

**WASHINGTON COUNTY
BOARD OF COUNTY COMMISSIONERS**

EMPLOYEE HANDBOOK



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Washington County Board of County Commissioners
1331 South Boulevard, Chipley, FL 32428

EMPLOYEE HANDBOOK
WASHINGTON COUNTY BOARD OF COUNTY COMMISSIONERS

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SECTION 1

GENERAL PROVISIONS

1.01 PURPOSE

This Employee Handbook is designed to acquaint you with the Washington County Board of County Commissioners and provide you with information about working conditions, benefits, and policies affecting your employment. The information contained in this Handbook applies to all employees of Washington County Board of County Commissioners but does not apply to employees of independently elected officials of the County. The contents of this Handbook shall not constitute nor be construed as a promise of employment or as a contract of any specific duration between the County and any of its employees. The Handbook is a summary of our policies, which are presented here only as a matter of information.

You are responsible for reading, understanding, and complying with the provisions of this Handbook. Our objective is to provide you with a work environment that is conducive to both personal and professional growth.

This Handbook supersedes all previous employee Handbooks and memos that may have been issued from time to time on subjects covered in this Handbook.

The need for a change of a policy or policies may arise and the Washington County Board of County Commissioners reserves the right to revise, supplement, or rescind any policies or portion of the Handbook as it deems appropriate, in its sole and absolute discretion. We will notify employees of these changes.

1.02 POSITIONS COVERED

The intent of the Employee Handbook is to address most personnel and employment issues expected to arise during employment. The County Manager will resolve issues not addressed, subject to review and approval by the Board. Some positions are classified as exempt status under Fair Labor Standards Act (FLSA) for purposes of overtime. All other provisions of this policy should apply to these positions.

1.03 ADMINISTRATION

The Board or the County Manager will be responsible for the administration and direction of personnel.

The Division Director and/or the Department Heads will be responsible for the proper and effective administration of the Employee Handbook within their respective departments. They may delegate routine matters concerning enforcement within the operating department.

The Board retains all management rights including but not limited to the following:

1. Determining the organization of the County government
2. Determining the purpose of each of its units
3. Exercising control and discretion over the organization and efficiency of operations
4. Setting standards for services offered to the public
5. Managing and directing the employees of the Board and determining the number of personnel employed
6. Hiring, examining, classifying, promoting, training, transferring, assigning, scheduling and retaining employees
7. Suspending, demoting, discharging or taking other disciplinary action against employees
8. Increasing, reducing, changing, modifying or altering the composition and size of the workforce, to include having the right to relieve employees from duties because of lack of work, funds or other reasons
9. Determining the location, methods, means and personnel for conducting operations including the right to contract and subcontract current and future work

10. Establishing, changing or modifying the number, types and grades of positions or employees assigned to an organization, unit, department, division or project
11. Establishing, changing or modifying duties, tasks, responsibilities or requirements within job descriptions in the interest of efficiency, economy, technological change or operating requirements
12. Requiring employees to have periodic physical examinations that may include psychological, drug and controlled substance testing, etc., at the Board's expense

1.04 AMENDMENTS

The Board will adopt policies, rules, regulations and changes as necessary for the administration of the personnel system.

The Board will post amendments, changes or revisions of the Employee Handbook as approved, on Board bulletin boards, the Board's website, and distribute to all Board departments.

1.05 DEPARTMENT OPERATIONAL POLICIES

Department operating policies and procedures serve as supplements to the policies. In case of conflict in any section, the Board Employee Handbook will prevail.

Department policies and procedures will be in writing and approved by the Board.

1.06 SAVINGS CLAUSE

If any portion of the Employee Handbook is determined to be invalid by an appropriate legal authority, it will not affect the validity of the remainder of the provisions.

SECTION 2

DEFINITION OF TERMS

Active Pay Status - The status of an employee while working, on authorized paid leave, holidays or any other time when crediting the employee with pay or salary.

Administration – This term refers to management level positions; the County Manager, Division Directors, and the Human Resources Director.

Anniversary Date - The date that an employee begins employment and the same date in following years. This is also the date from which longevity is computed for allocating annual leave and sick leave. This may or may not be the same date used for salary increase, pay status change, or evaluation.

Annual Review – A report documenting the employees' current salary, benefits, accrued leave, documentation of counseling, and commendations. This report may include constructive criticism and/or suggestions for improvement.

Applicant - Individual who has completed and submitted an application for employment with the County.

Appeal - An application for review of administrative action, submitted or initiated by an employee.

Appointment - Offer and acceptance by a person for employment in position either on a regular or temporary basis.

County - Political subdivision of the State governed by the Board of County Commissioners.

Class - Group of positions that are sufficiently similar in essential duties and responsibilities to warrant the use of the same title, class description and pay range.

Class Description - Written description of a class consisting of a class title, a general statement of the essential job functions, and the qualifications for that class.

Class Title - Designation in the classification plan that describes the general nature of work of the position.

Classification - Grouping of position in classes.

Classification Date - Date that an employee entered, transferred, or was promoted to the current position. This is the date from which length of service in classification is computed for determination of probationary periods, order of layoff and eligibility for performance increases.

Classification Plan - Official system of grouping positions into classes.

Compensation - The standard rates of pay establishing the respective classes of work as set forth in the compensation plan.

Compensation Plan - The officially approved schedule that assigns rates of pay to each class title.

Continuous Service - Employment uninterrupted except authorized leaves of absence.

Demotion - Assignment of an employee from one class to another class that has a lower maximum rate of pay.

Exempt Status - Employees who are in an exempt status category under the Fair Labor Standards Act.

Full-time - Position that requires an employee to work the full number of scheduled hours for the department.

Immediate Family - Father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, grandparent, and grandchild.

Insubordination - The unwillingness by employees to submit to the authority vested in supervisors, Department Heads and the Board of County Commissioners as outlined in the Employee Handbook.

Layoffs - Reduction in the number of employees because of the lack of work, funds or other causes.

Leave - Approved type of absence from work that these policies provide.

May - The word 'may' shall be interpreted as permissive.

Non-Covered Status - Temporary positions for which benefits do not apply.

Overtime - Time worked more than 40 hours in any consecutive 7 day work period.

Part-time - Position that requires the employee to work fewer hours than normally designated for others in the same classification. Employees must meet the education and experience requirements as established by the job description for that particular position.

Pay Range - Salary assigned to a classification title and expressed as a pay range number.

Performance Pay Increase - Increase of salary rate established in the pay plan that may be granted to an employee based on job performance.

Position - Groups of duties and responsibilities assigned and budgeted requiring the full-time or part-time employment of one person.

Probationary Period - Time provided to allow an opportunity to evaluate an employee's performance and to decide whether the employee will be retained or terminated.

Promotion - Assignment of an employee from one class to another class having a higher maximum rate of pay.

Regular Appointment - Appointment to a regular position authorized to be filled.

Relative - Father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, grandparent, and grandchild.

Resignation - Act by an employee to end Board employment voluntarily.

Retirement - Whenever an employee meets the conditions set forth in the Retirement Plan Regulations, the employee may elect to retire and receive all benefits earned under the plan.

Sexual Harassment - Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature.

Shall/Will - This term is interpreted as mandatory.

Suspension - Relief of an employee from work without pay under the Personnel Policies and Procedures by a Department Head or other supervisor authorized to enforce disciplinary action.

Temporary Employee - An employee appointed for a special project or other work of a temporary or transitory nature. All temporary employees serve in a non-covered status and must meet the education and experience requirements as established by the job description for the particular position.

Termination - Separation from Board employment.

Trainee - An employee undergoing a training period to learn the job duties or to attain education or certification related to the position currently employed in.

Transfer - Action in which the employee moves from one budgeted position to another budgeted position.

Work Day - Scheduled number of hours required of an employee each workday.

Work Period - Number of hours regularly scheduled to be worked during any consecutive seven days.

SECTION 3

STANDARD OF CONDUCT

3.01 EMPLOYEE RELATIONS

The Washington County Board of County Commissioners (“the Board”) believes that the work conditions, wages, and benefits it offers to employees are competitive with those offered by other employers in this area. If employees have concerns about work conditions or safety, they are strongly encouraged to voice these concerns openly and directly to their supervisors.

Our experience has shown that when employees deal openly and directly with supervisors, the work environment can be excellent, communication can be clear, and attitudes can be positive. We believe that the Board amply demonstrates its commitment to employees by responding effectively to employee concerns.

3.02 EQUAL EMPLOYMENT OPPORTUNITY

In order to provide equal employment and advancement opportunities to all individuals, employment decisions of the Board will be based on merit, qualifications, and abilities. The Board does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, national origin, age, disability, or any other characteristic protected by law.

The Board will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

Any employees with questions or concerns about any type of discrimination in the workplace are required to bring these issues to the attention of their immediate supervisor, the County Manager and/or the Human Resources Director. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

3.03 PROHIBITION OF HARASSMENT

The Board is committed to maintaining a work environment that is free from discrimination and in which employees at all levels can devote their full attention and best efforts to the job. Harassment has no place in the work environment. The Board does not authorize and will not tolerate any form of harassment based on the following factors:

Race, sex, national origin, marital status, veteran status, age, disability, religion, or any other characteristic that is protected by law.

This policy applies to management and non-management employees alike, and extends to non-employees who harass our employees.

Examples of “harassment” covered by this policy include offensive language, jokes, or other physical, verbal, written, or pictorial conduct relating to the employee’s sex, race, religion, national origin, age, disability, or other factor protected by law that would make a reasonable person experiencing such behavior feel uncomfortable or would interfere with the person’s work performance.

The examples below are just that – examples. It is impossible to list every type of behavior that can be considered harassment in violation of this policy. Any conduct based on these traits that could interfere with an individual’s work performance or could create an offensive environment will be considered harassment in violation of this policy. *This is the case even if the offending employee did not mean to be offensive. It is essential that employees be sensitive to the feelings of others.*

A. Sexual Harassment

Sexual harassment (whether opposite-sex or same-sex) is strictly prohibited. Examples of the types of behavior that may be considered sexual harassment in violation of this policy include the following:

- Sexually offensive jokes or comments
- “Sexist” comments or behavior (conduct that demeans other individuals because of their sex, even if not vulgar, lewd, or sexually provocative)
- Physical assaults or other touching that is sexual in nature

- Promising favorable treatment or threatening unfavorable treatment based on the employee's response to sexual demands
- Displays of sexually oriented reading materials or pictures, including electronic materials
- Punishing an employee for complaining about sexual harassment, including but not limited to, any of the above

B. Harassment Based on Race, National Origin, Age, Disability, or Religion

Harassment based on these traits deserves special mention and is also strictly prohibited. Examples of the types of behavior that will be considered harassment based on these characteristics include the following:

- Jokes or negative comments about these characteristics
- Displays of reading materials or pictures containing negative material about these characteristics, including electronic materials
- Vandalism or “pranks” based on these characteristics
- Name-calling based on these characteristics
- Punishing an employee for complaining of these types of harassment

***Special note about religion.* It is not a violation of this Policy for employees to discuss religion, or to read or view religious materials, at work during non-working time. However, employees who do so should be sensitive to and respectful of the different beliefs (or lack of belief) of others. Religious practices that interfere with job performance, excessive “preaching” that is unwelcome to others, or adverse treatment of others because of their beliefs, different beliefs, or lack of belief, may be considered “harassment” within the meaning of this Policy.**

C. “Harassing” Use of Computer System

Use of the computer system for any harassing purpose (as defined above) will be treated as a violation of both this Prohibition of Harassment Policy and the Personal Computer and Software Policy, or other applicable policies. Examples of “dual violations” include the following:

- Using e-mail or instant messaging to transmit messages, jokes, or other material

that is defined as “harassing” in this Policy (this includes forwarding or even saving such material that has been sent to you by others)

- Viewing pornographic or other offensive sites (such as racist websites) on computers, including Board-issued laptop computers
- Electronic “pranks” – for example, “mail-bombing” or “spamming” – based on the sex, race, national origin, age, disability, or religion of the victim, or in retaliation for a harassment complaint

If you receive an unwanted message on the computer system, you should report it to the Director of Human Resources immediately.

This policy obviously applies to activities conducted on workplace computers, but it also applies to transmissions from “outside” computers into the Board’s computer system, and transmissions between different “outside” computers if the intended recipient finds the material unwelcome and is an employee, customer, or vendor of the Board or is in some other business relationship with the Board.

D. Reporting Harassment

The Board cannot resolve matters that it does not know about. Every employee has a duty to immediately report harassment so the Board can attempt to resolve the situation. You should report harassment when:

- You **believe that you have been or are being harassed**
- You **believe that someone else has been or is being harassed**

This is true whether the alleged harasser is an employee, a supervisor, manager, or non-employee, such as a customer or vendor with whom the Board does business.

To report harassment, you must contact the Director of Human Resources or the County Manager. These individuals have been trained to respond appropriately to reports of harassment.

Once your report has been received, the following will take place:

- A prompt and thorough investigation by the appropriate authority
- The investigation and results will be kept confidential

- If the complaint is verified, take appropriate corrective action, up to and including termination
- The results of the investigation will be disclosed to the complaining employee and the appropriate action will be taken

No employee will be punished for bringing a good-faith report of harassment to management's attention or for cooperating in an investigation.

3.04 CONFLICT OF INTEREST

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which the Board wishes the County to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact the Human Resources Department for more information or questions about conflicts of interest.

Transactions with outside firms must be conducted within a framework established and controlled by the Board. Business dealings with outside firms should not result in unusual gains for those firms. Unusual gain refers to bribes, product bonuses, special fringe benefits, unusual price breaks, and other windfalls designed to ultimately benefit either the employer, the employee, or both.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of the Board's business dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to an officer of the Board as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which the Board does business, but also when an employee or

relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving the Board.

It may be common business practice, at certain times of the year, when customers or suppliers give gifts of nominal value (under \$99.00). These may be accepted providing the Director/Supervisor is advised and the gift is not in return for service. All gifts in excess of \$99.00 must be respectfully declined and the attempt reported to the Director/Supervisor.

Employees are not to solicit or accept any gift or gratuity from outside parties for any reason relating to employment with the Board. Especially prohibited is the acceptance of any gifts or gratuity, of any size or amount, for performance of service or for special treatment.

3.05 POLITICAL ACTIVITY

Board employees shall not use their official authority or influence for the purpose of interfering with an election or nomination for office, for influencing another person's vote or affecting the results thereof.

No employee, official, or other person shall solicit orally, by letter or in any other manner any assessments, contributions, or services for any political party from an employee during hours of duty.

Nothing contained herein 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 opinions 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.

Any employee who qualifies as a candidate or accepts appointment to the Board must resign from Board employment immediately upon being elected or accepting such appointment or as otherwise provided by state statutes dealing with elections.

3.06 EMPLOYMENT OF RELATIVES

County policy will be in accordance with Florida Statute 112.3135. The Board will not permit the employment of a relative in positions where either family member would be supervising or influencing the activities or employment conditions of the other. This criteria will also apply when assigning, transferring or promoting an employee. Any employee currently employed by the Board in a position that would be in violation of this provision is hereby exempted (refer to the definition of “relative” in Section 2).

3.07 OUTSIDE EMPLOYMENT

Employees may hold outside jobs as long as they meet the performance standards of their job with the Board. All employees will be judged by the same performance standards and will be subject to the Board's scheduling demands, regardless of any existing outside work requirements.

If the Board determines that an employee's outside work interferes with performance or the ability to meet the requirements of the Board as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain with the Board.

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

Employees must report outside employment to their immediate supervisors and provide a method of contact.

Employees sustaining injuries while engaged in outside employment are ineligible to receive benefits under the Board’s workers’ compensation insurance policy.

Equipment, facilities, vehicles, or property of the Board shall not be used by employees for outside employment.

3.08 SOLICITATION AND DISTRIBUTION

Solicitations and distribution can put undue pressure on employees and interfere with work activities. Therefore, the following shall apply to solicitations or distribution of literature.

There will be no solicitation or distribution of literature during working time or at any time in working areas. There will be no solicitation or distribution of literature on the Board's premises at any time by non-employees.

Solicitations which are forbidden include, but are not limited to, solicitations for magazines or periodicals, subscriptions, memberships in organizations, and political contributions.

Distributions which are forbidden include, but are not limited to, political or religious literature, advertising brochures, packages of materials, leaflets, or information bulletins.

Strict compliance with this rule is required of all employees. Violation of this rule will be grounds for discipline up to and including discharge

3.09 USE OF BOARD PROPERTY

An employee shall not use Board property, equipment or vehicles except in the performance of official duty, nor permit their use by an unauthorized person, either on or off duty.

3.10 REPORTING ACCIDENTS AND LEGAL ACTION

Employees are required to promptly notify their supervisor of all accidents in which the employee is involved, and all other incidents that could result in a civil suit being filed against the Board for actions taken by the employee while on duty.

All job related accidents — including those which do not involve serious injury and those involving customers — must be reported immediately to your supervisor and to the Human Resources Department. It is only through a full knowledge of every accident that the Board can become a safer, healthier place to work for everyone.

Employees are required to promptly deliver to the County Manager all papers served upon them related to lawsuits brought against the employee for actions of the employee while on duty.

3.11 REPORTING SAFETY CONDITIONS

Any employee becoming aware of an unsafe working condition shall report it to his/her immediate supervisor as soon as possible, but not later than the end of the duty day.

Any employee who fails to follow safety procedures may be disciplined up to and including dismissal. Causing bodily injury due to a reckless and wanton disregard of safety procedures may be cause for dismissal.

SECTION 4

EMPLOYMENT POLICIES

4.01 APPOINTING AUTHORITY

The Board has the authority of appointment and removal of subordinate positions. This authority may be delegated to a Department Head or other designated employee of the County.

4.02 POSITION CONTROL

All positions with the Board are established and maintained through a personnel budget each fiscal year. The Board can authorize the establishment of new or additional positions subject to adequate justification based on need and availability of funds.

4.03 TYPES OF APPOINTMENTS

- A. **Regular** - employees who work full-time
- B. **Seasonal** - employees will be appointed in the same manner and subject to the same procedure as regular employees except that they will be subject to lay-off at the close of the season for which they were appointed
- C. **Part-time** - employees who work less than the normal scheduled hours per week
- D. **Temporary** - positions, whether part-time, full-time or hourly, anticipated as short term or of limited duration, for special projects, grants and programs
- E. **Trainees** - employees who do not meet the minimum qualifications of the positions but are considered trainable. The length of training is at the discretion of the County.

4.04 APPLICATION AND VACANCY PROCEDURES

The County Manager and the Human Resources Director must be notified of all vacancies. Requests for personnel should be made ahead of actual need.

Upon being notified of a vacancy, the County Manager, Human Resources Director, or delegated employee shall prepare a notice and advertisement outlining the qualifications for the position.

When practical, prior to public advertisement, positions will be posted internally to give Board employees an opportunity to apply.

To be eligible to apply for a posted job, employees must have completed their initial 6 month probationary period.

Eligible employees can only apply for those posted jobs for which they possess the required skills, competencies, and qualifications.

Positions will be posted for a minimum of one week. Employees interested in the vacancy must submit an Internal Application to the Human Resources Department by the closing date and time of the vacancy.

Application procedures for Non-Washington County employees are as follows:

- Applications, resumes, and letters of interest will be accepted via post mail, facsimile transmission, email, and hand delivery. Telephone inquiries will not be considered as interested applicants.
- Non-Washington County employees without applications on file will submit an employment application and a letter of interest for the advertised vacant position.
- Non-Washington County employees with applications on file must submit a letter of interest for the vacancy they wish to apply during the time of the advertisement.

Resumes may be submitted if desired but will not be used in place of the application.

Once a position closes, the applications will be reviewed by the Human Resources Director and the Department Head or supervisor in the department where the vacancy exists.

An interview committee will be appointed by Human Resources. The assigned interview committee will select the best-qualified applicant. The committee has the authority for making the decision of which applicant will be hired after considering all job-related factors in the hiring process.

The Human Resources Director will make all job offers as the representative of the Board.

When a vacancy has been filled, the remaining employment applications will remain active for three (3) months. If the selected applicant does not accept the position or successfully complete the probation period, another applicant may be selected from the applications on file without re-advertising.

Employment with the Board shall be based on merit that includes considerations of qualifications such as education, ability, skill, experience and training.

As part of the pre-employment procedure, references provided by applicants or other reference sources will be checked.

The County Manager has the authority to make a temporary appointment to fill a vacancy. The temporary appointment will be for no more than six months in cases other than State and/or Federally declared disasters. Ref. F.A.C., 60S-1.004(5) (d) 9

4.05 PROCESSING OF APPLICATIONS

Human Resources and the Division Director/Department Head will review and consider all applications for employment filed on the approved employment application form. Administration may approve or disapprove applicants for employment, taking into consideration the requirements of the position to be filled, the applicant and his/her qualifications and the interests of the County.

Applications for employment will be maintained in the Human Resources Department.

Employment applications will be kept on file for three (3) months.

The Human Resources Director, Administration or Department Head may reject an application that shows that the applicant does not possess one or more of the requirements as specified in the announcement and job description.

If hired, all applicants will be required to pass a background check. Applicants, who may be expected to supervise inmates, if hired as employees, will be required to pass a background check as well as receive and maintain clearance through the Department of Corrections.

Applications may also be rejected for the following reasons:

1. The applicant has been convicted of a felony or a first-degree misdemeanor that directly relates to the position sought.
2. The applicant has made false statements of any fact on the employment application.
3. Whether or not an application will be rejected under item 1 above will depend on the facts, including the nature of the offense, relevance to employment, the passage of time since the incident occurred, evidence of rehabilitation or other mitigating factors.

4.06 PHYSICAL EXAMINATION

After a job offer has been made to the qualified applicant, a physical examination and a workers' compensation questionnaire shall be required for regular full-time, part-time and temporary positions. Physical examinations will be conducted on applicants for positions as required by federal law, state statues or other regulations.

Appointment actions for the identified positions shall be contingent upon successful completion of the pre-employment physical. The prospective appointee shall not be considered a Board employee until successful completion of the medical examination process.

Upon notification of a selection action, Human Resources shall initiate action to schedule the prospective appointee for a medical examination. The prospective appointee shall be required to present a duly executed Consent and Authority to Release Medical Information form to the county-authorized physician and other information required by the physician. Failure by the applicant to present the completed forms shall be cause for disqualification from employment.

Human Resources shall enclose a job description showing the essential job functions to be performed by the prospective appointee. If medical restrictions or limitations are identified, the Department Head shall review the medical report and determine:

1. If reasonable accommodations can be made available to the selected candidate.
2. If the prospective appointee shall be required to submit additional medical information from his or her personal physician.
3. If the selection action will be withdrawn, Human Resources shall notify the prospective appointee of the results of the medical examination and affirm or withdraw the job offer.

An applicant, who fails to successfully pass the physical examination, may request reconsideration by submitting additional medical information. Request for reconsideration must be made to the Board in writing. Upon receipt of a request for reconsideration, Human Resources shall review it with the county-authorized physician who made the initial assessment. If necessary, Human Resources may authorize any additional medical examinations at the Board's expense.

4.07 VETERANS' PREFERENCE

Veterans' preference will be considered in evaluating competing applicants with hiring preference given by the Board as provided for by Section 295.07, Florida Statutes. Veterans' preference will also be given in promotion and retention decisions pursuant to Florida law.

4.08 PROBATIONARY PERIOD

All new employees are required to serve a six-month probationary period during their initial employment. This is for evaluating work quality, attendance, and other performance factors. During the probationary period, employees may use accrued sick leave but not annual leave. Probationary employees who work at least 30 hours per week become eligible for health and dental insurance benefits after initial employment with the Board for 90 days. After satisfactorily completing the probationary period, an employee becomes eligible for all benefits and rights of a regular Board employee. An employee that transfers to another Board position is required to serve a 90-day probation period when assuming the new position.

4.09 WAGES AND SALARIES

It is the intent of the Board to maintain wage and salary rates and employee benefits that are competitive for similar work offered in our area. Wages and salaries will normally be reviewed on an annual basis and salary adjustments made if approved by the Board of County Commissioners.

Occasionally, an existing job position may be changed to require less responsibility which will result in a shift to a lower rate of pay or salary. Employees may also transfer or be placed in a lower paying position to further develop job knowledge, or be given the opportunity to show improved performance. Either of these changes may result in a base pay or salary decrease.

Employees temporarily assigned to a job paying a lower hourly rate will be paid their regular hourly rate of pay for the time worked in the lower classification.

4.10 TIME SHEETS

Administration will develop and carry out a method of recording the time worked by each employee. Employees will be required to review the record of time worked, at the end of each pay period, and sign to acknowledge that the record of time worked is correct.

4.11 ANNUAL REVIEWS

The Department Head will review the performance of each employee at the end of the employee's probationary employment period and at least annually after that. Additional reviews to monitor the progress of an employee who has been notified of the need to improve his or her performance may be done.

SECTION 5

HOLIDAYS

5.01 DAYS OBSERVED

The following and any other days that the Board of County Commissioners may declare are Board holidays. They will be granted with pay to all eligible employees:

- | | | |
|-----|-------------------------------|---|
| 1. | New Year's Day | January 1 |
| 2. | Martin Luther King's Birthday | Observed 3rd Monday of January |
| 3. | Presidents' Day | Observed 3rd Monday of February |
| 4. | Good Friday | Friday before Easter (Floater 10/hrs employees) |
| 5. | Memorial Day | Last Monday in May |
| 6. | Independence Day | July 4 |
| 7. | Labor Day | First Monday in September |
| 8. | Veterans' Day | November 11 |
| 9. | Thanksgiving Day | Fourth Thursday in November |
| 10. | Friday after Thanksgiving | Friday after Thanksgiving |
| 11. | Christmas Eve | December 24 |
| 12. | Christmas Day | December 25 |

For employees regularly assigned a 40-hour workweek, when a holiday falls on Saturday, the preceding Friday will be observed as the official holiday. When a holiday falls on Sunday, the following Monday will be observed as the official holiday. If Friday is a normal day off and the holiday falls on Friday, Thursday will be observed as the holiday.

Holidays will not be counted as time worked for overtime computations.

A holiday is a day off regardless of an 8-hour or 10-hour work schedule to work. If a holiday falls on a normal day off, no substitute day will be allowed with the exception of employees working four 10-hour days.

Regular employees assigned a workweek less than 40-hours will get holidays that fall on scheduled work days. If a holiday falls on a normal day off, no substitute day will be allowed.

EMS employees classified as full-time may receive eight (8) hours of straight pay when working on a holiday in addition to receiving their regular hourly rate; straight or over-time depending on where the holiday falls in their workweek – OR – the holiday may become a floating holiday for the EMS employee to use at a later date. EMS employees classified as part-time are not eligible for holiday pay.

5.02 ELIGIBILITY FOR HOLIDAY PAY

All full-time regular employees assigned to a 40-hour workweek will receive one day off with pay for each of the holidays earned. See paragraph 5.03 for holiday on work day.

All regular part-time employees working at least 20 hours a week will be eligible for holidays that fall on regular scheduled work days, in proportion to hours worked.

Seasonal and temporary employees are not eligible for holiday pay.

An employee must be on active pay status (see definition) on the regularly scheduled working day immediately prior to a holiday and the regularly scheduled working day immediately following a holiday in order to qualify for the holiday time.

Regular full-time employees are eligible for holiday pay from their first day of service with the County.

5.03 HOLIDAY ON WORK DAY

Employees that work on an observed holiday and who are assigned to a 40-hour workweek will receive holiday pay plus time-and-a-half for hours actually worked on the holiday (this policy includes exempt employees).

An employee assigned to a 40-hour workweek who is scheduled to work on the day observed as a holiday and calls in sick will still be charged with holiday time for that day and not sick leave.

5.04 HOLIDAY ON LEAVE DAY

For employees who are regularly assigned to a 40-hour workweek, holidays which occur during annual leave will be charged to holiday leave and not to annual leave.

When a holiday falls within a period of leave of absence without pay, the employee will not be paid for the holiday.

SECTION 6

ANNUAL LEAVE (VACATION)

6.01 ELIGIBILITY AND RATE OF ACCRUAL

Each regular full-time employee who is scheduled to work a 40-hour workweek will accrue annual leave (vacation) at a rate of four hours each pay period.

Full-time regular employees who work less than a 40-hour workweek will accrue annual leave on a prorated basis.

All other employees are not eligible for annual leave.

Employees who work part-time for the Emergency Medical Services department will not accrue annual leave.

Annual leave will accrue only when an employee is on an active pay status. Annual leave will continue to accrue while an employee is on annual leave, sick leave, jury duty, holidays, annual military reserve training, and any other form of paid leave.

No annual leave will accrue while an employee is on workers' compensation leave.

Annual leave will not be considered as time worked for overtime compensation.

6.02 CHARGING LEAVE

Annual leave will be charged in half hour increments.

New employees may not take annual leave until after successful completion of their probation period.

Approval of annual leave may be revoked by the Board in emergency situations and when necessary, due to operational demands or manpower requirements. In the event approval of annual leave is revoked, the Board will reimburse the employee for any documented, non-refundable expenses incurred as a result of the cancellation of the employee's vacation travel plans.

Eligible employees may use annual leave during an extended illness when the employee has exhausted his/her sick leave.

Employees will not be allowed to take annual leave in lieu of disciplinary action which includes a probation period.

For the purposes of determining overtime payments, vacation hours will not be counted as time worked.

Time off due to illness of a member of the employee's immediate family may be charged to annual leave. See the definition of immediate family in Section 2.

6.03 REQUEST FOR LEAVE

Annual leave may be taken only after approval by the Department Head. Supervisors will arrange vacation schedules and reallocate duties resulting in minimum interference with normal functions and operations of the department.

Annual leave may be used only after it is earned and will not be used in advance.

6.04 UNUSED ANNUAL LEAVE

Except as set forth herein, and unless otherwise changed, when termination occurs, employees will be paid for accumulated annual leave at the rate of pay received by the employee as of the date of separation.

Employees having less than six months of service will not be paid for any accumulated annual leave time. Employees will not be paid for annual leave earned in lieu of taking a vacation.

The employee's official separation date will be the last day of active employment and will not be extended due to payment for unused annual leave.

Upon the death of an employee, the Board will pay the employee's beneficiary (as designated in Board records) for all accrued and unused annual leave on an hour-for-hour basis at the rate of pay received by the employee at the date of death.

The maximum accrued annual leave that may be carried over from one calendar year to the next is 240 hours. Any leave in excess of 240 hours remaining unused at midnight on December 31st of each year is forfeited.

6.05 DONATION OF ANNUAL LEAVE

Donations of annual leave must be approved by the County Manager.

SECTION 7

SICK LEAVE

7.01 ELIGIBILITY AND RATE OF ACCRUAL

Each regular full-time employee that is regularly scheduled to work a 40-hour workweek will accrue sick leave at a rate of four hours each pay period. Full-time employees who regularly work less than 40-hour workweek shall accrue sick leave on a prorated basis. All other employees are not eligible for sick leave.

Employees who work part-time for the Emergency Medical Services department will not accrue sick leave.

Sick leave will accrue only when an eligible employee is on an active pay status. Sick leave will continue to accrue while an employee is on annual leave, sick leave, jury duty, holidays, annual military reserve training leave, and any other form of paid leave.

Sick leave may be taken during the employee's probationary period. However, a medical certificate signed by a licensed physician will be required.

Sick leave will not be granted in advance, except for scheduled doctor's appointments, including scheduled medical procedures.

Sick leave will not be considered as time worked for overtime compensation.

Abuse of sick leave or the sick leave policies will be grounds for the Department Head initiating disciplinary action against the employee.

No sick leave shall accrue while an employee is on workers' compensation leave.

7.02 CHARGING LEAVE

Sick leave will be charged in half-hour increments.

The Board will require a medical certificate signed by a licensed physician and approved by Administration to substantiate charging sick leave for:

1. Any period of absence due to illness of three or more consecutive working days. This applies to all employees excluding employees who are assigned to 24 hour shifts.
2. Employees assigned to 24 hour shift schedules, may be required to provide a medical certificate when missing two (2) or more consecutive shifts.
3. Any period for which sick leave is claimed while an employee is on approved annual leave.
4. Sick leave of any duration if the employee in question has demonstrated a habitual or recurrent pattern of absence from duty and has been warned that a certificate will be required as a result.

The employee is responsible for paying any cost associated with obtaining the medical certificate required by this section.

Eligible employees may use sick leave when they are unable to work resulting from illness and/or injury not arising out of or in the course of employment.

7.03 REQUESTS FOR LEAVE

To receive compensation while absent on sick leave, the eligible employee shall notify his/her immediate supervisor or Department Head within two hours following the scheduled reporting time, giving the reason for the absence in accordance with department regulations. The Department Head may waive this provision if the employee submits evidence that it was impossible to give such notification.

7.04 AUTHORIZED USE

Eligible employees may use sick leave for medical necessities for themselves or immediate family members (spouse, children, step children, parents of the employee, or parents of the employee's spouse) and employee's appointments with a physician or dentist when it is not possible to arrange such appointments on a day off or after hours.

7.05 ACCRUED LEAVE

The maximum accrual of sick leave for all eligible employees will be 480 hours (60 days).

7.06 UNUSED SICK LEAVE

Employees who have become eligible for retirement from Board service by attainment of the required number of years of service as provided for in the Florida Retirement System (6 years) shall be paid twenty-five percent (25%) of their accrued sick leave. Eligible employees completing years of service with the Board more than 6 years will be paid as follows:

- 15 years of service: 50% of their accrued sick leave
- 20 years of service: 75% of their accrued sick leave
- 30 years of service: 100% of their accrued sick leave

The accrued sick leave includes the employee's sick leave account and critical emergency leave bank. However, pay allowed for unused sick leave shall not exceed 480 hours of actual payment.

An employee shall also forfeit all rights to sick leave benefits if the following conditions exist:

1. Prior to retirement or separation from the Board's employment, the employee is found guilty or has pled no contest to committing, aiding, abetting, or conspiring in the commission of a felony.
2. If the employee is involuntarily terminated by the Board.

In the case of death of the employee, payment of all accrued sick leave will be made to the employee's beneficiary, estate or as otherwise provided by law.

Payment made for unused sick leave shall not be considered as salary payment and shall not be used in determining the average final compensation of an employee in the Board's retirement system.

7.07 CRITICAL EMERGENCY SICK LEAVE BANK

Leave in excess of 480 hours accrued may be credited to the eligible employee's critical emergency leave bank (CELB) for use in the case of a catastrophic illness. Uses of CELB leave must be approved by the County Manager and are subject to the approval of the Board. Use of more than 40 hours must be approved by the Board.

7.08 DONATION OF SICK LEAVE

An eligible employee may donate accrued sick leave to another eligible employee provided the other employee has used all of their sick and annual leave and has not been authorized to return to work by their doctor. Donations of sick leave must be approved by the County Manager and must be made prior to separation from service with the Board.

SECTION 8

FAMILY AND MEDICAL LEAVE

As a FMLA covered employer, the Board has provided to all employees attached as *Appendix A* of this Handbook, the U.S. Department of Labor's Notice to Employees of Rights under the FMLA – Employee Rights and Responsibilities Under the Family and Medical Leave Act. Employees should review Appendix A prior to reading this policy to understand their rights and responsibilities under the FMLA. This policy is intended to further describe the Board's policies and procedures regarding an Employee.

1. Military Caregiver Leave 12-Month Period

The FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. The single 12-month period for the military caregiver leave begins on the first day the eligible employee takes FMLA leave to care for a covered service member and ends 12 months after that date.

2. Complying with the Board's Policies and Procedures

Eligible employees who take FMLA leave are required to comply with the Board's Request for Leave policy when reporting absences and tardiness. Employees who do not comply with the Board's policy may be subject to disciplinary action up to and including termination. Failure to comply with the Board's procedures may result in a delay or denial of FMLA leave.

3. Leave Increments for Parental Leave

Leaves to care for the employee's child after birth, or the placement of a child for adoption or foster care ("Parental Leave"), must be taken in a single block of time and cannot be taken on an intermittent or reduced schedule basis without management approval. Parental Leave must be completed within twelve (12) months following the birth or placement of the child. However, an employee may use Parental Leave before the placement of an adopted or foster child to consult with attorneys, appear in court, attend counseling sessions, etc. When both spouses work for the Board, the maximum

combined amount of leave for the birth or placement of a child for adoption or foster care is twelve (12) weeks in a twelve (12) month period.

Leave taken by an employee to obtain prenatal care will not be treated as Parental Leave.

4. Scheduling of Intermittent or Reduced Scheduled Leave

If an employee needs leave intermittently or on a reduced leave schedule for planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as not to unduly disrupt operations. Employees requesting leave on an intermittent or reduced schedule basis that is foreseeable based on planned medical treatment may be temporarily transferred to another job with equivalent pay and benefits that better accommodates recurring periods of leave.

5. Medical Insurance Coverage

All group health benefits will continue during the leave provided the employee taking leave continues (or makes alternate arrangements) to pay his or her regular employee contributions to these plans.

6. Substitution of Paid Leave

Employees may use accrued sick and annual leave during a FMLA absence. Once all accrued paid leave is exhausted the balance of the leave will be without pay. This means that employees will receive their paid leave and the leave will also be considered protected FMLA leave and counted against the employee's FMLA leave entitlement.

7. Workers' Compensation Leave

An employee's FMLA leave shall run concurrently with a workers' compensation absence when the injury is one that meets the criteria for a serious health condition.

8. Job Abandonment/Voluntary Resignation

Employees who fail to either return to work or fail to make a request for an extension of their leave prior to the expiration of the leave will be deemed to have voluntarily terminated their employment.

SECTION 9

MISCELLANEOUS LEAVES

9.01 BEREAVEMENT LEAVE

Regular full-time employees will be granted bereavement leave upon approval of the Department Head in the event of death in the immediate family (see definition of immediate family, Section 2). Eligible employees are permitted to take up to three working days with pay for the purpose of attending the funeral in the event of a death in the employee's immediate family.

An eligible employee will be required to provide the supervisor with proof of death in the immediate family before compensation is approved.

If additional time off is necessary to attend a funeral of a member of the immediate family, annual leave may be used.

Any employee wishing to attend the funeral of someone outside his or her immediate family may be granted annual leave or leave without pay by the Department Head.

9.02 COURT LEAVE

Regular full-time employees attending court as a witness on behalf of the Board or for jury duty during their normal working hours will receive pay at their regular rate for the hours they attend court. This time will be charged as leave with pay.

All regular, full-time employees subpoenaed to attend court on behalf of the County, are eligible for leave with pay.

Employees who become plaintiffs or defendants in personal litigation are not eligible for court leave with pay. Annual leave or leave without pay may be granted by the Department Head.

Employees who attend court for only a portion of a regularly scheduled workday are expected to report to their supervisor when excused or released by the court.

Employees required to attend court as a witness on behalf of the Board and who are on a scheduled vacation, may be allowed to extend leave with pay to make up for that court time.

Employees required to attend court as a witness on behalf of the Board during his/her off-duty hours or day off, will be compensated up to eight hours at their current hourly rate of pay or appropriate compensatory time.

Employees scheduled on a 40-hour workweek who are required to attend court as a witness for the Board during his/her authorized holiday, will receive pay for the holiday in *plus* time-and-a-half pay for the time spent in court.

Time spent in court is the actual time required to report as scheduled in the subpoena until released by the judge or other officer of the court.

All court attendance must be verified before an employee is compensated.

Upon proof of court attendance resulting from a subpoena or other court order involving an off-duty related case, an employee who is required to be absent from a scheduled workday may utilize accrued annual leave or leave without pay for the hours he/she attends court.

To be eligible for the benefits provided in section 9.02, an employee must notify his/her supervisor of the court appearance as soon as he/she becomes aware of it and at least twenty-four (24) hours in advance of any absence from duty.

9.03 MILITARY LEAVE

Under the Uniformed Services Employment and Re-employment Rights Act (USERRA), an employee who is a member of the United States Armed Forces Reserve or National Guard will, upon presentation of a copy of the employee's official orders or appropriate military certification, be entitled to leave without loss of pay, time or efficiency rating during periods in which the employee is engaged in annual field training or other active duty. Such leave with pay will not exceed 17 calendar days in any calendar year for annual training.

An employee who is a member of the Armed Forces Reserves who has been called to active military service (as defined in F.S. 115.08), will receive the first 30 days of leave,

with full pay. A copy of the official orders or appropriate military certification will be filed in the employee's personnel file.

The employee's request must be given to the Board or the Board's designee at least ten days in advance of the scheduled date of departure for leave.

Any employee who is a member of an armed forces reserve unit or a national guard unit, will be excused from work without pay to attend evening or weekend military training if the scheduled training conflicts with the employee's work schedule. Evidence of membership in the applicable organization will be provided to the Department Head.

Any employee who is a member of an armed forces reserve unit or a national guard unit and who is ordered to active duty to fulfill his or her primary or emergency military obligation, will be granted a military leave of absence without pay for the period of time of the service.

Any employee who is a member of the National Guard or Reserves and is ordered into the armed services for active duty will be granted a military leave of absence without pay for the initial period of enlistment. All monies due the employee will be paid at the time of his/her leaving the Board's employment to enter active military service.

Upon termination from active military service, an employee who wishes to return to the Board's employment will contact the Board or the Board's designee, in writing, within 90 days from the date of military discharge.

An employee will not be considered for reinstatement by the Board if he/she received a dishonorable discharge or voluntarily reenlisted in the military service beyond his/her initial military obligation. An employee requesting reinstatement with the Board will submit to a medical examination similar to the one utilized for applicants for employment.

An employee returning to the Board's employment, will start at the salary that he/she would have received, including all adjustments, had the employee remained continuously in the service of the Board instead of entering the armed services.

If the position vacated by an employee who entered the military service was reclassified or re-titled during his/her period of military service, the employee will be entitled to be reinstated in the new or revised position unless the employee is not capable of

satisfactorily performing the essential functions of the position. If the former position has been abolished or if he/she is incapable of satisfactorily performing the duties, the employee will be entitled to reinstatement in a position as comparable as possible in salary and duties to the position he/she vacated, providing that such a vacancy exists.

9.04 VA APPOINTMENTS

Board employees, who are disabled veterans, will be allowed up to sixty (60) hours per year to attend routine VA medical appointments for treatment of disabilities. These days will be charged as administrative leave. Scheduled surgeries and procedures will be charged to sick leave.

9.05 EXAMINATIONS

An employee will be granted leave with pay for the purpose of taking professional examinations that will upgrade the qualifications of the employee.

9.06 LEAVE WITHOUT PAY

Except when an employee is entitled to FMLA leave, the decision to grant leave without pay (leave of absence) for up to 90 days, will be at the discretion of Administration and will be upon the recommendation of the Department Head and Division Director.

The following provisions apply to leave without pay:

1. An employee granted a leave of absence must keep the Department Head informed of his/her current activity and current address.
2. An employee who obtains either part-time or full-time employment elsewhere while on an authorized leave of absence is required to notify the department in writing, within three days of accepting such employment.
3. Failure to comply with all the policy requirements will result in the employee being dropped from leave of absence status, and he/she must return to duty or be terminated.

4. Any employee granted a leave of absence should contact the Department Head at least two weeks prior to the expiration of the leave, in order to facilitate the reinstatement process.
5. Failure to return to work at the expiration of the leave will be considered a resignation.
6. Sick leave, annual leave or holiday leave will not be earned by an employee for the time the employee is on leave without pay.

An authorized leave without pay will not constitute a break in service but the time will not be credited toward retirement.

Employees wishing to continue their insurance coverage must pay both individual and family insurance premiums, where applicable, while on leave without pay. The Board will continue the insurance coverage and the employee will reimburse the Board over a period of 90 days following their return to work.

When the employee returns from an approved leave of absence, the Board will return the employee to his/her former position or similar position.

9.07 WORKERS' COMPENSATION LEAVE

Payment of workers' compensation to employees who are disabled because of an injury arising out of and in the course of the performance of their duties with the Board, will be in accordance with the Florida Workers' Compensation Law.

Full wages will be paid for the day of injury if the disability results in the loss of a full day or for that part of the day spent receiving medical treatment.

If the injured employee cannot return to work on his or her next shift or normal workday, the injury will be considered a disability starting immediately following the day of the injury whether it is a weekday, weekend or holiday. Disability shall be counted in calendar days; however, the employee shall be carried on regular active pay status for a period not to exceed seven calendar days.

If an injured employee returns to work during the first week following the injury, he or she may use annual leave but not sick leave to cover lost days.

9.08 VOTING

During primary or general elections, an employee who is required to work a schedule which does not allow sufficient time for voting, will be allowed up to two hours of time off with pay to vote. When the polls are open two hours before or two hours after the time when the employee is scheduled to work, the employee will be considered to have sufficient time to vote without the need for further time off from work. The Board may require an employee to show proof of his eligibility to vote before allowing the employee to take time off under this provision.

9.09 EDUCATIONAL LEAVE

Leave with pay may be granted for an employee to attend a college, university or training academy for the purpose of receiving training that is of clearly foreseeable benefit to the position.

Reimbursement of educational expenses such as tuition, textbooks, etc., will be approved by the Board before enrollment. Expenses will be reimbursed only if the employee completes the course with a passing grade. Upon completion of a course or the final course in a certification or degree program, the employee will be obligated to a minimum of two years County service.

Employees will need Board approval, prior to enrolling in any course, for the course to qualify for reimbursement.

SECTION 10

OPEN DOOR POLICY

The Board promotes an atmosphere whereby employees can talk freely with members of the management staff. Employees are encouraged to openly discuss with their supervisor any problems so appropriate action may be taken. If the supervisor cannot be of assistance, Human Resources is available for consultation and guidance. The Board is interested in all of our employees' success and happiness with us. We, therefore, welcome the opportunity to help employees whenever feasible.

SECTION 11

SEPARATIONS

11.01 TYPES OF SEPARATIONS

The following classification may be used to determine eligibility for benefits and rehire.

VOLUNTARY SEPARATION

A. Resignation

Resignation is a separation of an employee by his or her voluntary act. An employee wishing to resign in good standing, shall file a written resignation with the Board stating the date and reason for leaving. The notice must be given two weeks prior to the date of separation. Failure to comply with this provision may be cause for denying re-employment.

Division Directors wishing to remain in good standing shall file a written resignation with the Board a minimum of thirty (30) days prior to separation.

Unauthorized absence from work for three consecutive days will be considered a resignation unless there are mitigating circumstances.

Employees who resign from the employment with the Board will not be eligible for consideration for re-employment for the six months following their date of resignation, unless the Board approves a shorter period of time.

B. Retirement

Employees separating in accordance with the provisions of the Florida Retirement System are deemed to have retired.

INVOLUNTARY SEPARATION

A. Layoff or Reduction in Force

An employee may be laid off whenever it is necessary due to insufficient funds, elimination or reduction of the level of functioning, abolishment of the position or any other nondiscriminatory reason.

B. Termination

Employees may be terminated by the Board for any reason not prohibited by law. Examples of offenses warranting termination include, but are not limited to, misconduct, insubordination, refusal to meet standards, violation of departmental policies, etc.

See Section 11.05 – Termination

11.02 EXIT INTERVIEW

Any employee leaving the Board's employment is encouraged to attend an exit interview conducted by Human Resources. It is the desire of the Board to determine why employees leave Board service. An exit interview program may be established and administered to determine the causes of and possible solutions for turnover within the workforce. Additionally, the purpose of the interview is to resolve any questions of compensation, insurance continuation, return of Board property or other matters related to the termination. Board property that is not returned-or properly accounted for may be deducted from monies owed to the employee.

11.03 HEALTH

The Board may request that an employee be examined by the county-designated physician. If a disability of any kind is discovered that impairs the effectiveness of an employee in performing the work or makes continuance on the job a danger to the employee or others, the following action shall be taken:

If the disability is correctable, the employee will be allowed time to take steps to have the disability corrected. If the employee fails to take steps to have the disability corrected within the specified time, he/she shall be subject to dismissal.

If, in the opinion of the examining physician, the disability cannot be corrected, the Department Head will attempt to place the employee in another position that he/she can perform satisfactorily. If that placement cannot be accomplished successfully, the employee shall be separated either through retirement, if eligible, or dismissal.

In accordance with provisions of the Americans with Disabilities Act, employees will be provided reasonable accommodation for their disability, provided the accommodation does not cause undue hardship on the County.

11.04 DEATH

For record keeping purposes, separation shall be effective as of the date of death. All compensation and benefits due to the employee, as of the effective date of death, shall be paid to the beneficiary, surviving spouse, or the estate of the employee, as determined by law. The County Manager or a Deputy Clerk from the Board Finance Office will be responsible for coordinating payments to the appropriate person.

11.05 TERMINATION

A termination is the involuntary separation of an employee from employment with the Board. Employees terminated for disciplinary reasons will not be eligible for rehire.

Reasons for termination may include, but shall not be limited to, the following:

1. Failure to meet established standards of work, morality or ethics to an extent that the employee is unsuitable for employment with the Board in the position that the employee serves in
2. Theft, destruction or gross neglect in the use of Board property
3. Incompetency, inefficiency or negligence in the performance of duty
4. Insubordination
5. Conviction of a felony or first degree misdemeanor criminal offense

6. Being under the influence of intoxicating liquor, drugs or barbiturates (not prescribed by a doctor) while on duty
7. Unauthorized absence, abuse of leave privileges or habitual tardiness
8. Acceptance of any valuable consideration given with the expectation of influencing the employee in the performance of duties
9. Falsification of records or use of official position for personal advantage, including employment applications, time sheets, purchase orders, etc.
10. Commission of any offense described in the Personnel Policies and Procedures or departmental rules and regulations relating to disciplinary measures for which discharge is the penalty
11. Violation of Florida Statute 447.018 prohibiting public employee organizations from participating in a strike against a public employer

Charges that form the basis for a termination of an employee shall be specific and shall be documented by the supervisor or Department Head, to include dates and places of incidents.

The procedure for dismissal shall be as follows:

1. During the probationary period, the County Manager can terminate an employee upon the recommendation of the Department Head/Division Director.
2. During the probationary period a Department Head, Division Director, and the County Manager can be terminated by the Board.
3. Board employees who are to be terminated shall be notified in writing of the specific causes before the termination. Such notice will include the employee's rights of appeal.

Upon recommendation of the Department Head and Division Director, the County Manager may place an employee on administrative leave for disciplinary reasons or pending court proceedings concerning actions that may result in termination.

1. An employee may be placed on administrative leave with or without pay, for acts involving unsatisfactory performance or conduct prejudicial to the public interest.
2. An employee may be placed on administrative leave indefinitely without pay, if the employee has been indicted for a felony or for a misdemeanor involving moral turpitude. The leave shall be terminated by restoration to the Board service or by termination upon the decision of the court. If the employee is restored to the employment of the Board, full pay for the entire period of leave will be paid, and eligibility for merit pay increase and accrual of leave credits shall not be interrupted by the leave.
3. The employee shall receive written notice stating the nature and reason for the action, the duration, and rights of appeal.

SECTION 12

DISCIPLINARY ACTION

12.01 PROGRESSIVE DISCIPLINE

The purpose of this policy is to state the Board's position on administering equitable and consistent discipline for unsatisfactory conduct in the workplace. The best disciplinary measure is the one that does not have to be enforced and comes from good leadership and fair supervision at all employment levels.

The Board's own best interest lies in ensuring fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform, and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future.

The Board reserves the right to terminate employment under this disciplinary policy. Progressive disciplinary action may call for any of four steps –verbal warning, written reprimand, suspension without pay, or termination of employment -- depending on the severity of the problem and the number of occurrences. There may be circumstances when one or more steps are bypassed. Use of progressive discipline is not guaranteed.

The Board recognizes that there are certain types of employee problems that are serious enough to justify either a suspension, or, in some situations, termination of employment, without going through the usual progressive discipline steps.

The County Manager or his/her designee shall administer all disciplinary action.

12.02 AUTHORITY AND PROCEDURE

Suspensions and dismissals are enforced by the County Manager, upon recommendation of the Division Director, and notification of the Board.

Whenever the Department Head determines there are reasons for the suspension or dismissal of a regular employee under their supervision, the Department Head shall notify Administration.

In all cases including verbal warnings/counseling of disciplinary action, the person initiating the action is required to make a written statement informing the employee of the action taken. They shall give a copy of the statement to Administration with a copy placed in the employee's file. The person initiating the disciplinary action should request that the employee sign the written statement.

In addition to the general types of offenses listed, infractions of departmental rules and regulations will subject the employees to disciplinary action.

Depending on the severity of the offense, the employee's file will be considered cleared for purposes of disciplinary action if a similar offense does not occur within one year from the date of the last offense.

12.03 TYPES OF OFFENSES

The three groups of offenses and guides for recommended penalties include but are not limited to the following:

A. GROUP I

1. A first offense may receive a written verbal warning.
2. A second offense may receive a written reprimand.
3. A third offense may receive up to five days suspension.
4. A fourth offense may result in appropriate disciplinary action, including termination.
5. Offenses include but are not limited to the following:
 - a. Operating, using, possessing tools, equipment or machines that the employee has not been assigned or performing other than assigned work.
 - b. Quitting work, wasting time, loitering or leaving assigned work area during working hours, without permission.

- c. Taking more than the specified time for meals or break periods.
- d. Demonstrating productivity or work quality that is not up to required standards of performance.
- e. Disregarding job duties by loafing or neglecting work during working hours.
- f. Posting or removing any material on official bulletin boards or Board property without authorization.
- g. Distributing written or printed material of any description on Board premises unless authorized.
- h. Showing discourtesy to persons that the employee meets while in the performance of duties.
- i. Failing to report an accident or personal injury in which the employee was involved while on the job within the specified time.
- j. Engaging in horseplay, scuffling, wrestling, throwing things, malicious mischief, distracting the attention of others, catcalls, demonstrations on the job or similar types of conduct.
- k. Creating or contributing to unsafe and unsanitary conditions or poor housekeeping.
- l. Failing to keep the department notified of proper address and telephone number. If there is not a number, then the employee must provide another method of contact.
- m. Receiving or making an excessive number of personal telephone calls during work hours.

B. GROUP II

1. A first offense will receive a written reprimand and/or up to five days suspension.
2. A second offense may receive up to five days suspension.
3. A third offense may result in appropriate disciplinary action, including termination.
4. Offenses include but are not limited to the following:
 - a. Failing to work overtime, special hours or special shifts after being scheduled according to overtime and standby duty policies.
 - b. Engaging in gambling, lottery or any other game of chances at Board work stations at any time.
 - c. Making or publishing false, vicious or malicious statements concerning any employee, supervisor, the Board or its operations.
 - d. Being absent without permission or leave.
 - e. Violating safety rules or practices that involve equipment, tools or property.
 - f. Failing to report a request for information or receipt of a subpoena from an attorney for a matter relating to Board business.
 - g. Vending, soliciting or collecting contributions for any purpose at any time on Board premises, unless authorized.
 - h. Violating any or all of the steps outlined in the grievance procedure.
 - i. Knowingly harboring a serious communicable disease that may endanger other employees.

- j. Habitually failing to punch one's own time card where applicable. Habitually is considered as occurring three times in any 90-day period.
- k. Habitually reporting late to work. Habitually is considered as occurring three times within a 90-day period for employees working on a 40-hour workweek basis.

C. GROUP III

- 1. A first offense may receive up to five days suspension.
- 2. A second offense may result in appropriate disciplinary action, including termination.
- 3. Offenses include but are not limited to the following:
 - a. Threatening, intimidating, coercing or interfering with fellow employees or supervisors at any time, including using abusive language
 - b. Wanton or willful neglect in performing assigned duties.
 - c. Deliberately misusing, destroying or damaging any Board property or property of a Board employee without proper authorization.
 - d. Receiving from any person, any fee, gift or other valuable thing in work, when such fees, gift or other valuable thing is given in the hope or expectation of receiving a favor of better treatment than that accorded other persons.
 - e. Knowingly punching the time card of another employee, having one's own time card punched by another employee, or unauthorized altering of a time card or time sheet, where applicable.

- f. Falsifying or altering personnel or Board records, including employment applications, accident records, work records, purchase orders, time sheets, or any other report, record or application.
- g. Making false claims or misrepresentations in an attempt to obtain sickness or accident benefits or workers' compensation.
- h. Insubordination by refusing to do work assigned, or to comply with written or verbal instruction of a supervisor if the written or verbal instruction is not violating any federal, state or local laws.
- i. Unauthorized use or display of firearms, explosives or weapons on Board property, unless specifically authorized.
- j. Theft or removal from Board locations without proper authorization any Board property, materials or supplies, or property of any employee.
- k. Sleeping during duty hours, unless authorized.
- l. Being absent from duty for one day without notifying the Department Head or authorized designee.
- m. Failing to return from an authorized leave of absence or repeated unauthorized absences.
- n. Permitting another person to use an employee's identification card, using another person's card, or altering an identification card.
- o. Incompetence or inefficiency in the performance of assigned duties.
- p. Using alcohol and/or controlled substance or being under the influence of these substances on the Board's premises and/or on working time. Possession or sale of alcohol or controlled substance in the Board's vehicles or buildings and/or during working time.

- q. Being found guilty or pleading guilty or nolo contendere (even where adjudication is withheld) to a felony or misdemeanor involving moral turpitude. A crime of moral turpitude includes a criminal conviction or a nolo contendere plea where the criminal act or conduct is contrary to justice, honesty, modesty, community morality, or good morals. A crime of moral turpitude includes, but is not limited to, any crime, the commission of which, reflects adversely on a person's reputation, integrity or reliability to that otherwise brings, tends, or expects to bring discredit or disrepute upon that person or that person's employer.
- r. Failure to notify the Board that a prosecuting official has filed charges against the employee, except minor traffic violations.
- s. Using or attempting to use political influence or bribery to secure an advantage of any manner.
- t. Concerted curtailment, restriction of production or interference with work in or about the Board's work stations including but not limited to, instigating, leading or participating in any walkout, strike, sit-down, stand-in, showdown or refusal to return to work at the scheduled time for the scheduled shift.
- u. Beginning or maintaining an outside personal or business relationship with anyone that will result in present or future financial benefits to the employee. If this relationship results in advantage of goods, services or influence due to the position of the employee with the County, then this relationship may be the basis for conflict of interests.
- v. Provoking or instigating a fight or fighting on Board property.

12.04 SUSPENSIONS

An employee may be suspended for an indefinite period or for a specified period without pay for an offense as defined in the Employee Handbook or for violation of department rules and regulations by the Department Head/Division Director subject to the approval of the County Manager.

In cases of suspension, a written notification must be completed and submitted to the employee along with a copy to the County Manager and Human Resources.

Except in cases of suspensions involving contemplation of termination, or where the employee's presence poses a continuing danger to persons or to the orderly operation of Board government, a written notification must be completed and submitted to the employee along with a copy to the County Manager and Human Resources at the time of the suspension.

12.05 EMPLOYEE APPEALS

If an employee is aggrieved at any disciplinary action specified in the Employee Handbook, except termination, the employee must pursue the grievance procedure as shown in this Employee Handbook.

SECTION 13

EMPLOYEE GRIEVANCE PROCEDURE

13.01 PURPOSE

This grievance procedure is established to provide full opportunity to Board employees to address management on employment conditions the employee feels needs attention. It is the intent and desire of the Board to address grievances informally. Both supervisors and employees are expected to make every effort to resolve problems as they arise. However, it is recognized that there will be grievances that can only be resolved after discussion and review. The submission of a grievance by an employee shall in no way adversely affect the employee or his/her employment with the Board.

13.02 DEFINITION OF A GRIEVANCE

A grievance is a circumstance, concerning employment conditions, regarded as basis for protest.

Only regular full-time/part-time employees are eligible to file grievances.

Grievances are unacceptable if filed by one employee for another or for groups of employees.

Employees may not file grievances that include any of the Board's administrative policies; including pay and classification.

13.03 PROCEDURE

A. STEP ONE:

1. Within five working days of the incident giving rise to the grievance, the aggrieved employee shall discuss and explain his/her complaint or grievance orally with the immediate supervisor. The immediate supervisor may call a higher-level supervisor and/or the Human Resources Director into the discussion to achieve a prompt satisfactory resolution. In the event that the aggrieved employee's complaint or grievance is against their

immediate supervisor, the aggrieved employee shall discuss and explain his/her complaint with a higher-level supervisor or the County Manager. In the event the aggrieved employee is supervised by the County Manager, the aggrieved employee shall discuss his/her complaint with the Human Resources Director and the Chairman of the Board.

2. The immediate supervisor will make a decision and notify the employee in writing within two working days after the discussion with the employee.

B. STEP TWO:

1. If the aggrieved employee feels that the matter has not been settled or adjusted to his/her satisfaction by his/her immediate supervisor, the employee may submit the matter in writing to the Department Head within three working days after the Step I answer is given.
2. The Department Head will schedule a meeting with the employee within five working days after receipt of the grievance. If the matter is not resolved at this meeting, the Department Head shall give a written answer within three working days after the scheduled meeting.

C. STEP THREE:

1. If the grievance is not resolved to the employee's satisfaction by the decision of the Department Head, the employee may appeal to the Division Director within three working days after receiving the written findings of the Department Head.
2. The Division Director shall schedule a meeting with the concerned employee, the Department Head and others at their discretion, within ten working days and render a decision in writing within five working days of the meeting.

D. STEP FOUR:

1. If the grievance is not resolved to the employee's satisfaction by the Division Director's decision, the employee may appeal to the County

Manager within three working days after receiving the written findings of the Division Director.

2. Within 30 days of being filed, a qualified hearing officer designated by the Chairman of the Board will hear the grievance.
3. The hearing officer shall submit findings of fact and recommended resolution of the grievance in writing to the County Manager. The County Manager shall make a decision within 20 days of receiving the recommended resolution.
4. The decision of the County Manager in this grievance procedure shall be final and binding all the parties.

13.04 GENERAL PROVISIONS

The County Manager may extend the time limits for the grievance procedure due to illness, vacations, business trips, emergencies, or other reasons. If an extension is required, the employee will be notified.

Under this grievance procedure, the employee and the Department Head or the Division Director will have the opportunity to call witnesses at the Step II and Step III levels.

Any grievance shall be considered settled at the completion of any step unless it is appealed within the time limits set forth.

Employees may file a grievance without fear of retribution or retaliation.

The time limits set forth in this grievance procedure for the Department Head, Division Director, or County Manager's response shall remain the same for all regular employees regardless of the number of hours scheduled in a workweek.

If the response limit falls on the employee's day off, the reply shall be given to the employee on his/her next scheduled workday by the Department Head or the County Manager.

SECTION 14

MISCELLANEOUS RULES AND BENEFITS

14.01 VEHICLES

Some employment positions may be issued and be responsible for a vehicle. These vehicles shall not be used for personal pleasure or private business. Smoking is not permitted in County vehicles. Seatbelts must be worn whenever using County vehicles or when riding in any vehicle on County time.

The purpose of this policy is to enable the employee in question to promptly respond to emergency conditions. In the event an employee uses a personal vehicle to respond to an emergency, the employee will be reimbursed for mileage and, if necessary, cleaning of the vehicle.

14.02 RETIREMENT PLAN

The Board provides a pension plan for all qualified employees to guarantee a monthly life income after retirement. Details of the plan are maintained in the Human Resources Office.

14.03 UNEMPLOYMENT COMPENSATION

The Board is registered with the State of Florida Bureau of Unemployment Compensation. Terminated employees who file a claim and are determined to be qualified under the Florida Unemployment Compensation Law will be eligible to receive unemployment compensation benefits. Further information may be obtained from the Board Finance Office or Human Resources Office.

14.04 INSURANCE BENEFITS

Medical insurance is available for all eligible employees. Details are available upon request from the Human Resources Office.

The Board will contribute toward the cost of paying the premium for coverage for employees. The remainder of the cost of the premium for employee coverage must be paid by the employee.

Cost of dependent coverage will be the responsibility of each employee electing to purchase dependent group health insurance under the Board's group health insurance plan.

Employees who retire with 20 or more years of continuous service will be given the opportunity to continue with the County's group health insurance plan. If the employee chooses to stay with the County's health plan, it will be at the employee's expense and will have the option of including dependents.

14.05 DEDUCTIONS

Federal Income Tax Withholding (federal income tax) and Federal Insurance Contribution Act (social security) is deducted from paychecks in accordance with law. Any other deductions, including group insurance, United Way and recognized charities are made only by written request of the employee.

14.06 DIRECT DEPOSIT

Employees may discuss direct deposit options with the Human Resources Office at the time of their in-processing or at other scheduled times.

14.07 WORKWEEK/OFFICE HOURS

The administrative workweek consists of seven consecutive days commencing at 12:00 a.m., on Monday through 11:59 p.m., on Sunday.

For safety, workers' compensation and liability insurance purposes, all employees classified as non-exempt by the Fair Labor Standards (FLSA) are to arrive no earlier than their regularly scheduled work day begins and are to leave no later than their regularly scheduled work day ends. All exceptions to this are to be requested through your immediate supervisor and should be documented on your timesheets.

14.08 SCHEDULING

The Board has the right to schedule the specific days and hours during the workweek that each employee will be required to work.

14.09 NOTICE OF SCHEDULE CHANGES

When the supervisor knows of the changes in the regular scheduled workweek, standby duty, and overtime assignments, he/she will notify the affected employees.

14.10 MEAL PERIODS

Meal periods shall not be considered as time worked except for those employees assigned to positions that are authorized and required to perform job duties during meal periods.

14.11 REST PERIODS

Subject to the operational needs of the County, employees are generally entitled to two 15-minute rest periods during each work day.

The scheduling of such breaks is at the discretion of the immediate supervisor. The purpose of the break is to provide temporary respite from duty.

14.12 OVERTIME AND COMPENSATORY TIME

Hours worked in excess of 40 hours during the regular scheduled workweek is overtime work for those employees classified as nonexempt under the Fair Labor Standards Act (FLSA). No employee is permitted to work overtime except with advance approval of such work by the County Manager or his/her designee.

The Board will attempt to give employees advance notice of required overtime.

Except as provided herein, overtime for nonexempt employees will be compensated by overtime pay calculated at a rate of one-and-a-half times the employee's regular hourly rate. Time spent by an employee during the regular scheduled workweek on sick leave, annual leave, administrative leave, compensatory leave, holidays, or other leave without pay is not considered as hours worked.

The Board may choose to give a nonexempt employee compensatory leave at the rate of one-and-a-half hours of leave for each hour of overtime worked instead of overtime pay.

Employees may only accrue unused compensatory leave up to a maximum of 240 hours (equivalent to 160 regular hours at the one-and-a-half time rate).

Overtime worked for declared disasters will be paid at the rate of one-and-a-half times the employee's regular hourly rate, for all eligible employees. For the purpose of this policy **declared disasters** shall include local states of emergency; locally declared; state declared; and federally declared disasters, **eligible employees** shall include non-exempt and exempt employees.

All accrued and unused compensatory time will be paid in full at the employee's regular rate of pay at the time of the employee's separation from the County.

14.13 EXEMPT EMPLOYEE OVERTIME

Due to the nature of the responsibilities of exempt staff members, their workday may not be limited to normal workday hours. Employees classified as exempt under the Fair Labor Standards Act who are required to work excessive hours in a pay period may be allowed some flexibility with regard to the number of hours worked in a subsequent pay period, provided however, that the additional hours must be approved by the County Manager or his/her designee.

Exempt employees may earn compensatory time, upon approval of the County Manager at their regular hourly rate if there is a specific request for the employee to attend a scheduled Board event or approved conference/meeting; this includes work scheduled due to inclement weather.

Exempt employees may accrue up to two hundred forty hours (240) hours of compensatory time. All accrued exempt compensatory time must be documented and submitted to the Human Resources office upon being earned and used with timesheets each pay period.

Accrued compensatory time for exempt employees will be paid at the current hourly rate to the employee upon separation.

14.14 PROHIBITION OF IMPROPER DEDUCTIONS

The Board is committed to complying with all applicable wage and hour laws, including the Fair Labor Standards Act. Accordingly, the Board will not deduct any amount of compensation from an exempt employee's paycheck except as permitted by law. Any employee who improperly deducts pay in violation of this policy will be subject to discipline up to, and including termination.

14.15 COMPENSATION IN INCLEMENT WEATHER

The Board may notify an employee or a group of employees not to report to work on a day that they are scheduled to work because of lack of work, inclement weather, or similar reasons. The Board will pay the employee(s) a two-hour minimum for any such day that the Board fails to give the employee(s) advance notice that he/she should not report to work.

14.16 DISPOSAL OF BOARD PROPERTY

All property belonging to the Board must be accounted for in inventories and audits. When property becomes worn, or is no longer serviceable, the employee shall report it to his/her supervisor and ask for a replacement. It is the responsibility of the Board to dispose of all unserviceable property.

14.17 OPERATIONAL EQUIPMENT AND SUPPLIES

Employees are not permitted to use personal equipment or supplies to accomplish job-related tasks. Employees who need operational equipment or supplies should obtain it from their supervisor.

14.18 LONG DISTANCE COMMUNICATIONS

Long distance communications, whether by telephone or modem, are to be used only for official business.

14.19 TRAVEL

All official travel where the destination is more than 50 miles from the employee's workplace must be pre-approved by the employee's Department Head. All expenses must be documented on a Travel and Expense Voucher with supporting receipts attached, and submitted to the Department Head within one week after returning to work.

14.20 TRANSPORTATION COSTS

Tickets must be purchased in advance for travel by common carrier. All employees will travel in tourist class whenever possible. If an employee uses his/her personal vehicle for official travel, the employee will be reimbursed at the rate per mile prescribed by Florida Statutes. Employees may also claim reimbursement for rental vehicles and ferry, bridge, road, and parking tolls. Claims for reimbursement must be documented on Travel and Expense Voucher with receipts for all expenditures. The employee must sign and submit the voucher to the Board Finance Office.

14.21 MEAL ALLOWANCES

Meal allowances are authorized at \$36.00 (using the \$6/\$11/\$19 rule) per day. Actual and reasonable expenses will be reimbursed to the employee with proper documentation. The time taken to eat a meal is not compensable unless the employee works during the meal. A cash advance may be authorized for travel overnight or beyond normal work hours.

14.22 LODGING

Lodging will be reimbursed for authorized overnight travel that occurs more than 50 miles from the employee's workplace. All employees will use standard, medium priced hotels and motels whenever possible. However, if a formal organized meeting or convention takes place at a particular hotel, the employee may stay at that hotel. In all cases, the Board will reimburse at the single room rate. Receipts must be presented for lodging expense reimbursement.

14.23 WORKERS' COMPENSATION

Injuries sustained on duty are covered by Worker's Compensation. Any employee injured while on duty must report the injury to his or her supervisor and Human Resources immediately.

14.24 LIGHT DUTY JOB ASSIGNMENT

Injured employees may be returned to light duty. Light duty assignments are based solely on availability of work and Board need. There is no right to a light duty assignment. Positions or duties will not be created to supply light duty assignments. Physician certificates are required.

14.25 USE OF BOARD EQUIPMENT

Employees may not use Board property or equipment for personal use except with advance approval of their Department Head. Employees may not use Board property or equipment for private business.

Employees should not operate unfamiliar equipment without instruction.

14.26 EMERGENCIES

Whenever the County Manager determines that emergency conditions exist, the Board may take any action necessary during the emergency without regard to the express terms and conditions of the Employee Handbook.

Emergency conditions are defined to include, but are not limited to, riots, civil disturbance, hurricanes, tornadoes, other severe weather conditions and any other conditions that result in the Board requiring immediate work that cannot be postponed as a result of unforeseen circumstances that are beyond the control of the County.

14.27 DRESS AND APPEARANCE

Employees are expected to maintain high personal standards in dress and appearance. What is appropriate for employees in one department may not be appropriate for others.

Personal appearance standards may be established in departmental and work area rules. Shorts, halter-tops, vulgar or other offensive attire is prohibited.

14.28 DRIVER'S LICENSE

All personnel who drive Board equipment must hold a valid State of Florida operators' and/or a commercial drivers' license (CDL), as appropriate.

Any such employee whose license is suspended or revoked must inform his/her supervisor immediately. Failure to inform the Board that a license has been suspended or revoked may result in disciplinary action, which could include termination.

SECTION 15

POSITION CLASSIFICATION PLAN

15.01 PURPOSE

The Position Classification Plan provides a systematic arrangement and inventory of Board positions. The plan groups the various positions into classes indicative of the range of duties, responsibilities and level of work done. The class titles standardize the meaning, allocation and usage of the plan based upon similarity of work and duties performed.

15.02 USES

The Classification Plan will be used to:

Standardize salary ranges paid for the various classes of work and provide uniform job terminology.

15.03 CONTENT

The Classification Plan consists of:

A grouping of positions into classes based on difficulty and responsibility that require the same general qualifications that can be equitably compensated within the same pay grade.

A class title indicative of the work of the class that will be used for all personnel, accounting, budget and related official records.

Written job descriptions for each approved classification containing the general description of the work and essential job functions found in the class. Included are requirements for the class setting forth the knowledge, abilities and skills required for performance of the work, the training and the experience needed for the job.

15.04 ADMINISTRATION AND MAINTENANCE

The County Manager and the Human Resources Director are charged with the maintenance of the Classification Plan so that it will reflect the duties performed by each employee and the class allocated each position.

It shall be the responsibility of the County Manager and/or the Human Resources Director to present to the Board the nature of positions and to have them allocated to an existing class or to create a new class.

The County Manager and/or the Human Resources Director will make required changes in the Classification Plan as to the duties and responsibilities of existing positions and changes in or reorganization of the Board departments.

The Board or designee will maintain the plan and recommend appropriate changes in position allocations in the Classification Plan.

15.05 ALLOCATION OF POSITIONS

Whenever a new position is established or duties of an old position changed, the supervisor will prepare and submit a comprehensive position description describing the proposed duties of the position.

The County Manager and/or the Human Resources Director will study or have a study conducted, to analyze the duties of a position, assign the position to an existing class or establish a new class. A Fair Labor Standards Act classification will be established, to identify employees on exempt status.

15.06 POSITION REVIEWS

The County Manager and/or the Human Resources Director are charged with the responsibility of having position reviews conducted as necessary.

Position information collected through completion of a job description questionnaire may include an on-site study of the position.

15.07 RECLASSIFICATION

When a position is officially assigned more difficult and significant additional responsibilities and duties so that it appears that the position warrants reallocation to a higher pay grade, a study may be made of the duties and responsibilities of the position.

If it is determined that the position should be reallocated to a higher-level classification, the County Manager may require that the incumbent undergo a job-related test depending on the conditions of the reclassification and the nature of the position. When appropriate, tests may include written or oral examination, interview or performance tests.

Should the employee fail the job-related test or, for another reason, is not selected to fill the vacancy, the employee will remain in his/her current position.

Should the position be downgraded to a classification with a lower pay grade than the original classification, the incumbent employee will be offered a transfer to a vacancy in the original classification in the same or other department if one exists. If the transfer is not accepted or no other vacancy exists, the employee will remain in the existing position at the downgraded title and pay grade.

SECTION 16

SALARY SCHEDULE

16.01 PURPOSE

The Salary Schedule is directly related to the Classification Plan and provides the basis of compensation for Board employees. The Salary Plan is constructed to reflect the following:

Relative difficulty and responsibility existing among the various classes of work within positions of the County.

Prevailing rates of pay for similar types of work in the labor market where the Board recruits for employees.

16.02 USES

The Salary Schedule is used to place new employees at a salary level, reward employees for job performance, develop incentives for employees and improve their productivity and quality of work. They are also used to attract and retain the most efficient staff.

16.03 CONTENT AND LONGEVITY

The salary schedule consists of an entry level compensation rate for each position and longevity pay increases at 3, 6, 9, 12, 15, 18, 21, 24, 27, 30, and 33 years of service. The Board will set the rate for longevity pay increases, each year, during the budget workshops.

16.04 AMENDMENT AND MAINTENANCE

Amendments to the Salary Schedule should be considered when changes in the availability of labor supply, competitive rates of pay, the Board's financial condition and policies or other pertinent economic considerations warrant such action.

16.05 HIRING RATE

The minimum salary established for a position is considered the normal hiring rate for new employees.

The County Manager should analyze the request, and consider the impact on the salaries of other Board employees working in the same department, pay grades, pay rates and job classifications and other factors regarding pay.

16.06 PROMOTION AND RECLASSIFICATION

Vacancies in positions above the lowest grade, in any classification, will be filled as far as practical by promotion of employees in the service of the Board.

Tests for promotion may be held for specific classes or occupations when it is the best interest of the Board.

Promotions and reclassifications should receive pay increases as shown in the following guidelines:

1. Salary Increase upon Promotion
 - a. An employee will be promoted when the employee is moved from a position in one class to a position in a different class having a higher pay grade, or if the employee's position is reclassified from one class to a different class having a higher pay grade.
 - b. An employee being promoted will receive an increase in accordance with the new classification and years of service.
 - c. The promoted employee will receive a new anniversary date for classification purposes to reflect the date of the promotional increase.
2. Reclassification
 - a. A reclassification or upgrade is the reclassifying and advancement of an employee from one classification to another in a higher pay grade.

- b. A reclassified employee will receive the same increase in pay as shown above under Promotion and Reclassification, Para. 1(b) - Salary Increase Upon Promotion.
- c. In instances where the overall salary schedules are adjusted or where the pay ranges of total classes are adjusted, the method of implementation will be established by the Board.
- d. A reduction in a grade is the assignment of an employee to a position in a job classification with a lower pay grade than his/her current position.
- e. A reduction may be voluntary or involuntary. If the reduction is voluntary, the employee will be paid according to the pay grade of that position. If the reduction is involuntary and based on the needs of the County, the employee will stay at his/her same rate of pay.
- f. An employee who is reduced in a grade will have his/her salary determined by the new classification and will be allowed to retain years.

16.07 NOTABLE BENCHMARK DATES

There are four types of notable benchmark dates considered by the Board for different reasons.

The employment anniversary date of an employee is the date that the employee begins employment with the Board and the same date in the following years. This is also the date from which longevity, vacations and sick leave is computed for eligible employees. (This date is different from the one utilized for salary increase or pay status change).

The classification date is the date an employee entered, transferred or is promoted to current position. This is the date from which length of service with the Board within a classification is computed for determination of probationary periods, order of layoff and eligibility for performance increases.

The review date is the date an employee's annual review is done when his/her probation period (six months) is completed. An annual review will be given one year from the date of the initial review and afterwards every subsequent year.

SECTION 17

RECORDS AND REPORTS

17.01 RESPONSIBILITY

The Human Resources Department is responsible for establishing and maintaining official personnel records for all Board employees.

17.02 RECORDS

All personnel records and all other records and materials relating to the administration of the Personnel Management System will be considered the property of the Board. The decision of the Board relating to the use, maintenance and disposition of such records and material, whether or not any information contained therein may be disclosed, will be according to prevailing laws.

Employees should be aware of the importance of keeping their personnel records current. Employees are responsible for notifying the Department Head of any change of telephone number, beneficiary, number of dependents, marriage or any personnel data not previously reported. Failure to comply may affect an employee's benefits.

The Human Resources Director and Department Head should be informed of any special training courses completed by an employee. Copies of diplomas or certificates should be forwarded to the Human Resources Director to become a permanent addition to the personnel file.

17.03 RECORDS RETENTION AND DISPOSITION

The Board will determine the time limit that any personnel records will be kept on file with the final disposition of such records being in accordance with applicable State statutes. It is important that the Board maintain records of personal information and detailed records on salary and performance.

All employees are required to keep their Employee Record current in their Personnel File. Employees are required to notify their Department Head if there are any changes to the following:

1. Name
2. Home address
3. Mailing address that includes zip code
4. Home telephone number
5. Marital status
6. Number of dependents
7. Beneficiary of group life insurance
8. Military status
9. Educational status
10. Social security number

All employees will ensure that his/her supervisor and the Human Resources Department are provided with a telephone number of someone whom the Board can call in an emergency.

Records destruction oversight will be the responsibility of the Department Heads.

17.04 CONFIDENTIALITY

The Board will maintain the confidentiality of certain records to the extent permitted by law. For example, medical information, social security numbers, certain discrimination-related records and certain legal-related records are confidential, not subject to public disclosure under Florida's public records law, and must be maintained in a confidential manner by those employees who have access to the records.

Examples of areas with sensitive records are: Administration, Emergency Medical Services, Human Resources, and Veterans' Services. If you have questions on the Florida Public Records laws, please contact the Human Resources Office.

SECTION 18

INTERNET POLICY

18.01 INTERNET ACCESS

The purpose of this policy is to provide an efficient, cost-effective, secure and standardized procedure for Board officials and employees to access the Internet. The Internet and the World Wide Web provides unique services for acquiring and sharing government, technical and other information. As part of the Board's commitment to use new technologies, many Board employees now have access to the Internet. This access should be done in a proper, ethical professional manner. Compliance with this policy will ensure protection of Board computers and local and wide area networks from being victimized by the threat of computer viruses or illegal access of the network.

18.02 RESTRICTIONS ON USE OF INTERNET TO ACCOMPLISH GOALS AND OBJECTIVES

The resources available to the Board employees from Internet services and e-mail will be used to further the goals and objectives of the County. The Board of County Commissioners or designee will have the responsibility and authority to approve the posting of information for the Board on the Internet to meet the following goals and objectives:

It is the Board's policy to limit Internet access to official business.

The introduction of viruses or malicious tampering with any computer system is expressly prohibited. Any such activity may immediately result in termination of employment.

Employees using the Board's accounts are acting as representatives of the Board for professional government purposes. As such, employees should act appropriately so as not to damage the reputation of the Board.

Files downloaded from the Internet or received as e-mail attachments must be scanned with supplied virus protection software before installation or execution. Each employee should take appropriate precautions to detect any virus and prevent its spread. Please

read the Washington County Software and Usage Policy for software installation instructions.

Employees must not download or upload from the Internet or through e-mail attachments containing the following:

1. Derogatory racial content
2. Sexual content
3. Derogatory religious content
4. Political statements
5. Offensive language
6. Any content that would negatively reflect upon the Board
7. Any material prohibited by city, county, state, or federal law

The truth or accuracy of information on the Internet and in e-mail should be considered suspect until confirmed by a separate and reliable source.

Employees shall not place Board material (copyrighted software, internal correspondence, etc.) on any publicly accessible Internet computer without prior permission, nor shall they transmit any such data via e-mail or other electronic means.

Alternate Internet service provider connections to the Board's internal network are not permitted unless expressly authorized and properly protected by a firewall or other appropriate security device(s).

The Internet does not guarantee the privacy and confidentiality of information. Sensitive material transferred over the Internet may be at risk of detection by a third party. Employees must use caution when transferring material in any form.

Unless otherwise noted, all software on the Internet should be considered copyrighted work. Therefore, employees are prohibited from downloading software and/or modifying

any such files without permission from the copyright holder and the Computer Department.

Any infringing activity by an employee may be the responsibility of the Board. Therefore, the Board may choose to hold the employee liable for their actions.

The transmitting of user account and password information via the e-mail or the internet is strictly prohibited.

Internet access and e-mail are not to be used for personal gain.

All Internet correspondence and e-mail are regulated under Florida Chapter 119 of Public Information and will be saved for archive purposes.

The Board reserves the right to inspect each computer in use for violations of this policy.

Any additional questions concerning the above policies should be addressed to Administration.

18.03 AUTHORIZED USE

This policy applies to use of the Internet using the Board employee's authorized identification thereby covering the employee's representation of the County. Overall, the Board employees have an obligation to use their access to the Internet in a responsible and informed way, conforming to network etiquette, customs and courtesies, and representing the Board in a positive manner. Use of the Internet by Board employees is acknowledgment of this policy. Employees are further required to sign a copy of the access policy before Internet access and comply with provisions included in this policy, and those in any other policies that relate to the topics included.

18.04 PROHIBITED USE

Prohibited use of the Internet includes, but is not limited to, the following:

- A. Illegal activities
- B. Threats

- C. Harassment
- D. Slander
- E. Defamation
- F. Obscene or suggestive images or offensive graphical images
- G. Political endorsements
- H. Using non-business software including games or entertainment software

18.05 PERFORMANCE OF JOB RESPONSIBILITIES

Employees should use the Internet to accomplish job responsibilities more effectively. Use should be restricted to business and work-related communication. Examples of job-related responsibilities include contacting external databases, searching online public access information, distributing documents to individuals or groups, participating in electronic mail discussion groups for job-related topics, and gaining access to software user-support information.

18.06 PROFESSIONAL DEVELOPMENT

The Internet may be used to pursue professional and career development goals. Examples of appropriate use include communicating with members of work-related professional organizations, collaborating on articles and other writing, and reviewing information on professional or career-development topics.

18.07 PRIVACY AND CONFIDENTIAL INFORMATION

Employees will keep their password confidential, changing passwords when necessary, to ensure confidentiality. Employees are responsible for the security of their assigned workstation. Employees will have no expectation of privacy in both sending and receiving electronic messages and information on the Internet. Board employees on the Internet will respect the privacy of other users and will not intentionally seek information on, obtain copies of, or modify files, other data or passwords belonging to other users, or represent themselves as another user. Internet e-mail is not necessarily a secure

communication network; therefore privileged information that is transmitted online can potentially be read by others. Employees must follow the Board's policies and procedures regarding the distribution of confidential Board information.

18.08 COPYRIGHT LAWS

Employees must comply with copyright and licensing laws for materials, software, and other media. In addition, employees should obtain appropriate approval before making information available via Internet services or e-mail.

18.09 SECURITY

All employees are prohibited from developing programs that harass other users or infiltrate a computer or computing system or damage or alter software components of a computer or computing system. Employees are required to notify the Computer Department immediately of security breaches or problems.

18.10 LAWFULNESS

Transmitting any material violating any federal, state or local laws, ordinances, regulations or policies are prohibited. This policy prohibits unlawful or inappropriate communications, including but not limited to sexually, racially or ethnically offensive comments, jokes, slurs, disparagement of, or threats to others.

18.11 VIRUS PROTECTION

The Board administrative offices, along with the Computer Department, will ensure virus protection is installed on all computers that have Internet access. Employees will always maintain active virus detection software in their PCs. All downloaded files, whatever the source, will be scanned and any suspicious e-mail will be deleted from the personal computer without opening the file(s).

18.12 MISUSE OF E-MAIL SERVICE

Employees should not distribute chain letters or junk mails or any unsolicited mail of a business, personal or commercial nature, additionally known as spam or engage in Ponzi or pyramid schemes.

18.13 MOBILE TECHNOLOGY

Employees are expected to exercise the same discretion in using personal mobile services, including but not limited to cell phones, Personal Digital Assistants (“PDAs”), Blackberry type devices, and County assigned radios, as is expected for the use of the Board’s phones and computers. Excessive or improper personal calls/communications during the workday, regardless of the device used, can interfere with employee productivity and be distracting to others. Employees are therefore asked to make any personal calls on non-work time where possible and to ensure that friends and family members are aware of the Board's policy.

Employees in possession of mobile phones, devices and related accessories are expected to protect the equipment from loss, damage or theft. Upon resignation or other termination of employment, or at any time upon request, the employee must return any Board equipment. Employees unable to present a Board issued phone, device or accessories in good working condition within the allowed time period may be required to bear the cost of repair or replacement.

Employees whose job responsibilities include regular or occasional driving and who are issued a mobile phone or device for business use are expected to adhere to all State and local laws regarding mobile technology use while in transit. Safety must come before all other concerns.

18.14 VIOLATION OF THE POLICY

Violation of this policy may result in termination of access to the Internet and disciplinary or legal action up to and including termination of employment, prosecution under criminal codes and ordinances and pursuit under civil law by the Board and any other damaged parties.

APPENDIX A

Employee Rights and Responsibilities Under the Family Medical Leave Act

EMPLOYEE ACKNOWLEDGEMENT FORM

The Employee Handbook describes important information about the Washington County Board of County Commissioners, and I understand that I should consult Human Resources regarding any questions not answered in the Handbook.

I have entered into my employment relationship with the Washington County Board of County Commissioners voluntarily and acknowledge that there is no specific length of employment. Accordingly, either I or the Washington County Board of County Commissioners can terminate the relationship at any time, so long as there is no violation of applicable federal or state law.

Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the Handbook may occur. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the Washington County Board of County Commissioners has the ability to adopt any revisions to the policies in this Handbook.

Furthermore, I acknowledge that this Handbook is not a contract of employment. I have received the Handbook, and I understand that it is my responsibility to read and comply with the policies contained in this Handbook and any revisions made to it.

EMPLOYEE'S NAME (printed): _____

EMPLOYEE'S SIGNATURE: _____

DATE: _____

EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

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

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. § 825.300(a) may require additional disclosures.



For additional information:
1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627
WWW.WAGEHOUR.DOL.GOV

