

TOWN OF BELLEAIR

PERSONNEL POLICIES

Revised ~~October 1, 2002~~November 19, 2019

~~TOWN OF BELLEAIR
PERSONNEL POLICIES~~

Table of Introduction	1
Section I – Management Rights and Responsibilities	2
Section II – General Provisions	4
Section III – Definition of Terms	5
Section IV – Standards of Conduct	9
Section V – Applicants and Applications	14
Section VI – Probationary Period	17
Section VII – Employee Performance Evaluations	18
Section VIII – Pay and Classification Plan	20
Section IX – Attendance	24
Section X – Training	25
Section XI – Leaves	28
Section XII – Holidays	34
Section XIII – Vacations	36

Section XIV – Seniority and Reduction in Force	38
Section XV – Disciplinary Measures	40
Group I Offenses	43
Group II Offenses	45
Group III Offenses	46
Section XVI – Safety	49
Section XVII – Drug-Free Workplace Policy	50
Section XVIII – Line of Duty Injury	58
Section XIX – Miscellaneous Provisions	59
Residency	59
Reimbursement for Personal Items	59
Direct Deposit Requirement	59
Smoking Regulations and Control Policy	60
Section XX – Grievance Procedure	61
Exhibit 1	62
-	
Exhibit 2	63
Exhibit 3	64

Contents

INTRODUCTION	2
SECTION I: MANAGEMENT RIGHTS AND RESPONSIBILITIES	2
SECTION II: GENERAL PROVISIONS	2
SECTION III: DEFINITION OF TERMS	2
SECTION IV: STANDARDS OF CONDUCT	2
SECTION V: APPLICANTS AND APPLICATIONS	2
SECTION VI: PROBATIONARY PERIOD	2
SECTION VII: EMPLOYEE PERFORMANCE EVALUATIONS	2
SECTION VIII: PAY AND CLASSIFICATION PLAN	2
SECTION IX: ATTENDANCE	2
SECTION X: TRAINING	2
SECTION XI: LEAVES	2
SECTION XII: HOLIDAYS	2
SECTION XIII: VACATIONS	2
SECTION XIV: SENIORITY AND REDUCTION IN FORCE	2
SECTION XV: DISCIPLINARY MEASURES	2
GROUP I OFFENSES	2
GROUP II OFFENSES	2

Town of Belleair Personnel Policies

GROUP III OFFENSES	2
SECTION XVI: SAFETY	2
SECTION XVII: DRUG-FREE WORKPLACE POLICIES AND PROCEDURES	2
SECTION XVIII: LINE OF DUTY INJURY	2
SECTION XIX: MISCELLANEOUS PROVISIONS	2
19.01 RESIDENCY	2
19.02 REIMBURSEMENT FOR PERSONAL ITEMS	2
19.03 DIRECT DEPOSIT	2
19.04 SMOKING REGULATIONS AND CONTROL POLICY	2
SECTION XX: GRIEVANCE PROCEDURE	2
EXHIBIT 1: DRUGS WHICH MAY ALTER OR AFFECT A DRUG TEST	2
EXHIBIT 2: DRUG TESTING	2
EXHIBIT 3: TESTING LABORATORY	2
EXHIBIT 4: EMPLOYEE ASSISTANCE PROGRAM (E.A.P.) INFORMATION	2

—INTRODUCTION

The Town of Belleair, Florida, welcomes you as a member of its municipal staff. As a town employee, you are an important part of a group of professional individuals dedicated to providing the most efficient service possible for our town's citizens, property owners and visitors.

These personnel policies have been developed to establish a consistent and equitable basis for administering matters affecting the working environment in which the town's staff functions. The policies contained in this manual are administered by the town manager. Any questions you may have regarding this manual can be answered by your immediate supervisor. These personnel policies are not to be construed as a contract of employment for any definite period of time between you and the town or to vest entitlement in you to any of the benefits contained herein. Unless otherwise provided in an employment contract or collective bargaining agreement, all employment with the town is "at will," such that employees are free to voluntarily sever their employment with the town at any time and for any or no reason while the town retains the right to terminate employment at any time and for any or no reason. Further, the town reserves the right to modify the terms and conditions of employment contained in these personnel policies at any time, for any reason, and without advance notice.

Both the town commission and other staff personnel are pleased to have you as a member of the town's staff and join with me in the hope that you will enjoy both your work and the new friends you will make while associated with our town.

~~Micah Maxwell~~JP Murphy, Town Manager

SECTION I: MANAGEMENT RIGHTS AND RESPONSIBILITIES
SECTION I

MANAGEMENT RIGHTS AND RESPONSIBILITIES

1.01 OVERVIEW

The town fully recognizes its responsibility to see that the town is run in a smooth and efficient fashion. To that end, the town reserves and retains exclusively all of its normal and inherent rights with respect to the management of its operations, whether exercised or not, including, but not limited to, its right to determine, and from time to time re-determine, the number, location and type of its various operations, functions and services, the methods, procedures and policies to be employed; to discontinue the conduct of any operation, function or service, in whole or in part; to transfer its operations, functions or services from or to, either in whole or in part, any of its departments or other divisions; to select and direct the working force in accordance with requirements determined by the town; to create, modify or discontinue jobs; to establish and change personnel or working rules and regulations; to create new job classifications; to establish and change work schedules, including hours of work and assignments; to transfer or promote employees; to lay off, furlough, demote or otherwise relieve employees from work for lack of work, lack of funds, or other legitimate reason; to suspend, discharge, demote or otherwise discipline employees ~~for just cause~~; to subcontract; and to alter or vary past practices and otherwise to take such measures as the town may determine to be necessary to the orderly and efficient operation of its various operations, functions and services.

1.02 EMERGENCY CONDITIONS

If in the sole discretion of the town manager, or his designated representative, it is determined that civil emergency conditions exist, including riots, civil disorders, hurricane conditions, similar catastrophes or disorders, or public employee strikes, these policies may be suspended by the town manager during the time of the declared emergency.

1.03 COMPENSATION DURING DECLARED EMERGENCIES

This policy provides uniform procedures for the payment of salary and wages to town employees while preparing for an impending emergency during a declared emergency or disaster and during the disaster recovery period.

PROCEDURE

When a state of emergency is declared by the town manager due to an impending disaster or other unforeseen event, town employees who are designated by a department director to perform essential services may be required to work both regular and overtime work hours as deemed necessary. Employees who fail to work as directed during a state of emergency, unless specifically approved in advance by the town, are subject to discipline and discharge.

All town employees (including nonunion and union represented employees, exempt or nonexempt employees) who perform essential services and are required to work during a declared emergency are eligible to be compensated at one and one-half (1&1/2) their regular rate of pay for all hours actually worked during the declared emergency condition. Actual work hours, or sweat time, do not include stand-by, sleep/rest time or other non-duty hours spent during the emergency.

Employees who were required to report to work during a declared emergency and who subsequently receive authorization from their supervisor or other departmental manager to return home from work during declared emergency conditions will receive their normal compensation for the remainder of the day. Should declared emergency conditions continue, employees are eligible to receive their normal pay for additional emergency absences for a period of up to five (5) work days. If emergency conditions continue beyond five (5) work days, employees will be required to use accrued vacation or holiday leave, or will be placed in a no pay status.

Employees who are sent home during emergency conditions are, ~~if possible~~ unless excused by his or her supervisor, required to remain in daily telephone and electronic mail contact with their supervisor or other designated department representative to receive information concerning possible work assignments. If telephone communications are disrupted, employees are ~~advised~~ required to monitor electronic mail, local television and radio stations to receive updates on the resumption of town operations.

Employees who are on previously approved leave during the time of the declared emergency, (e.g. vacation, sick leave, family or medical leave, etc.), will not be eligible for emergency related excused absence(s) or emergency pay during their approved leave.

All determinations regarding hours worked, hours to be compensated, and applicable rate of pay under this policy shall be solely determined by the town and shall not be subject to grievance or appeal.

SECTION II: GENERAL PROVISIONS

~~GENERAL PROVISIONS~~

2.01 PURPOSE

The rules herein establish orderly procedures for the administration of the personnel policies for the Town of Belleair. The system provides a means for recruitment, selection, development, and retention of the most qualified employees for each position.

2.02 POSITIONS COVERED

The personnel policies shall apply to all employees except to the extent they differ from the town charter, ~~or code,~~ collective bargaining agreement, or any individual contract of employment.

2.03 ADMINISTRATION

The town manager shall be responsible for the administration and interpretation of the personnel policies.

2.04 AMENDMENTS

Town of Belleair Personnel Policies

Amendments, changes or revisions of the personnel policies may be made at any time, but are subject to approval by the town commission. Upon enactment or modification, the new personnel policies shall be distributed to all town departments and made available to all employees for review and retention. Any amendments, changes or revisions shall take effect immediately upon approval of the town commission unless otherwise specified and shall automatically be deemed to supersede all prior policies on the same subject.

2.05 DEPARTMENTAL POLICIES

Departmental procedures may be developed to serve as supplements to the personnel policies, but are subject to prior approval of the town manager. Absent written approval from the town manager, departmental procedures may not conflict with or override any provision of these policies, charter, code, collective bargaining agreement, or other applicable law.

SECTION III: DEFINITION OF TERMS

DEFINITION OF TERMS

3.01 *Terms not specifically herein defined shall have meanings as defined by common and ordinary usage. The decision of the Town Manager as to the meaning of any non-defined term is final.*

Absenteeism - Any failure to report for, or remain at work as scheduled, regardless of reason.

Administrative Leave Without Pay - An interim unpaid status, typically pending a final decision as to disciplinary action or where otherwise deemed to be in the town's best interest.

Anniversary Date - The date an employee begins employment and the same date in following years. Also, the date from which vacation and sick leave benefits are computed. If an employee is in a non-pay status for a period of thirty (30) days or greater, the anniversary date shall be deferred by an equivalent amount.

At Will Employment – A right granted to the employer to terminate an “at will” employee’s services at any time, with or without cause, provided that no law is violated.

Benefit Programs - Employee health and welfare programs, which may be provided. Such programs may include vacation leave, sick leave, holidays, group medical and life insurance, employee credit union, tuition reimbursement and the retirement savings plan.

Classification - An act of grouping positions having similar duties and responsibilities, requiring similar qualifications, which can be equitably compensated within the same salary range.

Classification Plan - An approved system of grouping positions into appropriate classes.

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

Compensation Plan - The schedule of rates of pay assigned to each class title.

Compensatory Time — Excused paid time off from work, which may be granted in lieu of pay for overtime work.

Conflict of Interest – using one’s position, influence or decision-making power to gain personal favors for one’s self or for one’s friends, family members, relatives, or business associates.

Continuous Service – Employment that is uninterrupted except for authorized leave of absence.

Dismissal - Involuntary separation from town employment.

Town of Belleair Personnel Policies

Enclosed Indoor Area – means closed in by a roof and walls on at least three (3) sides with appropriate opening for ingress and egress.

FLSA - Fair Labor Standards Act.

FMLA – Family and Medical Leave Act.

Full Time Employee – Unless otherwise specifically defined in any policy or benefit plan, any employee whose position regularly requires a work week consisting of at least thirty-five (35) hours.

Grievance – A grievance is any difference, dispute or complaint regarding the interpretation or application of the terms of this policy including rights and working conditions.

Grievance Procedure – an orderly method for resolving disputes among employees or for challenging recent decisions made by one’s supervisor for which strong disagreement exists.

He/His/Him – Are generic and used for reference purposes only to signal reference to both males and females.

Immediate Family - Includes the employee's spouse, father, mother, son, daughter, brother, sister, mother-in-law and father-in-law, son-in-law, daughter-in-law, step-father, step-mother, step-son, step-daughter, half brother, half sister, grandson, granddaughter, grandmother, grandfather, uncle, aunt, nephew, niece, brother-in-law, sister-in-law, step-brother, step-sister, first cousin.

Insubordination – The unwillingness, ~~or refusal,~~ or failure on the part of the employee to submit to the authority vested in any superior; a willful disregard of express or implied directions or refusal to obey reasonable orders; a showing of disloyalty to superiors.

Layoff – Reduction of the number of employees due to the lack of work, funds or other causes.

Leave - An approved or directed absence from work.

May – The word “may” shall be interpreted as permissive.

Merit Pay Increase - An increase in compensation, which may be granted to an employee based on job performance evaluation.

Merit Review Date - The date an employee entered, transferred, or was promoted to their current position. If an employee is in a non-pay status for a period of thirty (30) calendar days or greater, the merit review date shall be deferred by an equivalent amount.

Town of Belleair Personnel Policies

Overtime - For purposes of the Fair Labor Standards Act, ~~actual hours-time~~ worked by employees in excess of the applicable maximum hour standard for the work week or work period is considered overtime, although the town may pay additional compensation for hours worked outside an employee's regular schedule.

Part Time Employee - An at will employee hired into a position requiring the employee to work an average of less than thirty-five (35) hours per week on a non-regular basis.

Part Time Regular Employee - A non probationary employee working in a position that requires the employee to work fewer hours than normally designated for others in a similar classification, usually less than forty (40) hours per week, but more than twenty (20) hours per week. A person in this category regularly works on an established weekly schedule. Any benefits authorized to employees in this capacity will be provided on a pro-rata basis in proportion to those benefits provided to full-time employees.

Performance Evaluation - A written appraisal relative to the job performance of an employee.

Position Description - A general written description of a job or position, its qualifications and essential functions.

Probationary Employee - Any newly hired, promoted or transferred person serving a probationary period prior to being confirmed to a position.

Probationary Period - A period of time provided to allow the town the opportunity to evaluate an employee's abilities and performance and to decide whether or not the employee is to be retained in the position or in the employ of the town in general.

~~**Public Place**— means any indoor line at which one (1) or more persons are waiting for or receiving service of any kind whether or not such service involves the exchange of money.~~

Regular Employee - A non-probationary employee of the town who receives benefits.

Resignation - Voluntary separation from town employment. Unless otherwise precluded by applicable law, ~~A~~ absence from duty without leave for three (3) consecutive days shall be treated as a resignation.

Seniority – The length of time an employee has been employed continuously with the town.

~~**Service Line**— means any indoor line at which one (1) or more persons are waiting for or receiving service of any kind whether or not such service involves the exchange of money.~~

Shall – The word “shall” will be interpreted as mandatory.

~~**Sign**— means legible English lettering on a contrasting background to clearly indicate where smoking is permitted or not permitted and to provide related information.~~

Town of Belleair Personnel Policies

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Stand-by Assignments - An assignment made by a department supervisor which requires an employee to be available for emergency work on the employee's off-duty time; on nights, weekends, holidays, or at any other specified time.

Suspension - The placing of an employee in an unpaid status as a disciplinary measure.

Temporary Employee - An at will employee hired to perform seasonal work or other special projects as required.

Termination - Voluntary or involuntary separation from town employment.

Town – The word “town” shall mean the Town of Belleair.

Work Area – means any room, desk, station, or other area normally occupied by an employee while carrying out his primary work function.

—SECTION IV: **STANDARDS OF CONDUCT**

—**STANDARDS OF CONDUCT**

4.01 POLICY AND INTENT

One objective of the town is to establish and administer a system of personnel management consistent with the goal of providing quality service to the community. This is accomplished by employing and retaining individuals who display pride and dignity in the performance of their duties.

The town advocates the concept that the quality of public service is maximized through a personnel system based on merit principles. Employees are encouraged to develop skills and seek formal training related to the enhancement of personal development. Compliance is expected with all personnel policies, local ordinances, state statutes and federal laws by all employees in the performance of their duties. Any employee who violates any of the personnel policies herein contained, or any departmental policies, or in any way acts in a manner inconsistent with the best interests of the town may be subject to disciplinary action.

4.02 POLITICAL ACTIVITY

- (a) Any town employee who becomes a candidate for nomination or election for public office in the Town of Belleair shall be deemed to have resigned his employment.
- (b) Employees are prohibited from conducting or participating in any political activity while on work time.
- (c) All employees are subject to all legal restrictions on political activity as provided by state, federal or local law. It is each employee's responsibility to familiarize himself with any such restrictions or limitations prior to engaging in any political activity. Any violations may result in discharge.

4.03 EQUAL OPPORTUNITY, NON-DISCRIMINATION AND SEXUAL-INAPPROPRIATE HARASSMENT

- (a) *Policy*

In order to provide a productive and pleasant working environment, it is important that the town maintain an atmosphere characterized by mutual respect. Accordingly, the kind of conduct characterized as discrimination or harassment will not be tolerated. In addition, the town will endeavor to protect employees, ~~to the extent possible,~~ from reported discrimination or harassment by non-employees in the workplace.

~~4.03 EQUAL OPPORTUNITY, NON-DISCRIMINATION & SEXUAL INAPPROPRIATE HARASSMENT~~

~~(cont'd)~~

(b) *Equal Employment*

The Town of Belleair is an equal opportunity employer. The town hires without regard to sex, race, color, national origin, ethnicity, religion, age, pregnancy, handicap, physical or mental disabilitiesdisability, marital status, veteran status, genetic information, or any other protected status. All personnel actions including hiring, promotions, selection for training, compensation, layoffs, recall from layoffs and terminations will be administered in a manner consistent with this policy, the personnel policies as a whole and general principles of non-discrimination.

(c) *Sexual Misconduct*Inappropriate Harassment

The Town of Belleair adheres to federal and state laws prohibiting sexual inappropriate harassment on the basis of sex, race, color, national origin, ethnicity, religion, age, pregnancy, disability, marital status, veteran status, genetic information, or any other protected status. The town will not tolerate the inappropriate harassment of any of its employees, contractors, vendors, citizens, or any other individual who does business with the town.~~and sexual misconduct.~~

The Town is committed to promptly and thoroughly investigating all complaints of harassment as set forth in this policy. If, after a thorough investigation, it is determined that inappropriate harassment has occurred in violation of this policy, immediate and appropriate disciplinary action, up to potential discharge, will be taken to promptly end the harassment. Appropriate follow-up steps will also be taken where necessary to ensure that the harassment ceases and does not re-occur.

Improper harassment includes harassment on the basis of one's sex. Prohibited forms of sexual harassment include, but is not limited to, offensive sexual advances, requests for sexual favors, unwelcome sexual propositions; sexual innuendo; sexually suggestive remarks; vulgar or sexually explicit comments, gestures, noises or conduct; sexually-oriented kidding, teasing or practical jokes; physical contact of a sexual nature such as brushing against another's body, pinching, grabbing, rubbing, hugging, poking or patting; publication or display of documents, objects, text, pictures, or graphics in the workplace that contain material that is of a sexual nature; and using the computer or other electronic equipment to access any content that contains material of a sexual nature.

In addition to inappropriate sexual harassment, the Town also prohibits harassment on the basis of race, color, national origin, ethnicity, religion, age, pregnancy, disability, marital status, veteran status, genetic information, or any other protected status. Any verbal or physical conduct of an offensive or harassing nature and which is based upon or directed toward any individual based upon any of these characteristics will not be tolerated. Such prohibited conduct includes, but is not limited to:

- i. Derogatory, critical, offensive or uncomplimentary jokes, comments, displays, posters, other written materials based upon another's race, color, creed, religion, national origin, ethnicity, age, gender, pregnancy, marital status, veteran status or disability.
- ii. Any physical conduct taken against another individual because of his or her race, color, creed, religion, national origin, ethnicity, age, gender, pregnancy, marital status, veteran status or disability.
- iii. Teasing or making fun of another individual's ethnicity, accent, cultural or religious beliefs or Towns, mental or physical disabilities or medical limitations and other similar characteristics.

~~Sexual misconduct is defined as a course of conduct that causes bodily injury or personal injury arising from the bodily injury, sexual assault, sexual exploitation, and/or physical sexual injury. It can consist of unwelcome sexual advances, requests for sexual acts or favors, or other verbal or physical conduct of a harassing nature by supervisors or others in the workplace.~~

~~1. Sexual misconduct exists when:~~

- ~~a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.~~
- ~~b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.~~

~~2. Sexual misconduct may also exist when conduct by supervisors, any other employee, or individuals who are not employees, have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Sexual misconduct includes the following actions:~~

~~**Verbal**— Sexual innuendos, suggestive comments, jokes of a sexual nature, sexual propositions, threats.~~

~~**Nonverbal**— Sexually suggestive objects or pictures, graphic commentaries, suggestive or insulting sounds, leering, whistling, obscene gestures.~~

~~**Physical**— Intentional physical contact which is sexual in nature such as touching, pinching, patting, grabbing, rubbing, groping, hugging, or poking another employee's body. Actual or attempted non-consensual sexual activity such as unwanted touching, fondling, kissing, groping or coerced physical contact and threats designed to force sexual activity. Threats, force, or threat of force includes physical force as well as any type of coercion. Sexual abuse or sexual molestation of any person, includes but is not limited to, rape, sexual battery, molestation or attempts to commit such acts.~~

~~4.03 EQUAL OPPORTUNITY, NON-DISCRIMINATION AND SEXUAL HARASSMENT
(cont'd)~~

~~The above examples are not to be considered a comprehensive list of prohibited conduct, but set forth examples of the types of conduct that is prohibited.~~

~~Sexual harassment of employees by non-employees in the workplace is not acceptable and should be reported to the immediate supervisor or other designated personnel, when necessary.~~

(d) *Responsibility and Prevention*

Each department head and supervisor is responsible for making sure that all employees within his or her area of responsibility are aware of this policy, for ensuring that personnel decisions are in accordance with this policy, and consulting with the town manager when improper behavior is observed or reported.

(e) *Complaint Procedure*

~~Any employee who has been subjected to sexual misconduct or other illegal or improper harassment or retaliation; or who has observed such conduct should report it to his immediate supervisor. If the employee reasonably believes such a report would be ineffectual, the employee should report to the department head, designated Sexual Misconduct Prevention Coordinator, or town manager.~~

~~The town shall promptly and thoroughly investigate all allegations of any type of harassment and sexual misconduct and take prompt and appropriate action where warranted.~~

~~No employee or volunteer shall face any form of retaliation or reprisal for filing a complaint or cooperating in an internal investigation~~

~~Any employee who experiences or witnesses impermissible discrimination, harassment or retaliation has an affirmative obligation to immediately report it to either his or her supervisor, department head, or the town manager. Employees who witness impermissible discrimination, harassment or retaliation and fail to report it are subject to disciplinary action, up to and including dismissal.~~

~~Employees are not expected to report complaints to the person they believe is harassing them or discriminating or retaliating against them. However, in such cases, employees are expected to report the harassment to another employee identified above.~~

~~If, after reporting the harassment as outlined above, the harassment, discrimination, or retaliation continues, or any further incidents of inappropriate behavior occur, the employee must immediately report each incident of continued inappropriate behavior. Since the Town may not be aware that the harassment, discrimination, or retaliation is ongoing or that its initial handling of the matter has not satisfactorily resolved the issues~~

or caused the offending conduct to cease, the employee is required to report any continuing inappropriate conduct or new incidents of misconduct even where he or she has previously reported a complaint.

(f) *Investigation and Prohibition Against Retaliation*

~~Such complaints will be investigated in a timely and as confidential a manner as possible. The investigation of a complaint will normally include conferring with the parties involved and any named or apparent witnesses. All employees shall be protected from coercion, intimidation, retaliation, interference, or discrimination for filing a complaint or assisting in an investigation. If a violation is found to exist, appropriate corrective action will be taken, including discipline up to and including termination. A non-employee who subjects an employee to discriminatory conduct or sexual harassment in the workplace will be informed of the town's policy. Other action may be taken as appropriate or allowed by law.~~

Upon receiving a complaint of impermissible discrimination, harassment or retaliation, the Town will promptly investigate the allegation and take any action deemed appropriate based upon the results of the inquiry. Investigation of a complaint will normally include conferring with the parties involved and any named or apparent witnesses. The investigation may also entail reviewing pertinent documents, e-mail communications, pictures and/or any other relevant physical evidence. All investigations will be conducted in a fair and impartial manner.

Any employee found to have violated this policy will be subject to disciplinary action, up to and including dismissal. The Town may also require remedial training concerning its policies and procedures relating to prohibited discrimination, harassment and retaliation, and may take any other measure determined to be necessary for the effective enforcement of this policy.

Any individual who files a complaint under this policy or who participates in an investigation will be protected from coercion, intimidation, retaliation, interference or discrimination for filing a complaint or participating in an investigation. An employee who believes he or she has been subjected to retaliation on the basis of having filed a complaint or having participated in an investigation, must immediately report it pursuant to the complaint process outlined above. Any employee determined to have retaliated against another individual in violation of this policy will be subject to disciplinary action, up to and including dismissal.

4.03 EQUAL OPPORTUNITY, NON-DISCRIMINATION AND SEXUAL HARASSMENT

(g) *Bad faith claims of sexual misconduct*

Bad faith claims of sexual misconduct or other illegal or improper inappropriate discrimination, harassment, or retaliation are claims made when the person making the

Town of Belleair Personnel Policies

claims knows the claim is false but makes it anyway. Persons who make bad faith claims under this section will be subjected to disciplinary action up to and including termination.

(h) Prevention

Prevention is the best tool for the elimination of discrimination, harassment, retaliation, and/or misconduct. The town shall take all reasonable steps necessary to prevent harassment and/or discrimination from occurring, such as affirmatively raising the subject, expressing strong disapproval, informing and educating employees of their rights under this policy and the proper procedure for making a complaint about alleged violation~~to raise the issue of harassment and/or misconduct under Title VII of the Civil Rights Act. Providing a complaint procedure and developing ongoing training to assist all employees and volunteers to fully understand the complexities of harassment and/or misconduct for all involved.~~ Training will ordinarily be conducted on a yearly basis for all employees and volunteers.

All employees and volunteers must go through a thorough background check, including but not limited to: FDLE criminal history record check, driver's license verification, "Sexual Offenders Hot-Lines" and sexual predators record search and local law enforcement agencies.

As a further demonstration of commitment to harassment and/or misconduct prevention, the town shall provide access to the Employee Assistance Program to provide advice, guidance and direction to individuals with concerns about harassment and/or misconduct.

4.04 CONFLICT OF INTEREST

To avoid misunderstandings and conflicts of interest that could arise, the following policies will be adhered to by employees of the town in addition to all provisions of state law:

- (a) Employees shall not accept any gifts, including Christmas gifts, favors or services that might reasonably tend to influence them in the discharge of their official duties or be reasonably construed by others to influence them in the discharge of their official duties.
- (b) Employees shall not use or attempt to use their position to secure special privileges or exemptions for themselves or any others with whom they have a relationship or affiliation of any sort, except as may be provided by policy and/or law.
- (c) Employees shall not disclose confidential information gained by reason of their official position, nor shall they otherwise use such information for their personal gain or benefit

~~4.04 CONFLICT OF INTEREST (cont'd)~~

or the gain or benefit of others with whom they have a relationship or affiliation of any sort.

- (d) Employees shall not transact any business in their official capacity with any business entity of which they are an officer, director, agent, or member, or in which they own a controlling interest.

4.05 OUTSIDE EMPLOYMENT

- (a) Upon prior written approval by the town manager, employees may engage in other employment during their off-duty hours. However, town employment shall be considered the primary employment of full time employees. No employee may engage or continue in outside employment that could interfere with the best interest of the town or create the appearance of conflict or impropriety with regard to the employee's town employment.
- (b) Every full time employee engaging in outside employment under this rule shall respond immediately to any emergency call to duty by the town whenever the town manager or the department head determines their services to be necessary.

4.06 SOLICITATION AND DISTRIBUTION

There shall be no solicitation by employees for donations or support of any kind for any person or organization ~~on~~ during the work time of either the person making the solicitation or the person who is the target of the solicitation or distribution. There shall be no distribution by employees of literature of any type on work time or in areas where work is performed. Work time does not include recognized breaks and lunch periods.

4.07 USE OF TOWN PROPERTY

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

4.08 DRESS AND APPEARANCE

Dress and grooming shall be appropriate for proper performance of assigned duties. When uniforms are provided for an employee, they will be responsible for maintaining those uniforms and are required to properly wear the uniform when on duty. Employees are prohibited from wearing town uniforms while off duty. Specific departmental dress codes may be established by department heads, with the approval of the town manager.

SECTION V: APPLICANTS AND APPLICATIONS

5.01 APPLICATION FOR EMPLOYMENT

All applications must be made on a standard form as designated by the town manager. This form must be completely filled out and attested to by the applicant. Applications not completely filled out or attested to will not be considered.

5.02 TERM OF APPLICATION

Applications for positions with the town shall be accepted only when a vacancy occurs and has been announced as open and to be filled.

5.03 CHARACTER AND FITNESS OF APPLICANTS

Applicants must have the physical and mental abilities and qualifications necessary to perform the essential functions of the position sought, either with or without reasonable accommodation. All applicants are subject to both a background investigation and verification of all information contained on any employment related forms. Information produced at any time to the town of an applicant's inability to perform duties even with reasonable accommodation, unfitness for duty, dismissal for good cause not disclosed by the applicant, or any falsification or omission during the application process or any information reflecting possible unsuitability for employment shall be deemed sufficient cause to exclude the applicant from consideration for said position.

5.04 SPECIAL QUALIFICATIONS OR PREFERENCES

In the case of applications for positions requiring special technical, professional or scientific knowledge and experience or qualifications, the town may require evidence of a satisfactory degree of training or experience, and may require such certificate of competency or licenses as may be desired or as the laws or ordinances may require for the practice of the profession, art, or trade involved. In situations where an applicant claims veteran's preference, all necessary documentation must be submitted at the time of making application.

5.05 FALSE STATEMENTS BY APPLICANT

False statements or omissions by an applicant or by others with the applicant's support or at the applicant's direction, connivance in any application or employment related form or during any

interview shall be deemed cause for exclusion of such applicant for consideration, or for termination if employed regardless of when the false statement or omission is discovered.

5.06 MEDICAL EXAMINATION OR INQUIRIES

To the extent permitted by applicable law, Applicants for employment may be subject to medical examinations or inquiries, including but not limited to drug testing, after a conditional offer of employment has been made. A conditional offer of employment may be withdrawn if an applicant's test is confirmed positive for drugs or if the examination or inquiry reveals that the applicant cannot perform the essential functions of the position offered, even with reasonable accommodation, or the applicant poses a direct threat to his or her health and safety or the health and safety of others.

5.07 EMPLOYMENT OF RELATIVES

It shall be the policy of the town in hiring personnel to review family relationships with regard to blood, marital or step-relative status with all applicants and current employees/family members. In performing this review, the hiring of immediate family members of employees within the town will be limited as described below, thereby eliminating potential problems that may be created in the future.

(a) New Applicants

Immediate family members of an employee/family member shall not be eligible for hire by the town in any capacity if the current employee/member occupies a sensitive position with the town. Sensitive positions are defined as the town commission members, town manager, department heads, or supervisors.

(b) Current Employees/Family Members

1. Employees/family members who would be disqualified for employment as a result of this directive, but were employed under such status as of 11/2/93 are grandfathered in for their status as of that date and will not be required to terminate their employment, although such employees may be subject to transfer to minimize any potential for conflict. Further, such employees will not be eligible for promotions or transfers if it would result in the creation of a conflicting situation as described in this policy. Employees/family members grandfathered in under this directive who terminate employment after 11/2/93 are thereafter subject to this policy.

~~**5.07 EMPLOYMENT OF RELATIVES (cont'd)**~~

2. If an employee/family member should marry or otherwise come into any familial situation that would have precluded him or her from being hired due to the

Town of Belleair Personnel Policies

restrictions relating to employees in sensitive positions, one of the employees/family members in the conflicting situation must terminate his employment. If the two employees/family members involved cannot agree as to which person is to terminate his employment, the decision shall be made in the discretion based on the needs of the town.

3. No employee/family member regardless of hire date shall work within the supervisory chain of command of another employee/family member. If an employee/family member is or should marry or come into a familial situation that would have precluded his or her initial employment due to the restrictions on relatives working within the supervisory chain of command, one of the employees/family members shall be transferred to another position, if available. If no suitable position is available, one of the employees/family members in the conflicting situation must terminate his employment. If the employees/family members involved cannot agree as to which person is to terminate his employment, the decision shall be made in the discretion of the town manager based on the needs of the town.
4. No employee who has the ability to appoint, employ, promote or advance employees or to recommend such action shall do so with regard to an immediate family member.

SECTION VI: PROBATIONARY PERIOD

6.01 OBJECTIVES

The probationary or working test period is an integral part of the examination process. It shall be used to observe closely the employee's work, to secure the most effective adjustment of a new or promoted employee to their position, and to reject any employee whose performance does not meet required work standards. All appointments, whether entrance, promotional or involving any change in status, shall be in a probationary status.

6.02 DURATION

The probationary period shall be for a period of six (6) months from the first day of work for the employee. Newly promoted employees shall also serve a probationary period of six (6) months. An extension of the probationary period not to exceed three (3) months may be granted by the department head with town manager's approval. All employees in a probationary status are at will and may be removed at any time, with or without cause.

6.03 DISMISSAL OR DEMOTION DURING THE PROBATIONARY PERIOD

- (a) At any time during the probationary period, a department head may remove an employee, if in the department head's opinion, the working test indicates that such employee has not performed the duties of the position satisfactorily, or that the employee's performance does not merit continued employment with the town. The department head shall report in writing to the town manager and the employee removed, the action and reasons for the action.
- (b) For newly promoted employees, a department head may instead demote or return an employee to a lower class or position at any time during the probationary period. Any employee so demoted shall begin a new probationary period. Demotion may also cause a reduction in the employee's rate of pay.

6.04 PROBATIONARY PERIOD REPORTS

For both initial entrance and promotional probationary employees, the immediate supervisor will initiate a performance evaluation on the probationary employee prior to the completion of his or her probationary period. Any employee on whom such an evaluation is generated will be provided a copy and may submit written comments to it within seven (7) days of receipt.

SECTION VII: EMPLOYEE PERFORMANCE EVALUATIONS

7.01 PURPOSE

The town manager shall establish and administer a program for rating the work performance of employees in town service. The Employee Performance Evaluation shall be designed to permit the evaluation of the employee's performance as accurately and as fairly as possible. The ratings shall be set forth on the performance evaluation forms designated by the town manager. Each employee shall be given a copy of the performance and shall be entitled to discuss it with the supervisor who rates him or her. The employee may also provide written comment in response to any evaluation within five (5) working days following the reception of a copy of his evaluation.

7.02 INTENT OF PERFORMANCE EVALUATION

The evaluation will indicate to the employee how past performance had been evaluated by his immediate supervisor, bringing out strong and weak points, serving as the basis for discussion of how to improve performance, and providing for counseling of the individual employee. In addition, the evaluation will provide recommendations to assist the employee in identifying methods for improving work performance. The results of each employee's performance evaluation will be considered a factor for granting increases in salary and promotion. An employee's evaluation does not mean an automatic increase.

7.03 RESPONSIBILITY FOR PROVIDING RATINGS

For both initial entrance probationary employees and promotional probationary employees, the immediate supervisor will provide initial ratings at the end of the probationary period, and regular annual ratings thereafter. These rating periods are keyed to the date an employee entered his or her current position classification.

7.04 MAINTENANCE OF RECORDS

The town will maintain the original copy of all completed personnel evaluation records, which will be made a part of each employee's personnel file. All employees may at reasonable times inspect and make copies of all of their personnel records.

7.05 FITNESS FOR DUTY

The town has the option of requiring, at the town's expense, a physical screening or examination for any current employee whenever the town has a reasonable basis to question ~~concerning that~~ the employee's fitness for duty. The town has the sole discretion to determine the nature of the

screening to be provided. Any employee so evaluated is obligated to release to the town a comprehensive opinion as to fitness for duty. The town also has the discretion to order a psychiatric or psychological evaluation of any employee at the town's expense when the town has a question concerning fitness for duty. Any employee so evaluated is obligated to release to the town a comprehensive opinion as to fitness for duty. Failure to provide proper verification of fitness for duty may result in termination.

7.06 SPECIAL EVALUATIONS

Any department head, with the approval of the town manager, may call for a special evaluation outside the regular cycle when warranted.

7.07 RE-INSTATEMENT OF PROBATIONARY PERIOD.

A department head, with the approval of the town manager, may place an employee on probation for a period not to exceed six (6) months if the Employee's Performance Evaluation is below an acceptable level.

SECTION VIII: PAY AND CLASSIFICATION PLAN

8.01 PURPOSE

The Pay and Classification Plan organizes positions according to their range of duties, responsibilities and level of difficulty; and provides a standardization of job titles and the basis of compensation of town employees.

8.02 USES

The Pay and Classification Plan is used for the following:

- (a) Provide a grouping of positions into classes, which require the same general qualifications and which fall into the same pay grade.
- (b) Provide class titles indicating the type of work, which are used on all personnel records.
- (c) Provide a schedule of salary ranges for various classifications.

8.03 CONTENT

The Pay Plan includes a salary schedule and range as adopted by the town commission.

The Classification Plan provides written specifications for each position classification describing the kind of work and the necessary knowledge, skills and abilities required for successful performance of the work, the required training and experience.

8.04 PAY RATES FOR NEW EMPLOYEES

Entrance appointments will be made at the minimum pay rate for the position. Exceptions from this minimum pay rate may only be permitted in rare instances and only with the prior approval of the town manager.

8.05 MERIT INCREASES

Merit increases are not considered to be automatic, but rather are discretionary on the part of the town. If merit increases are potentially available, they are to be earned and based upon job performance standards as defined by the town's employee performance evaluation system. Evidence of a specific performance rating must be reflected in the employee's performance evaluation prior to approval of a merit increase. In no event will a merit or other increase be

allowed if it would cause the employee to exceed the maximum salary range for his or her position.

8.06 DEMOTION

- (a) All demotions must receive the approval of the department head and the town manager. Demotions may result in an adjustment of the employee's rate of pay.
- (b) Demotion will not affect an employee's anniversary date; however, the employee's merit increase eligibility date will be keyed to the date an employee enters his or her current position classification.

8.07 EFFECTS OF PROMOTION

An employee may be promoted to a job classification with a higher range of pay after successfully meeting the requirements for that position. Upon promotion, the employee shall have his or her salary, pay step, and probationary period adjusted as follows:

- (a) The employee shall be placed in the minimum salary established for the position to which he or she was promoted. The effective date of the salary change will not be earlier than the effective date of promotion. If the employee's current rate of pay is above the minimum salary for the new position, the employee will receive an appropriate increase in relation to the town's wage scale. This increase will typically be five (5 %) percent unless otherwise authorized by the town manager. Any return of an employee to his or her former position shall result in the employee's rate of pay being adjusted back to the rate just prior to the time of promotion.
- (b) Promotions shall establish a new merit increase eligibility date and mark the initiation of a probationary period in accordance with Section VI.

8.08 OVERTIME

The town's general policy is to avoid the use of overtime whenever possible. However, department heads or supervisors may authorize or direct an employee to work overtime when necessary in order to meet emergency operating needs.

8.08—OVERTIME (cont'd)

The rate of overtime pay for non-exempt employees is one and one-half (1½) times the employee's regular rate, for all actual time worked and holidays in excess of the maximum allowable hours under the Fair Labor Standards Act. Only hours actually worked will count for purposes of computing overtime.

8.09 CALL BACK PAY

Employees required to come to work on off duty hours due to an emergency or other urgent situation shall be paid for actual time worked, with a minimum guarantee of two (2) hours.

8.10 COMPENSATORY TIME

Non-exempt Employees may accrue compensatory time in lieu of overtime pay provided that:

- (a) ~~The use of All~~ compensatory time off must be ~~is~~ approved by, and scheduled through the department head.
- (b) Compensatory time shall not be accrued in excess of forty (40) hours.

8.11 LONGEVITY PLAN

The Longevity Plan was discontinued on October 11, 2011.

~~All full time regular employees, hired before October 1st 1999, are eligible for longevity pay. The Plan is as follows:~~

<u>Level</u>	<u>Years of Service</u>	<u>Reward Amount</u>
I	10-14	\$ 700
II	15-19	\$1,400
III	20 and up	\$2,100

~~The Longevity Plan is a discretionary plan intended to be a reward for specific lengths of continuous service to the town. This is an amount unconnected to the base salary paid to employees for their job duties and responsibilities. The Longevity Plan would apply to all eligible regular full time employees in all town departments/divisions.~~

~~To be eligible for longevity pay, an employee must have completed the years of service immediately preceding the first year of eligibility within each level. Years of service must be continuous. As an example, to be eligible for Level I an employee would have completed nine (9) continuous years of employment, and would then receive seven hundred dollars (\$700.00) for years ten (10) through fourteen (14). The amount would be paid annually.~~

~~8.11 LONGEVITY PLAN (cont'd)~~

~~Effective October 1, 1999, all employees hired before October 1, 1999, and who meet the aforementioned longevity eligibility criteria, will only be eligible for the next level attainable, i.e., those employees with less than ten (10) years, will only be eligible to earn the ten (10) year longevity bonus of seven hundred dollars (\$700); those employees between ten (10) and fourteen (14) years of service, will only be eligible to earn the fifteen (15) year longevity bonus~~

Town of Belleair Personnel Policies

~~of one thousand four hundred dollars (\$1,400); and employees between fifteen (15) and nineteen (19) years of service, will only be eligible to earn the twenty (20) year longevity bonus of two thousand one hundred dollars (\$2,100).~~

8.12 ADDITIONAL COMPENSATION BENEFITS

The town may from time to time provide additional compensation considerations subject to approval by the town commission.

8.13 COST OF LIVING ADJUSTMENTS

Unless the Town Commission directs otherwise, Any annual cost of living pay adjustments that may be approved by the town commission as a part of the town's annual budget, shall be based on the Consumer Price Index data published for the month of March, (during the year preceding the subsequent year's budget) by the U.S. Department of Labor, Bureau of Labor and Statistics, for South urban metropolitan areas.

Cost of living adjustments approved will be applied toward all eligible employee base salaries, and provide a basis for annual adjustments to minimum and maximum pay scales for the various pay grades and classifications, excepting those employees whose pay and compensation may be determined by a union contract.

SECTION IX: ATTENDANCE

9.01 BASIC WORK WEEK

- (a) The basic work week shall consist of forty (40) hours unless otherwise specified by the town manager, in order to meet the needs of individual departments.
- (b) The work week shall commence on each Saturday at 12:01 A.M. and terminate in the following Friday at midnight, unless otherwise specified by the town manager, in order to meet the needs of individual departments.
- (c) Work periods are established for police and fire employees in accordance with the Fair Labor Standards Act and, where applicable, are defined in the town's union contractual agreements.

9.02 HOURS OF WORK

The town manager shall establish the hours of work that shall be determined in accordance with the needs of the town and shall take into account the reasonable needs of the public.

9.03 ATTENDANCE

- (a) Each department head or supervisor shall be responsible for the attendance of all persons in the department.
- (b) All employees are expected to report for duty at the scheduled time.
- (c) Except where otherwise limited by applicable law, Absenteeism or tardiness shall serve as cause will constitute grounds for disciplinary action.
- (d) An employee unable to report to work must notify his or her department as soon as possible prior to the scheduled reporting time. If contact cannot be made at one's department, the employee shall notify the Police Department dispatcher of his inability to report to work as scheduled.

SECTION X: TRAINING

10.1 TRAINING

Schools, training, and career development courses that the town determines beneficial may be made available to employees. Every effort will be made to notice all employees in sufficient time for the employees to apply for attendance. Employees desiring to attend such training should make a request to their immediate supervisor.

10.02 CRITERIA

The department head should select employees for attendance at training classes based on the following criteria:

- (a) Ability of the employee;
- (b) The employee's duties and assignments (past, present and future);
- (c) The employee's demonstrated interest;
- (d) Staffing needs of the department;
- (e) Identifiable individual need for particular training, if applicable.

10.03 REQUIRED LICENSE AND CERTIFICATIONS

All employees required to be licensed or otherwise certified as a condition of employment are responsible for attending and satisfactorily completing all training necessary to maintain any licenses or certifications on their own time unless otherwise authorized by the town.

10.04 JOB ENHANCEMENT ~~(PLEASE SEE SEPARATE UPDATED POLICY)~~

(a) *Purpose*

The Town of Belleair has provided the “Job Enhancement Program” in an effort to provide educational opportunities to all members of the bargaining unit to assist with training, career development and advancement consistent with individual ability, performance and the requirements of the Town of Belleair.

~~(See separate updated policy)~~

(b) *Eligibility*

Town of Belleair Personnel Policies

Employees who have completed twelve (12) months of continuous service with the Town of Belleair and have successfully completed the requisite six (6) month probationary period in their current position are eligible to apply for tuition reimbursement in accordance with the following.

- (c) ~~–~~Educational courses eligible for assistance must be offered by an accredited ~~Florida public state~~ university, independent college, public community college, or trade school. Non-credit and/or refresher courses will not qualify for educational reimbursement. Employees are entitled to participate in a tuition reimbursement program provided that all classes are off-duty.
- (d) Reimbursement will be limited to ~~three hundred dollars~~Two Thousand Five Hundred (\$2500) per fiscal year (less all-applicable deductions, such as taxes and withholdings) for any employee provided the following criteria are met:
 - 1. Tuition reimbursement is available for course work that is directly related to the employee’s current position classification with the Town of Belleair, or a position consistent with an existing succession plan for future personnel needs of the Town of Belleair.
 - 2. Tuition reimbursement is only available for course work required as part of a degree program or certificate program unless otherwise deemed acceptable by the Town Manager or his/her designee.
 - 3. Tuition reimbursement is approved at the sole discretion of the Town Manager or his/her designee.
- (e) The employee shall initiate a “Job Enhancement Program Application” at least two (2) weeks prior to the beginning of classes. In addition, the employee will provide:
 - 1. Student schedule of classes;
 - 2. A fee receipt describing all costs associated with tuition for the educational institution, as provided above;

The “Job Enhancement Program Application” will be submitted directly to the employee’s supervisor. The original “Job Enhancement Program Application,” which will include notice of approval or denial, will be maintained in the Town Manager’s Office and executed copies will be provided to the employee.

- (f) Upon completion of the approved course(s), the employee must submit a transcript indicating successful completion with final grade(s) of “C” or better. The employee will be reimbursed according to the approved “Job Enhancement Program Application.”

(g) *General Provisions* ~~–(See separate updated policy)~~

Town of Belleair Personnel Policies

1. Tuition is the only cost eligible for reimbursement. The cost of fees and supplies are not eligible.
2. The employee will be required to reimburse the Town of Belleair for educational course tuition costs that have been received by the employee if the employee separated from the Town's employment within one (1) year from the completion of the most recently completed course(s).
3. If an employee resigns or terminates for any reason prior to receiving a reimbursement, the Town of Belleair shall have no obligation to refund any part of the cost for tuition.
4. The Town of Belleair will not pay the cost of tuition that has been or will be paid for by sources such as grants, scholarships or other subsidies.

SECTION XI: LEAVES

11.01 SICK LEAVE

(a) *Eligibility*

- 1) Regular full time employees.
- 2) Part time regular employees.
- 3) Newly hired probationary employees will be entitled to sick leave only after completion of their probationary period, at which time they will be credited with sick leave time earned during probation.

(b) *Use of Sick Leave*

The town provides sick leave to all eligible employees as a benefit to be used for the following reasons:

- 1) Personal illness or injury.
- 2) Dental or doctor appointments that cannot be reasonably scheduled on off duty hours.
- 3) Illness in employee's close family.
(Spouse, parent, child, sister, or brother)
- 4) Employees with accrued sick leave may voluntarily donate sick leave to other town employees under the following conditions and restrictions:
 - a) The receiving employee is scheduled to be out of work for an extended period under the Family and Medical Leave Act for the employee's own serious health condition.
 - b) The receiving employee is one who is eligible to accrue and use sick leave under Section 11.01(a) and has depleted all paid leaves available to him or her.
 - c) Time may be donated in minimum increments of four (4) hours by any employee eligible to accrue and use sick leave under Section 11.01(a), up to a maximum donation of sixteen (16) hours per fiscal year. The maximum amount

~~11.01 SICK LEAVE (cont'd)~~

of donations an employee may receive in any one fiscal year is two hundred forty (240) hours.

d) Regardless of whether used by the receiving employee, time donated will not be reinstated to the employee making the donation. If the receiving employee returns to work prior to using all of the donated sick leave, the amounts remaining will be converted to regular sick leave and shall be available for use in accordance with town policy, but not for compensation under Section 11.01(e). If the receiving employee separates from employment prior to using all of the donated time, the donated time is not subject to the pay out provisions of Section 11.01(f).

e) Donations will be credited to the receiving employee on an hour for hour basis, regardless of differences in the rates of pay between the donating and receiving employees.

(c) Computation of Sick Leave

Sick leave will be earned at the rate of eight (8) hours per month, and shall be cumulative to a maximum of four hundred eighty (480) hours.

Part time regular employees will earn sick leave at a reduced rate based on the proportion between hours actually worked and full time hours.

Sick leave will not be earned when an employee is on any non-pay status.

(d) Sick Leave Requests

Requests for sick leave shall be made to the employee's immediate supervisor.

The employee is responsible for promptly notifying his/her supervisor of any illness or other disability that would require the use of sick leave.

It shall also be the employee's responsibility to notify his or her immediate supervisor of any condition or medication side effects that impacts an employee's ability to do his or her job.

If an employee is ill or otherwise unfit for duty, the town may place the employee on sick leave. Placement on sick leave will not stay any possible disciplinary action if the employee has violated the town's Code of Conduct.

~~11.01—SICK LEAVE (cont'd)~~

(e) Annual Payment for Accrued, Unused Sick Leave Hours

Town of Belleair Personnel Policies

On September 30 of each year, the accrued unused sick leave hours credited to each employee will be determined. If the employee so elects, a lump sum payment for sick leave hours in excess of eighty (80) hours, computed at the employee's September 30 hourly rate, will be made on or about November 15. Employees shall have the option of accruing sick leave hours in excess of eighty (80) in lieu of payment if desired, but with a maximum accrual limited to four hundred and eighty (480) hours. Only those sick leave hours in excess of a minimum of eighty (80) are available for lump sum payments, in order that employees have a reasonable sick leave credit available in the event of illness or accidental injury.

(f) Payment for Accrued, Unused Sick Leave upon Termination

Providing the employee has twelve (12) months continuous service, and that termination is not a dismissal, upon termination the employee will be paid a lump sum payment for all accrued unused sick leave hours at the hourly rate in effect at the time of termination.

11.02 COURT LEAVE

Employees attending court as a witness on behalf of a public jurisdiction or for jury duty during their normal working hours, shall receive pay for the hours they attend court. All full time employees subpoenaed to attend court are eligible for leave with pay. Those employees who become plaintiffs or defendants are not eligible for court leave. Employees who attend court for only a portion of a regular scheduled work day are expected to report to their supervisor when excused or released by the court. Employees must submit verification of court attendance to be entitled to payment.

11.03 MILITARY LEAVE

- ~~(a) — Employees who are reserve members of the United States military or who are members of the Florida National Guard, shall be entitled to leave of absence from their respective duties without loss of pay for such time as they are ordered to military service or field training status, for a period not to exceed seventeen (17) calendar days in any one calendar year. All time in excess of seventeen (17) calendar days will be without pay. For employees working a twenty four (24) hour shift, a work day is defined as twelve (12) hours.~~
- ~~(b) — The employee must submit an order or statement from the appropriate military commander as evidence of any such duty unless restricted by law.~~

~~11.03 MILITARY LEAVE (cont'd)~~

- ~~(c) — Any employee who enlists is drafted or inducted into the Armed Services for active duty will be granted an unpaid military leave of absence for the initial period of enlistment.~~

Town of Belleair Personnel Policies

~~All monies due the employee (i.e., vacation, sick time, etc.) will be paid at the time of entering active military service.~~

- ~~(d) Upon termination from active military service, an employee who wishes to return to town employment must contact the town manager within ninety (90) days from the date of military separation unless a longer period is allowed by law. An employee shall not be considered eligible for reinstatement if he or she voluntarily re-enlisted in the military service beyond his or her initial military obligation. An employee requesting reinstatement with the town must submit to a medical examination to verify the employee's physical and mental fitness to perform the essential functions of the position, with or without reasonable accommodation.~~
- ~~(e) An employee returning to town employment in his or her former position will start at the salary he or she would have received, including all adjustments, had he or she remained continuously employed with the town instead of entering the armed services.~~
- ~~(f) If the position vacated by an employee who entered military service is reclassified or retitled during the period of military service, the employee will be reinstated in the new or revised position, unless the employee is not capable of satisfactorily performing the essential functions of the position, even with reasonable accommodation. If the former position has been abolished or if the employee is incapable of satisfactorily performing the essential functions, the employee shall be reinstated to a position as nearly comparable as possible in salary and duties to the position vacated, providing a vacancy is available.~~

- (a) **Leave for Active Military Service:** For employees who are members of the U.S. Armed Forces Reserves or the National Guard and who are ordered to active military service, the first 30 calendar days of such leave will be without loss of pay. The Town will continue to pay its share of any health insurance coverage for up to 30 days of military leave. Leaves for active military service in excess of 30 days will be without pay, although employees may elect, at their option, to use any accrued unused vacation or sick leave.

Employees are required to provide as much advanced notice as possible of the need for military leave unless giving notice is impossible or precluded by military necessity.

Reinstatement or re-employment by the Town following a period of active military service will be granted as follows:

1. If you were discharged from the military, you received an honorable discharge.
2. Your military leave from the Town did not exceed five years.

Town of Belleair Personnel Policies

3. You reported back to work or applied for reinstatement: (a) within 90 days after release from military service lasting more than 180 days; (b) within 14 days after release from military service lasting between 31 and 180 days; or, (c) on the next regularly scheduled workday following release from military service of less than 31 days.

You will be reinstated in the position you would have attained if not for the military leave absence (or a similar one in terms of status, pay, and seniority) and will receive full credit for time spent in the Armed Forces, provided you meet the above requirements.

- (b) **Leave for Reserve or Guard Training:** If you are a member of the Reserve or National Guard, you will be granted a military leave of absence for all time in which you are ordered to engage in training. You should give your supervisor as much advance notice as possible of your intent to be away. Up to 240 hours per year for Reserve or Guard training shall be paid leave. Any training hours required in excess of 240 hours per year shall be without pay.
- (c) **Leave for Named Event or Declared Emergency:** A military leave of absence will also be granted to any employee who is a member of the Florida National Guard and is called to active state duty for a named event or an officially-declared emergency or disaster pursuant to Florida Statutes, Section 250.48. Official orders for any such service shall be presented to an employee's immediate supervisor. Leave under this section shall be with pay for the first 30 days of the named event or emergency, and thereafter shall be without pay.

11.04 FAMILY AND MEDICAL LEAVE~~SEE SEPARATE UPDATED POLICY~~

This policy is provided as a separate attachment and may be updated periodically by Town Staff without prior approval of the Town Commission in conformance with relevant federal and state law.

~~(a) Purpose~~

~~The town's family and medical leave policy is designed to allow employees to balance their work and family life by taking reasonable leave for medical reasons, for childbirth, adoption or foster care, or to care for certain family members who have a serious health condition, as defined in the Family and Medical Leave Act.~~

~~(b) Eligibility~~

~~Employees who have worked for the town for at least twelve (12) months and at least one thousand two hundred fifty (1,250) hours during the twelve (12) months prior to the requested leave may take up to twelve (12) weeks of leave per calendar year for the following reasons:~~

~~(cont'd) (SEE ATTACHED HEALTH CERT. FORM)~~

~~The birth of a child of an employee;~~

Town of Belleair Personnel Policies

~~The placement of a child with the employee through adoption or foster care;~~

~~To care for an employee's spouse, child or parent who has a serious health condition;~~

~~A serious health condition of an employee that renders him or her unable to perform the functions of his or her position.~~

~~(c) — In the case of leave for an employee's *serious health condition* or that of a spouse, child or parent, leave may be taken on an intermittent or reduced hours basis only if such leave is medically necessary. If intermittent or reduced leaves medically necessary, the employee may be temporarily transferred to another position with equivalent pay and benefits, which better accommodates that type of leave. Employee personal leave for his or her own serious health condition may be extended up to six (6) months. Employees are required to use accrued sick leave and annual leave for their own illness prior to being placed in an unpaid leave status.~~

~~(d) — If leave is requested for the birth, adoption or placement of a child through foster care, intermittent or reduced hours leave is not available. Employees requesting such leave are required to use accrued annual leave prior to being placed in an unpaid leave status. Any leave for the birth, adoption or placement of a child in foster care must be completed within twelve (12) months after the event.~~

~~In the event an employee who is exempt from overtime under the FLSA takes leave upon an intermittent or reduced schedule basis, the employee's salary may be adjusted in accordance with FMLA regulations.~~

~~During a family leave of absence, the town will continue to pay its portion of the health insurance premiums up to a maximum of twelve (12) work weeks, regardless of whether the leave is paid through the use of accrued leave or unpaid. The employee must continue to pay his or her portion of the premiums; the failure to do so may result in loss of coverage. Under certain circumstances, the town may recover from the employee insurance premiums paid on the employee's behalf.~~

~~(g) — During any portion of an unpaid family or medical leave, employees shall not accrue employment benefits like annual leave, credit service, pension accruals, and the like. Benefits accrued up to the day on which the family or medical leave of absence begins will not be lost except to the extent used by the employee to pay for such leave.~~

~~(h) — An employee who returns to work from family or medical leave within or on the day following the expiration of the twelve (12) work weeks provided in this policy will be reinstated to his or her job or an equivalent position without loss of pay, benefits or~~

11.04 FAMILY & MEDICAL LEAVE (cont'd) (SEE ATTACHED HEALTH CERT. FORM)

~~continuous service. Every effort will be made to return employees who are granted leave in excess of twelve (12) work weeks to his or her job or an equivalent position without loss of pay or benefits.~~

Town of Belleair Personnel Policies

~~(i) — An employee who takes leave of thirty (30) calendar days or more in succession shall have his or her anniversary date adjusted by a like amount.~~

~~(j) — Periods of light duty when an employee suffers from a serious health condition may be counted as FMLA qualifying where an employee is unable to perform the essential functions of his or her own job. Notice will be given if time spent on light duty is to be counted toward the FMLA.~~

~~(k) — If both spouses are employees of the town, their combined leaves of absence will not exceed twelve (12) work weeks if the leave is for reasons other than their own serious health conditions, a serious health condition of their spouse or a serious health condition of their child.~~

~~(l) — Applications for family or medical leaves of absence must be submitted in writing. Applications should be submitted at least thirty (30) days before the leave is to commence, or as soon as possible if a thirty (30) day notice cannot be given. Where an employee seeks to take leave for foreseeable medical treatment, the employee should make a reasonable effort to schedule treatment so as not to unduly disrupt the town's operations.~~

~~(m) — Appropriate forms must be submitted to the Personnel Department to initiate a family or medical leave and to return the employee to active status.~~

~~(n) — An employee requesting a family or medical leave of absence must furnish the appropriate medical certification.~~

~~(o) — An employee unable to return from leave must also furnish medical certification of that fact.~~

~~(p) — For leave due to an employee's serious health condition, a medical release from the employee's health care provider verifying the employee's fitness for duty must be presented to the department head prior to the date the employee is scheduled to return to work.~~

~~(q) — On leaves granted for medical reasons, the town has the right to secure a second opinion at its own expense.~~

~~(r) — For leaves extending beyond thirty (30) calendar days, the employee must notify the town every thirty (30) days as to the employee's status and intent to return to work.~~

11.05 FUNERAL LEAVE

(a) Funeral leave with pay for a period not exceeding three (3) consecutive duty days in state or five (5) consecutive duty days out of state, shall be granted in the event of death of an full time regular or part time regular employee's spouse, child, parent, sister, brother, mother-in-law, father-in-law, or grandparents, in order that the employee can attend the funeral. Proof of travel and attendance must be furnished upon request of the department head. For shift work employees, funeral leave with pay will be available for a period not exceeding two (2) consecutive shifts in state or three (3) consecutive shifts for out of state

Town of Belleair Personnel Policies

funerals. Employees, who qualify for funeral leave, may also be granted bereavement leave for other special cases, but only at the discretion of the town manager or his designated representative.

- (b) This funeral leave shall not be charged against hours of any other benefits provided by the town, nor shall it be used in computing overtime. The employee shall not be covered by workers compensation while on funeral leave.

SECTION XII: HOLIDAYS

12.01 HOLIDAYS

- (a) The following days shall be observed as legal holidays for the Town of Belleair:

Town of Belleair Personnel Policies

1. New Year's Day	January 1
2. Martin Luther King Day	3rd Monday in January
3. Memorial Day	Last Monday in May
4. Independence Day	July 4
5. Labor Day	1st Monday in September
6. Veterans Day	November 11
7. Thanksgiving Day	Fourth Thursday in November
8. Day after Thanksgiving	Last Friday in November
9. Christmas Day	December 25
10. Floating Holiday	to be taken at the discretion of employee with concurrence of their supervisor, and after one (1) year of continuous employment.

- (b) Whenever a holiday falls on Saturday, the preceding Friday shall be considered a holiday. A designated holiday falling on a Sunday shall be observed on the following Monday.
- (c) An employee who is not on an approved leave and fails to report to work the day before or the day after a holiday, shall not be paid for the holiday.

12.02 ELIGIBILITY FOR HOLIDAY PAY

- (a) All full time and part time regular employees will receive pay for each of the holidays recognized in accordance with the respective appropriate normally scheduled hours of work.
- (b) Employee must be on active pay status on the regularly scheduled working day immediately prior to a holiday and the regularly scheduled working day immediately following a holiday, in order to qualify for holiday time. (Active pay status includes vacation and/or sick leave.)
- (c) Should a holiday occur during the absence of an employee while on vacation with pay, or sick leave with pay, he or she will receive compensation for such holiday and such day shall not be charged against sick leave or vacation.

Town of Belleair Personnel Policies

- (d) An employee assigned and scheduled to work on a holiday, and who in fact does work, shall receive his hourly rate of pay plus time and a half. If the employee is already in overtime status when he works the holiday he will receive his hourly rate of pay at the overtime rate plus time and a half.

SECTION XIII: VACATIONS

13.01 ELIGIBILITY

- (a) All full-time employees and part time regular employees shall be entitled to earn vacation time with pay. Vacation time shall be computed from employee's anniversary date and accrued based on their normally scheduled hours of work.
- (b) Vacation with pay shall be granted all eligible employees who have completed twelve (12) months of continuous service with the town.

13.02 TERMINATION FROM TOWN SERVICE

- (a) If a new employee leaves the service of the town before completing one (1) year of service, the employee shall not receive any vacation pay.
- (b) Any employee who has served one (1) year or more continuous service shall be paid for any unused vacation when leaving the town's employ.

13.03 AMOUNT OF VACATION TO BE EARNED

40 Hour Work Week Employees:

1 Year to 5 Years	6.67 hours per month
6 Years to 15 Years	10.00 hours per month
16 Years and over	13.33 hours per month

Full time employees and part time regular employees who work a regular schedule of less than forty (40) hours per week but more than twenty (20) hours per week will accrue vacation on a proportionate basis.

13.04 MAXIMUM ACCRUAL

The maximum amount of vacation that can be accrued is two hundred forty (240) hours. Any time earned in excess of two hundred forty (240) is automatically deemed forfeited. Leave will be accrued on a monthly basis and cannot be used until earned.

13.05 SCHEDULING VACATIONS

In scheduling vacations, the following procedure will be followed:

All vacation requests shall be turned in to one's immediate supervisor by April 1 each year. In the event employees have requested the same time off, vacations will be approved based on seniority. The supervisor will assure that adequate staff is present to provide services required by the town.

Vacations not requested as provided above will be considered for approval in conjunction with the approved vacation schedules and the work schedules.

SECTION XIV: SENIORITY AND REDUCTION IN FORCE

14.01 SENIORITY DEFINED

Seniority shall be defined as continuous years of service with the town. Except where otherwise required by applicable law, Unpaid leaves of absence of thirty (30) calendar days or more shall cause a break in seniority and the individual's seniority date to be adjusted by a like amount of time except as provided by law.

14.02 SENIORITY FOR LAY-OFF PURPOSES

In the event of a lay-off or reduction in force, employees will be laid-off in accordance with the needs of the town. Within the same ~~classification of position~~ employees selected for lay-offs, lay-offs will be done in the following order:

- (a) Temporary Employees;
- (b) Part-Time Employees;
- (c) Newly hired probationary employees;
- (d) Full time non-probationary employees.

Lay-offs within the same ~~classification position~~ shall be based first on service ratings and performance evaluations and secondly on time in present ~~classification position~~. Where ratings are equal, the junior employee in relation to time in present ~~classification position~~ will be laid off first.

14.03 REHIRE AFTER LAY-OFF

In the event that employees are to be rehired after a lay-off or reduction in force, those employees who were laid-off from a comparable position in the last twelve (12) months will be offered re-employment prior to hiring any other employees. Re-employment will be offered in the inverse order in which they were laid-off. The town will not offer re-employment to any employee if the available position is that of a greater rank or higher class than that which the employee held at the time of the lay-off.

14.04 RECALL NOTICES

Recall notices will be sent by certified mail. Any employee on lay-off will have ten (10) calendar days in which to give written notice of his or her intent to return and another ten (10) calendar days in which to actually return to work. It is the employee's responsibility to keep the

Town of Belleair Personnel Policies

town informed as to his or her current address. Failure to give timely notice of intent to return from lay-off will forfeit the employee's right to recall. An individual, who provides notice of intent to return but does not return within the specified time period, as noted above, also forfeits his right to recall. The town may deny recall if there exists any intervening factor or event that renders return to the former position inappropriate.

SECTION XV: DISCIPLINARY MEASURES

15.01 PURPOSE

All employees in the town are members of a team working together for the main objective of serving our community. Any employee who fails to follow the necessary rules and regulations governing his or her conduct is not only penalizing the employee, but doing a disservice to all of the other town employees. The Code of Conduct rules are not intended to restrict the privileges of anyone, but are designed to insure the rights and safety of all town employees and to provide working guidelines to encourage equitable and business-like conduct. Consistent with the town's policy of at will employment, nothing in the Code of Conduct or these policies should be construed as limiting the town's ability to discipline or discharge an employee for any reason and without cause.

15.02 POLICY

It is the policy of the town that discipline should be characterized as corrective rather than punitive, and that disciplinary actions be utilized as an element of an overall program to educate employees and promote proper employee conduct. When circumstances permit, department heads, or supervisors, are encouraged to pursue a philosophy of "progressive discipline" by administering gradual increased disciplinary actions for each successive instance of employee misconduct, unless the circumstances warrant more severe disciplinary action. Each level of progressive discipline should be fully documented in the employee's personnel record.

Although internal consistency in administering discipline is desirable, numerous factors should be considered in determining the appropriate level of discipline to be assessed at each successive step. Some of the factors involved include, but are not limited to, the employee's length of service, time intervals between offenses, effectiveness of prior disciplinary actions, willingness to improve, overall work performance, job attitude, and disciplinary actions previously administered to other comparable employees for similar offenses. A repetition of the same offense or other offenses indicates that more severe disciplinary measures should be administered. Consistent with its desire that discipline be corrective, when imposing disciplinary measures on a current charge, supervisors will generally not take into consideration prior infractions of the town or departmental rules and regulations that occurred more than two (2) years previously. However, where the contemplated disciplinary action is termination, the desire for corrective measures no longer applies and it is appropriate to review the employee's entire employment history with the town. The town has further provided that certain offenses are of such a serious nature that immediate discharge upon the first offense is applicable.

15.03 APPLICATION OF DISCIPLINARY MEASURES

Town of Belleair Personnel Policies

- (a) Town employees are expected to abide by, and may be disciplined for violation of either town or departmental rules and regulations or for any other conduct not in the town's best interest.
- (b) In recognition of the fact that each instance of misconduct differs in many respects from somewhat similar actions, the town retains the right to treat each occurrence on an individual basis without creating a precedent for other cases that may arise in the future. Examples given in any rules do not limit the generality of the rule. The following rules and regulations are not to be construed as a limitation upon the retained rights of the town, but are to be used only as a guide.
- (c) The Code of Conduct provides recommended progressive penalties to apply for specific offenses; however, the recommended penalties may be modified by the town including a lesser or more severe penalty when extenuating circumstances are found.

15.04 COUNSELING AND DOCUMENTED ORAL REPRIMANDS (ORAL WARNING REPORTS)

- (a) It is the responsibility of the employee's immediate supervisor to obtain all the facts, weigh the evidence and discuss a disciplinary problem with the employee(s) involved.
- (b) The purpose of an oral warning, reprimand or counseling session is to encourage employees to improve their performance, work habits, attitude, or behavior. Discussions of this nature are commonly used when an employee disregards work rules or commits offenses of a relatively minor nature. The normal procedure is for the employee's immediate supervisor to identify and define the area in need of improvement and inform the employee how such improvement can be realistically achieved.
- (c) Written documentation of an oral warning, reprimand or counseling session serves notice that if improvement is not forthcoming, or any misconduct recurs, then more formal disciplinary measures will be taken, up to and including dismissal.
- (d) The employee involved in any oral counseling sessions shall be provided with a copy of the written documentation that shall be placed in the employee's personnel record.

15.05 WRITTEN REPRIMANDS AND CAUTIONING

- (a) Supervisors shall inform employees promptly and specifically, whenever their performance, attitude, work habits, or personal conduct at any time falls below a desirable level.

~~15.05 WRITTEN REPRIMANDS AND CAUTIONING (cont'd)~~

Town of Belleair Personnel Policies

- (b) In situations where an oral warning has not resulted in the expected improvement, or when an employee commits an offense, an Employee Disciplinary Record Form should be issued specifically defining the nature of the infraction. The information should include a complete description of the incident of misconduct and refer to specific times, dates, locations, personnel involved, and rules violated, if any.
- (c) The employee's immediate supervisor usually initiates the Disciplinary Record Form.
- (d) The employee's signature is requested on the Disciplinary Record Form to acknowledge receipt and to acknowledge that the employee has been made aware of the town's concerns and expectations, and does not indicate an employee's agreement with the provisions of the disciplinary action. If the employee refuses to sign, it should be so indicated on the Disciplinary Record Form in the area reserved for the employee's signature.
- (e) The Disciplinary Record Form documenting the misconduct and disciplinary action shall be placed in the employee's official personnel record with copies to the employee and the originating department.

15.06 SUSPENSIONS

(a) Policy

An employee may be suspended without pay by the department head for reasons provided in the Code of Conduct rules and/or departmental rules or other conduct not in the town's best interests. Suspensions shall be issued on a consecutive calendar day basis. Thus, suspensions must include the employee's normal days off in the calendar day's total. Suspension for two (2) or more offenses must be cumulative and cannot be served concurrently.

With regard to disciplinary suspensions of employees exempt from overtime under FLSA, such employees will be paid their regular salary when the suspension is for less than one (1) week. However, the number of days of the suspension will be deducted from the employee's accrued annual leave. Suspensions may also be given in one (1) week increments, in which case the suspension will be without pay and shall coincide with the town's work week for FLSA purposes. The town at all times reserves the right to suspend (and reduce the pay) of an employee exempt under the FLSA for disciplinary reasons when the conduct for which discipline is imposed is a major safety infraction of great significance or when an employee is suspended in full-day increments for violating a written workplace conduct rule.

(b) Employee Notice Form

Suspension should be documented by an Employee Disciplinary Record Form that specifically describes the nature of the conduct, the Code of Conduct offenses violated, if any, and the disciplinary action to be administered. The Disciplinary Record Form shall accompany the Personnel Action Form implementing the disciplinary action.

15.06 – SUSPENSIONS (cont’d)

(c) Personnel Action Form

Personnel Action Forms will be prepared by the department head. The total number of consecutive calendar days, including the beginning and ending dates of the suspension, and the actual number of workdays on suspension shall be listed in the remarks section of the Personnel Action Form.

15.07 DISMISSAL

In the interest of directing the orderly and efficient operation of all services and activities of the town, employees shall be discharged for misconduct and/or offenses under the terms and conditions provided for in the Personnel Policies or where otherwise deemed in the town's best interest. A Personnel Action Form and an Employee Disciplinary Record Form describing the incident and any rule violated should be prepared whenever an employee is dismissed.

15.08 THREE GROUPS OF OFFENSES

The Code of Conduct is divided into three (3) groups to reflect degrees of severity of offenses. In each group and for each rule violation, consideration will ordinarily be given to the severity of the misconduct, the cost involved, the time interval between violations, the length and quality of service records, and the ability of the employee concerned and any other ~~extenuating-relevant~~ circumstances. ~~In each case where the recommended disciplinary action is modified, the reasons for such modifications will be noted. Although employment with the town is at will and, as such, the town may discipline or discharge an employee without cause, the following Code of Conduct provides an illustrative list of the types of conduct that will ordinarily result in disciplinary action.~~

- (a) The three (3) groups of offenses and recommended penalties are as follows:

GROUP I OFFENSES

FIRST OFFENSE - INSTRUCTION AND CAUTIONING

SECOND OFFENSE - ONE (1) DAY SUSPENSION WITHOUT PAY

THIRD OFFENSE - FIVE (5) DAYS SUSPENSION WITHOUT PAY

FOURTH OFFENSE - DISMISSAL

Town of Belleair Personnel Policies

1. Failure to work overtime, special hours or special shifts, after being scheduled or assigned according to overtime and standby duty policies.

~~GROUP I OFFENSES (cont'd)~~

2. Operating, using, or possessing tools, equipment or machines to which the employee has not been assigned or performing other than assigned work.
3. Quitting work, wasting time, loitering, or leaving assigned work area during working hours without permission.
4. Discourtesy to persons with whom the employee comes in contact while in the performance of duties.
5. Failure to report an absence or unavoidable late arrival at work to the supervisor or other designated departmental representative by the time required by departmental policy on a daily basis unless it is mutually agreed and understood that the purpose of the first reporting would result in a long term absence.
6. Washing up or changing clothes during working hours without specific permission of supervision.
7. Taking more than specified time for meals or rest periods.
8. Productivity, workmanship, or work behavior not up to required standards of performance.
9. Mistake due to carelessness.
10. Disregarding job duties by loafing or neglect of work during work hours.
11. Habitual failure to punch time card. (Suggested Guide: Three (3) times in any thirty (30) day period, or six (6) times in any ninety (90) day period.)
12. Tardiness. (Suggested Guide: Three (3) times in any thirty (30) day period, or six (6) times in any ninety (90) day period.)
13. Chronic absenteeism (Unless excused by applicable law (including the ADA, FMLA, workers' compensation, etc.)). (Suggested Guide: Three (3) times in any thirty (30) day period, or six (6) times in any ninety (90) day period.)
14. Absent without permission or leave. (AWOL).
15. Violating a safety rule or safety practice.
16. Reporting for work or working while unfit for duty, either mentally or physically.

17. Offensive conduct or conduct unbecoming toward town employees or to the general public, whether on or off duty.

GROUP I OFFENSES (cont'd)

18. Creating or contributing to unsafe and unsanitary conditions, or poor housekeeping.
19. Failure to keep the department and/or the Personnel Department notified of proper address and telephone number (if any).
20. Failure to report to management suspicious, unethical, or illegal conduct by coworkers, customers, or suppliers.
21. Smoking at times or in places prohibited by town's rules, local ordinances or state law.
22. Failure to cooperate with town investigations.
23. Failure to wear one's seat belt while in a vehicle during the course and scope of one's employment for the town.

GROUP II OFFENSES

FIRST OFFENSE - INSTRUCTION AND TWO (2) DAYS SUSPENSION

SECOND OFFENSE - DISMISSAL

1. Provoking or instigating a fight any time on town property.
2. Threatening, intimidating, coercing or interfering with other employees or supervision at any time, including coarse and insulting language.
3. Sleeping during working hours, unless otherwise provided as in the Fire service.
4. Reporting to work while under the influence of alcohol or ~~non-prescription~~ drugs in violation of the town's drug free workplace policy.
5. Being in possession of intoxicating beverages, narcotics or drug paraphernalia while on duty.

Town of Belleair Personnel Policies

6. Negligence or omission in complying with the requirements as set forth in the Code of Ethics.
7. Participating in illegal pyramid chain letter organizations, gambling, lottery, or engaging in any other game of chance at any time while on duty.
8. ~~GROUP II OFFENSE~~ Making or publishing false, vicious or malicious statements concerning any employee, supervisor, the town, or its operation.
9. Leaving the job during regular working hours without permission.
10. Where the operations are continuous, an employee who leaves a post at the end of a scheduled shift prior to being relieved by the supervisor or the relieving employee on the incoming shift.
11. Carelessness which results in injury to town personnel, or damage to materials, equipment, tools or property.
12. Unauthorized posting or removal of any matter on town bulletin boards or town property at any time.
13. Unauthorized distribution of written or printed matter of any description on work time and in work areas.
14. Vending, soliciting, or collecting contributions for any purpose whatsoever at any time on town premises while on work time.
15. Use or possession of another employee's tools or equipment without the employee's consent.
16. Refusal to give testimony in town related accident investigations or administrative hearings.
17. Failure to report an accident or personal injury in which the employee was involved while on the job.
18. Abuse of sick leave privileges or falsification of any leave records.
19. Unauthorized use of town vehicles.

GROUP III OFFENSES

FIRST OFFENSE - DISMISSAL

1. Wanton or willful neglect in the performance of assigned duties.
2. ~~GROUP III OFFENSES~~ (Deliberately misusing, destroying or damaging any town property or property of any employee.
3. Knowingly punching the time card of another employee, having one's time card punched by another employee, or unauthorized altering of a time card.
4. Falsification of personal or town records including employment applications, accident records, work records, purchase orders, time sheets, or any other report, record or application.
5. Making false claims or misrepresentations in an attempt to obtain accident benefits, workers' compensation or unemployment compensation payments for themselves or others.
6. Insubordination by the refusal to perform work assigned or to comply with written or verbal instructions of the supervisory force.
8. Unauthorized possession or use of firearms, explosives or weapons on town property.
9. Theft or removal from town locations without proper authorization any town property or property of any employee.
10. Immoral, unlawful or improper conduct or indecency, either on or off the job, which would tend to affect the employee's relationship to the job, other workers, reputation or goodwill in the community.
11. ~~10.~~—The use and/or sale of narcotics, drug paraphernalia or alcohol while on duty.
12. Violating the town's drug free workplace policy under circumstances where the town deems discharge to be in its best interests.
13. Being absent from duty for a period of three (3) consecutive working days without proper authorization.
14. Failure to return from an authorized leave of absence within three (3) working days from scheduled date of return.
15. Incompetence or inefficiency in the performance of assigned duties.

Town of Belleair Personnel Policies

16. Receipt from any person of a fee, gift, or other valuable thing in the course of work when such fee, gift, or other valuable thing is given in the hope or expectation of receiving a favor or better treatment than accorded other persons or otherwise creates an appearance of impropriety.
17. Participation in prohibited political activity on work time.
18. ~~GROUP III OFFENSES~~ Use or attempted use of political influence or bribery to secure an advantage of any manner.
19. Conviction or a plea of nolo contendere of a felony or a misdemeanor of first or second degree as defined by Florida Statutes, or any job related violation of a town ordinance involving moral turpitude, while either on or off the job.
20. Knowingly harboring a communicable disease that is a direct threat to the safety of other employees and cannot be reasonably accommodated. (Note: Being HIV-positive does not constitute a direct threat to the safety of other employees unless the HIV-positive employee knowingly seeks to spread the virus to others, thereby creating the direct threat.)
21. Chronic offender of the Code of Conduct. (Suggested Guide: Four (4) or more violations of any departmental or town rule or regulation that results in a disciplinary action being issued.)
22. Concerted curtailment or restriction of production or interference with work in or about the town's work stations including, but not limited to, instigating, leading or participating in any walkout, strike, sit-down, stand-in, slowdown, refusal to return to work at the scheduled time for the scheduled shift.
23. Participation in a strike or concerted activity against the town as defined in Florida Statutes.
24. Driving a motor vehicle while on duty without a valid State of Florida driver's license, or failure to report the loss or suspension of a driver's license when an employee is required to drive while on duty.
25. Failure to report to one's supervisor any possible unfitness for duty.

SECTION XVI: SAFETY

The development of safe working conditions, practices, habits and thinking are objectives of the town. Reaching those objectives will result in benefits to all employees and to the town. All department heads, supervisors and employees must recognize their responsibility for a successful safety program. The Safety Guide adopted by the town commission on January 15, 1980 will be adhered to by all town employees including any subsequent modifications by the ~~town~~Town~~commission~~ Safety Committee and/or Town Commission.

SECTION XVII: DRUG-FREE WORKPLACE POLICIES AND PROCEDURES

17.01 PURPOSE

The TOWN OF BELLEAIR acknowledges the problem of substance abuse, including alcohol, in our society. We see it as a serious problem. The Florida Legislature has found that individuals abusing alcohol and using illegal drugs have a serious adverse affect on productivity, absenteeism, and workplace safety. This creates unnecessary costs, imposes an unfair burden upon employees who do not abuse alcohol or use illegal drugs, and creates an unsafe work environment for everyone. Problems of this sort can be eliminated by striving to obtain and maintain a workforce that does not use illegal drugs or abuse prescription drugs, over-the-counter drugs, or alcohol.

17.02 SCOPE

This policy shall apply to all current employees of the Town of Belleair, as well as all newly hired employees. Anyone applying for employment with the Town of Belleair, either full time or part time, shall be required to take and pass a drug screen in order to obtain employment with the town.

17.03 DEFINITIONS

Common sense should be used when interpreting and applying this policy. The definitions set forth in this part are not to be construed in a manner that would limit the otherwise normal application of this policy.

Drugs - This refers to illegal drugs, prescription drugs, and legal nonprescription drugs.

Alcohol - This refers to alcohol for human consumption in all its forms.

Town Premises - This refers to all areas in which the town operates. It includes, but is not limited to, its parking lots, leased and owned vehicles, personal vehicles when used for business purposes, storage facilities, work areas, etc.

The Drug-Free Workplace Program Requirements - This refers to the Drug-Free Workplace Program requirements contained in the Florida Workers' Compensation Statute, Sections 440.101 and 440.102, et seq., as it may, from time to time, be amended.

Division-Agency Drug Testing Rules - This refers to the ~~Department of Labor and Employment Security, Division of Workers' Compensation~~Agency for Health Care Administration Drug Testing Rules which implement the Drug-

DRUG-FREE WORKPLACE POLICY (cont'd)

Town of Belleair Personnel Policies

Free Workplace Program. These rules appear in the Florida Administrative Code, Volume 38F59A-24.0039.001, et seq.

Accident - The term accident means any accident or incident in which an employee's injury cannot be classified as first aid under the Florida Workers' Compensation Statute, or an accident in which property damage is estimated to be at least \$100.00 or more.

Mandatory Testing Position -- Mandatory testing position shall mean a job assignment that requires the employee to:

- Carry a firearm;
- Work closely with an employee who carries a firearm;
- Perform life-threatening procedures;
- Work with heavy or dangerous machinery;
- Work as a safety inspector;
- Work with children;
- Work with detainees in the correctional system;
- Work with confidential information or documents pertaining to criminal investigations;
- Work with controlled substances;
- Undergo an employee security background check pursuant to section 110.1127 of the Florida Statutes;
- Perform job assignments in which a momentary lapse in attention could result in injury or death to another person; or,
- Perform safety-sensitive job duties and responsibilities.

Special Risk Position -- Special risk position shall mean a position that is required to be filled by a person who is certified under:

- Chapter 633 of the Florida Statutes (Fire Prevention and Control); or,
- Chapter 943 of the Florida Statutes (Law Enforcement).

17.04 POLICY

Town of Belleair Personnel Policies

All employees shall refrain from the using, possessing, dispensing, or selling of any drug/chemical substance not prescribed for use by a licensed physician and refrain from using a prescribed medication in a manner that does not substantially conform to the direction of the prescribing physician. Also, the consumption of any alcohol while on duty or reporting to work impaired by the use of alcohol or in a condition that prior usage can be observed or detected is prohibited.

(a) *Prohibited Acts*

The use of illegal drugs and the abuse of alcohol, on or off the job, is prohibited. The sale, possession, use, or purchase of drugs or alcohol while working both on or off town property, while on town property whether you are working or not, or while operating a town vehicle, machinery, or equipment is prohibited. Any employee violating this prohibition, except in the circumstances set forth in paragraph IV B below, will be subject to discipline up to, and including discharge for the first offense.

Please be advised that marijuana, even if prescribed for a medical purpose and even if deemed lawful by some states for other purposes, remains an illegal controlled substance under federal law. As such, the Town strictly prohibits the use of marijuana for any purpose.

(b) *Exceptions*

1. This rule does not apply to alcoholic beverages served at a town sponsored social function. Such an exception must be specifically authorized by the Town of Belleair. Serving alcohol at such an event does not encourage, sanction or authorize any individual attending the function to consume alcohol, in excess, to a point of appearing to be intoxicated. Therefore, at such functions if, in the sole opinion of the Town of Belleair, any employee or guest appears to be intoxicated they must, on request, refrain from consuming further alcoholic beverages and, upon Town of Belleair's request, leave the function. Any employee who does not comply with such a request will lose this exemption and be subject to discipline under the terms and conditions of this policy.

~~DRUG-FREE WORKPLACE POLICY (cont'd)~~

2. The second exception is for prescription and over-the-counter drugs. ~~Any employee taking prescription or non-prescription drugs must confidentially report that to his/her supervisor so the town can determine whether or not the employee can work safely while taking the drug. This notification shall be kept strictly~~

Town of Belleair Personnel Policies

~~confidential. The employee's failure to notify his/her supervisor under this sub-part before starting any work-related activity will cause the employee to lose this exemption and be subject to discipline under the terms and conditions of this policy. The legal use of prescription and non-prescription drugs is often necessary. Unless used in accordance with a valid prescription from a medical professional or in accordance with accepted over the counter uses, the Town prohibits the use, distribution, possession, manufacture, cultivation, sale or attempt to sell or distribute prescription drugs. Employees are required to advise his or her supervisor if he or she is taking prescription or non-prescription drugs which have the potential to adversely impact the employee's job performance or the employee's ability to work in a safe and efficient manner. As marijuana remains an illegal controlled substance under federal law, the City strictly prohibits its use, even if otherwise prescribed for a medical purpose under state law.~~

3. The third, and final exception applies to any employee who is required to report to work, or perform work duties, because of an emergency, during a time when --but for the emergency-- the employee would be "off" of work. This exemption is only for moderate consumption of alcohol. It does not apply to any other drug. This exception will be lost, and the employee subject to discipline under the terms and conditions of this policy, if the employee's blood alcohol level reaches or exceeds that of .08% per 100 ml of whole blood.
 4. None of the alcohol exemptions apply to any employee with an alcohol abuse problem.
- (c) It is against town policy to report to work if drugs or alcohol, as defined by the Drug-Free Workplace Program and the ~~Division-Agency~~ Drug Testing Rules, are found to be present in your system at a level prescribed by the ~~Division-Agency~~ Drug Testing Rules.
 - (d) It is a violation of town policy to report to work, or to return to work, with the odor of alcohol on your breath, regardless of whether or not you are actually intoxicated.
 - (e) It is a condition of employment to refrain from taking illegal drugs on or off the job, and to refrain from consuming alcohol on or off the job in a way that results in the employee being at work with a blood alcohol level greater than prescribed by the ~~Division-Agency~~ Drug Testing Rules. It is also a condition of employment to report the use of all prescription and non-prescription drugs in the confidential manner set forth herein.
 - (f) Any employee who refuse to submit to a test for drugs or alcohol, when asked in accord with the provision for paragraph V, will forfeit eligibility for medical and indemnity benefits under the Worker's Compensation Statute has upon exhaustion of the procedures prescribed in Section 440.102(5) and will be subject to discipline up to and including termination.

DRUG-FREE WORKPLACE POLICY (cont'd)

- (g) Observance of this policy is a condition of continued employment for every employee. Violation of any aspect will result in discipline up to and including termination.

17.05 TESTING

Employees are subject to urinalysis and/or blood testing and/or any other physical or bodily sample testing as required by the employer to detect the presence of drug/chemical substances and/or alcohol when the employer has a reasonable suspicion that the employee may be acting in violation of the Town of Belleair's Drug-Free Workplace Policy.

- (a) The Town of Belleair will conduct the following types of drug tests:
- A.
1. All applicants selected for employment with the Town of Belleair must take and pass a drug screen as a condition of obtaining employment. All applicants for employment in special-risk and/or mandatory testing positions are subject to pre-employment drug and alcohol test as a prerequisite to employment with the Town. Current employees who are assigned to a special-risk and/or mandatory testing position from a non-special-risk or non-mandatory testing position are subject to being tested at the time of the assignment.
 2. A drug test will be administered at all annual physicals required or provided as a fringe benefit.
 3. Random, follow-up testing will be conducted for any employee who returns to work after successfully completing a drug rehabilitation program, on an annual, or semi-annual, or quarterly basis for at least two years.
 4. A drug test will be required whenever the Town of Belleair has a reasonable suspicion that an employee may be using drugs or alcohol in violation of this policy. Reasonable suspicion includes:
 - a. Observable phenomena such as direct observation of drug use or the physical symptoms of being under the influence of drugs or alcohol.
 - b. Behavioral symptoms associated with drug use or intoxication from either drugs or alcohol such as abnormal conduct, erratic behavior, or a significant deterioration in performance.
 - c. Report of drug use provided by a credible source.

Town of Belleair Personnel Policies

- d. Any evidence that an individual has tampered with a drug test.
- e. Any evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working both on or off town property, while on town property whether the employee is working or not, or while operating town vehicles, machinery, or other equipment.

~~DRUG-FREE WORKPLACE POLICY (cont'd)~~

- f. Information that an employee has caused, contributed to, or been involved in an accident at work.

If the test results confirm ~~with reasonable scientific certainty~~ that an employee is present at work with the presence of alcohol in his system, the employee may be disciplined, up to and including discharge. If the test results confirm ~~with reasonable scientific certainty~~ that an employee is in violation of the town's Drug-free Workplace Policy with regard to illegal or controlled drug/chemicals, the employee shall be discharged.

(b) Consequences of a positive, confirmed test result:

- 1. Applicants with a positive, confirmed result will not be hired.
- 2. Employees injured in a work place accident who have a positive, confirmed test result will forfeit eligibility for medical and indemnity benefits as provided in the Florida Workers' Compensation Act ~~and the Division Drug Testing Rules~~.
- 3. Any employee who is terminated on the basis of a positive, confirmed test result will forfeit unemployment compensation benefits as provided in the Florida Workers' Compensation Act, related laws, and applicable drug testing rules.
- 4. Any employee with a positive, confirmed test result will be subject to discipline on the first offense up to, and including, discharge.
- 5. In the event any discipline less than discharge is ultimately imposed on any employee for the violation of this policy, such employee, in addition to any disciplinary measures imposed by the town, shall not be allowed to return to work until he or she presents a statement from a licensed medical doctor that the employee has been rehabilitated and is fit to return to full duty. Leave time for rehabilitation shall be in accordance with the leave provisions contained in these policies. Any rehabilitation will be at the employee's own expense.

(c) Refusal to test:

Town of Belleair Personnel Policies

Refusal to submit to testing or to release the results to the town may result in discharge. Each employee who is required to take prescription medicine which possesses possible side effects that may impair the safe performance of an employee's duties must notify his or her immediate supervisor at the start of the work shift.

Any employee who refuses to submit to a drug test, when asked, shall be treated in the same manner as an employee with a positive, confirmed test result.

DRUG-FREE WORKPLACE POLICY (cont'd)

- (d) All test results shall be confidential and released only in accord with the provisions of the Florida Workers' Compensation Statute and the Division-Agency Drug Testing Rules.
- (e) Test results/challenge:
 - 1. All employees or applicants with a positive, confirmed test result will be notified, in writing, within five (5) days from receipt of the results by the MRO and the options available to the employee or applicant.
 - 2. An employee or applicant with a positive, confirmed test result may, within five (5) days from receipt, submit information to his/her Supervisor explaining or contesting the test result. If the challenge or explanation is not satisfactory to the Town of Belleair, the town shall, within fifteen (15) days from receipt of the Employee/Applicant's explanation or challenge, issue a written explanation why it is unsatisfactory, along with the report of the positive results, to the employee or applicant.
 - 3. An employee or applicant may challenge the test results within thirty (30) days after receiving the TOWN OF BELLEAIR'S NOTICE of why the Employee/Applicant's explanation was not satisfactory.
 - 4. Appeal actions shall be in accordance with the TOWN OF BELLEAIR'S PERSONNEL MANUAL (Section XX).
 - 5. The employee or applicant is required by law to notify the testing laboratory of any legal action he/she takes over the results of the drug test.
- (f) All initial test results will be confirmed as provided by the Florida Workers' Compensation Statute and the Division-Agency Drug Testing Rules.

17.06 AMNESTY/RETALIATION

- (a) *Amnesty*

Town of Belleair Personnel Policies

1. Any employee who voluntarily reports a substance abuse problem to management, before being asked to take a drug or alcohol test and before the Town becomes aware of circumstances indicating a possible violation of this policy by the employee, shall be permitted to take personal leave, without pay, in order to obtain substance abuse counseling. This leave is condition upon the employee actually enrolling in a rehabilitation program providing the Town of Belleair with written verification from the program's counselors that the employee has, in fact, enrolled and is, in fact, cooperating and participating in the program.

DRUG-FREE WORKPLACE POLICY (cont'd)

2. If the employee presents written proof that he/she has successfully completed the program within the time prescribed, he/she shall be eligible to return to work with the Town of Belleair provided there is an opening available for which the employee is then qualified.
3. This policy does not require the Town of Belleair to hold any position open nor create a position for employees who successfully complete drug rehabilitation counseling.
4. Nothing in this policy shall be construed as an obligation upon the Town of Belleair to provide, or to pay for, substance abuse counseling except to the extent it may, from time to time, be provided as part of the Town of Belleair's fringe benefit package.

(b) *Retaliation*

Any supervisor or employee who, in good faith, reports an alleged violation of this policy shall not be harassed, retaliated against, or discriminated against in any way.

17.07 ADDITIONAL INFORMATION

- (a) A list of the most common drugs and medications by brand name, common name, and chemical name which may alter the effects of a drug test is attached hereto as Exhibit 1

Note: Attached list was provided by the ~~Division of HRS and the Department of Labor and Security~~ Florida Agency for Healthcare Administration.

- (b) Each employee and applicant will be given an opportunity, both before and after the drug test, to confidentially report the use of prescription or non-prescription medication that may alter or affect a drug test.

Town of Belleair Personnel Policies

- (c) The Town of Belleair will test for each and every one of the drugs listed on the drug testing list which is attached as Exhibit 2.
- (d) Each employee or job applicant has a right to consult the testing lab the Town of Belleair uses to administer its drug test for further information. The name and address of the lab, and the person to contact, regarding this information is attached as Exhibit 3.

DRUG-FREE WORKPLACE POLICY (cont'd)

- (e) The town shall provide referral guidance to employees seeking professional assistance in dealing with a drug or alcohol related problem. However, such guidance must be requested by the employee prior to the town having reasonable suspicion of a violation of this policy. Participation in such programs shall not mitigate or stay the implementation of dismissal or any other action against the employee for violation of this policy's provisions nor discipline/dismissal for other drug/alcohol related offenses. The name and address of employee assistance programs available in our area is attached as Exhibit 4.
- (f) A statement that taking and passing a drug test is a condition of initial and continued employment in conformity with this policy shall be placed on all vacancy announcements and job posting.
- (g) Any individual who wants more information can refer to the Workers' Compensation Act, Section 440.101 & 102 and the ~~implementing rules, 38F-9.001, et seq., Florida Administration Code.~~ Agency Drug Testing Rules.
- (h) All administrative appeal rights to contest the validity of a drug test with the town or its decision regarding your employment are set forth in this policy. No other administrative appeal rights exist.
- (i) Drivers with a Commercial Driver's License (CDL) will be required to follow additional procedures outlined in the Drug Testing Policy for CDL Drivers. A copy of this policy will be made available to all CDL Drivers who are in the Town's motor pool.

SECTION XVIII: LINE OF DUTY INJURY

18.01 SUPPLEMENTAL PAY

In the event that an employee becomes unable to work as a result of an illness or injury incurred in the line of duty, the town will allow the employee to supplement the amount of Worker's Compensation payments to the point where the sum of the supplemental compensation and Worker's Compensation equals the employee's weekly wage except as otherwise provided by law. Such supplemental payments will be charged first from sick leave and then from annual leave. In no event will the amount received by the employee exceed the employee's net salary. Supplementing is allowed only as long as the employee has accrued, unused leave.

18.02 MAXIMUM MEDICAL IMPROVEMENT/DISMISSAL

Except where otherwise precluded by applicable law, if at the point the employee reaches maximum medical improvement, or it is otherwise realized that the employee is unable within a reasonable period of time to resume the duties of his or her position or another vacant position at the same or a lower level, with or without reasonable accommodation, the employee will be dismissed. At any point during the employee's recovery, the department head may require the employee to submit a written medical physician's statement describing the ~~fu~~Hcurrent status of the employee's condition and the expected date, if any, that the employee can return to work.

18.03 REPLACEMENT WORKERS

If necessary to insure the smooth and efficient operation of the department, the town may hire replacements to serve while an employee is unable to work due to an injury incurred in the line of duty.

18.04 RETURN TO WORK

Any employee released to return to work following an injury in the line of duty shall report such fact to the town within twenty-four (24) hours of receiving such release and shall thereafter hold himself or herself ready and available to work.

18.05 LIGHT DUTY

The department head shall have the option of assigning employees covered under this policy to light duty if available.

—SECTION XIX: MISCELLANEOUS PROVISIONS

19.01 RESIDENCY

All employees employed as police officers or fire fighters are required to maintain their residence in, and actually reside in, Pinellas County. Newly hired employees will have three (3) months from the date of hire within which to comply with this policy.

19.02 REIMBURSEMENT FOR PERSONAL ITEMS

After all other reimbursement options are exhausted, an employee may be reimbursed by the town for loss or damage to personal property in the performance of his or her job not due to the employee's own carelessness or negligence subject to the following restrictions:

- (a) Certain items of personal necessity will be reimbursable. The maximum reimbursement for items of personal necessity such as eye glasses and hearing aids is two hundred dollars (\$200.00).
- (b) Wrist watches and wedding rings shall also be reimbursable. The maximum reimbursement for all other personal property such as wristwatches and wedding rings is one hundred fifty dollars (\$150.00).
- (c) Requests for reimbursements for the loss of or damage to personal property must be made on the day on which the loss or damage occurs, or as soon thereafter as possible.
- (d) The town may also offer reimbursement in other appropriate circumstances.

19.03 DIRECT DEPOSIT

All employees employed with the Town of Belleair after October 1, 2002 will be required to participate in the town's direct deposit program. If a newly hired employee submits a request in writing to the finance department he may, under certain circumstances, be exempted from participation in this program.

19.04 SMOKING REGULATIONS AND CONTROL POLICY

- (a) *Purpose*

Town of Belleair Personnel Policies

On March 3, 1997 the town instituted smoking regulations designed to implement fair and consistent rules and regulations regarding smoking in public places in the Town of Belleair. In instituting this policy the town seeks to restrict smoking in public building, facilities and vehicles as well as provide healthier working environments for town employees, its citizens and others receiving services in community facilities.

(b) *Scope*

1. To provide guidelines for department heads to regulate and control smoking in work areas and public areas.
2. To provide adequate measures to ensure that employees are provided a satisfactory smoke-free atmosphere in and around their workstation.
3. To provide rules and regulations for areas frequented by the public.

(c) *Procedures*

1. Smoking is prohibited in all Town of Belleair public buildings and town vehicles.
2. Responsibility of town department heads:
 - The department head will ensure that the provisions of this policy are met with regard to such places.
 - Signs: “No Smoking” signs shall be clearly, sufficiently, and conspicuously posted in every area where smoking is regulated in such a manner as to give adequate notice to members of the general public.
 - Ashtrays: Ashtrays shall be removed from areas where smoking is prohibited except that an ashtray may be placed by the entrance of a “no smoking” area providing that such is clearly marked as a “no smoking” area.
 - Enforcement: Smokers may be affirmatively directed to designated smoking areas, and persons smoking in violation of this policy shall be requested to stop.
 - Smokers’ responsibilities: Those employees who partake of tobacco shall ensure that their smoke does not affect others.

—SECTION XX: GRIEVANCE PROCEDURE

20.01 PURPOSE

In a mutual effort to provide a harmonious working relationship and a means by which to challenge supervisory decisions with which an employee disagrees, there is the following procedure for the resolution of complaints involving disciplinary action or the interpretation and/or application of these personnel policies.

20.02 PROCEDURE

The complaint procedure will be administered in the following manner:

- (a) Step 1. The employee first presents his or her complaint, in writing, to the department head within five (5) working days of the occurrence giving rise to the grievance. The grieving party must state the remedy sought to resolve the grievance. For purposes of this policy, working days means Monday through Friday, excluding Saturdays, Sundays and holidays designated in these policies. The department head will meet with the aggrieved employee within five (5) working days of submission of the complaint and will submit his or her decision in writing to the aggrieved employee within five (5) working days from the date of the meeting.
- (b) Step 2. If the complaint is not resolved at Step 1, the aggrieved employee may present the written complaint, along with the department head's response, to the town manager within five (5) working days of the date the employee received the department head's response. At the employee's written request at the time of appealing the Step 1 decision, the town manager will meet with the aggrieved employee within five (5) working days from receipt of the complaint and provide the employee with a written response within five (5) working days after this meeting, or if no meeting is requested, within five (5) working days of receipt of the complaint.

20.03 APPEAL

Appeal may be taken from a decision of the town manager as provided under the Town Charter.

The following exhibits are subject to regular change and are meant to serve as a resource for employees of the Town of Belleair. These exhibits do not require Town Commission approval prior to revision.

EXHIBIT 1: DRUGS WHICH MAY ALTER OR AFFECT A DRUG TEST

The following list is the most common medication by brand name or common name, and the chemical name which may alter or affect a drug test. The Department of Health and Rehabilitative Services' list of common medications are:

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

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

CANNABINOIDS - Marinol (Dronabinol, THC)

COCAINE - Cocaine HCl topical solution (Roxanne)

PHENCYCLIDINE - Not legal by prescription

METHAQUALONE - Not legal by prescription

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

BARBITURATES - Phenobarbital, Tuinal, Amytal, Nembutal, Secondal, Lotusate, Fiorinal, Fioricet, Esgic, Butisol, Mebaral, Butabartital, Butabital, Phrenilin, Triad, etc.

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

METHADONE - Dolophine, Methadose

PROPOXYPHENE - Darvocet, Darvon N, Dolene, etc.

EXHIBIT 2: DRUG TESTING

The Town of Belleair will test for the following drugs:

1. **AMPHETAMINES**

Chemical Names - *Obetrol, Biphetamine, Descoxyn, Dexedrine, Didrex*

Street Names - *Speed, Uppers, Pep Pills, Bennies, Black Beauties, Co-Pilots, Footballs, Jelly Beans*

2. **CANNABINOIDS (MARIJUANA)**

Chemical Names - *Marinol (Dronabinol, THC)*

Street Names - *Pot, Grass, Joint, Weed, Reefer, Hash, Mary Jane, Acapulco Gold, Rope*

3. **COCAINE**

Chemical Names - *Cocaine HCl topical solution (Roxanne)*

Street Names - *Coke, Snow, Toot, Flake, Happy Dust*

4. **PHENCYCLIDINE (HALLUCINOGENS/PSYCHEDELICS)**

Not legal by prescription

5. **OPIATES**

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

6. **ALCOHOL**

The town is required to test for alcohol based upon reasonable suspicion; F.S. 440.102 (4).

Note: Testing may include any or all drugs listed in Exhibit 1. Above list is general information and may not be all inclusive of chemical names and/or street names of drugs.

EXHIBIT 3: TESTING LABORATORY

The name and address of the laboratory to contact is as follows:

Lab Corp
401 Corbett Street
Clearwater, FL 33756
(727) 461-1866

Lab Corp
3001 Eastland Boulevard
Suite 1B
Clearwater, FL 33761
(727) 725-4839

Lakeside Occupational Medical Centers, P.A.
1400 East Bay Drive
Largo, FL 33771
(727) 586-0047

**EXHIBIT 4: EMPLOYEE ASSISTANCE PROGRAM (E.A.P.)
INFORMATION**

(SEE ATTACHED REVISED INFORMATION)

The Town of Belleair maintains an EAP which provides help to employees who suffer from alcohol or drug abuse and other personal or emotional problems. The name, address and phone number of the EAP is as follows:

AETNA US Healthcare
Magellan
(800) 424-5679

Employees with such problems should seek confidential assistance from the EAP or other resources before drugs or alcohol problems lead to disciplinary action.

Other local rehabilitation programs include (sample listing of programs)

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE NO.</u>
Operation PAR	6720 54 TH Avenue, N. St. Petersburg, FL 33701	727/547-4508
Operation PAR	6655 66 TH Street, N. Pinellas Park, FL 33781	727/545-7564
Northside Mental Health Care	12512 Bruce B. Downs Blvd. Tampa, FL 33612	813/977-8700
PEMHS (In-patient-Crisis)	11254 58 th Street, N. Pinellas Park, FL 33782	727/541-4628
PEMHS (Walk-in Clinic)	650 16 th Street, N. St. Petersburg, FL 33705	727/552-1053
Town & Country Hospital	6001 Webb Road Tampa, FL 33615	813/885-6666
Memorial Hospital of Tampa	2901 Swan Avenue Tampa, FL 33609	813/873-6400

(This form must be presented to the individual **both before and after** being tested)

DRUG USE INFORMATION

Are you taking, or have you taken in the last month, any drug (s) prescription or non-prescription, such as aspirin, Roloids, cough medicine, etc.?

() NO

() YES (*Complete Remainder of this Form*)

To insure the safety of all personnel and equipment, the following information is required for the drug(s) you are taking at this time. Please provide the information for each drug used.

Name of Drug and Prescription No.	Name/Address/Phone of Prescribing Physician	Date Prescribed or Taken	Effects/Side Effects That May Affect Safety and/or Work Performance

Additional Information _____

I hereby give my consent for any above-named prescribing physician to answer any job-related or safety-related questions about my use of the above drug(s) or any questions concerning the prescribed drug(s) and their effect(s) upon my compliance with the Town of Belleair's substance abuse policy.

Signature

Date

Name (Please Print)