

City of Alachua Personnel Policies and Procedures Manual

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CHAPTER I

General Provisions

1.01 Purpose

The Personnel Policies and Procedures establishes policies and defines procedures which will serve as a guideline to administrative actions concerning personnel activities. These policies indicate the customary and the most reasonable methods whereby the aims of the Human Resource Management System can be carried out. It is the intent of the City of Alachua to provide policies of personnel administration consistent with accepted personnel practices and to promote good employer/employee relations. The information contained in the Manual is intended as a general guide for employees. They do not constitute any form of employment contract or guarantee of continued employment or of any benefit contained herein. Rather, all employment with the City is at will and either the City or the employee may terminate the employment relationship at any time. This document is not intended to be a legally enforceable contract (either express or implied). It is also not intended to create any legally enforceable obligations on the part of the City.

1.02 City Government

The City of Alachua operates under a commission-manager form of government. The five- member elected commission is comprised of an elected mayor and four (4) elected city commissioners and is responsible for the establishment and adoption of policy for the City. The City Manager, appointed by the City Commission is the chief executive officer of the City. The City Manager is responsible for establishing organizational goals and providing overall administration and direction to all City departments. In accordance with the City Charter, except for the purpose of inquiries and investigation, the City Commission shall deal with employees solely through the City Manager, so the City Manager may coordinate efforts of all City departments to achieve the greatest possible savings through the most efficient and sound means available.

1.03 Code of Ethical Standards

A. Declaration of Policy

To encourage employees to remain conscientious and maintain acceptably high ethical standards, the voters of Florida in 1976 approved Article II, Section 8, of the Florida Constitution entitled "Ethics in Government". In addition, the Florida Legislature enacted Florida Statutes Chapter 112, Part III, entitled "Code of Ethics for Public Officers and Employees". These provisions are general in nature and the Commission on Ethics; authorized by Section 8 of the Constitution and created by Florida Statutes, Chapter 112, encourages political subdivisions including municipalities to adopt ethical standards tailored to their particular needs. In accordance with these statutes and constitutional provisions, the City of Alachua hereby adopts this Code of Ethical Standards.

Since it is neither desirable nor possible to list all possible activities that could result in a breach of the public trust, this code serves as a guideline and statement of policy. Each employee bears a personal responsibility for assessing his or her own compliance with these policies and procedures. The ethical connotations of every action shall be considered carefully and be directed toward enhancement rather than erosion of the public trust.

B. Administration of the Code of Ethical Standards

Where a question arises concerning whether or not any activity conforms to this Code of Ethics, the City Manager shall decide the question. Questions on key decisions may be referred to the City Commission for comment and advice at the City Manager's discretion.

C. Fair and Equal Treatment

Every employee must treat all citizens with courtesy, impartiality, fairness and equality under the law. No employee shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.

D. Use of City Resources

Use of City resources for other than City business is prohibited. Using City personnel, vehicles, equipment, material or funds (including expense accounts) for other than legitimate City business is prohibited and such prohibited use is considered a breach of ethics.

E. Conflict of Interest

No employee shall solicit or accept free or discounted goods, services, prizes, gifts, favors, accommodations, entertainment, discounted loans or anything else of value. This code must be read as proscribing the appearance of impropriety as well as actual conflicts of interest. No circumvention of this code is permitted by diverting free or discounted goods or services to family or associates of employees in order to avoid direct acceptance of gifts.

Exception - NO breach of ethics is deemed to occur under the following circumstances:

1. Free or discounted goods, services, loans, premiums and gifts available to the general public are excepted. Discounts, loans, premiums or gifts offered to the general public or a representative group thereof (a representative public group shall not predominantly consist of public officers and employees) may be accepted by employees on the same terms as offered to the public. There must be no evident intent to influence the decisions or performance standards of the employees in performing their official duties. (This exception is intended to permit participation in discounts offered to the public. Such discounts may be via sources including but not limited to: coupons in newspapers and other publications, general sales offered to the public, premiums and prizes offered certain open-membership groups such as Diners Club, Master Card, bank and credit union loans on terms offered to the public or to members of other credit unions, and the like. This exception is permitted only where no relationship exists between the official position of the recipient and the discounted goods or services received.)
2. Food and drink at meetings and public gatherings is under restricted exception. Food and drink may be accepted infrequently by employees, without breach of ethics, providing there is no evident intent to influence official decisions or performance standards. (This exception is intended to

permit attendance at breakfast, lunch and dinner meetings of organizations and committees and the like where the food is largely incidental to the occasion and expenditures per guest by the host are nominal.)

3. Promotional materials of inconsequential value are excepted. No breach of ethics occurs when the item accepted is unsolicited advertising promotional material or award and is of small resale value, such as a pen, pencil, note pad or calendar.
4. Campaign contributions are excepted. No breach of ethics occurs when a campaign contribution is accepted and publicly reported in accordance with the applicable election laws.
5. Incentive and merit awards are excepted. If the City or any group there from, with the approval of the City Manager, offers or gives an award, prize, premium or such, no breach of ethics occurs when an employee accepts.
6. Certain de minimis uses when approved by the employee's supervisor and within the meaning set forth in the Internal Revenue Code.

All unpermitted gifts must be immediately declined, returned or discarded. Employees must report receipt of any excepted item not available to the general public to their supervisors and Human Resources by the end of each month. Employees found in violation of this policy will be subjected to immediate disciplinary action, up to and including termination of employment.

F. Gratuities in General: Discretion and caution are recommended

In accepting even nominal gifts, treats or benefits of any kind, all employees shall carefully refrain from incurring obligations expressed, implied or reasonably presumable by others. Therefore, ordinary discretion suggests a polite but firm refusal of even minor largess (including food or drink) from those having business relationships with the City, or from those who may be affected by the professional judgment and job performance of the gift recipient. This paragraph does not intend to inhibit normal gift giving among family and friends on festive occasions. It does aim to discourage business oriented or other gifts with even the subtlest connotations of reciprocal obligations that could be fulfilled with preferential treatment.

G. Contracts with the City

Except for publicly recorded salary and benefits, no employee may receive any additional personal financial benefit (income, goods or service, or increase in equity or other value) from any transaction of the City. Such policy includes but is not limited to contracts for construction and transactions for the sale or purchase of goods, services or real estate, except those indirect and incidental public benefits and conveniences accruing to all citizens under similar circumstances.

H. Policy or Legislative Matters Before the City Commission

Any employee who has a financial or other private interest shall disclose such interest in any matter requiring a decision and vote by the City Commission. The same will apply to any employee who contributes to the preparation, presentation or discussion of an official report or recommendation to the City Commission affecting such financial or other private interest. Such disclosure should occur at

the appropriate public meeting, orally or in writing, be duly recorded in the minutes thereof and clearly express the nature and extent of such interest. The employee shall make this disclosure prior to any vote by the City Commission.

1.04 Creed for Public Employee

- A.** The public employee feels that the public business is respectable, efficient and honorable and that it is as essential as private business.
- B.** The public employee realizes that loyalty is the foundation upon which the public service rests. He/she speaks well of and stands by the City whose wages support him/her.
- C.** The public employee is governed by high ideals in his/her public and private activities in order that he/she may merit the respect and confidence of people with whom he/she works, and the public, which he/she serves. He/she is careful to conduct himself/herself, both on duty and off, so as to reflect credit upon the City.
- D.** The public employee renders efficient service to the best of his/her ability, for efficiency begets public confidence and assures economical operation of municipal activities.
- E.** The public employee is resourceful and considers it his/her duty to improve himself/herself continually, to increase his/her output of work and to expand the scope of his/her usefulness.
- F.** The public employee has a thorough knowledge of his/her own job and possesses a profound respect for its importance.
- G.** The public employee is tolerant of the opinions and conduct of others. He/she has a full recognition of the rights and honest misunderstandings of the average citizen and of his/her fellow employees.
- H.** The public employee believes that a dual responsibility exists between him/her and the municipal government. Since the City is responsible for the payment of adequate wages, fair labor relation policies and job security, the obligation rests upon him/her to render honest, efficient and economical service in the performance of his/her duties.
- I.** The public employee is courteous, pleasant and tactful in his/her contacts with the public and fellow employees, for courtesy builds good will that money cannot purchase.
- J.** The public employee recognizes that the chief function of government is to serve the best interest of all persons all the time.

1.05 Scope

The Manual shall apply to all positions in the City Government with the exception of the following:

- A.** Members of City Commission and other Boards
- B.** City Manager/Clerk
- C.** City Attorney

Where a contract exists between the City of Alachua and employees belonging to a bargaining unit the contract takes precedence over this policy.

1.06 Amendment of Code

The City Commission may amend these policies and procedures within the Code of Ordinances upon the recommendation of the City Manager. This document supersedes all previous policies and procedures. It is a reference document and not intended to contain all of the official policies and procedures of the City.

1.07 Updates to Manual

The City may change these policies and procedures with regard to matters covered herein and such changes may not be reflected at the time in which they are read. The policies and procedures may be modified from time to time by management and shall supersede any written information previously distributed.

Copies of the City of Alachua Personnel Policies and Procedures are maintained on file with the various city departments. Each employee will be issued one (1) personal copy of the Personnel Policies and Procedures by signing a receipt for same. It is each employee's responsibility to be familiar with and abide by these policies and procedures. Employees may contact Human Resources if they need more information.

1.08 Administration

- A.** Human Resources is responsible for the administration and technical direction of the City Personnel Policies and Procedures.
- B.** Department Directors are responsible for the proper and effective administration of these policies and procedures within their respective departments. Routine matters pertaining to enforcement may be delegated.
- C.** Employees with questions or concerns regarding these policies and procedures shall be referred to Human Resources.

1.09 Violation

Violation of **any** the policies found within may be grounds for rejection for employment, demotion, reduction in compensation, verbal and/or written reprimand, suspension and/or termination of employment or any combination thereof.

CHAPTER II

Definition of Terms

2.01 Terms

For the purpose of these Personnel Policies and Procedures, the following terms shall apply. Non-defined terms shall be given their ordinary and common meaning as determined by the City Manager.

Anniversary date: The date upon which an individual was hired as a regular employee.

Appeal: An application for review of an alleged grievance submitted or instituted by an employee to higher authority.

Appointment: The offer to a person, and the acceptance, of a position authorized by the appointing authority.

Compensation: All applicable rates of pay which have been established for the respective positions set forth in the Compensation Plan.

Compensation Plan: The official schedule of salary ranges for each approved position title.

Department Director: Employees of the City designated by the City Manager to be the head of a department.

Demotion: The assignment of an employee from one position another that has a lower level of autonomy, responsibility and/ or compensation range.

Employee: Any employee of the City covered by the provision of these policies and procedures.

- A. **Salaried/Exempt Employee:** Those employees that meet the criteria for exempt status under the Fair Labor Standards Act (FLSA).
- B. **Non-exempt/Hourly Employee:** Any employee whose official performance is subject to FLSA and who is compensated on an hourly basis.
- C. **Non-exempt Salary Employee:** Any employee with a fixed schedule and salary however nonexempt under the FLSA.

Form: A document with blank spaces designed as a way to collect information. May be updated or reformatted by management as needed to carry out the purpose and intent of City policies and procedures.

Full Time Employee: An employee whose official performance of duty requires 40 or more working hours per week and is benefit eligible

Insubordination: The unwillingness on the part of an employee, whether by action or omission, to submit to the authority vested in any supervisor as outlined in the Personnel Policies and Procedures.

Job Description: A general outline describing the current duties, responsibilities, general requirements and qualifications for a single position. Job descriptions are not intended to be all inclusive of the work an employee may be assigned.

the/this Manual: interpreted as the City of Alachua Personnel Policies and Procedures Manual.

Overtime: Overtime is the required performance of work by non-exempt employees in excess of a forty (40) hour workweek as defined by the Fair Labor Standards Act (FLSA).

Performance Evaluation: The periodic appraisal of an employee's work performance.

Part-Time Employee: An employee who regularly works less than 30 hours per week

Position: A group of duties and responsibilities requiring the full-time or part-time employment of one (1) person. This relates to the duties performed and not to the employee performing those duties.

Promotion: The upgrading of an employee from one position to another that has a higher level of autonomy, responsibility and/ or compensation range..

Reclassification: The action of changing the FLSA status of a position based upon reevaluation or the movement of an employee to a position with a different FLSA status.

Reevaluation: The action taken to officially change an existing position to different duties, responsibilities and/or requirements and via revision of the compensation plan and job description.

Regular Employee: A permanent employee who has completed a satisfactory initial training period.

Resignation: The voluntary termination of employment by an employee.

Salary Range: The minimum to maximum approved hourly or annual compensation for a position based on comparative analysis of the job description.

Shall/Will: Interpreted as mandatory.

Standby Assignment: An assignment made by a supervisor which requires an employee to be available for emergency work on off-duty time which may include nights, weekends or holidays.

Suspension: Forced leave of absence, with or without pay, of an employee for disciplinary purposes.

Temporary Employee: An individual employed for the duration of a particular project, or when regular employment is not anticipated.

Termination: Complete separation of any employee from employment with the City.

Training Period: A working test and training period during which the employee is required to demonstrate the knowledge, skills and ability to perform the duties of the position. The initial training period will be six (6) months.

Transfer: A change of an employee from one position to another with the same or a comparable salary range.

Vacancy: An approved position in the current budget that is not currently occupied by an employee.

CHAPTER III

Recruitment, Selection and Employment

3.01 Policy Statement

The City of Alachua believes employees to be our most valuable assets. The City is an Equal Opportunity Employer and is committed to recruiting and retaining qualified and diverse employees by offering exceptional benefits and a challenging work environment. We will support the success of our employees by continually providing professional leadership and encouraging training and educational opportunities to enhance career satisfaction and performance. It shall be the policy of the City Alachua to:

- A.** Attract and retain qualified employees meeting or exceeding the minimum requirements of each position as outlined in the job description.
- B.** Support veteran's preference requirements pursuant to Florida Statute, Chapter 295.
- C.** Prohibit discrimination against any person in recruitment, evaluation, appointment, training, promotion, retention, or any other personnel action because of race, color, religion, age, creed, sex, national origin, marital status, disability or genetic information. Retaliation against an individual who complains of discrimination or harassment will **not** be tolerated.
- D.** Comply with the Immigration Reform and Control Act of 1986 by employing only United States citizens and non-citizens who are authorized to work in the United States. All employees are asked on their first day of employment to provide original documents verifying the right to work in the United States and to sign a verification form required by federal law (Form I-9). If an individual cannot verify his/her right to work within three (3) business days of hire or provide a receipt for the application of required documents within the same three business days and the actual documents within a total of ninety (90) days of hire, the City must terminate employment. Proof of eligibility to work must be provided at the time of employment for any person hired for less than three (3) business days.
- E.** Afford equal opportunity to qualified individuals without regard to race, color, creed, religion, sex, age, national origin, marital status, disability or genetic information, except where the law allows consideration of such factors.
- F. Equal Employment Opportunity**
The City is committed to providing equal opportunity in all of our employment practices, including selection, hiring, promotion, transfer, and compensation, to all qualified applicants and employees without regard to age, race, religion, color, sex, national origin, marital status, citizenship status, disability, genetic information or any other protected status in accordance with the requirements of all federal, state and local laws. A copy of the City of Alachua's Equal Employment Opportunity Plan is available in Human Resources.

G. Accommodations

It is the policy of the City of Alachua to afford equal opportunity to all employees, regardless of physical or mental disability. However, all employees with such disabilities are expected to perform the essential functions of their positions as both defined in their respective job descriptions or as performed on a regular basis as part of their normal responsibilities. All employees with disabilities are eligible for accommodations per the Americans with Disabilities Act. Such requests must be made to Human Resources. While the City cannot make all requested accommodations, it will work with the employees to define reasonable terms and supply such terms to the employee. If the employee cannot perform the essential functions with the requested accommodation, the employee may be separated from the City.

H. Selective Service Registration

1. No person who is required to register with the Selective Service System under the Military Selective Service Act, 50 U.S.C. App. 453, may be offered employment by the City in an authorized position, as defined in F.S. 216.011, without proof of such registration.
2. No person who has failed to register as required by the Military Selective Service Act, 50 U.S.C. App. 453, subsequent to October 1, 1988, and who is currently employed by the City may be promoted to a higher authorized position without proof of such registration.
3. The City shall provide for a review, when required by the applicant or employee, of any denial of employment or promotion for reasons of noncompliance with selective service registration requirements.

3.02 Applications

Applications must be made on a standard form approved by the City Manager.

- A. Applications for City service positions shall be active and considered by the City for a term of six (6) months from date the application was accepted.
- B. After the expiration of a six (6) month period, the application, if not renewed, shall remain on file for a period of four (4) years.
- C. Employment Applications are accepted for **OPEN POSITIONS ONLY**, and must be filled out completely. Resumes are not accepted in lieu of an application. Resumes may be submitted with the application as supplemental information. Applications indicating "See Resume" for any response on the application will be considered incomplete and not processed.
- D. Once an application is received, it will be screened by Human Resources to ensure that the applicant meets the minimum requirements and qualifications for the position. Applicants whose education (if applicable), work experience, skills and training most closely match the job description qualifications may be called in for testing, interviewing and other pre-selection processing.

3.03 Basis for Employment

Employment with the City shall be based on knowledge, skills and abilities as evidenced by:

- A.** Training and experience as reflected by the application form, interview process and other documentation of certification, registration, etc., as requested.
- B.** Written examination or performance tests when in the best interest of the City.
- C.** A background check, reference check, criminal history check (FDLE if applicable), a pre-employment drug screening and a post offer pre-employment physical examination are required if necessitated by the position.

3.04 Procedure for Filling Vacancies

Whenever an open position is to be filled, the Department Director under whose authority the position falls, shall notify Human Resources of the vacancy. Recruitment for available positions will be conducted by and coordinated through Human Resources. The methods for identifying prospective candidates will be through internal and external recruitment.

A. Internal Recruitment

Positions filled by promotion, transfer or demotion of a current, regular City employee. The announcement of the position vacancy will be posted at City Hall and distributed via City email.

Employees in a training period are ineligible for internal recruitment except as deemed in the best interest of the City by the City Manager.

B. External Recruitment

Positions may be announced in one (1) or more of the following: internet, newspaper, miscellaneous publications and third party source or other methods as deemed appropriate.

Ultimately, the appropriateness of the approach (internal or external recruitment) depends on City needs.

3.05 Temporary Appointments

A temporary position is one that is established and approved by the City Manager for a specific period of time, after which time regular employment for the task is not anticipated. No such position can be established unless sufficient funds are provided in the budget. The City Manager shall have the authority to determine if the position is eligible for benefits, particularly those positions funded by a grant.

3.06 Employment Restrictions

It shall be the policy of the City of Alachua to regulate employment of persons related to City officials or employees. For the purpose of this policy, the term related shall mean spouse, domestic partner, romantic partner, child, parent, siblings, grandparents, grandchildren and corresponding in-law or step relationships. After the effective date of this policy, no person shall be employed in the same department or division when he/she is related to a person where one is in a supervisory or administrative capacity over the other.

3.07 Transfers

A position may be filled by transferring a regular employee from one position to another for which the employee qualifies. Transfers must be approved by the responsible Department Director, Human Resources and the City Manager.

3.08 Ongoing Screening during Employment

The City must be able to employ individuals that are trustworthy and able to properly interact with key organizational partners. Employees agree, by signing the acknowledgement provision verifying agreement to this manual, that the City may conduct occasional criminal, employment, driving and educational background investigations on employees, as it deems necessary to conduct operations in an efficient and legal manner. The City reserves the right to take any and all action it deems necessary to act upon the results of such ongoing screening.

CHAPTER IV

Compensation Plan

4.01 Composition of the Plan

The Compensation Plan includes a set of approved job titles, salary ranges and job descriptions that identify, define and describe the type of work and level of difficulty and responsibility, and establish the desirable qualifications of each position.

4.02 Job Descriptions

Each approved position in the Compensation Plan shall have an accurate job description. Job descriptions may not detail every task associated with the position, as employees may have to perform marginal, job related duties as needed.

4.03 Salary Ranges

The salary range for each position is established by comparative study of the job description for each position. The City Manager shall make or cause to be made such comparative studies as necessary to maintain an accurate and current compensation plan.

4.04 Maintenance of the Plan

Human Resources is charged with the responsibility for the proper and continuous maintenance of the Compensation Plan so it will reflect on a current basis the duties being performed by each employee in the City service. Administrative staff may recommend to Human Resources any necessary amendments to the plan. Reallocations of positions within the approved Compensation Plan shall be made as follows:

- A.** Human Resources, with the approval of the City Manager, shall evaluate each new position as it is created and, on the basis of the evaluation, place the position into the Compensation Plan.
- B.** Changes in the duties and responsibilities of a position involving the addition either of new assignments or removal or modification of existing assignments shall be reported to Human Resources by the Department Director. If these are determined to be permanent or more than minor changes that justify the reevaluation of the salary range, Human Resources, with the approval of the City Manager, shall propose the new salary range to the Commission for final approval.
- C.** Human Resources, with input from the Department Director, will periodically review the descriptions of each position and, upon the basis of investigation, make appropriate changes to the Compensation Plan.
- D.** Employees affected by the evaluation or reevaluation of a position shall be afforded a reasonable opportunity to be heard by the City Manager after filing a written request. The City Manager, after hearing the facts of the case, shall render his/her decision and such decision will be reported to the employee and to the Department Director in writing.

4.05 Entrance at the Minimum

The minimum rate of pay for the job will be paid to qualified persons on their original appointment to a position; however, Human Resources may recommend to the City Manager a higher starting rate based on experience, training or education that warrants employment at a higher rate in the salary range.

4.06 Salary Increases

Salary increases within appropriate salary range shall be based on:

A. Cost of Living

Each year, during the Budget Review Process, the City Commission will determine what percent, if any, will be granted for cost of living increases. The percent increase will be calculated based on current annual salary and rate of pay will be adjusted beginning the first pay period in October of each year. The pay plans will be adjusted by the percent determined.

B. Merit

Employees shall become eligible for salary increases, if any, depending on appropriations in the annual operating budget. Merit salary increases are based on the employee's annual performance evaluation as rated by his/her supervisor. The percentage of the merit increase will be applied to the employee's current hourly rate of pay up the maximum rate of his/her position's salary range. If an employee is at or near the maximum rate of pay for his/her position, the percentage of the merit increase that exceeds the maximum pay range may be given as a lump sum payment in lieu of increasing the current hourly rate of pay beyond the set maximum rate. If funds are available the merit increase shall be on the following schedule or as set by the Commission:

Below or Does Not Meet Expectations	0%
Meets Expectations	2%
Exceeds Expectations	3%
Exceptional	4%

C. Other Salary Increases

Salary adjustments shall not be automatic, but shall depend upon increased value of the employee to the City, as exemplified by recommendations, length of service, performance records, special training, increased responsibilities or other pertinent evidence. Salary adjustments may be made on the recommendation of the Department Director or Human Resources and approval of the City Manager.

4.07 Pay Rates in Transfer, Promotion or Demotion

If an employee is promoted, demoted or transferred, the rate of pay for the new position shall be determined as follows:

- A.** If the employee is promoted to a position with a higher salary range, he/she shall receive at least the minimum rate of the new salary range or a 5% rate increase.
- B.** If an employee is transferred to a position with the same salary range as his/her previous position he/she shall receive no salary increase at the time of the transfer.
- C.** If an employee is demoted into a position with a lower salary range, the employee shall be placed at an appropriate level within the new salary range as recommended by the Department Director or Human Resources and approved by the City Manager. Voluntary demotion may require a reduction in pay.

CHAPTER V

Pay Practices

5.01 Overtime Pay

It is the City's policy to avoid overtime work when possible. However, overtime work may sometimes be necessary to meet emergency needs, seasonal or peak workload requirements or to make accommodations when a department is understaffed. Supervisors are responsible for advance planning to minimize the need for overtime.

- A.** Overtime is defined as hours worked by a non-exempt employee in excess of forty (40) hours during the established workweek.
- B.** Overtime is compensated as follows:
 - 1.** Non-exempt employees must have Supervisor approval prior to working overtime. The repeated performance of unauthorized overtime will result in disciplinary action.
 - 2.** Non-exempt employees shall be compensated for overtime at one and one-half (1½) times the regular hourly rate of pay in accordance with Fair Labor Standards Act (FLSA) provisions. Only hours actually worked over forty (40) per work week will count as hours worked for the purpose of computing overtime. Therefore holidays, sick leave, annual leave, administrative leave or any other type of leave will not count as hours worked for overtime pay calculations. Stand by or call out pay is credited at actual hours worked, not at the time and one half (1½) paid.

5.02 Compensatory Paid Time

Overtime hours worked may be converted to compensatory paid time at the election of the employee. For each overtime hour worked compensatory time is banked at one and one-half (1½) hours. Compensatory time is subject to the following:

- A.** Employees will be allowed to accrue up to 240 hours of compensatory time. Employees who have accrued the maximum amount of compensatory time must then receive paid compensation for additional overtime hours.
- B.** The employee's supervisor must approve use of compensatory time off in advance.
- C.** Compensatory time paid to a regular employee, such as in the instance of reclassification from nonexempt to exempt, shall be paid at the regular rate earned by the employee at the time the employee receives such payment.
- D.** If an employee terminates, accrued balances of compensatory time will be paid at a rate of the average regular rate of pay over the employee's last three years of employment during which compensatory time was earned or the final regular rate, whichever is higher.

5.03 Stand-by Pay

Stand-by time is paid at (1) hour on week days and two (2) hours on weekends and holidays at time and one half (1½) the regular rate of pay.

5.04 Call-out Pay

All call-outs will be paid at time and one-half (1½) the regular hourly rate of pay. All call outs after normal working hours will be compensated for a minimum of two (2) hours or for the total hours actually worked whichever is greater.

5.05 Rest Time Pay

To maintain a safe and productive working environment, the City recognizes that rest times are important. In specific circumstances, an employee may be approved for paid rest time to delay the start of the next scheduled shift to ensure eight (8) hours rest between work assignments. Paid rest time may be approved to a maximum period of eight (8) consecutive hours. Rest time pay is subject to the following conditions:

- A.** The employee must have stayed-on shift or been called-out for an unscheduled/unplanned trouble call that is routine in nature.
- B.** Rest time is not applicable to declared emergencies or to preplanned work assignments, whether inside or outside of regularly scheduled work hours. This policy does not limit the City's right to schedule and/or reschedule employees in accordance with business necessity.
- C.** The employee will not have had eight (8) consecutive hours off between completion of the work and the scheduled start of the next work shift.
- D.** Paid rest time will only be available if the following day is a regular scheduled workday for the employee.
- E.** All paid rest time must be pre-approved at the department Director's, or designee's, discretion for each circumstance on a case-by-case basis.
- F.** The employee must obtain pre-approval from the Department Director, or designee, for the number of paid rest hours in each case. This will ensure that the department is aware of scheduling issues, options and possible conflicts.
- G.** For the purposes of calculating overtime pay, normally scheduled shift hours that are substituted for properly approved paid rest time hours will be considered hours worked.

H. Paid Rest Time Policy Examples

Examples based on a normal Monday through Thursday, 10-hour shift schedule of 7:00a.m. to 5:30 p.m.

- 1.** Employee starts work on a Monday at 7:00 a.m., and works until 11:00 p.m. on the same day. When the employee reports to work at the normally scheduled start time on the next morning, Tuesday at 7:00 a.m., the employee has had at least eight consecutive (8) hours of rest between shifts. Paid rest time is not applicable.
- 2.** Employee works his/her normal ten (10) hour scheduled shift on Monday, getting off at 5:30p.m., but is then called back to work at 8:00p.m. and works until:
 - a.** 11:00p.m. – employee will report to work for his/her next scheduled shift on Tuesday at 7:00a.m., having had eight (8) hours between shifts. Paid rest time is not applicable.
 - b.** 1:00a.m. – under this policy, the employee may be approved to report to work for his/her next normally scheduled shift on

Tuesday at 9:00a.m., based on approved use of two (2) hours of paid rest time.

- c. 3:30a.m. – under this policy, the employee may be approved to report to work for his/her next normally scheduled shift on Tuesday at 11:30a.m., and may be approved for up to four and one-half hours (4.5) paid rest time.
- 3. Based on the above outlined schedule of Monday through Thursday, there would be no available paid rest time for hours worked after 5:30p.m. on Thursday, through 5:30p.m. on Sunday. Eligibility for paid rest time on Monday would be determined by the number of hours worked on Sunday after 5:30p.m. through the start of the employee's regular scheduled shift on Monday.

5.06 Longevity

Each year, during the Budget Review Process, the City Commission will determine if funds are available for additional compensation based on Longevity. If funds are available, they will be awarded based on the criteria listed below:

- A. Longevity amounts will be paid in lump sum (less withholdings, etc.) in December of the anniversary year.
- B. All employees will be eligible unless rated lower than “meets expectations” in any year being counted. However, an employee will be eligible for the next longevity amount, i.e. 10-year award, if ineligible for 5-year amount due to one year of less than “meets expectations” rating if all other nine years counted are rated at “meets expectations” or above.
- C. Eligibility for successive awards (15, 20, 25, 30) requires a rating of “meets expectations” or above for all years from five forward. All years must be full time employment, continuous service and the employee must be employed by the City on the date of payment.
- D. Longevity pay may be on the schedule below or as set by the commission, whichever is less:

5 - 9 years of consecutive full-time employment	\$500.00
10 - 14 years of consecutive full-time employment	\$1,000.00
15 - 19 years of consecutive full-time employment	\$1,500.00
20 - 24 years of consecutive full-time employment	\$2,000.00
25 - 29 years of consecutive full-time employment	\$2,500.00
30 or more years of consecutive full-time employment	\$3,000.00

5.07 Safe Harbor Provision

It is the City's policy to comply with the salary basis requirements of all existing wage laws. Therefore the City prohibits any improper salary reductions from employees who are not eligible for overtime. If an employee believes that an improper reduction has been made to his/her salary, the employee should immediately report this to his/her direct supervisor, or to Human Resources. Reports of improper reductions will be promptly investigated. If it is determined that an improper reduction has occurred, the employee will be promptly paid the difference of his/her regular salary and the reduced salary.

5.08 Record Keeping

Human Resources maintains the final record of all hours certified as worked by each employee as well as complete and accurate record of all leave taken.

- A.** The ultimate responsibility for the accuracy of all attendance and leave records rests, individually and separately, with the employee and his/her Supervisor.
- B.** Falsification of any attendance or leave records shall result in disciplinary action up to and including the termination of any or all employees involved.
- C.** Employees are required to sign their time cards and certify the hours worked are true and correct before submitting the records to the Human Resources Department for processing.
- D.** Work and compensation records shall be forwarded to the Human Resources Department on the first workday following the close of the pay period.

5.09 Rounding of Hours

- A.** Employees who earn compensatory time or use any leave time in an amount less than a full hour will be credited or charged with such leave to the closest quarter of an hour.
- B.** All hours worked must be totaled at the end of the workday and the workweek. The totals will be rounded to the nearest quarter of an hour.

CHAPTER VI

Hours of Work and Employee Schedules

6.01 Hours of Work

It is the policy of the City of Alachua to provide a system of compensation for employees who work during assigned hours (non-emergency) and during times when a declared City Emergency exists.

Employees are either designated as exempt or non-exempt based on state and federal laws.

- A.** Exempt employees are hired for an annual salary rate to accomplish a job for the City. To ensure availability for City operations, exempt employees are generally expected to be present and working for the total hours of the normal workweek.
- B.** The normal workweek for all full-time employees is 40 hours. For nonexempt employees, hours worked per day and work assigned is established by the Supervisor.
- C.** The work week starts at 12:01 a.m. Monday and ends at midnight Sunday.
- D.** Nonexempt employees are prohibited from working at home unless authorized to do so by their Supervisor. This exemption includes but is not limited to reading, sending or otherwise working on emails during off hours.
- E.** Employees may not voluntarily perform their regular duties for the City without compensation.

6.02 Work Break

Each administrative area may allow employees one work break during the first half of their work shift and one work break during the second half of their work shift, provided that:

- A.** No single work break will exceed fifteen (15) minutes absence from the employee's workstation.
- B.** An employee may not accumulate unused work breaks.
- C.** Work break time cannot be used to cover for employees' late arrivals or early departures from duty.
- D.** Permission to take work breaks is based upon workload demands and may be withheld at the discretion of the Supervisor.
- E.** Nonexempt employees on a recognized lunch break of 30 minutes or longer are prohibited from performing any of their job functions during their lunch break. Employees are encouraged to take their lunch break away from their work area, but if they remain on the premises they shall not perform any duties.

F. Breastfeeding Accommodation

The City recognizes the needs of new mothers and provides a reasonable unpaid break time needed to express breast milk for their nursing child for up to one year from the child's date of birth. A private office space will be provided that will shield the employee from view and will be wholly free from coworker or public intrusion. If such need arises, simply contact Human Resources, and necessary breaks and corresponding office space will be provided.

6.03 Flex Schedule

The City of Alachua is committed to developing, maintaining and supporting a comprehensive policy of equal opportunities in employment within the City. To assist in this the City will actively support flexible scheduling where it is reasonable and practical to do so and where operational needs are not adversely affected.

A. Definition of a Flex Schedule

A Flex Schedule is a work schedule that allows employees to work hours that are not within the standard 8:00 a.m. to 5:00 p.m. range, while maintaining a high level of service during City peak operating hours (typically 9:00 a.m. – 4:00 p.m.). Flex-Schedules must total a standard 40-hour workweek.

B. Eligibility

All full-time employees of the City of Alachua who have successfully completed their initial training period are eligible to request a flex schedule. Certain types of flex scheduling might not be available for every division/department due to the services provided.

C. Managing Flex Schedules

It is the responsibility of the supervisor to manage department scheduling. Each time a Flex Schedule request is received the supervisor must review department schedules to ensure ample employee coverage during peak operating times. The supervisor must ensure the performance of employees with flex schedules. The supervisor has authority to revoke an approved flex schedule if abused.

D. Flex Schedule Options

There are three types of flex schedules available: Peak-Hour Flex Scheduling, Compressed Work Week and custom schedules. Approved flex schedules are the employee's standard work hours and must be worked consistently. *(All schedules must include a minimum 30-minute lunch break.)*

1. Peak-Hour Flex Schedule

This flex schedule option shifts daily work hours while still working an 8-hour day. For instance, instead of an 8-5 Monday - Friday schedule, an employee may work from 7:00 – 4:00, 7:30 – 4:30, 8:30 – 5:30, or 9:00 – 6:00. Working any of the available shifts within an 8-hour day constitutes a full workday.

2. Compressed Work Week

To maintain this flex schedule, an employee works a full 40-hour workweek in less than five days. For instance, an employee may work 7:00 – 6:00 or 7:30 – 6:30 with a one-hour lunch or 7:00 – 5:30, 7:30 – 6:00 or 8:00 – 6:30 with a thirty-minute lunch. Working any of the available shifts within a 10-hour day constitutes a full workday.

3. Custom Flex Schedule

In certain circumstances, the City's business needs are best accommodated with a custom work schedule. For instance, an employee may alternate a Monday – Thursday, Tuesday – Friday schedule or a department may require 24-hour coverage and therefore custom schedules for its employees.

E. Procedure for applying for Flex Schedule

To apply for a flex schedule, an employee must fill out the Flex Schedule Request form and submit to his/her supervisor for initial authorization.

F. Procedure for approving or denying an employee's request for Flex Schedule

Once a request is submitted, the supervisor and Department Director will authorize or deny the Flex Schedule Request and forward it to the Human Resources for Wage and Hour compliance. The request will then be forwarded to the City Manager for final approval.

The request will be kept on file in Human Resources. A copy of the request will be provided to the employee after final approval or denial of the request is made.

6.04 Emergency Operations

During a declared City Emergency procedures may be changed as required due to the circumstances and conditions.

- A.** A declared City Emergency is a condition that may affect or does affect a large part of the City of Alachua population, corporate limits, city property or resources available to the City. This condition may be a result of, but not limited to, a wind storm (hurricane, tornado), flood, fire, earthquake, hazardous materials and/or civil disobedience.
- B.** A City Emergency may be declared by the Mayor or his/her designee, or the City Manager or his/her designee.
- C.** During a City Emergency work schedules of individual employees may be altered without notice.
- D.** During times of declared emergencies scheduled leave time may be cancelled. After the emergency no longer exists an employee may re-schedule his/her remaining leave time at the discretion of the Supervisor.

- E.** Employees who are on leave during a declared emergency may be recalled to work at the Supervisor's discretion. After the emergency no longer exists an employee may re-schedule his/her remaining leave at the discretion of the Supervisor.
- F.** During a declared emergency when City facilities are closed and employees are temporarily released from normal duty, they may be assigned to other needed tasks as determined by the City Manager. All employees will receive their normal straight time pay for their regular work period if released during the declared emergency.
- G.** Exempt and non-exempt employees who are recalled to duty or remain on duty during the declared emergency when City facilities are closed and other employees have been released from duty will receive their normal straight time pay in addition to pay at one and one-half (1 ½) times their normal rate of pay for all hours worked. Employees will continue on this pay schedule for the duration of the declared emergency. After the declared emergency no longer exists, employees pay schedules will return to the regular pay schedule.

CHAPTER VII

Attendance and Punctuality

7.01 Attendance

Regular attendance is paramount for the successful operation of the City. In order to best serve our citizens and customers:

- A.** All full-time exempt employees are required to be present at their assigned workplace for the total hours of their normal workweek unless the Supervisor authorizes absence. All exempt employees must properly record and charge all absences.
- B.** All full-time non-exempt employees are required to be present at their assigned workplace for their full scheduled shift each workday unless the Supervisor authorizes absence. Nonexempt employees must properly record and charge all absences.
- C.** Part-time employees are required to be present at their assigned workplace for the total hours for which they are being compensated, unless the Supervisor authorizes absence. Part-time employees must properly record all absences.

7.02 Tardiness

All employees, temporary and regular, are expected to arrive for work as scheduled. An employee's failure to report to work by the start of his/her scheduled shift will be considered tardiness. Employees must notify their Supervisor of tardiness in accordance with policy. Failure to comply with this requirement and/or excessive tardiness may result in disciplinary action up to and including termination.

7.03 Absence

No employee, temporary or regular, may absent himself from his job without notifying the immediate supervisor in accordance with policy. Failure to comply with this requirement and/or excessive absenteeism may result in disciplinary action up to and including termination.

7.04 No Call/No Show

Failure to follow proper notification of absence procedure for three (3) consecutive working days shall constitute job abandonment. This voluntary termination will be effective the last day worked.

7.05 Notification of Absence/Tardiness

All Supervisors must supply their employees with accurate contact information for the purpose of business related communications. Employees are responsible for having this information available as needed to notify their Supervisor of unscheduled absence or tardiness. Employees should provide Supervisors **as much notice as possible** in events of absence/tardiness.

In the case of absence, notification must be no later than one hour prior to the start of the scheduled work shift. Failure to provide notification of absence prior to one hour before the start of the scheduled work shift may result in a No Call/No Show with the exception of extenuating circumstances as determined by the Supervisor or Human Resources.

CHAPTER VIII

Holidays and Leave

8.01 Eligibility

Only full-time, regular employees are eligible for the use or payment of holiday and leave time.

8.02 Holidays

The City recognizes the following as observed, paid holidays:

New Year's Day	Martin Luther King, Jr. Day
Washington's Birthday	Memorial Day
Independence Day	Labor Day
Veteran's Day	Thanksgiving Day
Day after Thanksgiving	Christmas Eve
Christmas Day	New Year's Eve Day

The City Commission may grant additional holidays.

A. Holiday Schedule

When a holiday falls on a non-operating day, the City Manager will determine the day observed by going backward or forward days to create an effective work schedule. Alternatively the City Manager may approve an adjusted work schedule for the week of the holiday. The approved holiday schedule for the fiscal year will be made available in Human Resources. The actual holiday will be used for employees scheduled to work the holiday and to calculate call-out pay.

B. Hours Worked on a Holiday

When a regular employee is required, by regular scheduling, to work on a holiday he/she shall receive holiday pay at the regular rate of pay, and, in addition thereto, shall receive his/her regular rate of pay for all hours worked on the holiday.

If an employee works overtime on a holiday he/she shall receive holiday pay at the regular rate of pay, and, in addition thereto, time and one half (1½) regular rate for all the hours worked on the holiday. All non-scheduled overtime holiday work must have the specific approval of the City Manager.

Salaried exempt employees are not eligible for additional holiday pay.

C. Use of Leave

When employees are on approved leaves with pay and a holiday occurs he/she shall not be charged leave for the holiday.

Use of unapproved sick leave immediately prior to or following a holiday results in forfeiture of holiday pay unless a doctor's excuse is provided.

8.03 Personal Leave

The City grants all employees one (1) personal leave day to be used anytime during the calendar year. Personal leave is granted as follows:

- A.** One (1) personal day will be granted during the first pay period in January of each

year for all current employees. Employees hired after the first pay period in January will not receive their personal day until the following January. Those employees working 10 hours a day will be granted a 10 hour personal day, those employees working 12 hours a day will be granted a 12 hour personal day and those employees working 8 hours a day will be granted an 8 hour personal day.

- B.** Personal leave may be awarded for minimal use of sick leave in the prior calendar year and/or maintaining a 480 hour sick leave balance. These awards are detailed under Sick Leave.
- C.** Personal leave not used during the calendar year in which it is awarded may not be carried over and accumulated to the following calendar year.
- D.** Personal leave may not be cashed-in in lieu of taking the time off nor is personal leave payable upon termination.

8.04 Annual Leave

A. Accrual Rate

City employees are eligible for annual leave time accrued per pay period on the following basis:

Number of Consecutive Years of Employment	Number of Hours per Bi-weekly Pay Period	Number of Hours per Year
0 through 5	3.08	80
Over 5 through 10	4.62	120
Over 10 through 15	5.23	136
Over 15 through 20	6.16	160
More than 20	6.93	180

B. Use of Annual Leave

- 1.** Annual leave may not be used during the first six (6) months of employment unless specifically approved by the City Manager.
- 2.** Annual leave may not be taken in advance.
- 3.** Annual leave shall be requested in advance to the Department Director who shall determine if the work schedule permits the absence during the requested period. Annual leave shall be planned and scheduled in advance to conform to departmental work plans. Employees are encouraged to take one or two weeks of annual leave per block.
- 4.** Requests of employees shall be given consideration in the establishment of annual leave schedules, with seniority to apply in cases of identical request, all other factors being equal.
- 5.** Upon reasonable notice to the employee, a Department Director may require an employee to use annual leave or cancel scheduled leave.
- 6.** Depending on appropriations in the annual operating budget, accrued annual time can be cashed-in in lieu of annual leave taken, if during the following conditions.

- a) Minimum of two (2) years of service with the City is required before being eligible for cash-in privilege.
- b) Maximum cash-in allowed is one-half (1/2) the accrual rate for that calendar year (based on length of service with the City, provided individual takes a like amount of vacation time off in the same calendar year).

C. Accumulation of Annual Leave Hours

- 1. Accumulated annual leave not used during the calendar year in which it is eligible to be taken may be carried over or accumulated to the following calendar year. However, an employee cannot carry over more than 240 hours of vacation beyond the calendar year ending December 31.
- 2. An employee that resigns by giving a full two (2) weeks' notice and has at least one (1) full year of service with the City shall be paid for accrued and unused annual leave in the regularly scheduled final paycheck at the current rate up to a maximum of 200 hours.

8.05 Sick Leave

A. Accumulation Rate

All regular full-time employees accrue 3.69 hours sick leave per pay period.

B. Use of Sick Leave

- 1. Sick leave is to be used for personal illness, injury or quarantine due to exposure to contagious disease by the employee or an immediate family member.
- 2. Sick leave may also be used for medical or health treatment, which cannot be arranged outside of working hours, for the employee and immediate family.
- 3. Sick leave may be used for serious illness, as defined by FMLA, for the immediate family.
- 4. Sick leave may also be used, after the exhaustion of all other leave, to compensate for otherwise unpaid absence during approved military leave.
- 5. Sick leave shall be compensated at the employee's current straight time hourly rate.
- 6. **Sick Leave Balance Award**
Any employee who accumulates a minimum of 480 sick leave hours by the last pay period in December shall be granted twenty (20) hours of additional personal leave time. This balance must be maintained during the final pay period in December to be eligible for the twenty (20) hours of personal leave to be awarded the following January.
- 7. **Minimal Sick Leave Used Award**
Any employee who uses twenty (20) or less hours of sick leave during the calendar year shall be granted twenty (20) hours of additional personal leave time the following January. To be eligible, the employee must have successfully completed the initial training period and worked the entire prior calendar year.

C. Accumulation of Sick Leave Hours

An employee may accumulate unlimited sick leave hours.

1. All regular employees who work less than a full month due to commencement of a leave of absence without pay may accumulate sick leave hours for the time worked during that month in proportion to the normal time worked.
2. Sick leave shall continue to accrue during periods of authorized absence in which employee is in paid status.
3. When a holiday occurs during an employee's sickness, the sick day shall be charged as a holiday and not deducted from the employee's accumulated sick leave.

D. Abuse of and Extended Sick Leave

In order to preclude sick leave abuse, if an employee is on:

1. Sick leave more than two consecutive workdays, or, if there are any unusual patterns of use of sick leave (i.e., before or after a weekend or vacation leave, taken when accrued at regular intervals, etc.) a certificate of a physician may be required and his/her supervisor may, with the City Manager's approval, cause such investigation as deemed necessary to ensure no sick leave abuse has occurred.
2. Employees are required to provide their immediate supervisor as much advance notice as possible on the first day of sick leave but no less than one hour before his/her scheduled start time. This procedure shall be followed for each day the employee is unable to work, unless prior approval waiving this requirement is given by the Department Director. Failure to comply may result in compulsory unpaid leave as well as disciplinary action, up to and including termination.

E. Sick Leave Payout

Accrued sick leave is payable upon separation of employment by the City as follows:

1. An employee that resigns or retires by giving a full two (2) weeks' notice and has at least one (1) full year but less than twenty (20) years of continuous employment with the City will receive payment for unused sick leave at their current regular hourly rate up to a maximum of 80 hours.
2. Employees resigning or retiring with 20 or more years of continuous employment with the City will receive payment for unused sick leave at their current regular hourly rate up to a maximum of 200 hours.
3. Employees with more than 20 years of continuous service may also elect to use up to the maximum of 200 hours of sick leave as personal leave counting backward from the retirement date in lieu of being paid a lump sum payment. Approval of using sick leave in lieu of receiving a lump sum payment is at the sole discretion of the City Manager.
4. Under no circumstances will any employee be paid for more than 200 hours of unused sick leave.

8.06 Jury Duty

Employees summoned or subpoenaed to attend court as a witness for the City or for jury duty shall receive full pay and benefits for hours spent in court. All monies received by employee for such services shall be remitted to the City.

8.07 Administrative Leave

It is recognized that Department Directors must devote a great deal of time outside normal office hours to the business of the City, therefore, Department Directors will be given forty (40) hours of paid administrative leave each calendar year in January. This leave does not carry over from year to year and no payment will be made for non-use of the leave even if employment is terminated.

8.08 Military Leave

Employees called to compulsory military service are automatically placed on leave pursuant to state and federal law for the duration of his/her military duty. Upon completion of such service such employee shall be reinstated in the position held at the time of entry into the service, at the same salary the employee would have received had such leave not been taken, based on the following conditions:

- A. That the position has not been abolished or the term thereof, if limited, has not expired.
- B. That the employee is physically and mentally able to perform the duties of such position. If requested, the employee shall submit to appropriate medical examinations at the City's expense to evaluate physical and mental capabilities.
- C. That the employee makes written application for reinstatement to the City within applicable statutory time limits after termination of such service.
- D. That the employee submits an honorable termination or other form of release by proper military authority establishing satisfactory service. Upon such reinstatement, the official or employee shall have the same rights with respect to accrued and future seniority status and other benefits of permanent full-time employment as if the employee had been actually employed during the time of such leave.
- E. The City will abide by all laws and guidelines.

8.09 Funeral/Bereavement Leave

An employee shall be allowed up to three (3) days off with pay in the event of a death in the immediate family.

- A. For purposes of this policy immediate family is define as a spouse, domestic partner, child, , parent, , siblings, grandparents, grandchildren and corresponding in-law or step relationships. If the employee was reared by someone other than those named, leave will be granted under the same terms and conditions.
- B. If necessary, due to the delay in funeral arrangements, bereavement leave may be delayed or divided as approved by the Department Director.

- C. Additional authorized leave time may be granted by the Department Director. Any employee utilizing a provision of this section shall notify the Departmental Director's office as soon as possible.
- D. Funeral/Bereavement leave is a leave benefit only and no compensation will be paid for unused bereavement leave. Verification of need may be required before bereavement leave is authorized.

8.10 On the Job Injuries

Immediately report any injury/accident to your immediate supervisor and Human Resources. All injuries/accidents must be reported within 24 hours.

- A. There will be no charge against sick, other leave time or pay for less than a half day absence due to required medical or health treatment for a work related injury.
- B. The City will allow the employee to use accumulated leave for the first 7 days of missed work due to a workers' compensation injury.
- C. If you miss more than 7 days, workers' compensation will pay 2/3 of your average weekly wage up to the state maximum rate.
- D. Any regular full-time employee of the City who is required to be off work due to an on-the-job injury may supplement the Worker's Compensation payments with accumulated sick or vacation up to 100% of normal pay.
- E. The City may have modified work available to allow employees who, due to a work-related injury or illness, are unable to perform regularly assigned jobs. Please contact Human Resources regarding availability/coordination of a modified work assignment.

8.11 Family and Medical Leave

Family medical leave will be administered in accordance with and following the guidelines of the Family Medical Leave Act.

- A. Family and medical leave may be taken intermittently -- which means taking leave in blocks of time, or by reducing the normal weekly or daily work schedule -- whenever it is medically necessary to care for a seriously ill family member, or because an employee is seriously ill and unable to work. Intermittent leave is not permitted for birth of a child, to care for a newborn child, or placement of a child for adoption or foster care.
- B. Family medical leave hours are calculated on a "rolling" 12-month calendar counted backward from the date of the most recent occurrence of family medical leave usage.
- C. Depending on the purpose of your leave request, you may choose (or the City may require you) to use accrued paid leave, if available, as a substitute for some or all of the family and medical leave.
- D. **Maintenance of Health Benefits**
You are required to use accrued leave concurrent with approved FMLA leave. If the employee and/or family participate in a group health plan, the City will

maintain coverage under the plan during family and medical leave. Employee share of cost will be deducted from leave wages. Should accrued leave be exhausted, and if applicable, the employee must make arrangements to pay his/her share of health plan premiums while on leave.

In some instances, the City may recover premiums it paid to maintain health coverage for an employee and family.

E. Notice and Medical Certification

When seeking family and medical leave, the employee must:

1. Provide 30 days advance notice of the need to take family and medical leave, if the need is foreseeable.
2. Abide by usual and customary call-in procedures for reporting an absence when significant advance notice cannot be provided.
3. Provide medical certifications supporting the need for leave due to a serious health condition affecting the employee or an immediate family member. Second or third medical opinions and periodic re-certifications at the City's expense may also be required. Any incomplete certifications will be returned to he/she with any such required information noted in writing. He/she will be provided with seven days to provide the completed certifications.
4. Provide periodic reports as deemed appropriate during the leave regarding status and intent to return to work.
5. Provide medical certification of fitness for duty before returning to work if the leave was due to the employee's own serious health condition. He/she will be required to provide certification that he/she is able to perform the essential functions of his/her position. Furthermore, fitness for duty certification may be required during periods of intermittent leave if a reasonable job safety concern exists.
6. When leave is needed for a planned medical treatment for the employee's own serious health condition or that of an immediate family member, he/she must try to schedule treatment so that it will not unduly disrupt the City's operation. Failure to comply with these requirements may result in delay or denial of leave.

E. Other Employment

Outside employment during family medical leave period is prohibited, and may result in disciplinary action, up to and including immediate termination of employment.

F. Non-Contractual Nature of This Policy

The duration of leave, availability of benefits, opportunity for job restoration, and other rights and privileges associated with the FMLA are limited by the requirements of applicable state and federal law. No express or implied

contractual rights shall be inferred from this policy. The City reserves the right to modify this or any other policy, as necessary, in its sole discretion.

8.12 Compulsory Leave

When in the opinion of the Department Director any employee is unable to perform assigned duties due to any injury or illness, the employee may be required to submit to a physical examination by a physician selected by the City Manager. If the report of medical examination indicates the employee is unable to perform the essential functions of the job, the Department Director may require the employee to take such leave as is medically necessary.

8.13 Extended Leave

To the extent required by federal law, employees on Family and Medical Leave shall be entitled to reinstatement. For employees not covered by FMLA or whose FMLA entitlement has been exhausted, the City will make an effort to "hold open", for a reasonable period of time, the position of any employee who is unable to work due to health problems, extended illness or injury, whether or not sustained on-the-job. However it must be realized that while this City is desirous of assuming a compassionate understanding in these matters, the work must be performed. Consequently, the City reserves the right to separate an employee due to their inability to perform the essential functions of his/her position.

8.14 Leave of Absence

Leaves of absence without pay may be authorized upon a showing of good cause by Department Directors with approval of the City Manager for periods not to exceed sixty (60) calendar days.

- A. No vacation/sick leave or retirement benefits shall be accrued while an employee is on leave without pay.
- B. The employee will be responsible for the entire premium for health, dental and life insurance.

8.15 Death of an Employee

An employee who dies while employed by the City shall be paid for:

- A. All hours of work accumulated to date of death.
- B. All accumulated annual and sick leave.
- C. All compensation and benefits due to the employee as of the date of separation or death shall be paid in accordance with the law.

CHAPTER IX

Employee Education and Training

9.01 Purpose

The City encourages its employees to get job related advanced education and training in their respective fields of work. The City will support employees with education and training to the extent permitted by policy.

9.02 Training Period

All employees new to a position whether at initial hire, promotion, demotion or transfer is subject to a working test and training period during which the employee is required to demonstrate the knowledge, skills and ability to perform the duties of the position. This period allows and requires the supervisor to evaluate an employee's performance and abilities with particular emphasis on training and supportive corrective action. The initial training period at hire will be six (6) months. The training period in cases of internal mobility may vary in duration but should be clearly stated at commencement of the new position.

9.03 Types of Training

A. Mandated Training/Education

When the City requires an employee to participate in an education or training program, the City will bear the full costs of the employee's participation including: per diem, hourly pay, tuition, books, travel cost, etc, as it applies. Required attendance at training courses is counted as hours worked.

B. Voluntary Training/Education

As approved by the City Manager, the City may bear the full costs of job-related, voluntary training. This may include but is not limited to annual association conferences, professional certifications, and seminars.

C. Tuition Reimbursement

Employees will be reimbursed for tuition when satisfactory completing a pre-approved class at an accredited college or university. Reimbursement shall be based on availability of funds and in accordance with the following:

1. Application Procedure:

- a.** The employee must have successfully completed all applicable training periods.
- b.** The employee must submit a timely application to his/her Department Director prior to registering for the course. Application form available (COA Intranet – Human Resources). If the Department Director recommends approval, the application will be sent to Human Resources for final budget and management review and decision.
- c.** Employee must be actively employed by the City upon completion of the course.

- d. Employee must certify that he/she is not receiving any funds for reimbursement from any source other than the City of Alachua (i.e. grants or other source of financial aid).

2. Reimbursement

- a. Costs for books are not reimbursable as they are considered personal property of the employee.
- b. No reimbursement will be made for an incomplete course and no employee will be reimbursed more than one thousand (\$1,000) dollars per fiscal year (10-1 through 9-30).
- c. A pre-approved application form, accompanied by tuition receipt and evidence of satisfactory completion of the course with appropriate grade must be submitted through the Department Director to Human Resource for reimbursement.
- d. A grade of "C" or higher is required as a final grade for the course to be eligible for reimbursement.

3. Reimbursement shall be on the following schedule

Grade A (+/-) or Pass in Pass/Fail	100%
Grade B (+/-)	90%
Grade C (+/-)	80%
Lower than C	no reimbursement\

D. Coach and Counsel/Verbal Warning

Whenever an employee's attendance, performance, attitude, work habits, or personal conduct falls below a desirable level, supervisors shall inform the employee promptly and specifically of such lapses and give counsel and assistance. If appropriate and justified, a reasonable period of time for improvement may be allowed before initiating disciplinary measures.

This type of training shall be applied to a violation of a relatively minor degree or to situations where the employee's performance needs to be discussed. The verbal warning shall be given in private. The employee will be given an opportunity to correct the condition and, if the condition is not corrected, the employee may be subject to progressive disciplinary action. This puts the employee on formal notice that he/she is not meeting standards.

CHAPTER X

Employee Dress, Appearance and Conduct

10.01 Dress and Appearance/City Provided Uniforms

Each employee shall present a positive, business-like image through a neat and clean professional appearance as appropriate for the nature of his/her work. Determination of an employee's specific dress and appearance is a supervisory responsibility with the exception of egregious dress code violations, which may be addressed by Human Resources directly.

A. General Statement

The City maintains a "business casual" dress code for most employees. Acceptable business casual attire includes but is not limited to the following: collared or polo-style shirts, slacks, nicely pressed denim, appropriate length skirts or dresses and blouses. Inappropriate items include but are not limited to the following: strapless, spaghetti strap or tank top style dresses and tops, low-cut or low-hanging garments, attire with offensive, obscene, crass or otherwise inappropriate verbiage or graphics or any other item deemed inappropriate by the Supervisor or Human Resources for the nature and scope of work performed by the employee.

B. City Provided Uniforms

Employees supplied uniforms by the City are required to wear the full and complete uniform in the performance of their jobs. Each employee shall report for every workday wearing a full and complete uniform in clean and presentable condition. Uniforms showing a sign of wear or damage are unacceptable and shall be returned to the supplier according to the procedures established by the employee's Department Director.

C. Department Director Responsibilities

1. Budget

Prepare and submit a separate budget item each year for uniform purchase, lease, laundry or cleaning, if applicable. Each Department Director shall also submit a budget request for any funds intended for non-uniform clothing items for employees such as shirts or other items to bear the City seal or other identification. Department Directors will be responsible for managing these identified funds.

2. Department Specific Procedures

Each Department Director will be responsible for establishing procedures to meet the requirements of the jobs under his/her supervision. Safety, hygiene and public image are the main factors to be considered.

10.02 Personal Conduct

- A.** All persons employed by the City must remain constantly aware of his/her responsibility to the public and that he/she is a representative of the City. Employees will respect, exhibit courtesy and compassion to the citizens of this community and others that they may contact.

- B. City employees are frequently called upon to express opinions and to provide information concerning the City government, its operations and policies. Expressions of opinions shall be based upon facts within the personal knowledge of the employee. The probable effects of expressing such opinion must be considered before any statement is made. A City employee is not deprived of the rights of citizenship, which affords the right of free speech but shall be keenly aware of responsibilities and privileges as an employee of the City and understand that others will often interpret personal opinions as representing the official position of the City.
- C. Employees shall remain informed concerning the policies and operations of City government. Such responsibilities increase with the importance of the position held. Admitting lack of knowledge concerning a question is far superior to an incorrect answer, but, if the situation requires it, the employee, under such circumstances, shall refer the questioner to the proper source of information or obtain the necessary facts and inform the person making the inquiry.
- D. Employees are to refrain from repeating rumors and from creating dissension within the organization.

10.03 Ethical Communication Procedures

All City of Alachua employees must abide by a code of wholly ethical communications with peers, supervisors, employees, vendors and the public. Ethical communication enhances human worth and dignity by fostering truthfulness, fairness, responsibility, personal integrity and respect for self and for others. As such, the following rules must be expressly followed to avoid violating such code:

- A. **Communicate with necessary individuals directly.** Concerns, except those regarding harassment or discrimination, regarding another's behavior should be addressed directly with the individual. Sharing such concerns with others that do not have a legitimate reason need to know may quickly amount to gossip — one of the most damaging practices in any workplace.
- B. **Avoid argumentative tones and comments.** Employees should state their position clearly and factually in a normal tone, allowing the other individual an opportunity to share his or her position, and inviting open discussion regarding both such positions.
- C. **Honesty is always the best practice.** It is critical that employees never engage in deceit, exaggeration, or express dishonesty when dealing with other individuals. While some communication may be extremely difficult to have, employees are always expected to communicate in a candid, but respectful, manner.
- D. **Respect issues of confidentiality.** Employees of the City of Alachua will be faced with topics of great confidentiality at times, and as such, must avoid sharing any such information with individuals not within the scope of said confidentiality. This procedure speaks only to issues of confidentiality as related exclusively to the City of Alachua's purpose and mission, and should not be interpreted to include gossip, personal information, and other topics not related to the City of Alachua itself.

Any employee found violating any portion of this procedure may be subject to disciplinary action, up to and including termination.

10.04 Political Activity

The City of Alachua encourages all employees to register to vote and to exercise this privilege at every opportunity. It is City policy that it is in the public interest and a governmental benefit to remove career employees from the arena of partisan political activity. Florida Statutes, 104.31, imposes certain restrictions on the political activities of State, County and Municipal officers and employees. The following prohibitions shall apply to all City officers and employees:

- A.** No officer or employee of the City shall, directly or indirectly, attempt to coerce or influence any other person for a political purpose by improper promise or suggestion of special treatment or threat of retaliation based on the officer or employee's position with the City.
- B.** The City of Alachua shall not permit the use of its equipment, property, facilities or supplies for partisan political purposes except for a reasonable fee.
- C.** Employees shall not solicit, during working hours for contributions or any other sort of support or influence for any political party, office or candidate, either from other employees, superiors, elected officials or candidates.
- D.** No employee in the City service shall hold or be a candidate for City public office while in the employment of the city.
- E.** Nothing contained in this section or in any other part of the Manual shall be deemed to prohibit any public employee from expressing his or her opinions on any candidate or issue or from participating in any political campaign. Such activity may be done during the employee's off-duty hours, so long as such activities are not in conflict with the provisions of state or federal law.

Violation of any of these restrictions shall result in disciplinary action up to and including termination.

10.05 Social Events within the Workplace

Our culture seeks to be inclusive and permit all employees to participate in any and all social gatherings that occur within the workplace. Events such as birthday parties, retirement celebrations, and other like events represent opportunities to fellowship and further develop the culture of the organization. All employees are welcome to participate in social gatherings that occur within the workplace. Simultaneously, no employee should ever feel pressured to participate in such an activity and just need express his/her lack of interest in participation to those organizing such an event.

10.06 No Solicitation/Distribution

A. Definitions

The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

1. **Distribution** includes, but is not limited to, distribution of political literature, subscription forms or informational bulletins.

2. **Solicitation** includes, but is not limited to, solicitations for magazines or periodical subscriptions, political contributions or membership in organizations.
 3. **Working time** means time designated for performing actual job duties by the person soliciting or distributing literature or the person being solicited or receiving literature.
- B.** Solicitation on City property causes employees to neglect their own work and interferes with the work of fellow employees. The following rules shall apply to solicitation or distribution of literature by employees on City property:
1. There shall be no solicitation during working time.
 2. There shall be no distribution of literature during working time or any other time in any working area.

Any such violation by an employee is grounds for disciplinary action, up to and including termination.

The City does not permit solicitation or distribution by non-employees at any time on the City's premises. Additionally, the City prohibits solicitation and distribution by any employee or non-employee during work time. This includes all types of distribution and solicitation such as requests for charitable giving, endorsement of political campaigns, the sale of goods for the benefit of children or partners, and all other similar behaviors.

CHAPTER XI

Computer, Email, Internet and Photocopier Use

11.01 Policy Statement

This policy contains guidelines for the use, access, and disclosure of communications via, telephone, mail, photocopiers, e-mail, voice mail, desk and laptop computers, pagers, mobile phones, faxes or facsimiles, Internet and intranet sent or received by employees using any City provided Communication or Computer Systems (herein referred to collectively as “Systems”).

11.02 Confidentiality and Acceptable Systems Usage

- A.** The City Systems are intended for City business only. All information transmitted or stored in City Systems is the sole and exclusive property of the City and shall be treated as confidential. Such information may not be disclosed to any person outside City government nor may any such information be removed from City premises without the express permission of the City Manager. Employees are strictly prohibited from accessing, reading and copying data or information stored in the Systems and from accessing, reading and copying communications not directed to them without prior and express authorization.

ALL SYSTEMS MESSAGES ARE CITY OF ALACHUA RECORDS. NO MESSAGE OR COMMUNICATION IS PRIVATE.

B. Management’s Right to Access Information

Our computer, telephone, and communication hardware and software systems are strictly to facilitate business communications. Although each employee has an individual password to access these Systems, they belong to the City and the contents of all communications are accessible by management for any and all legitimate management purposes. Such purposes include the assurance of employee production, the prevention of illegal harassment and other unethical behaviors, and all other reasons necessary to best ensure that the mission of the City is met. The City reserves the right to, and will periodically, monitor its Systems in order to ensure compliance with this Policy. Employees are strictly prohibited from placing personal passwords on any City System for the purpose of preventing such monitoring.

EMPLOYEES SHOULD NOT CONSIDER ANY MATERIALS TRANSMITTED OR STORED IN CITY SYSTEMS TO BE PRIVATE.

- C.** The City maintains all electronic communications, including both electronic mail and instant messaging correspondence, for an indefinite period to fulfill the litigation hold requirements of the Federal Rules of Civil Procedure. The City’s Information Technology professionals preserve all such documents in the normal course of business and maintain said documents in the event they become necessary for purposes of litigation.

11.03 Personal Use of the City Communication and Computer Systems

A. General Usage

Due to the public nature of City Systems, employees should not use City Systems to transmit any messages, or to access any information, which they would not want a third party to see. Although incidental and occasional personal use of City Systems is permitted, any such personal use will be treated the same as all other communications under this Policy. However, employees are at all times strictly restricted to de minimis use in accessing or downloading information from the Internet for personal use.

B. Telephone Usage

The City Telephone Systems, including voicemail, are the property of the City and are provided for business purposes. The City may periodically monitor the usage of the telephone systems to ensure compliance with this policy. THEREFORE, EMPLOYEES SHALL NOT CONSIDER CONVERSATIONS ON THE CITY TELEPHONE SYSTEMS TO BE PRIVATE.

C. Personal Mail

All mail which is delivered to the City is presumed to be related to City business. Mail sent to you at the City will be opened by the office and routed to your department. As such, personal mail should be delivered to the home address of each employee.

D. Restrictions on Usage

The City reserves the right to limit or prohibit employee use of electronic communications when necessary to ensure organizational production or to discipline employees for performance related reasons.

11.04 Forbidden Use and Content of Communications

You may not use City Systems in any way that may be seen as insulting, disruptive, offensive or harmful to morale. Examples of prohibited, non-business purposes include, but are not limited to, use of the City Systems to:

- A.** convey insensitive, improper, derogatory, insulting, threatening or harassing language or remarks, or sexually-explicit messages, cartoons, jokes, or other potentially offensive material;
- B.** send propositions, love letters or any other message that could be as harassment or disparagement of as per Chapter XIV: Harassment;
- C.** write personal letters, resumes or other documents unrelated to City business;
- D.** run computer games or other personal software or copy such software;
- E.** propagate gossip or entertain personal communication;

This section and others set forth in this chapter are not intended to restrict or impede the use of the system as a part of a legal and authorized law enforcement or internal personnel investigation or inquiry.

11.05 Password and Encryption Key Security and Integrity

To maintain the integrity of City systems the City must govern the creation, maintenance and security of System and network passwords, passphrases and encryption keys. Passwords are an aspect of System security as they are the front line of protection for user accounts. As such, all employees are responsible for taking the appropriate steps to select and secure their passwords:

- A. All passwords (e.g. user account, JOOMLA website administration, etc.) should be changed at least once every six (6) months.
- B. Passwords must not be inserted in emails or other forms of electronic communication.
- C. Passwords should never be written down or stored online or anywhere within the office or workspace. Similarly, passwords should not be stored in a file on any computer system, including digital assistants, smartphones or similar devices without encryption.
- D. Employees should not use the “Remember Password” feature found on many computer and website applications.
- E. All passwords must conform to the guidelines described below:
 - 1. Contain both upper and lower case characters
 - 2. Have digits and punctuation as well as letters
 - 3. Be at least eight (8) alphanumeric characters long and is a passphrase
 - 4. Is not a word in any language, slang, dialect or jargon
 - 5. Is not based on personal information, names of family members, etc.
- F. Employees should not use the same password for City accounts as for other non-City access (e.g. personal ISP account, bank accounts, etc.).
- G. If an account or password is suspected to have been compromised, report the incident to the IT department and immediately change all passwords.

All Systems passwords and encryption keys must be available to the City at all times. Additionally, you may not use passwords that are unknown to your supervisor, nor may you install encryption programs without first turning over encryption keys to your supervisor. Further, employees are prohibited from the unauthorized use of passwords and encryption keys belonging to other employees in order to gain access to messages of another. Any employee found to have violated this policy will be subject to disciplinary action up to and including termination.

11.06 Software, Personal Disks and Networking

Computer software, whether purchased, developed, or modified by the City, may not be downloaded, copied, reproduced, altered or appropriated by employees without prior City authorization. Any such computer software is the property of the City and may not be copied or appropriated by employees for personal use at any time. Employees shall be aware that the illegal duplication of computer software may result in the filing of criminal copyright charges by the owners of the copyrights. Copyright infringement is punishable by fines and/or imprisonment.

11.07 Photocopier

The photocopier is acquired, maintained and operated at City expense. Use for other than City business is prohibited. A supervisor may approve occasional de minimis use.

11.08 Additional Security Requirements

- A. Employees shall be aware that the Internet does not guarantee the privacy and confidentiality of transactions or e-mail transmissions. Therefore, sensitive material transferred over the Internet or e-mail may be at risk of detection by a third party. Employees must exercise caution and care when transferring such information.
- B. Any authorized files or software that are downloaded from the Internet or acquired from outside sources, including any files that have been accessed or manipulated on home computers or received as attachments to e-mail, must be scanned with a virus detection software before installation, execution or use of the file or software on to any City computers. All appropriate precautions shall be taken to detect a virus and, if necessary, prevent its spread.
- C. Alternative Internet Service Provider connections to the City internal network are not permitted unless expressly authorized and properly protected by a firewall or other appropriate security device(s).
- D. Employees shall notify their immediate supervisor upon learning of violations of this policy. Violations could result in discipline up to and including termination.

11.09 Social Networking Sites

The City recognizes the use of social networking sites such as Facebook and LinkedIn has grown in popularity in recent years. By signing the Manual, you acknowledge and recognize that the use of any website to post or distribute any information considered detrimental or harmful to the City, its employee, its citizens or any other person or entity is grounds for immediate termination. This includes all postings, both those made during and after normal work hours. Examples of such inappropriate postings include but are limited to photographs of individuals under the influence of alcohol or drugs or engaged in other unbecoming behavior; comments reflecting negatively about the City, peers, supervisors, leadership or others; and all other content that opposes the mission and purpose of the City.

11.10 Cyber Communication and Social Media Use by Employees

The City recognizes that employees will use social media and other cyber communications as a growing way to connect with others. The same principles and guidelines found throughout the Manual and employee job descriptions, apply to employee activities online. This includes forms of online publishing and discussion, including blogs, wikis, file-sharing, user-generated video and audio, virtual worlds and social networks. The City trusts and expects employees to exercise personal responsibility whenever they participate in social media. The City expects that employees utilizing social media will recognize and follow the guidelines included within this policy failure to do so will result in disciplinary action, up to and including termination.

A. Expectations

1. Always consider the power of your comments and contemplate the impact of your post on your reputation and that of the City before publishing.
2. Respect all confidential and proprietary information that you possess as a result of your relationship with the City.
3. When disagreeing with opinions of others, be appropriate and professional when posting such disagreement on social media sites.
4. When identifying your work status at the City on social media sites, use your real name, identify that you work for the City and the position that you hold. Be aware of your association with the City in online social networks. If you identify yourself as an employee of the City, ensure your profile and related content is consistent with how you wish to present yourself with colleagues and clients.
5. Anytime you publish content on an external website regarding your job responsibilities or any subjects associated with the City, use the following disclaimer: *“The postings on this site are my own and do not necessarily represent the City’s positions, strategies or opinions.”*
6. Respect your audience. Do not use slurs, personal insults, obscenity or engage in any conduct that would not be acceptable in the workplace. You should also show proper consideration for the privacy of others, and for topics that may be considered objectionable or inflammatory.
7. The City respects the interest and willingness of employees to convey group complaints regarding existing working conditions. While it wholly respects rights of employees to discuss such concerns utilizing social media, it encourages any such concerns be brought to City administration.
8. When the City wishes to communicate publicly as an organization it has well established means to do so. Only those officially designated by the City have the authorization to speak on behalf of the City.
9. Vulgar, obscene, threatening, intimidating, harassing or discriminatory behaviors on social media sites may result in an employee’s immediate termination.

Chapter XII

Travel and Motor Vehicle Use

12.01 Purpose

All City of Alachua motor vehicles are for the sole purpose of conducting City business on behalf of its citizens and the public in general. There also exist state and federal laws and specific Internal Revenue Code Sections that apply to and control city motor vehicle use. City employees may require business travel for training, conferences, organization meetings, etc. The purpose of this chapter is to give guidance and direction to City of Alachua employees in meeting their obligations of public trust and in complying with state and federal law with regard to use of City motor vehicles and while on business-related travel.

12.02 Policy

All City of Alachua motor vehicles, whether owned, leased or used for City business by other agreement, shall be operated in accordance with this chapter, the Safety Manual and other applicable policies and procedures set forth in this Manual and, for police vehicles, the policies and procedures of the Alachua Police Department.

12.03 Travel and Other Official Expenditures

- A. Travel to and from an employee's home and the employee's regularly assigned workplace will not be counted as business travel and is non-compensable time.
- B. When an employee is in official travel status for which travel expenses are reimbursable, time spent in travel beyond the normal workday on the first and last day of such travel will be counted as hours worked.
- C. Rate of pay does not include allowances for authorized travel or other expenditures incurred in the conduct of City business, or allowances made to employees for the official use of privately owned automobiles. Employees will be reimbursed for such expenses as provided in these rules

12.04 Definitions

- A. A motor vehicle is an automobile, motorcycle, truck, trailer, semitrailer, truck tractor and semitrailer combination, or any other vehicle operated on the roads of this state, used to transport persons or property, and propelled by power other than muscular power, but the term does not include traction engines, road rollers or such vehicles as run only upon a track.
- B. An authorized operator is a holder of appropriate operator's license issued by the State of Florida authorizing the holder to operate the particular vehicle on the roads of this state and who has been assigned to operate the particular vehicle by the appropriate supervisor.
- C. City Business is any activity conducted on behalf of or for the benefit of the City of Alachua and as directed and authorized by the City Manager in accordance with the Manual and in accordance with law.

- D.** Assigned Vehicle is any City motor vehicle assigned for the use of an employee to conduct City business, whether that use is for single or multiple tasks. No take home use is authorized.
- E.** Take Home Vehicle is a City motor vehicle assigned to an employee for daily use in conducting City business and non-compensatory reasons such as commuting to and from home. Additional restrictions are set forth in this chapter and police vehicle take home use is expanded by Section 6 of the APD Manual.
- F.** De Minimis (Minimal) Benefit is any property or service provided to an employee that has so little value that accounting for it would be impracticable, such as stopping for lunch or going a short distance out of the way to handle an errand during a commuting trip or otherwise on City business.

12.05 General Procedures

- A.** Only authorized employees are permitted to operate City motor vehicles.
- B.** All operation shall be in accordance and compliance with all applicable laws and ordinances.
- C.** Every operator shall have a valid operator's license of the type required for the vehicle operated.
- D.** All passengers in City vehicles must be City employees engaged in City business or their presence must have been previously approved by the operator's supervisor or other provisions in this manual or, for police vehicles, as set forth in the APD Manual.
- E.** No City motor vehicle shall be operated except for a lawful City purpose, on City business and with the knowledge and authorization of the operator's supervisor.
 - 1.** Travel outside the city and out of Alachua County require specific approval of the operator's supervisor.
 - 2.** Travel outside the state in a City motor vehicle is not permitted unless authorized in advance, in writing, by the City Manager.
- F. Operator's License**
 - 1.** It is the responsibility of each authorized operator to maintain a valid license to operate any vehicle identified in his/her job description or that he/she may be assigned to operate in the course of his/her employment.
 - 2.** All authorized operators shall report the status of his/her license (expiration, surrender, suspension, revocation, etc.) to Human Resources.
 - 3.** The appropriate and valid license, which must be fully legible with no portion faded, altered, mutilated or defaced, must be in the immediate possession of every authorize operator at all times while on duty. The employee must produce same on demand by his/her supervisor, his/her

supervisor's superior or, when operating a City motor vehicle, any law enforcement officer.

G. Violations of Law or Ordinances

Any employee who, no matter how infrequently, operates a City motor vehicle shall report to his/her supervisor and bear full personal responsibility for any violation, citation, summons or arrest while operating a City or his/her (on or off duty) motor vehicle.

H. Safety and Accidents

All provisions of the Manual shall apply to the operation of City motor vehicles and particular attention is also directed to the Safety Manual, for operation and the reporting of accidents. Operators of police vehicles are also required to comply with all relevant portions of the APD Manual.

I. Use of Tobacco Products

1. There shall be no use of tobacco products of any kind in any City motor vehicle.
2. The limited exception to paragraph 1 shall be an employee who is authorized in writing to use his/her personal vehicle for City travel. However, paragraph 1 shall apply if other employees are traveling with the authorized operator.
The intent of this limited exception is to respect the private property rights of the authorized operator but not at the sacrifice of the right of other employees to a tobacco free workplace.
3. A personally owned vehicle may be rejected for City use by any supervisor if the vehicle fails to meet reasonable smoke free workplace requirements.

12.06 Take Home Vehicles

- A. The contents and requirements of sections 12.01 through 12.05 and all other parts of this Manual apply to the operation of all take home vehicles. The balance of this section, 12.06 B 1 and 2, does not apply to police vehicles.
- B. The policies and procedures set forth in this chapter are mandated by federal and state law with particular emphasis on compliance with relevant portions of the Internal Revenue Code.
 1. The general rule is that any personal use of a City vehicle is taxable to the employee. The IRS specifically identifies commuting to and from an employee's home in a City vehicle as personal use. Exceptions to this rule include:
 - a. Officially authorized use of police vehicles by law enforcement officers.
 - b. Any vehicle designed to carry cargo with a loaded gross vehicle weight (gvw) over 14,000 pounds.

- c. Trucks with seating for the driver only or the driver plus a folding jump seat.
- d. Pickup trucks with a gvwt of 14,000 pounds or less ONLY if modified so it is not likely to be used more than minimally for personal purposes. For example, only if the pickup is clearly marked with permanently affixed decals and special City identification AND is equipped with at least one of the following*:
 - 1) Permanent side boards or panels that materially raise the level of the sides of the truck bed.
 - 2) A hydraulic lift gate.
 - 3) Permanent tanks or drums.
 - 4) Other heavy equipment such as a generator, welder, boom, etc.

*a light bar and radio absent one of (1) thru (4) will not qualify.

- 2. No City vehicle shall be used for personal use except when it has been determined by a Department Director and approved by the City Manager that the employee requires extensive use of a City vehicle as part of his/her job duties both during and outside normal business hours. In such cases, the City requires the employee to commute to and from his/her home in said vehicle. In such case, the use for commuting shall be limited to one round-trip per day, excepting de minimis side trips. The values of such required commuting use shall be calculated using the "Special Commuting Valuation Rule" as defined by the IRS and included in the employee's gross pay.

- a. A written request for assignment of a take home vehicle must be submitted by the appropriate Department Director to the City Manager on the appropriate form.
- b. No personal use except as described above is permitted.
- c. The employee's supervisor must be satisfied and assured the City vehicle will be safely secured and stored at the employee's residence.
- d. For permanently assigned take home vehicles, the employee must reside within Alachua County.
- e. For temporarily issued take home vehicles (for example: a vehicle issued to an employee on stand-by or during emergency situations), the employee must ensure the vehicle stays within Alachua County or within 15 miles of City Hall.

12.07 Emergency Situations

A. City Function

During emergencies, Department Directors are authorized to vary from the policies and procedures set forth in this chapter. Examples include, but are not limited to, dispersing vehicles and equipment in a natural disaster or other threat, providing necessary transportation for storm victims, etc. Good judgment, a sense of humanity and common sense must apply.

B. Employee Emergency

Department Directors may authorize the use of a City vehicle if any employee has no personal vehicle available and a family emergency occurs. The vehicle use is limited to Alachua County and for short duration. The Department Director must explore other options and evaluate the mental state of the employee and be comfortable with the employee's state of mind before authorizing City vehicle use.

12.08 Violations of Chapter Provisions

Serious consequences may result from failure to comply with the provisions of this chapter, including, but not limited to the following:

- A.** Disciplinary action up to termination
- B.** Action to recover financial amounts
- C.** Criminal prosecution for misuse or appropriation of City property
- D.** Adverse action by IRS in the treatment of commuting valuation

CHAPTER XIII

Other Personnel Policies and Related Subjects

13.01 Performance Evaluation

An evaluation is a series of observations by a supervisor about the performance of a job by an employee over a set period of time based on procedures, forms and standards as set by the City Manager. It is a tool designed to give employees constructive feedback about their performance in an effort to improve and enhance that performance and to correct deficiencies. It helps familiarize supervisors with information designed to assist him/her in becoming an effective evaluator of employee performance.

The following schedule shall establish the policy for determining when evaluations are due based on specific employee action(s):

A. Training Evaluations

Performance evaluation done on or before the end of the applicable training period. Merit increases may not be granted based on training evaluations. Any employee who receives an overall rating less than “Meets Expectations” for the training evaluation will have the training period extended not more than 90 days, as determined by the Department Director or be terminated.

B. Annual Evaluations

- a.** Annual evaluations will be performed within the first quarter of the fiscal year. The overall rating of the annual evaluation will determine the employee’s merit increase, if any.
- b.** Any employee who receives an overall rating of less than “Meets Expectations” shall be given a special evaluation at least every thirty (30) days until performance is satisfactory. If performance does not reach satisfactory in a period not to exceed 90 days, the employee will be terminated.

C. Special Evaluations

Special evaluations may be done at any time. Such evaluations will be to assist employees whose performance is deviating from the expected standards. Feedback contained therein will be a tool to correct current and prevent future problems in employee performance.

13.02 Outside Employment

As each and every situation is unique and requires individual attention and action employees with outside employment are subject to the following:

- A.** Outside employment of a regular full-time City employee must be reported in writing to the Department Director. Full details such as hours, terms and conditions of employment shall be provided in the report.
- B.** Such outside employment shall in no way conflict with, be detrimental to or create an appearance of impropriety with regard to the employee's City work. If a conflict exists as determined by the Department Director, Human Resources or the City Manager, immediate action may be taken to protect the City up to and including termination of the employee.
- C.** The employee may be requested, whether or not a suspension is ordered, to voluntarily resolve the conflict to the satisfaction of the City within seven

calendar days. If the conflict is not resolved within that time, the employee shall be subject to suspension and given additional time to resolve the issue or be terminated.

- D. It must be understood that some outside employment may be considered as a conflict of interest under State law and any such conflict must be reported to the Clerk of the Circuit Court.

13.03 Personnel Records

Human Resources shall maintain the personnel records of each employee. Such records shall include a personnel file for each employee containing basic vital statistics, official acts involving the employee, any examination records and other employment records. They shall be available for inspection and review insofar as such is permitted under the Public Records Act.

13.04 Smoking and Use of Electronic Cigarettes and Vaporizing/Smoking Apparatuses

Under Florida's Clean Indoor Act, smoking is banned in all City owned buildings. Electronic cigarettes or e-cigarettes, liquid nicotine vaporizers and all other smoking apparatuses are likewise prohibited. The City takes the stance that due to exposure to secondhand nicotine and the highly addictive nature of nicotine the use of all varieties of e-cigarettes, electronic vaporizers and other such smoking apparatuses poses a threat to the health of our employees and the public we serve. Smoking and the use of vaporizers and other such smoking apparatuses is permitted outside in designated smoking areas only.

13.05 Personal Property

To promote security and the safety of all concerned, upon reasonable suspicion, all vehicles, packages, handbags, and other containers brought on City property by employees are subject to inspection or search, as are outer garments (coats, jackets, etc.). Any lockers, equipment and office furniture such as desks, computers and cabinets on City property are also subject to inspection and search at any time with or without notice.

Employees are responsible for personal items of value brought to work. Employees are responsible for proper efforts to safeguard such items such as placement in locked cabinets or removal from the workspace each evening. The City cannot assume responsibility for the loss of any personal items.

13.06 Security and Protection of City Sites, Property and Personnel

There is a continued, personal responsibility of all City of Alachua employees to protect public property from damage and/or theft and a personal responsibility for the safety and welfare of each to the other and to every member of the public. The contents of this section are supplemental to all other chapters and sections of the Manual and also apply at all times during the work day.

A. Site and Property

1. No site vehicle or other property shall be left unattended and unsecured.
2. Vehicles shall not be left with keys in the ignition, doors unlocked or windows open or unsecured.
3. All gates, doors and/or other barriers are to be secured/locked and verified as such by the last employee on site.

4. Each employee is responsible for all tools, equipment, supplies and material in their custody and control. Tools, equipment and supplies shall be monitored or stored in a safe and secure area.

B. Employee and Public Security/Safety

1. Always be aware of your surroundings with particular attention to your fellow employees and members of the public. The job you are doing and equipment you are operating is often very interesting to others, particularly children.
2. Be alert concerning personal safety situations. Always seek support from your supervisor any time you have a concern for yourself or another. Call 911 if any situation so dictates.

13.07 Department Rules

Department Directors are authorized to formulate and disseminate supplemental rules, provided they are not in conflict with the Manual. All such rules shall be subject to approval, amendment and/or revocation by the City Manager.

13.08 Contagious Illness Policy

The City owes an obligation to the entire workforce to provide as safe and healthy a workplace as possible. As such employees who have an infectious condition, illness or injury are prohibited from working until the employee produces written verification from a licensed physician that the condition is no longer contagious and he/she may safely return to work. Every precaution will be taken to protect the private health information of the infected employee; however all employees must also recognize the need to alert other employees of infectious conditions that may have impacted others. This especially important for those with sensitive medical conditions including pregnancy, immune deficiency conditions, etc. Records of employee medical examinations shall be kept in a separate, confidential file.

Employees with contagious conditions that may pose health risks to others agree to report such conditions to Human Resources for appropriate guidance and management immediately upon learning of the condition. An employee who reports for duty with a suspected infectious condition shall be sent home and referred to their personal physician for further evaluation. Following medical evaluation the employee may return to work with a physician's statement specifically indicating the employee is free of an infectious condition.

When reporting for duty after recovering from an infectious condition, the employee shall present the physician's statement to Human Resources that states the employee is free of the infectious condition before being allowed to return to work. No employee shall return to work who has a temperature elevation, draining skin lesions, a communicable rash or any other communicable disease, infection, illness or condition. Such employees pose a direct threat to the health and safety of other employees, citizens and members of the public.

CHAPTER XIV

Harassment

14.01 Statement of Policy

The City of Alachua, Florida is committed to a collegial work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in an atmosphere that promotes equal opportunities and prohibits discriminatory practices, including sexual and other forms of unlawful harassment. Therefore, the City expects that all relationships among persons in the office be businesslike and free of bias, prejudice and harassment. In keeping with this commitment, the City maintains a strict policy prohibiting harassment of employees based on race, color, sex, religion, national origin, age, handicap, genetic information or other protected status by other employees, vendors, contractors or guests.

14.02 Definitions

A. Harassment

For the purposes of this policy, harassment is defined as by the Equal Employment Opportunity Commission's Guidelines as:

“Harassment is unwelcome conduct that is based on race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information. Harassment becomes unlawful where 1) enduring the offensive conduct becomes a condition of continued employment, or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. Anti-discrimination laws also prohibit harassment against individuals in retaliation for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or lawsuit under these laws; or opposing employment practices that they reasonably believe discriminate against individuals, in violation of these laws.”

Harassment includes a range of behaviors that include but are not limited to: offensive jokes, names calling, threats or acts of physical violence, intimidation, display of offensive objects or pictures, slurs, epithets and interference with work performance.

This kind of behavior is unacceptable at the workplace and in any work-related setting outside the workplace such as during business trips and business-related social events.

B. Sexual Harassment

Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, sexual harassment is defined in the Equal Employment Opportunity Commission's Guidelines

“sexual harassment” or unwelcome sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature. Harassment does not have to

be of a sexual nature, however, and can include offensive remarks about a person's sex. For example, it is illegal to harass a woman by making offensive comments about women in general. Both victim and the harasser can be either a woman or a man, and the victim and harasser can be the same sex."

Sexual harassment may include a range of subtle and not so subtle behaviors if they are unwelcome to any employee exposed to the behavior. Such behavior may include, but is not limited to the following: unwanted sexual advances, subtle or overt pressure for sexual favors; sexual jokes; innuendoes; advances or propositions; verbal abuse of a sexual nature; commentary about an individual's body, leering, whistling, touching, pinching, assault, coerced sexual acts, suggestive, insulting or obscene comments or gestures; display in the workplace of sexual suggestive objects or pictures; and other physical, verbal, or visual conduct of a sexual nature.

This kind of behavior is unacceptable at the workplace and in any work-related setting outside the workplace such as during business trips and business-related social events.

14.03 Consensual Relationships

It is also essential to understand that consenting romantic and sexual relationships between managers or supervisors in senior or supervisory positions and less-senior or lower-level employees, or between co-workers, may lead to unforeseen complications. The respect and trust accorded a more senior/supervisory person by a lower-level employee, as well as the position of the senior person to evaluate or otherwise supervise the lower-level person, could diminish the extent to which the lower-level employee feels free to choose whether or not to engage in such relationships.

It is not the City's intention to legislate social behavior within the City. However, we do recognize that encouraging and developing close social relationships, including dating, with employees makes any supervisor's job more difficult. Therefore, supervisors must refrain from dating and developing close romantic and/or sexual relationships with employees under their supervision. If a social relationship of this nature does develop the supervisor/subordinate role will be immediately resolved. The resolution may include transfer to another department or another option as deemed most appropriate by the City Manager and Department Director.

14.04 Individuals Covered Under the Policy

This policy applies to all applicants and employees whether related to conduct engaged in by fellow employees, supervisors, managers, or someone not directly connected to the City such as an outside vendor, consultant, client.

14.05 Reporting an Incident of Harassment

The City encourages all employees to report perceived incidents of harassment, regardless of the offender's identity or position. Any individual that believes he/she has been the victim of harassment shall discuss his/her concerns with either their immediate supervisor or Human Resources.

14.06 Complaint Procedure

The City strongly encourages individuals who believe they are victims of harassment to promptly notify the offender that his/her behavior is unwelcome. Notifying the offender, however, is not a required first step. Any person who feels that he/she is being harassed must immediately report the offensive conduct to his/her direct supervisor. However, if the employee's direct supervisor is in any way involved in the alleged inappropriate behavior or is unavailable, the employee should report the conduct directly to Human Resources. If the employee's direct supervisor and Human Resources are both involved in the alleged inappropriate conduct or are unavailable, immediately contact the City Manager. If the City Manager is involved in the behavior, immediately contact the Chairman of the City Commission.

A. Notification of Appropriate Staff

As noted above, individuals who believe they have been the victim of harassment or believe they have witnessed harassment shall discuss their concerns with either their immediate supervisor or Human Resources. If you receive information regarding sexual harassment in your capacity as a supervisor, you are obligated to report it immediately to Human Resources.

B. Timeliness in Reporting Harassment

The City encourages the prompt reporting of complaints or concerns so rapid and constructive action can be taken. Therefore, while no fixed reporting period has been established, early reporting and intervention has proven to be the most effective method of resolving actual or perceived incidents of harassment.

C. Investigatory Process

Any reported allegations of harassment will be investigated promptly. The investigation may include individual interviews with the reporting employee, the offender(s) and, where necessary, with witnesses to the alleged conduct or who may have relevant knowledge. The complaint and investigation will be handled with sensitivity and, to the extent practical and appropriate under the circumstances, confidentiality will be maintained throughout the investigatory process.

D. Protection Against Retaliation

The City will not tolerate retaliation against an individual for reporting harassment or for providing information relevant to a claim of sexual harassment. Retaliation is a serious violation of this policy and will be treated with the same strict discipline, as would the harassment itself. Acts of retaliation shall be reported immediately in accordance with the Complaint Procedure and will be promptly investigated.

E. Responsive Action

Misconduct constituting harassment will be handled swiftly and appropriately. Responsive action may include, for example, training, referral to counseling, and disciplinary actions such as warnings, reprimands, withholding of a promotion or pay increase, reassignment, temporary suspension without pay, compensation adjustments, or termination, as the City deems appropriate.

F. Appeals Process

If the party to a complaint does not agree with its resolution, that party may file written comments with the City Manager or his designee.

G. False Complaints

False and malicious complaints of harassment, as opposed to complaints which, even if erroneous, are made in good faith, may result in appropriate disciplinary action.

CHAPTER XV

Drug Free Workplace Policy

15.01 Purpose

The City of Alachua holds the safety and health of its employees and the public in highest regard. Employees are expected to report to work on time and in appropriate mental and physical condition. In addition, public employees are entrusted with public resources and by the nature of their jobs affect the health, safety and welfare of citizens.

Substance abuse results in increased absenteeism, tardiness, on-the-job accidents and is a potential danger to fellow employees and the public. In accordance with the Federal Drug-Free Workplace Act of 1988, unlawful manufacture, distribution, dispensation, possession or use of a controlled substance, illegal drug, or use of alcoholic beverages is prohibited. In order to comply with the Drug-Free Workplace requirements, the City has established a drug free workplace policy. Action will be taken against employees for violation of such policy.

15.02 Policy

No City of Alachua employee shall report to work with the presence of illegal drugs or alcohol in his or her body. It is a violation of City policy for any employee to possess, sell, trade, or offer for sale illegal drugs or drug paraphernalia, or otherwise engage in the use of alcohol, intoxicants, and/or illegal drugs on the job, on City property, or in City vehicles. The off-duty manufacture, possession, use, purchase, or distribution of illegal drugs or mind-altering or controlled substances is also prohibited.

Nothing in this policy precludes the appropriate use of legally prescribed medications. However, it is a violation of City policy for any employee to use prescription drugs illegally or to misuse or abuse such drugs. An employee taking prescription or nonprescription drugs which could affect ability to perform his/her job in a safe and efficient manner, must notify his/her supervisor immediately. It is the employee's responsibility to determine and know the effect of any legal drugs he or she ingests.

This policy is implemented pursuant to the drug-free workplace program requirements under Florida Statute 440.102 and Administrative Rule 59A-24 of the State of Florida Agency for Health Care Administration.

Any employee determined to be in violation of this policy is subject to disciplinary action, up to and including termination, even for the first offense.

15.03 Definitions

A. Legal Drug

Prescribed drug or over-the-counter drug that has been legally obtained and is used solely for the purpose for which it was manufactured or prescribed.

B. Illegal Drug

Any drug which is not legally obtainable, which may be legally obtainable but has not been legally obtained, or which is being used in a manner or for a purpose other than as prescribed or manufactured.

15.04 Drug Testing

- A. Applicants.** All job applicants will undergo drug testing as a condition for employment. Any applicant with a positive test result will be denied employment for a period of twelve (12) months. Any applicant who refuses drug and alcohol testing will not be considered for employment.
- B. Employees.** City of Alachua will maintain screening practices to identify employees who use illegal drugs or abuse alcohol, either on or off the job. It is a condition of employment for all employees to submit to a drug screen as follows:
1. When involved in, causing, or contributing to an accident while at work, while on City property, or while in a City vehicle. "Accident" includes injury to person(s) and/or damage to vehicles, equipment or property.
 2. When there is reasonable suspicion to believe an employee is using or has used illegal drugs or is abusing or has abused alcohol. Circumstances that are considered reasonably suspicious include:
 - a. Direct observation of drug use or of the physical symptoms or manifestations of being under the influence of a drug.
 - b. Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
 - c. A report of drug use provided by a reliable and credible source and independently corroborated.
 - d. Evidence that an employee has tampered with a drug test during his or her employment with City of Alachua.
 - e. Evidence that an employee has used, possessed, sold, solicited or transferred drugs while working or while on City of Alachua premises or while operating a City vehicle, machinery or equipment.
 3. When returning to work after a leave without pay of two weeks or more.
 4. As a follow-up to an employee assistance or drug rehabilitation program. Unscheduled testing will be conducted at least twice a year for a two-year period after completion of the program.
 5. At other times and under such circumstances as deemed appropriate by the City or current state and/or federal standards. Employees will be given adequate notice of any addition/change/deletion in the City's drug testing requirements.

Any employee who refuses substance testing will be terminated and forfeit workers compensation medical and indemnity benefits.

Drug testing will be performed in accordance with the then existing practice established by Human Resources. Human Resources will be responsible for determining the local facility to be used as the collection site, and the employee will be provided transportation

to the site. Upon notification, the employee must report to the collection site with a valid picture ID. If the collection site staff discovers that the employee has not followed collection procedures or has altered the specimen in any way, the employee is in violation of this policy.

Employees or job applicants may confidentially report to the City's medical review officer the use of prescription or nonprescription medications both before and after being tested. Additionally, employees and job applicants will receive notice of the most common drugs or medications (by brand name or common name and chemical name) which may alter or affect a drug test.

Employees or job applicants who receive a positive confirmed test result will be notified in writing via a "Notification of Positive Drug Test" form on City letterhead.

The employee may obtain the results of a screen by contacting Human Resources.

15.05 Drugs Tested For

City of Alachua may test for any or all of the following:

Drugs	Trade or Common Name
Alcohol	Liquor, Beer, Wine, Booze
Amphetamines	Biphetamine, Desoxyn, Dexedrine
Cannabinoids	Marijuana, Pot, Grass
Cocaine	Coke, Flake, Snow, Crack
Phencyclidine HCl	PCP, Angel Dust
Methaqualone HCl	Quaalude
Opiates	Paregoric, Morphine, Tylenol with Codeine
Barbiturates	Phenobarbital, Amytal, Nembutal, Seconal
Benzodiazepines	Librium, Valium, Halcion, Restoril
Synthetic Narcotics	Methadone-Polophine, Methadose Propoxyphene-Darvocet, Darvon-N, Dolene

15.06 Over-The-Counter and Prescription Drugs Which Could Alter or Affect Drug Test Results

This information is a notice of the possible influence that prescription drugs, over the counter drugs, and other controlled substances may have on the outcome of a drug test. If necessary, any question about the outcome of a drug test will be addressed by a licensed physician. It is always the responsibility of the employee to know the content and effect of any substance ingested.

Alcohol - All liquid medication containing ethyl alcohol (ethanol). Please read the label for alcohol content. As an example: Vick's Nyquil is 25% (50 proof) ethyl alcohol.

Amphetamines	Obetrol, Biphetamine, Desoxyn, Didrex, Ionamine, Fastin.
Cannabinoids	Marinol (Dronabinol, THC).
Cocaine	Cocaine HCl topical solution (Roxzanne).
Phencyclidine	Not legal by prescription.
Methaqualone	Not legal by prescription.
Opiates	Paregoric, Parapectolin, Donnagel PG, Morphine, Tylenol

	with Codeine, Emprin with Codeine, APAP with Codeine, Aspirin with Codeine, Robitussin AC, Guaiatuss AC, Novahistine DH, Novahistine Expectorant, Dilaudid (Hydromorphone), M-S Contin and Roxanol (morphine sulfate), Percodan, Vicodin, Tussi-organidin, etc.
Barbiturates	Phenobarbital, Tuinal, Amytal, Nembutal, Seconal, Lotusate, Florinal, Fioricet, Esgic, Butisol, Mebral, Butabarbital, Butalbital, Phenrinin, Triad, etc.
Benzodiazepines	Ativan, Azene, Clonopin, Dalmine, Diazepam, Librium, Xanax, Serax, Tranxene, Valium, Verstran, Halcion, Paxipam, Restoril, Centrax.
Methadone	Dolophine, Metadose.
Propoxyphene	Darvocet, Darvon N, Dolene, etc.

15.07 Challenges to Test Results

Employees or job applicants who receive a positive confirmed test result may contest or explain the result to the City of Alachua medical review officer (MRO) within five (5) working days after receiving written notification of the test result. MRO contact information is available in Human Resources. If the explanation or challenge is unsatisfactory to the MRO, the MRO shall report a positive test result back to City of Alachua.

Within five (5) working days after receiving the notice of a positive test result, an employee or job applicant may also submit information to City of Alachua explaining or contesting the test result including why the result does not constitute a violation of this policy. If the individual's explanation or challenge of the positive test result is unsatisfactory to City of Alachua, a written response as to why, along with the report of positive result, will be provided to the employee or applicant. All such documentation shall be kept confidential pursuant to the confidentiality provisions outlined below, and shall be maintained by City of Alachua for at least one (1) year.

Employees or job applicants also have the right, within 180 days of challenging the drug test result, to have the original specimen retested at another Agency for Health Care Administration certified laboratory. Arrangements and cost will be the individual's responsibility.

An employee or job applicant may undertake an administrative challenge by filing a claim for benefits with a Judge of Compensation Claims pursuant to Chapter 440, Florida Statutes, or, if no workplace injury has occurred, the person may challenge the test result in a court of competent jurisdiction. When an employee undertakes a challenge to the result of a test, it shall be the employee's responsibility to notify the laboratory, and the sample shall be retained by the laboratory until the case is settled.

15.08 Employee Assistance Program

City of Alachua does maintain an Employee Assistance Program (EAP) for employee use. The EAP is available to employees twenty-four (24) hours per day, seven (7) days per week. The EAP can make referrals for drug and/or alcohol abuse professionals in the area.

It is the employee's responsibility to seek assistance from a program **before** alcohol and drug problems lead to disciplinary action. An employee may be granted leave with a conditional return to work, depending on successful completion of the agreed upon treatment regimen, including follow-up testing.

15.09 Grounds for Termination or Discipline

The following are considered violations of the City of Alachua drug free workplace policy and are subject to discipline, including termination and loss of Workers Compensation benefits, even for the first offense:

- A.** Violation of any aspect of the City drug and alcohol policy;
- B.** Refusing to take a City required drug or alcohol test;
- C.** A positive test result on a City required drug or alcohol test;
- D.** Bringing illegal drugs or alcohol onto City premises or property or in City vehicles;
- E.** Possessing illegal drugs or drug paraphernalia;
- F.** Using, consuming, transferring, selling or attempting to sell or transfer any form of illegal drug while on City business or at any time during the workday, whether on City property or not;
- G.** Being under the influence of alcoholic beverages or illegal drugs at any time while on City business or at any time during the workday. This applies whether on City property or not, including City vehicles.

An employee shall be determined to be under the influence of alcohol if the employee's normal faculties are impaired due to the consumption of alcohol or if the employee has a blood-alcohol level of .04 or higher.

Additionally, a violation of these policies may be reason for referral for prosecution consistent with local, state or federal criminal law. Disciplinary action against an employee by the City does not preclude the possibility of criminal charges against the individual. The filing of criminal charges similarly does not preclude action by the City.

15.10 Other Employee Responsibilities

Each employee shares responsibility for maintaining a safe work environment and shall encourage co-workers who use alcohol or other drugs in the workplace to seek help.

Employees must, as a condition of employment, abide by the terms of this policy and report any conviction under a criminal drug statute for violations occurring on or off City premises while conducting City business. A report of a conviction must be made within five (5) days following the conviction.

15.11 Confidentiality

City administration will handle all information, interviews, reports, statements, memoranda and drug-test results, written or otherwise, received pursuant to our drug-testing program as confidential communications. Under no circumstances will the results of a test be discussed with anyone except for personnel or legal counsel authorized to deal with this confidential information and in accordance with this policy or in determining compensability under chapter 440, F.S. (Workers Compensation).

Should an employee fail a drug test, his/her supervisor will be told the employee did not successfully complete the drug and alcohol test, but will not be told the cause of the failure to pass the test.

The City will provide periodic education workshops and new hire orientation for employees of the Drug Free Workplace Program to assist employees in identifying personal and emotional problems that may result in the misuse of alcohol or drugs and the legal, social, physical and emotional consequences of misuse of alcohol or drugs.

An employee has the right to appeal any disciplinary decisions resulting from a verified positive drug or alcohol test in accordance with Chapter 19 Grievance Policy. Further, if the employee is employed under a collective bargaining contract, the employee may have the right to appeal disciplinary action under that agreement.

15.12 Medical Review Officer

Employees and applicants have the right to consult the City medical review officer (MRO) for technical information regarding prescription and nonprescription medication. Human Resources will be responsible for selecting the MRO.

15.13 Employee Acknowledgement and Pledge

I hereby acknowledge that I have read and agree to abide by the City of Alachua Drug Free Workplace Policy for the entire term of my employment.

Employee Signature

Date

Please sign and date two duplicate originals, one which is bound in this (your) copy of the Manual and the second which will be made part of your personnel file. Both signed in the presence of:

Witness

CHAPTER XVI

Violence in the Workplace and Weapons and Dangerous Materials

16.01 Statement of Policy

It is the policy of the City of Alachua that employees maintain a working environment that encourages mutual respect, promotes civil and congenial relationships among employees and is free from violence. The City is committed to providing a safe workplace for all employees. To ensure a safe workplace and to reduce the risk of violence, the City will not tolerate any type of workplace violence committed by or against employees.

16.02 Prohibited Conduct

Employees are prohibited from making threats or engaging in violent activities. The following list of behaviors, while not inclusive, provides examples of prohibited conduct:

- A.** Causing physical injury to another person
- B.** Making threatening remarks
- C.** Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress
- D.** Intentionally damaging employer property or property of another employee
- E.** Sabotaging another's work
- F.** Making false statements about others with malice that cause harm

16.03 Reporting Workplace Violence

Any potentially dangerous situations must be reported immediately to a supervisor or Human Resources. Reports can be made anonymously and all reported incidents will be investigated.

16.04 Enforcement

Threats, threatening conduct, or any other acts of aggression or violence in the workplace will not be tolerated. Any employee determined to have committed such an act will be subject to disciplinary action up to and including termination.

16.05 Guns, Weapons and Dangerous Materials

It is City policy to strictly prohibit any employee, vendor or contractor from carrying any sort of weapon or dangerous device into our offices or workplace areas. Employees are permitted to bring legal weapons in their vehicles into our parking lots if they remain locked and secured within such vehicle and the employee maintains a current and legal permit to carry the weapon. Such legal weapons may not be used for any inappropriate or illegal use. No material, whether liquid, solid, gas or combination, which can or does cause harm to person or property shall be brought on or near City property by any employee.

Any violation of this policy will result in immediate termination of such employee as well as other legal action, including criminal prosecution, when appropriate.

CHAPTER XVII

Domestic or Sexual Violence

17.01 Policy Statement

City of Alachua is committed to promoting the autonomy, safety and health of our employees and to providing leadership in recognizing the impact of domestic and sexual violence on staff and in the workplace. The purpose of this policy is to detail the support available to staff who are victims of domestic or sexual violence, and to detail the disciplinary consequences to staff members who commit, threaten or have been held legally responsible for committing acts of domestic or sexual violence.

It is the policy of City of Alachua to provide support and assistance to employees who are experiencing domestic or sexual violence. This support includes: confidential means for coming forward for help, resource and referral information, additional security at the workplace, work schedule adjustments and leave necessary to address the impact of domestic or sexual violence. Written resource and referral information is available in languages understood by all employees. Other appropriate assistance will be provided based on individual need.

17.02 Confidentiality

City of Alachua will respect the confidentiality and autonomy of the adult experiencing domestic violence to direct his or her own life. However, in accordance with Florida law reporting for certain populations is required. All information relating to leave taken under this policy will be kept confidential.

17.03 Leave Options for Employees Who Experience Domestic or Sexual Violence

- A.** Any employee may take up to 24 hours of unpaid leave from work in any 12-month period if the employee, or a family or household member of the employee, is the victim of domestic or sexual violence, for the purpose of:
 - 1.** Seeking an injunction for protection against domestic violence, repeat violence, dating violence, or sexual violence.
 - 2.** Obtaining medical care or mental health counseling, or both, for the employee or a family or household member to address physical or psychological injuries resulting from the domestic or sexual violence.
 - 3.** Obtaining services from any victim-services organization.
 - 4.** Making the employee's home secure from the perpetrator of the domestic or sexual violence, or seeking new housing.
 - 5.** Seeking legal assistance in addressing issues arising from the act of domestic or sexual violence, or attending and preparing for court-related proceedings arising from the act of domestic or sexual violence.
- B.** The employee seeking leave under this paragraph should follow ordinary procedures for leave requests, or, in instances where a request in advance is either impracticable or unsafe, the employee should call his/her supervisor as soon as

possible to inform the supervisor regarding the reason for his/her absence. Employees are not required to exhaust accrued leave time in advance of seeking leave under this paragraph.

- C. Requests for additional hours of leave, or for other purposes than those recited above, will be considered on an individual basis on consultation with the employee, her/his supervisor, Human Resources, and the City Manager. Additional hours of leave, beyond the 24 hours of leave authorized above, may be taken as unpaid leave or as accrued leave.
- D. The employee, supervisor, Human Resources and the City Manager are encouraged to explore whether any other paid options can be arranged, including schedule accommodations, which will help the employee cope with a domestic or sexual violence situation without having to take an unpaid leave.

17.04 Procedures for Employees with Performance Issues Related to Domestic Violence

- A. City of Alachua recognizes that people experiencing domestic or sexual violence may have performance or conduct problems such as repeated absences from work, or inability to concentrate on work tasks, as a result of abuse. When an employee is subject to disciplinary action discloses that the job performance or conduct problem is caused by domestic or sexual violence, a referral for appropriate assistance should be offered to the employee.
- B. The supervisor, in collaboration with the employee and Department Director, should allow a reasonable time for the employee to obtain assistance regarding the domestic or sexual violence.

17.05 Disciplinary Procedures for Employees Who Commit Acts or Threats of Violence

- A. City of Alachua is committed to a workplace in which the perpetration of domestic or sexual violence is neither tolerated nor excused. Any physical assault or threat made by an employee while on City of Alachua premises, during work hours or at a City of Alachua sponsored event is a serious violation of City of Alachua policy. This policy applies not only to acts against other employees, but to acts against all other persons, including intimate partners. Employees found to have violated this policy will be subject to disciplinary action, up to and including termination.
- B. Employees who are convicted of a crime as a result of domestic or sexual violence, or who are subject to a Domestic Violence, Dating Violence, Sexual Violence, or Repeat Violence injunction, may be subject to disciplinary action, up to and including termination, depending on the circumstances.
- C. City of Alachua understands that there is the possibility of wrongful conviction of assault in the case of victims of domestic violence, who act in self-defense. City of Alachua will consider the context of the conviction before deciding on disciplinary action or termination.

CHAPTER XVIII

Disciplinary Actions and Terminations

18.01 Purpose

All employees in the City of Alachua are members of a select group working together for the main purpose of serving the community. Any employee who fails to follow the necessary policies and procedures governing conduct is doing a disservice to all City employees. Policies and procedures are not intended to restrict the individual but are designed to ensure the rights and safety of all City employees and to provide working guidelines to assure equitable and businesslike deportment to efficiently service the community effectively.

18.02 Administration

- A.** It is the intent of the City of Alachua to follow a policy of progressive discipline for employees and supervisors that emphasizes personal choice, good decision making and accountability. However, the City recognizes that each instance differs in many respects and retains the right to treat each occurrence as an individual event without creating a precedent for other cases which may arise in the future. While it is the City's general intent to follow progressive discipline, some conduct or behavior by its nature or severity may warrant immediate termination.
- B.** Coaching and counseling are the expected methods for supervisors to use in discussing a problem with an employee in the areas of work performance, attendance, conduct, safety or work habits.
- C.** The objective of such counseling and coaching is to help an employee recognize that a problem exists, to develop effective solutions to the problem, while, at the same time, reinforcing and building the employee's commitment to the City.
- D.** When an employee fails to respond to counseling and coaching or a single incident or violation of rules occurs which is serious enough to warrant a formal step of discipline, supervisors will have several options available, depending on all the facts.
- E.** In all cases the employee shall be notified of the action taken and the effective date of the action.
- F.** Where disciplinary action may result in demotion, reduction in pay, suspension or termination, the Department Director/Supervisor shall notify Human Resources before taking action.

18.03 Causes for Disciplinary Action

Violation of this Manual may subject an employee to disciplinary action. Additionally, infraction of departmental rules and regulations may subject the employee to disciplinary action.

18.04 Notices of Disciplinary Action

The following shall serve as a guide in aiding supervisors and employees in the disciplinary process.

A. Written Warning

In situations where a verbal warning has not resulted in the expected improvement or the severity of violation justifies a written warning may be issued defining the nature of the violation under the rules.

The corrective action notice shall state the nature of the improvement required or policy violation in detail, associated consequences as applicable and the expected performance and plan to achieve said performance. Written warnings must be issued within a reasonable time following the occurrence of the violation unless there is a reasonable cause for delay due to employee or supervisor unavailability. The written warning will be given to the employee and a copy shall be placed in the employee's personnel file. No grievance may be filed contesting an employee corrective action notice, however, a rebuttal from the employee may be attached to the employee notice.

B. Final Notice

Progressive written disciplinary warnings may be issued for repeated violations of the same policy or lack of expected improvement. If progression or severity warrant an employee may be placed on final notice. A final notice generally precedes demotion or termination.

18.05 Types of Disciplinary Action

A. Probation Period

An employee may be placed on a probationary review period to monitor performance improvement or policy adherence. In cases regarding performance, one or more Special Evaluations may be required to document performance as observed by the Supervisor. In cases of policy violations, additional violations of the policy during the probation period will result in additional disciplinary action as defined in the corrective action notice.

B. Suspension

A Department Director or Human Resources may recommend suspension without pay for an employee for violation of City policy, department rules or other disciplinary reasons. All suspensions must be in writing by the Department Director in accordance with policy. The length of suspension without pay may vary according to the severity of the incident and will be determined by the Department Director in a recommendation to Human Resources based on the facts of the case.

C. Demotion

Any Department Director may demote an employee to a position with a decrease in salary and job responsibilities, as appropriate, for such time as is necessary to correct deficiencies in job performance or job qualifications. The duration of such demotion and reduction in pay and responsibilities may be temporary or permanent, as appropriate under the circumstances. A permanently demoted

employee is entitled to advance under the pay plan as any other employee based upon job performance.

C. Involuntary Termination

An employee may be involuntarily terminated as disciplinary progression or severity warrant.

18.06 Terminations

A. Voluntary Terminations

Employees who wish to depart the City service in good standing shall file with the Department Director a written resignation stating the reasons for voluntarily terminating and giving the date of termination. Employees shall give a minimum of two weeks written notice in order to resign from City service in good standing. Failure to comply with this provision may be cause for denying such employee future employment with the City. Use of leave time in lieu of working the final notification period is not permitted.

B. Involuntary Terminations

The Department Director and/or Human Resources shall give employees who are involuntarily terminated from the City service written notice of their termination. Any employee may seek review of termination under this section by proceeding directly to Step 3 of the Grievance Procedures.

18.07 Layoffs

The City Manager or designated Department Director may lay off any employee in the City service whenever such action becomes necessary by reason of a shortage of work or funds, the abolishment of a position or other changes in organization.

18.08 Return of City Property

When possible, an employee should relinquish all City property on the last day worked. In the event not all City property is in the employee's possession on the last day he/she is expected to return any outstanding items to City Hall on the next business day following termination. Costs for unreturned City property will be deducted from the final paycheck to the full extent permitted by law.

18.09 Exit Interviews

It is the policy of the City to conduct exit interviews in the case of voluntary terminations. Exit interviews are intended for the purpose of determining the cause and possible solutions to turnover of City personnel. Participation in exit interviews are strictly voluntary.

Chapter XIX

Grievance Policy

19.01 Policy Statement

All employees serve at the will and pleasure of the City throughout the course of their employment and may be terminated at any time, with or without cause. The City, nevertheless, wishes to alleviate employee concern about arbitrary termination or discipline. While recognizing that all employees of the City are at will and can be separated with or without cause, this grievance procedure is nonetheless established to provide full opportunity to an employee to bring any grievance or disciplinary matter that he or she may have to the attention of management. The City will try to resolve problems as they arise. However, it is recognized that there will be grievances but that all will receive a complete review. The submission of a grievance by a current employee shall not adversely affect the employee or his/her employment with the City. A training employee has no right to file a grievance in connection with a termination or other discipline imposed during his or her training period except a name clearing hearing for discipline of a stigmatizing nature. Oral warnings are also not subject to the grievance process. Accordingly, and in the interest of fostering good labor relations, any regular City employee who is terminated for misconduct or otherwise subject to discipline may question the termination or other disciplinary action through the grievance procedure.

19.02 Definitions of Grievance

An employee may file a grievance to register a complaint, to solve a problem, to redress an alleged wrong, to request information, or to modify or question any disciplinary action including, but not limited to, suspension or termination. Oral warnings are not subject to this process.

19.03 Procedures in Filing a Grievance

In order to assure every employee a method in which he/she can get a particular grievance considered rapidly, fairly and without reprisal, the following steps are provided:

Step 1. The employee shall orally discuss and explain the grievance with the immediate supervisor who may call higher-level supervision into the discussion in an effort to achieve a prompt and satisfactory resolution. The immediate supervisor will make a decision and notify the employee within one (1) calendar week after the discussion with the employee. The employee must initiate step 1 within one (1) calendar week after the effective date of the action or event being questioned.

Step 2. If the employee feels that the matter has not been settled or adjusted satisfactorily by the immediate supervisor, the matter may be submitted in writing to the Department Director within two (2) business days of the employee receiving notice of the supervisor's decision. Within one (1) calendar week after receiving the written grievance, the Department Director must reply to the grievance in writing.

Step 3. If the grievance is not resolved to the satisfaction of the employee by the decision of the Department Director, the employee may submit the issue, in

writing to the City Manager within two (2) business days after the Step 2 written answer is received or termination pursuant to Chapter 8 Section 4 B. The City Manager may, in his/her discretion, schedule a supplementary meeting with the employee and/or Department Director. The employee will be notified in writing within one (1) calendar week of the decision of the City Manager, unless the time is extended pursuant to 9.04. The City Manager may seek the counsel of any other City official or employee for information, interpretations, comments and guidance in arriving at a fair, equitable and just decision of the issue for both the employee and the City. The decision of the City Manager in this grievance procedure shall be final and binding, unless otherwise provided for in labor agreements.

19.04 General Provisions of Grievance Procedures

The City Manager due to illness, vacations, business trips, emergency or other reasonable cause may extend the time limits of this grievance procedure. If an extension is required, the employee will be notified.

Under this grievance procedure, the employee and the City have the opportunity to call a witness (s) and be represented by legal counsel.

If the grieving employee's immediate supervisor is a Department Director, the procedure shall commence at Step 3.

Any grievance not submitted and processed by an employee within the time limits provided above shall be considered abandoned and barred for all purposes. Any grievance not answered by the City within the time limits provided above shall be considered denied at that step and shall automatically proceed to the following step.

CHAPTER XX

Public Employee Oath

20.01 Purpose

The purpose of this chapter is to comply with the clear requirements of Florida Statute 876 which reads in pertinent part as follows:

F.S.S. 876.05. Public employees; oath

(1) All persons who now or hereafter are employed by or who now or hereafter are on the payroll of the state, or any of its departments and agencies, subdivisions, counties, cities, school board and districts of the free public school system of the state or counties, or institutions of higher learning, and all candidates for public office, except candidates for federal office, are required to take an oath before any person duly authorized to take acknowledgments of instruments for public record in the state in the following form:

I, _____, a citizen of the State of Florida and of the United States of America, and being employed by or an officer of _____ and a recipient of public funds as such employee or officer, do hereby solemnly swear or affirm that I will support the Constitution of the United States and of the State of Florida.

(2) Said oath shall be filed with the records of the governing official or employing governmental agency prior to the approval of any voucher for the payment of salary, expenses, or other compensation.

- and -

F.S.S. 876.06. Termination for refusal to execute

If any person required by ss. 876.05-876.10 to take the oath herein provided for fails to execute the same, the governing authority under which such person is employed shall cause said person to be immediately terminated, and his or her name removed from the payroll, and such person shall not be permitted to receive any payment as an employee or as an officer where he or she was serving.

20.02 Implementation

A. Current Employees

Each current employee shall take the forgoing oath when issued a copy of the Manual by signing an original before a notary.

The original shall be made part of the employee's file maintained in Human Resources.

B. New Employees

All new employees shall sign and take the oath as a part of the hiring process and as a prerequisite to employment.

Receipt of Personnel Policies and Procedures

The Personnel Policies and Procedures (sometimes called the Employee Handbook and referred to as the Manual) is a compilation of City of Alachua personnel policies, practices and procedures currently in effect.

The Manual is designed to introduce employees to the organization, familiarize each with City policies as they pertain to each as an employee, provide general guidelines on work rules, disciplinary procedures and other issues related to your employment and to help answer many of the questions that may arise.

This manual is not a contract. The Manual is intended solely to describe the present policies and working conditions at the City of Alachua. The Manual does not purport to include every conceivable situation; it is merely meant as a guideline and, unless laws prescribe otherwise, common sense shall prevail. Of course, Federal, state and/or local laws will take precedence over City policies, where applicable.

Personnel Policies are applied at the discretion of the City. The City reserves the right to change, withdraw, apply or amend any of its policies or benefits, including those covered in this Manual, at any time. The City may notify employees of such changes via e-mail, posting on the city's Intranet, Portal or website, or via a printed memo, notice, amendment to or reprinting of this Manual, but may, in its discretion, make such changes at any time, with or without notice.

By signing below, you acknowledge that you have received a copy of the City Personnel Policies and Procedures, and understand that it is your responsibility to read and understand the contents and that you commit to comply with the policies and procedures contained and to any revisions made. Furthermore, you acknowledge that this Manual is not a contract of employment.

Signature

Date

Please print full name

Sign and date two duplicate originals, one which is bound in this (your) copy of the Manual and the second which will be made part of your personnel file. Both signed in the presence of:

Witness

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