness. The authorized medical provider will give each employee a work duty status form listing any and all work restrictions. Employees will be given regular scheduled appointments for follow up until returned to full duty or they are no longer employed with the County. The authorized medical provider working through the Employee Health Clinic will coordinate with the other

specialties involved in employee's care to determine the appropriate work restrictions.

The authorized medical provider will assess the employee's progress in the Transitional Duty program with the goal of progressing the employees to full duty. Any employees experiencing trouble performing their restricted duty and/or having increasing physical symptoms will be reassessed as needed.

The authorized medical provider will work with the transitional duty team to establish an individualized return to duty plan helping to set goals and objectives specific to the employee's needs.

7. Employees that have been injured as a result of conducting their job duties are to seek medical care as per County policy. If medical care is initially done by an outside agency, then the employee is to report to the Employee Health Clinic on the next business day for evaluation/treatment and determination of work duty status. Employees will be given a copy of the work duty status form to take to their manager/supervisor. It is expected that employees accepted into the transitional duty program will report to work at their appointed hours and perform all work assignments within their work restrictions. Any employee experiencing problems performing their work restrictions or experiencing worsening physical symptoms will immediately report those problems to their supervisor, who shall refer the employee to the Employee Health Clinic for evaluation and treatment.

An employee who refuses transitional duty assignment within the restrictions or limitations provided by the authorized medical provider will not be eligible for benefits under Florida State Statute 440.

8. The Employee Health Clinic RN/Manager will have the role as the transitional team manager. All team members will report their questions, concerns and comments on the employee's progress to the transitional team manager. An evaluation of employee's progress will be conducted involving all team members at least every 30 days, sooner as warranted. Compliance issues will be reported to the team manager and individual meetings will be held with the appropriate team members to resolve the issues.

The Employee Health clinic will maintain custody of medical records related to the transitional duty program.

The Employee Health Clinic will supply work duty status forms to the employee and Risk Management. Risk Management will send an email to the Supervisor to determine if the employee is unable to accommodate the restrictions and is off work. Risk Management will notify the Employee Health Clinic of work status.

## SECTION 17

### DEFINITIONS

The following definitions shall be applicable to this employee handbook and all administrative policies.

**Acting Status:**

The condition where an employee temporarily assumes the responsibilities of a higher level position due to an extended absence or a position vacancy.

**Administrative Policy:**

Policies which are established by the County Administrator to supplement and enhance the functional operations of the County. Unless otherwise noted, administrative policies shall be applicable to all County employees.

**Anniversary Date:**

The most recent date the employee was hired. This date is used to establish accrual rates for sick leave, annual leave hours, or other such necessary purposes.

**Business Day:**

Regular work day (normally Monday through Friday) within the County, exclusive of weekends and approved holidays.

**Classification and Pay Plan:**

A formal schedule of pay, approved by the Board, for all classes of work in the County. The classification and pay plan shall take into consideration the economic conditions of the local economy, the County's ability to fund the plan, and the requirements of pay equity and equal pay. It shall also include any additional monetary considerations as the Board deems necessary.

**Demotion:**

The reduction in position or pay grade of an employee, either voluntary or involuntary, that results in a diminished status or loss of pay.

**Department:**

A distinct organization designated by the Board that has a common mission, goals, duties, and responsibilities for all members within that organization.

**Department Director:**

Senior manager of a department responsible for the mission, goals, duties, responsibilities, work product, morale, budget, safety, and overall performance of that department.



**Disciplinary Action:**

Administrative action taken against an employee for violation(s) of the employee handbook, administrative policies, or other applicable County or departmental policies or procedures.

**Employee:**

Any person who works for the County and receives regular pays for their services.

**Employee Grievance:**

Any discontent or dissatisfaction dealing with an employee's working condition or treatment, which an employee believes violates the employee handbook, administrative policies, or department policies.

**Employee Handbook:**

Written directions and instructions developed to provide the employee a directive and a guide to the County's employment policies.

**Full-time Employee:**

An employee who is regularly scheduled to work 40 or more hours per week.

**Immediate Family Member:**

An employee's immediate family includes the employee's spouse, child, step-child, parent, step-parent, brother, sister, aunt, uncle, grandparents, great-grandparents, grandchildren, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law or a person living in the home that the Court has designated the employee to be the legal guardian of, or any other legal relative living in the employee's home.

**Job Classification:**

A group of duties and responsibilities assigned by Human Resources requiring the full-time or part-time employment of at least one person. Each job classification shall have a job title, a job description, and a pay grade.

**Job Description:**

Document that states the major function, essential functions, knowledge, skills, abilities, working conditions, physical requirements, education, certification, and license requirements, and experience levels of the position. Job descriptions may contain other information as needed.

**Layoff:**

The dismissal from employment due to shortage of funds or work.

**Lump Sum Award:**

An out-of-cycle one-time monetary award for sustained exemplary performance or a significant accomplishment.

**Non-pay Status:**

A status where an employee is not receiving pays or is presently on an approved leave of absence from work.

**Overtime:**

Authorized work performed in excess of a certain number of hours each week, depending upon the employee classification (e.g. usually 40 hours per week for employees other than fire and emergency services employees).

**Part-time Employee:**

An employee who is regularly scheduled to work less than 40 hours per week. Part-time employees are normally scheduled no more than 29 hours per week.

**Pay grade:**

A pay range with a minimum and maximum pay bracket established by the Board for a specific job classification.

**Performance Appraisal:**

An annual or periodic evaluation of an employee's performance and behavior.

**Premium Pay:**

When an employee works a County designated holiday they shall receive pay at one and one half times their regular rate of pay for all hours worked.

**Probationary Employee:**

An employee who has been placed in a probationary status due to hiring, promotion, position, or job change or as a part of a disciplinary action.

**Promotion:**

The advancement of an employee from one position to a higher position as a result of the hiring process. This is not to be confused with a position reclassification.

**Reasonable Accommodation:**

A reasonable adaptation to the work environment or assistance to the job duties that allows a disabled applicant or employee to perform the essential functions of a job description.

**Reclassification:**

An action taken to officially change an existing position to a different position and classification due to changes in the essential functions of the position, mission requirements, organizational needs, or other appropriate reasons. Reclassifications must be approved by the Board before becoming effective.

**Regular Employee:** An employee who has successfully completed the new-hire probationary period and is now entitled to all regular benefits of employment established by the Board.

**Resignation:**

The voluntary termination of employment by an employee.

**Special Merit:**

An out-of-cycle increase in pay awarded for the continued and exceptional work performance by an employee.

**Suspension:**

A forced leave of absence, with or without pay, against an employee.

**Temporary Employee:**

A person employed for a period not to exceed six (6) months when regular employment for the position is not anticipated. Temporary employees are not eligible for health insurance benefits.

**Termination of Employment:**

The complete separation of an employee from County employment, whether voluntary or involuntary.

**Transfer:**

The change of an employee from one position to another, anywhere in the County. Employee transfers may either be voluntary or non-voluntary, and shall not normally result in an increase or decrease in pay except as defined in the compensation and pay plan.

**Work Unit:**

An organizational setting within departments typically identified by employees having work functions which depend on one another and require regular business contact; or employees reporting to the same supervision; or an organizational unit in which one official exercises supervisory control or overall management responsibility.

**Attachment A**

**ACKNOWLEDGEMENT OF RECEIPT OF EMPLOYEE HANDBOOK**

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**I \_\_\_\_\_, promise to deliver Marion County services with genuine dedication to our citizens through professional operations and resource stewardship. I will do this by showing humbleness, integrity, commitment, accountability, respect and discipline.**

This will acknowledge that I have received my copy of the Marion County Employees Handbook and that I will read and familiarize myself with its contents. This Handbook rescinds all previous versions.

**PRINT FULL NAME:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_

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

**(RETAIN IN EMPLOYEE PERSONNEL FILE)**

**Attachment B**

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**I \_\_\_\_\_, promise to deliver Marion County services with genuine dedication to our citizens through professional operations and resource stewardship. I will do this by showing humbleness, integrity, commitment, accountability, respect and discipline.**

This will acknowledge that I have received my copy of the Marion County Employees Handbook and that I will read and familiarize myself with its contents.

As an employee of the County Attorney's Office, I understand that pursuant to County Ordinance and, where appropriate, the County Attorney will be substituted for the County Administrator in the following personnel rules.

**PRINT FULL NAME:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_

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

**(RETAIN IN EMPLOYEE PERSONNEL FILE)**

**ACKNOWLEDGEMENT OF RECEIPT OF EMPLOYEE HANDBOOK**