

# Highlands County Board of County Commissioners



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HIGHLANDS COUNTY BOCC  
PERSONNEL RULES & REGULATIONS

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## HIGHLANDS COUNTY BOCC PERSONNEL RULES & REGULATIONS

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### **000 – GENERAL PROVISIONS**

#### **FUNCTIONS OF THIS MANUAL**

Policy Number 001

It is the policy of the Highlands County Board of County Commissioners (Board), that this manual is designed and intended to be used as a working outline of the basic personnel policies, practices, and procedures for the organization. This manual is not intended, nor shall it be construed, to alter the employment at-will relationship in any way. For further details on employment at-will, refer to Policy 002, Employment At-Will. The primary purpose of this manual is to ensure that employees of Highlands County are dealt with in a consistent and fair manner, and that all personnel policies and practices are applied evenly.

#### **001:1 GENERAL PROVISIONS**

1. This manual contains general statements of Board policy designed to serve as a framework. It should not be read as including the fine details of each procedure or as forming an express or implied contract or promise that the policies discussed in it will be applied in all cases. The Board may add, revoke or modify policies in this manual as needed; with or without notice.
2. Employees are encouraged to submit suggestions to Human Resources when policies need to be amended or changed to reflect the current working conditions and/or practices.
3. Human Resources is responsible for recommending, developing, revising, and implementing personnel policies, subject to the approval of the County Administrator and adoption by the Board of County Commissioners. The County Administrator may approve changes to Florida Statute references and the Appendices. All policy changes require Board approval.
4. Department Directors, Supervisors, and employees should refer to this manual whenever questions of policy interpretation or implementation arise. Issues needing clarification should be referred to Human Resources.
5. Departments may develop and implement specific standard operating procedures on a departmental basis as needed to meet specific operational needs, provided they are consistent with the general framework provided by this manual. All such departmental practices should be submitted to Human Resources prior to implementation to assure consistency with Board practices and policies.

#### **001:2 CONFLICT WITH STATUTES**

In the event any provision of this manual is or becomes in conflict with any federal, state, or local law, such provision is, to the extent that it is in conflict, hereby automatically amended to conform to such law. The remainder of this manual shall remain in full force and effect, unless and until modified by the Board.



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### **EMPLOYMENT AT-WILL**

Policy Number 002

It is the policy of the Highlands County Board of County Commissioners (Board), that all employees who do not have a written employment contract with the Board for a specific, fixed term of employment are employed at the will, for an indefinite period.

#### **002:1 GENERAL PROVISIONS**

1. **At-Will Employment.** All employment in Florida is considered to be "at-will" for all employees who do not have a formal written employment contract for a specified, fixed term. "At-will" means that employees are free to terminate their employment with an employer for any reason or no reason at all. Likewise, employers have the same rights and are free to hire and discharge employees at any time, providing the reason for the discharge or hire is not discriminatory for a legally prohibited reason.
2. No Board representative is authorized to modify this policy for any employee or to enter into any agreement, oral or written, contrary to this policy. Supervisory and management personnel are not to make any representations to employees or applicants concerning the terms or conditions of employment with the Board which are not consistent with Board policies. No statements made in pre-hire interviews or discussions, or in recruiting materials of any kind, are meant to alter the at-will nature of employment or imply that discharge will occur only for cause, and should not be interpreted that way.
3. This policy may not be modified by any statements contained in this manual or any other employee handbooks, employment applications, recruiting materials, memoranda, or other materials provided to applicants and employees in connection with their employment. None of these documents, whether singly or combined, are to create an expressed or implied contract of employment for a definite period, nor an expressed or implied contract concerning any terms or conditions of employment. Similarly, Board policies and practices with respect to any matter are not to be considered as creating any contractual obligation on the Board's part, or as stating in any way that termination will occur only for "just cause." Statements of specific grounds for termination set forth in this manual or in any other Board documents are illustrative examples only, not all-inclusive lists, and are not intended to restrict or modify the right to terminate at-will.
4. Completion of a probationary period or conferral of regular status does not change an employee's status as an employee-at-will or in any way restrict the County Administrator's right to terminate such an employee or change the terms or conditions of employment.



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### **CODE OF EMPLOYER-EMPLOYEE RELATIONS**

Policy Number 003

It is the policy of the Highlands County Board of County Commissioners (Board), to implement fair and effective personnel policies and require all employees to serve the County's best interests.

#### **003:1 GENERAL PROVISIONS**

1. The Board's goals for employees include the following:

- a) To provide equal employment opportunity and treatment regardless of race, religion, color, sex, gender, age, national origin, disability, or veteran status.
- b) To provide compensation commensurate with the level of work to be performed.
- c) To establish reasonable hours of work.
- d) To monitor and comply with applicable federal, state, and local laws and regulations concerning employee safety.
- e) To offer training opportunities for those whose capabilities and responsibilities warrant such training.
- f) To be receptive to constructive suggestions which relate to the job, working conditions, or personnel policies.
- g) To establish appropriate means for employees to discuss matters of interest or concern with their immediate Supervisor or Department Director.

2. The Board expects all employees:

- a) To deal with citizens in a professional manner.
- b) To perform assigned tasks in an efficient manner.
- c) To be punctual and presentable.
- d) To demonstrate a considerate, friendly, and constructive attitude toward fellow employees.
- e) To adhere to the policies adopted by the Board.



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### **PERSONNEL RECORDS**

Policy Number 004

It is the policy of the Highlands County Board of County Commissioners (Board), that Human Resources is responsible for administering all personnel programs required by this manual. Human Resources will establish records required by these rules and regulations, and any other records which are necessary to substantiate compliance with the laws relating to personnel matters.

#### **004:1 EMPLOYMENT RECORDS**

1. Human Resources shall maintain an individual personnel file for each employee which will include, but not be limited to, the following:
  - a) Original signed Employment Application.
  - b) Original Personnel Requisition, signed by appointing authority.
  - c) A copy of the Certificate of Eligibles from which appointment was made.
  - d) Examination or interview score sheets for each position to which appointed.
  - e) Original Oath of Loyalty, signed by the employee and properly notarized.
  - f) Original background investigation reports.
  - g) Reports of personnel actions reflecting original appointment, reinstatement, promotion, demotion, reassignment, termination, lay-off, suspension, reduction in pay, change in status, change in pay rate, change in position or title, and any other personnel actions pertinent to the employee's record.
  - h) Copies of correspondence directly related to the employee's work record.
  - i) Original copy of all Performance Evaluations.
  - j) A copy of all correspondence pertaining to Workers' Compensation.
2. An original Payroll Action Form (PAF) affecting the employee's compensation shall be furnished to the individual responsible for preparing payroll. Such form is the only authority for making payroll changes.
3. Employees are responsible for ensuring that their records are up to date. Human Resources shall be notified in writing of any changes to the employee's contact information (name, address, telephone number, emergency contact). Employees are responsible for providing proper notification to Human Resources for changes to benefits and tax withholding. These changes may include marital status, name changes, and dependent information.
4. Employee personnel files shall only be maintained by Human Resources. Individual departments shall not maintain any type of employee personnel file. Any violation of this policy may result in disciplinary action, up to and including termination.

#### **004:2 INSPECTION OF PERSONNEL RECORDS**

1. Personnel files will be made available for inspection pursuant to the requirements set forth in Chapter 119, Florida Statutes; and pursuant to any relevant privacy laws and statutes governing public records, especially the Health Insurance Portability & Accountability Act of 1996 (HIPAA).
2. Items contained within the file which are exempted from disclosure by statute or guarded by the Uniform Privacy Act will be removed prior to inspection by outside sources. These items include protected health information, designations of beneficiary and/or next of kin information, information regarding bank accounts, and participation in deferred compensation and retirement investment enrollment elections.
3. Normal documents generated as a result of Board employment, such as Performance Evaluations, disciplinary actions, payroll actions, etc., will not be removed prior to inspection and review by outside sources.





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4. Review of the personnel file must be accomplished in the presence of Human Resources or an authorized representative.
5. Employees may request one copy of their personnel file at no cost, while employed. All additional copies are subject to the standard fee schedule for public records.

### **004:3 REPORTS**

1. In addition to specific personnel reports required by other provisions of these rules and regulations, the Human Resources Department shall also complete and submit other personnel reports as required by local, state, and federal law.



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### **SOLICITATION AND DISTRIBUTION**

Policy Number 005

It is the policy of the Highlands County Board of County Commissioners (Board), to prohibit solicitation and distribution on its premises by employees and non-employees, unless they have prior approval to do so. Solicitation is defined as any activity conducted for the purpose of advertising, promoting, or selling any product or service. Solicitation and distribution by employees is only permitted as outlined below.

#### **005:1 GENERAL PROVISIONS**

1. The Board limits solicitation and distribution on its premises because, when left unrestricted, such activities can interfere with the normal operations, can be detrimental to employee efficiency, and can pose a threat to security. This includes the use of any form of written or electronic communication to solicit/distribute to employees.
2. Employees of the Board are prohibited from engaging in solicitation of fellow employees during working time. Working time shall not be construed to apply to break periods and mealtimes, whether paid or unpaid, or other specified periods during the workday when employees are not engaged in performing their work tasks.
3. The County Administrator may authorize a limited number of Board-sponsored fund drives on behalf of charitable organizations or special causes. Employee contributions are voluntary, and employees are not to be discriminated against because of their willingness or unwillingness to participate. Coercion of an employee to make contributions will not be tolerated.
4. Distribution of literature by employees during working hours, in areas where the actual work of employees is performed, is prohibited. This shall not be construed to prohibit the distribution of literature in such areas not specifically devoted to the performance of employees' official duties, during rest break and meal periods, or while off-duty.
5. Board technology (computers, telephones, email, tablets, etc.) may not be used to distribute literature at any time.
6. The Board maintains bulletin boards in designated work areas to communicate information to employees and to post notices required by law. These bulletin boards are for the posting of Board information and notices only, and only persons designated by the County Administrator, Department Director, Human Resources, or their designee, may place notices on or take down material from the bulletin board. Departments may maintain an internal bulletin board, not visible to the public. The materials posted on departmental bulletin boards will be at the discretion of the Director or County Administrator.
7. Florida Statutes govern political activity of all Board employees. All Board employees are encouraged to be politically aware and active, and to exercise their right to vote. However, active political campaigning or solicitation for political contributions while on duty is prohibited.
8. Employees shall not use County property, equipment, or vehicles except in the performance of official duty, nor permit their use by an unauthorized person, either on or off duty. Employees may be allowed to use vehicles to and from work with permission of the County Administrator and per de minimus functions described under the vehicle use policy.



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### **100 – EMPLOYEE BEHAVIOR**

#### **BEHAVIOR OF EMPLOYEES**

Policy Number 101

It is the policy of the Highlands County Board of County Commissioners (Board), that certain rules and regulations regarding employee behavior are necessary for the efficient operations of the County and for the benefit and safety of all employees. Employees are expected at all times to conduct themselves in a positive manner so as to promote the best interests of the County. Conduct that interferes with operations that discredit the Board, or that is offensive to citizens, customers, or coworkers, will not be tolerated, and may be subject to appropriate corrective action.

#### **101:1 GENERAL PROVISIONS**

1. Employees are expected at all times to conduct themselves in a positive manner so as to promote the best interests of the County. The following general guidelines may be further specified by the Department Director:
  - a) Reporting to work on time, as scheduled, ready to begin work at the proper workstation, at the assigned starting time.
  - b) Giving adequate and proper advance notice whenever unable to work or to report on time.
  - c) Complying with all Board safety and security procedures.
  - d) Wearing clothing appropriate for the work being performed, as determined by the County Administrator, the Department Director, or the employee's Supervisor.
  - e) Eating meals only during meal periods and only in the designated eating areas.
  - f) Maintaining work place and work area cleanliness and orderliness.
  - g) Treating all citizens, visitors, and fellow employees in a courteous manner.
  - h) Refraining from behavior or conduct that could be deemed offensive or undesirable, or which is contrary to the County's best interests (including conduct outside of work while in clothing or vehicles that identify or imply the individual is or may be a Board employee and may be on duty).
  - i) Performing assigned tasks efficiently and in accordance with established quality standards.
  - j) Following any proper and appropriately given instruction or assignment.
  - k) Reporting to management suspicious, unethical, unsafe or illegal conduct, by fellow employees or citizens.
  - l) Following all federal, state, and local laws and ordinances.
2. The examples above are simply illustrative of the type of behavior expected, and are not intended to be an all-inclusive listing. Any questions of the purpose, content, or application of this policy should be directed to Human Resources.



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### **ATTENDANCE AND PUNCTUALITY**

Policy Number 102

It is the policy of the Highlands County Board of County Commissioners (Board), to require employees to report for work punctually as scheduled and to work as required, including regular hours and any required overtime.

#### **102:1 GENERAL PROVISIONS**

1. Tardiness and poor attendance disrupt workflow and customer service, and will not be tolerated. Unauthorized and/or excessive absences or tardiness will result in disciplinary action, up to and including termination.
2. Supervisors shall notify employees of the normal work schedule including starting, ending, and break times through direct communication and/or posting of schedules. Employees are expected to be engaged in carrying out their duties during all scheduled work time.
3. Employees should notify their Supervisor as far in advance as possible, but no less than one (1) hour before their scheduled start time whenever they are unable to report for work. Such notification should include when the employee can be expected to report for work.
4. Employees are compensated during approved absences in accordance with the appropriate leave policies. Failure to notify the Supervisor properly of any absence may result in loss of compensation during the absence and may be grounds for disciplinary action.
5. Employees who are delayed more than fifteen (15) minutes in reporting for work and who have not notified their Supervisor of their expected tardiness may not be allowed to work the balance of the workday at the discretion of the Supervisor. Such time for hourly employees will be classified as Leave Without Pay.
6. Employees who report for work without proper equipment or in improper attire may not be permitted to work at the discretion of the Supervisor. Such time for hourly employees will be unpaid pending the employee's return with the proper equipment or attire.
7. Employees who report for work in a condition deemed unfit for work, will not be allowed to work. Such time may be classified as Leave Without Pay.
8. Employees are expected to report for work during inclement weather conditions if the County Administrator does not declare an emergency closing. Certain specified employees may be required to report to work even in the event of a declared emergency closing.
9. Employees must report to their Supervisor after being late or absent and may be required to certify that they are fit to return to work. Employees who have been absent three (3) or more scheduled workdays within a thirty (30) day period may be required to provide a doctor's note before returning to work.
10. Employees who are absent from work without giving proper notice may be considered as having voluntarily separated. At that time, Human Resources will formally note the voluntary separation as job abandonment and advise the employee of the action by certified mail.
11. Employees on workers' compensation leave are required to provide the same proper notice as other employees. Doctor's notes must be definite in date to constitute proper notice.



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### **PERSONAL APPEARANCE OF EMPLOYEES**

Policy Number 103

It is the policy of the Highlands County Board of County Commissioners (Board), that each employee's dress, grooming, and personal hygiene should be appropriate to the work situation.

#### **103:1 GENERAL PROVISIONS**

1. Employees are expected at all times to present an image appropriate to the work being performed. Appropriate personal appearance, like proper maintenance of work areas, is an ongoing requirement of employment with the Board.
2. The personal appearance of employees who do not regularly meet the public is to be governed by the requirements of safety and comfort, but should still be as neat and business-like as working conditions permit.
3. Certain employees may be required to meet special dress, grooming, and/or hygiene standards depending on the nature of their job.
4. Any employee who does not meet the standards of this policy will be required to take remedial action to correct the problem, which may include leaving the premises. Any work time missed because of failure to comply with this policy will be classified as Leave Without Pay for hourly employees. Repeated violations of this policy will be cause for disciplinary action, up to and including termination.
5. Any employee who is issued or provided a uniform, will be required to wear such items during normal business hours. If the employee name is to be displayed on the uniform, only the legal name shall be displayed; no nicknames.



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### **TOBACCO-FREE WORKPLACE**

Policy Number 104

It is the policy of the Highlands County Board of County Commissioners (Board), to promote the healthiest environment possible for employees and visitors while providing proactive leadership in tobacco avoidance. Reducing tobacco use increases productivity in the workplace, decreases absenteeism, and may reduce medical expenditures and costs associated with tobacco use. The Board adheres to the requirements of the Florida Indoor Clean Air Act as set forth in Chapter 386, Florida Statutes. Accordingly, the use of tobacco products is expressly prohibited in or on County owned property.

#### **104:1 DEFINITIONS**

1. **County owned property.** Real property and tangible personal property including, but not limited to, buildings, portions of buildings, land, equipment, machinery, and motor vehicles that are operated by, owned by, leased to, or rented to the County, other than road rights-of-way, parks, and boat ramps.
2. **Tobacco.** Any lighted or unlighted cigarette, cigar, pipe, hookah, bidi cigarette, clove cigarette, or any other smoking product; any smokeless tobacco product such as spit tobacco, dip, chew or snuff in any form; and any e-cigarette or vaping device.
3. **Tobacco Use.** The consumption, ignition, inhalation or other use of tobacco in any manner; however, mere possession without additional use shall not constitute tobacco use under this policy.

#### **104:2 GENERAL PROVISIONS**

1. Tobacco use is prohibited on County owned property.
2. Tobacco products may not be sold or dispensed on County owned property.
3. This policy applies to each and every person on County owned property.
4. Signs will be prominently and visibly posted at the entrance to each County building and other facility that advise employees, visitors, and other persons of this policy.
5. Human Resources shall:
  - a) Inform all applicants for employment of this policy.
  - b) Provide a copy of this policy to those applicants.
  - c) Obtain a signed acknowledgment of receipt of that information and a copy of this policy from all applicants upon employment.
6. Human Resources shall inform all new employees of this tobacco-free policy during employee orientation. However, any failure to inform a candidate or employee of the tobacco-free policy shall not be deemed a waiver of the employee's obligation to follow the tobacco-free policy.
7. The enforcement of the tobacco-free policy is the responsibility of all Board employees. Employees are required to exercise common courtesy and to respect the needs and sensitivities of coworkers and other persons with respect to the application and enforcement of this policy.



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### **104:3 VIOLATIONS**

1. A violation of this tobacco-free policy shall constitute grounds for discipline in the same manner as other employee policy violations.
2. Any other complaints regarding tobacco use on County owned property should be directed to the Department Director of the affected facility.

### **104:4 TOBACCO USE CESSATION PROGRAMS**

The Board shall provide resource information on tobacco use cessation programs to the employees who request it. If possible, these materials should be available in display areas. Employees may contact Human Resources regarding the availability of tobacco use cessation programs.



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### **DRUG-FREE WORKPLACE**

Policy Number 105

It is the policy of the Highlands County Board of County Commissioners (Board), to institute and maintain a drug-free work force and to provide a drug-free work place through fair and reasonable drug testing methods.

#### **105:1 SCOPE**

This document describes the current policy and practices, and will be interpreted and administered by the County Administrator. This policy applies to all applicants (including rehires) and current employees.

#### **105:2 DEFINITIONS**

In accordance with Chapter 112.0455, Florida Statutes, the Drug-Free Workplace Act, the following definitions shall be applied in interpreting this policy:

1. "Drug" means alcohol, including distilled spirits, wine, malt beverages, and intoxicating liquors; amphetamines; cannabinoids; cocaine, phencyclidine (PCP); hallucinogens; methaqualone; opiates; barbiturates; benzodiazepines; synthetic narcotics; designer drugs; or a metabolite of any of the substance listed herein.
2. "Drug test" or "test" means any chemical, biological, or physical instrumental analysis administered for the purpose of determining the presence or absence of a drug or its metabolites.
3. "Confirmation test," "confirmed test," or "confirmed drug test" means a second analytical procedure used to identify the presence of a specific drug or metabolite in a specimen. The confirmation test must be different in scientific principle from that of the initial test procedure. This confirmation method must be capable of providing requisite specificity, sensitivity, and quantitative accuracy.
4. "Reasonable suspicion drug testing" means drug testing based on a belief that an employee is using or has used drugs in violation of the County's policy drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience. Among other things, such facts and inferences may be based upon:
  - a) Observable phenomena while at work, such as direct observation of drug use or of the physical symptoms or manifestations of being under the influence of a drug.
  - b) Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
  - c) A report of drug use, provided by a reliable and credible source, which has been independently corroborated.
  - d) Evidence that an individual has tampered with a drug test during his employment with the County.
  - e) Information that an employee has caused, or contributed to, an accident while at work.
  - f) Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on the County's premises or while operating the County's vehicles, machinery, or equipment.
5. "Specimen" means tissue, hair, or product of the human body capable of revealing the presence of drugs or their metabolites.
6. "Controlled substance" means a drug which has been declared by federal or state law to be illegal for sale or use, but may be dispensed under a physician's prescription. Such drugs include those classified as narcotics, stimulants, depressants, hallucinogens and cannabis.





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### **105:3 POLICY OBJECTIVES**

The Board values its employees and recognizes their need for a safe and healthy work environment. Establishment of a drug-free policy is consistent with the Board's object of providing a safe and healthy work environment, and is in the County's best interests. Drug use and controlled substance abuse is inconsistent with the law-abiding behavior expected of all citizens, especially those employed by a government agency. In addition, drug use and controlled substance abuse inflict a terrible toll on productive resources and the health and well-being of our workers. Employees who use drugs and engage in controlled substance abuse tend to be less productive, less reliable, and prone to greater absenteeism, resulting in the potential for increased cost, delay, and risk to other Board employees and to citizens. For these reasons, the County will not tolerate drug use, sale or possession, or controlled substance abuse by its employees.

### **105:4 ADMINISTRATION**

To achieve a drug-free work force and to provide a workplace free from drug use and controlled substance abuse, the Board will conduct the following drug testing and will take action accordingly as provided below. In addition, the Board categorically prohibits the manufacture, distribution, dispensation, possession, or the unlawful sale of drugs by Board employees, on or off County property. This prohibition shall not apply to the possession or consumption of alcohol off County property while the employee is off duty, or to the possession or consumption of alcohol while the employee is off duty at an event in a County building where alcohol may be dispensed according to building use policies adopted by the Board.

The County Administrator reserves the right, at his or her sole discretion, to terminate any employee whose confirmed drug test results are positive, or to refer such employee to a program in accordance with Section 104:6 Drug-Free Awareness Program.

### **105:5 TYPES OF TESTS**

The Board may require drug testing in the following circumstances:

1. For all job applicants that will fill a safety-sensitive position, at any time before they are employed by the Board.
2. For Board employees:
  - a) From time to time, as part of a fitness-for-duty medical examination, or as part of a test for all employees of the job title or group.
  - b) For a particular Board employee who holds a safety-sensitive position, upon reasonable suspicion (as defined above) of drug use by such employee.
  - c) As a follow-up to an employee assistance program or an alcohol and drug rehabilitation program when the employee has entered such program in the course of employment with the Board.

**ANY JOB APPLICANT (FILLING A SAFETY-SENSITIVE POSITION) WHO REFUSES TO TAKE A DRUG TEST AS REQUIRED BY THIS POLICY WILL BE DENIED EMPLOYMENT WITH THE BOARD. SIMILARLY, ANY EMPLOYEE WHO REFUSES TO TAKE A TEST REQUIRED AS PROVIDED ABOVE SHALL BE SUBJECT TO DISCIPLINE UP TO, AND INCLUDING, TERMINATION.**



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### **105:6 DRUG-FREE AWARENESS PROGRAM**

To assist employees in understanding and avoiding the perils of drug use and controlled substance abuse, the Board will provide a drug-free awareness program. The Board will use this program in an ongoing educational effort to prevent and discourage drug use and controlled substance abuse. The drug-free awareness program will inform employees about:

1. The dangers of drug use and controlled substance abuse.
2. The Board's Drug-Free Policy.
3. The availability of treatment and counseling for employees who voluntarily seek such assistance.
4. The sanctions the Board will impose for violations of its Drug-Free Policy.

Supervisors and other appropriate personnel will be aware of the Board's procedures for handling and assisting employees who are subject to the effects of drug use.

### **105:7 ASSISTANCE IN OVERCOMING ILLEGAL DRUG USE OR CONTROLLED SUBSTANCE ABUSE**

Early recognition and treatment of drug use is important for successful rehabilitation, return to productive work and reduced personal, family and social disruption. The Board encourages the earliest possible diagnosis and treatment for drug use, and supports sound treatment efforts. Whenever feasible, and subject to the limitations described here, the Board will assist employees in overcoming drug use. However, the decision to seek diagnosis and accept treatment for drug use is primarily the individual employee's responsibility.

**Self-Referral:** Employees with personal drug use or controlled substance abuse problems should request assistance through Human Resources or the Board's Employee Assistance Program. Assistance will be provided on a confidential basis, and each employee will be referred to the appropriate treatment and counseling services. Employees who voluntarily request assistance, through Human Resources or Employee Assistance Program, in dealing with drug or controlled substance abuse problems may do so without jeopardizing their continued employment with the Board.

**Employer Referral:** Employees who test positive for drug use and who are referred, at the County Administrator's request, for counseling or treatment will be limited to one opportunity for a counseling or treatment program to cease the use of drugs. A second positive test for the use of drugs will result in immediate termination. Employees terminated for this reason may be ineligible for rehire.

Employees who are referred for any other reason, at the County Administrator's request, for a counseling or treatment program will be limited to one opportunity for counseling or treatment to cease the use of drugs. Any positive test for the use of drugs following treatment and counseling will result in immediate termination. Employees terminated for this reason may be ineligible for rehire.

**Special Considerations:** All self-referrals or employer referrals for employee treatment and counseling will require, at a minimum, that the employee immediately cease any drug use, and that the employee be subject to quarterly testing for two (2) years. The County Administrator is required in certain situations to report an employee's involvement with drug use or controlled substance abuse to agencies concerned with public security, health, and safety. In all these situations, the County Administrator may terminate the employee.

Human Resources will maintain a list of Employee Assistance Programs available to Board employees, at their own or at their health insurer's expense.



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### **105:8 AUTHORIZED USE OF PRESCRIBED MEDICINE**

Any employee using prescription or nonprescription medications may report such use in a form provided for such purpose by the County at the time the employee's specimen is collected. The employee may also disclose this use to his or her Supervisor, the Risk Coordinator, or Human Resources after taking the test. Such disclosure will be kept confidential by the County and will be used only in connection with the drug test. For a detailed listing of medications, refer to Chapter 112.0455, Florida Statutes.

### **105:9 LIST OF DRUGS**

The laboratory may test for any drugs listed in Chapter 112.0455, Florida Statutes.

### **105:10 CONSULT THE LABORATORY**

Job applicants and active employees have the right to consult the testing laboratory for technical information regarding prescription and non-prescription medication.

### **105:11 RIGHT TO APPEAL**

An employee or job applicant who receives a positive confirmed drug test may explain or contest the result to the Medical Review Officer (MRO) employed by the drug-testing laboratory within five (5) business days after written notification of the positive test result by the MRO. If an employee or job applicant's explanation or challenge is unsatisfactory to the MRO, the person may contest the drug test result, as provided by 112.0455 (14), (15) (1993) Florida Statutes; Chapter 440, Florida Statutes (1993); and applicable regulations, including Florida Administration Code 38F-9.009.

A job applicant or active employee has the responsibility of notifying the drug testing laboratory of any administrative or civil action brought pursuant to Chapter 112 or 440, Florida Statutes. The laboratory will maintain the sample until the case or administrative appeal is settled.

### **105:12 CONFIDENTIALITY**

Absent written consent, all information, interviews, reports, statements, memoranda, and drug test results, written or otherwise, received by the Board as part of this drug testing program are confidential communications. Unless authorized by state laws, rules or regulations, or by court order, the County Administrator will not release such information without a written consent signed voluntarily by the person tested.

### **105:13 WORKERS' COMPENSATION**

An active employee who is injured on the job and who refuses to submit to a drug test, or whose confirmed drug test is positive, will be denied workers' compensation medical and indemnity benefits, in accordance with Chapter 440, Florida Statutes, and applicable regulations.

### **105:14 ALCOHOL USE OR POSSESSION ON COUNTY PREMISES**

The use, possession, sale or distribution of alcohol on or in County owned property is prohibited and constitutes a violation of the policy. Such violation will be handled pursuant to the Board's policy on work performance and conduct.



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### **105:15 ALCOHOL OR DRUG ASSISTANCE PROGRAMS**

Employees who desire help with an alcohol-related problem may request assistance through the Board's Human Resources Department or the Employee Assistance Program. Assistance will be provided on a confidential basis, and each employee will be referred to the appropriate treatment and counseling services. Employees who voluntarily request assistance through the Human Resources Department or Employee Assistance Program may do so without jeopardizing their continued employment with the Board.

### **105:16 PROHIBITIONS**

The Board prohibits the following, and any employee violating these rules is subject to discipline including termination:

1. Unlawful use, possession, manufacture, distribution, dispensation or sale of illegal drugs, alcohol or controlled substances, whether on or off County premises and whether during working hours or nonworking hours, or in County vehicles.
2. Unlawful use, possession, manufacture, distribution, dispensation or sale of alcohol, whether on or off County premises during working hours, in County vehicles during working or non-working hours, and on County premises during non-working hours.
3. Storing any drug in a locker, desk, automobile, or other repository on County premises.
4. Testing positive for drugs or controlled substance without a legal basis for use.
5. Switching or adulterating any urine sample submitted for testing, or submitting a false sample for testing;
6. Failing, when requested by the County Administrator, to enroll in any alcohol other drug treatment or counseling program and failing to adhere to the requirements of the program.
7. Being convicted under any criminal drug statute for a violation occurring in the workplace or outside the workplace.
8. Failing to notify Human Resources of any conviction under any criminal drug statute within five (5) business days of the event.
9. Failing to comply with rules and regulations promulgated under any testing programs maintained by the Board.
10. Consumption of any alcoholic beverages, controlled substances, or illegal drugs during duty hours including breaks, lunches, and extended periods of duty.
11. Reporting to work while under the influence of alcoholic beverages, controlled substances, or illegal drugs.

### **105:17 GROUNDS FOR TERMINATION OR DISCIPLINE**

Employees who violate this policy in any manner, who refuse to submit to a drug test or alcohol test after being requested to test, or who tamper with a drug or alcohol test, shall be subject to disciplinary action, up to and including termination.



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### **200 – SAFETY AND ETHICS**

#### **WORKPLACE SAFETY**

Policy Number 201

It is the policy of the Highlands County Board of County Commissioners (Board), to comply with all applicable federal, state, and local health and safety regulations, and to provide a work environment as free as feasible from recognized hazards. Employees are expected to comply with all safety and health requirements, whether established by management or by federal, state, or local law.

#### **201:1 SAFETY**

1. All Board employees are encouraged to incorporate safety and loss prevention in their daily activities.
2. Supervisors' safety responsibilities include:
  - a) Familiarizing themselves with all safety and health procedures relevant to the operations under their supervision.
  - b) Inspecting their work areas and equipment periodically.
  - c) Training their employees in safety matters or arranging for such training where appropriate and keeping logs of such training activities.
  - d) Identifying conditions that are recognized in the County as being unsafe.
  - e) Completing accident reports and submitting them to Risk Management within twenty-four (24) hours.
3. Employees should immediately report to their Supervisor all observed safety and health violations, potentially unsafe conditions, and any accidents resulting in injuries or property damage to Board employees or others.
  - a) The Workers' Compensation Supervisor and Employee First Report of Injury form must be completed and returned to Risk Management within twenty-four (24) hours after the occurrence of any injury to a Board employee.
  - b) For motor vehicle accidents involving County Vehicles, the Loss/Accident Report shall be completed and returned to Risk Management within twenty-four (24) after the occurrence of the accident.
  - c) Failure to report an injury or motor vehicle accident within twenty-four (24) hours, may result in disciplinary action, up to and including termination.
4. The Board will provide special clothing or equipment, or reimburse for it, when such clothing or equipment is required by regulation or by Board policy. Such clothing and equipment, if provided, must be used. Employees are responsible for the proper use and maintenance of such clothing and equipment and will be subject to disciplinary action for failure to comply with this obligation.
5. An employee may be required to pay up to the full replacement cost for any Highlands County equipment or property that is lost or damaged due to misconduct, misuse, or neglect on the part of the employee.
6. Supervisors must not discharge or discriminate in any manner against an employee because the employee has in good-faith, initiated a safety-related proceeding, has testified in such a proceeding, or has otherwise exercised any right afforded by law.
7. Each department must meet state and federal rules and standards and be responsible for developing a set of safety rules, policies, and regulations that pertain to their own particular operations. It is the responsibility of every employee to know and adhere to the safety rules and regulations, which apply to the area in which he or she is working or may be visiting.



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8. All Board employees required to drive a vehicle for work-related business, whether a County vehicle or their own vehicle, must possess a valid Florida operator's or commercial license as appropriate and maintain a safe driving record. The Supervisor must certify that the employee is capable of operating all motor-powered and self-propelled equipment required in the performance of the employee's work.
9. To protect the public, employees shall cultivate the habit of being cautious when doing work on public streets or private property. Every precaution must be taken to warn and protect the public from harm, which would result from construction or working repairs of job site conditions. Dangerous areas must be protected by barricades, warning signs, or persons designated to watch the area.



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### **WORKPLACE VIOLENCE**

Policy Number 202

It is the policy of Highlands County Board of County Commissioners (Board), to provide a safe environment for working and conducting business. The County Administrator will not ignore, condone, or tolerate acts of violence committed by or against employees, or members of the public, while on County property or while performing work-related business at other locations. Board employees determined to be in violation of this policy will be subject to appropriate disciplinary action, up to and including termination.

#### **202:1 VIOLENCE DEFINED**

1. The term “violence” has been defined as: An unjust or unwarranted exertion of force, action, power or vehement rough language against a person, property, rights, or laws of an injurious or destructive nature.
2. The word violence in this policy shall include, but is not limited to, any act or behavior that:
  - a) Constitutes a physical assault.
  - b) Consists of a communicated or reasonably perceived threat to harm another individual or in any way endanger the safety of an individual.
  - c) Carries the potential for physical harm to another individual (as would be interpreted by a reasonable person).
  - d) Involves carrying or displaying weapons, destroying property, or throwing objects in a manner reasonably perceived to be threatening.
  - e) Menaces another (as would be interpreted or perceived by a reasonable person).
  - f) Consists of a communicated or reasonably perceived threat to destroy property; or a reasonable person would perceive as obsessively directed, e.g. intensely focused on a grudge, grievance, or romantic interest in another person, and reasonably likely to result in harm or threats of harm to persons or property.
3. Violent acts and behavior can take any one of many forms. Such conduct might be physical or nonphysical, verbal or nonverbal, direct or indirect, and explicit or implicit.

#### **202:2 RESPONSIBILITIES**

The County Administrator takes every workplace violence issue seriously. As a means for prevention, Board employees are strongly urged to take appropriate action immediately upon knowledge of violent behavior taking place either on County property, or regarding any legitimate interest of the Board. All employees are empowered to call 911 in an emergency situation, i.e. assault, direct threat of immediate violence, suicide attempt, or any crime in progress.

#### **202:3 INVESTIGATION OF ALLEGATIONS**

The County Administrator recognizes that workplace violence investigations require discretion and sensitivity to protect the rights of all persons involved, and shall proceed in a manner that demonstrates objectivity, fairness and a concern for confidentiality.

#### **202:3(a) INVESTIGATION ASSIGNMENT AND PROCEDURE**

##### **Who Shall Conduct Investigations:**

1. Incidents involving an emergency situation and/or criminal activity will be referred to the Highlands County Sheriff’s Office or the appropriate jurisdiction for investigation. An internal investigation may occur simultaneously if it does not interfere with the efforts of the outside investigator.





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2. For incidents that do not involve an emergency situation and/or criminal activity, Human Resources, in consultation with the County Administrator, will determine the appropriate course of investigation.

### **Investigation Process**

Due to the varying nature of violence in the workplace, the County Administrator reserves the right to conform the investigative process as appropriate to handle the sensitive and subtle considerations presented by workplace violence issues on a case-by-case basis.

### **202:3(b) COOPERATION AND CONFIDENTIALITY**

1. Employees are required to fully cooperate in any internal investigations that may be conducted. This includes, but is not limited to, answering all questions honestly and fully.
2. Employees interviewed at any time during an investigation shall keep any and all information that is shared during the investigation strictly confidential and shall not, under any circumstance, discuss the information or the investigation with anyone other than authorized persons.
3. Failure to cooperate with an investigation, or failure to abide by the rule of confidentiality, will be grounds for disciplinary action.
4. All reasonable and lawful efforts to keep the information provided in the complaint and investigation process as confidential as practically possible to provide for a thorough investigation, and to the extent permitted by Florida law.
5. Nothing in this section will apply to compromise an accused individual's rights protecting against self-incrimination in a criminal investigation.

### **202:3(c) RETALIATION PROHIBITED**

1. Retaliation against employees for reporting workplace violence or assisting in the investigation of a complaint is prohibited and will not be tolerated.
2. Retaliation includes, but is not limited to, such acts as refusing to recommend an employee for a benefit for which he or she qualifies, spreading rumors about the employee, encouraging hostility from co-workers, or escalating the violent situation.
3. Employees who wish to bring complaints of retaliation should follow the procedures set forth in Section 203.5(a) of this Manual.





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### **HARASSMENT POLICY**

Policy Number 203

Employees are entitled to work in an environment that is productive but not coercive; friendly, yet at the same time professional. The Board's policy concerning unlawful harassment is in keeping with this philosophy, viewing such behavior as unproductive, coercive in nature, unfriendly, and decidedly unprofessional.

#### **203:1 POLICY**

Harassment that is unlawful negatively affects morale, motivation, and work performance, as well as increasing absenteeism and turnover. The Board does not tolerate any form of discrimination or harassment on the basis of age, race, sex, religious belief, color, national origin, disability/handicap, gender, genetics, or any other category of protected persons as prohibited by law.

#### **203:2 DEFINITION**

Harassment on the basis of age, race, sex, religious belief, color, national origin, disability/handicap, gender, genetics, or any other category of protected persons, or other status as prohibited by law, is illegal. Verbal or physical conduct may constitute unlawful harassment when:

1. Submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment.
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that person, i.e. pay increases, promotions, job assignments, etc.
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance, or creating an intimidating, hostile, or offensive work environment.

#### **203:3 SEXUAL HARASSMENT**

Sexual harassment may consist of:

1. Making sexual advances or seeking sexual favors or actions from an employee in exchange for better working conditions, a promotion, raise, or other improvement of job condition.
2. Asking for sexual favors.
3. Making sexual comments or jokes.
4. Unwanted physical contact.

This is not a complete list of sexual harassment behaviors. If any employee feels that they are put in an uncomfortable position because of their sex, this could be considered harassment.

#### **203:4 EXAMPLES OF OTHER INAPPROPRIATE BEHAVIOR**

Specific examples of inappropriate or illegal behavior include, but are not limited to:

1. Negative or offensive comments, jokes, or suggestions about another employee's gender or sexuality.
2. Obscene or lewd sexual comments, jokes, suggestions, or innuendos.
3. Slang names or labels that others find offensive, i.e. honey, sweetie, boy, girl, etc.



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4. Making negative comments about or calling attention to an employee's body or sexual characteristics.
5. Laughing at, ignoring, or minimizing the complaints of an employee who experiences sexual harassment.
6. Continuing certain behavior after a coworker has objected to that behavior.
7. Displaying nude or sexual pictures, cartoons, etc. on County property.

### **203:5 INTERNAL COMPLAINT PROCEDURES**

Employees having reason to believe they have been subject to harassment are urged to bring their concerns to the attention of their immediate Supervisor, Department Director, Human Resources, or to the County Administrator as appropriate.

#### **203:5(a) REPORTING COMPLAINTS**

1. Employees who bring complaints of harassment from anyone in current employment of the Board, including any Supervisors, co-workers, or visitors, are urged to report such conduct within seven (7) business days of the occurrence of the incident(s) in question to their Supervisors, so that the complaint may be investigated and resolved. Prompt reporting of incidents allows for timely investigation of the incident(s) while witnesses have immediate recollection of the facts and for quick resolution of complaints.
2. If the complaint involves the employee's Supervisor or someone in the direct line of supervision, or if the employee is for any reason uncomfortable in bringing the complaint to his or her immediate Supervisor, the employee may bring the complaint his or her Department Director, Human Resources, or to the County Administrator, as appropriate.
3. If the accusation of a violation of the policy is made to a Supervisor, it shall be forwarded *immediately* by the Supervisor to Human Resources in person or by telephone, and reported to the Department Director. Failure to follow this procedure subjects the Supervisor to disciplinary action.

#### **203:5(b) INVESTIGATION OF ALLEGATIONS**

1. All complaints will be investigated as expeditiously and as professionally as possible. To provide consistency and objective third party determination, Human Resources shall be the department afforded the responsibility to investigate allegations of harassment, to determine probable cause, and to be available to recommend appropriate corrective action; unless special circumstances require that Human Resources assign a specific investigation to another party or agency.
2. During the investigation, the accused party may be placed on administrative leave with pay.
3. Regardless of the outcome of the investigation, resolution of the complaint will be communicated to all parties involved. Such communication shall include what actions have been taken and reference the appeals process if the parties are not satisfied with the final resolution of the issue.
4. If the investigation confirms the allegations in the complaint, prompt and appropriate corrective and disciplinary action, up to and including termination may be taken.
5. Human Resources shall maintain a log of recommended disciplines, disciplinary actions taken and associated circumstances for all incidents of harassment, in order to provide a framework for reasonably uniform and consistent application of such disciplinary actions.



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### **203:5(c) COOPERATION & CONFIDENTIALITY**

1. Employees are required to fully cooperate in any internal investigations that may be conducted. This includes, but is not limited to, answering all questions honestly and completely.
2. Employees interviewed at any time during an investigation shall keep any and all information that is shared during the investigation strictly confidential and shall not, under any circumstances, discuss the information or the investigation with anyone other than authorized individuals.
3. Failure to cooperate with an investigation, or failure to abide by the rule of confidentiality, may be grounds for disciplinary action.
4. All reasonable and lawful efforts will be made to keep the information provided to Human Resources or designee in the complaint and investigation process as confidential as practically possible to provide for a thorough investigation, and to the extent permitted by Florida and/or Federal law.

### **203:5(d) RETALIATION PROHIBITED**

1. Retaliation against employees for reporting harassment or assisting the designated personnel in the investigation of a complaint is illegal and will not be tolerated.
2. Retaliation includes, but is not limited to, such acts as refusing to recommend an employee for a benefit for which he or she qualifies, spreading rumors about the employee, encouraging hostility from coworkers, or escalating the harassment.
3. Employees who wish to bring complaints of retaliation should follow the procedures set forth in Section 202:5(a) of this manual.

### **203:5(e) KNOWINGLY FALSE COMPLAINTS/ACCUSATIONS**

1. No disciplinary or other personnel actions will be taken against any employee who make a good faith complaint of sexual harassment, workplace harassment, or provides information in good faith in any investigation, whether the investigation proves or disproves the claim.
2. The County Administrator recognizes that false accusations of harassment have a serious effect on morale in the workplace. If after investigating a harassment complaint, the County Administrator concludes that an employee has made a complaint in bad faith or knowingly provided false information regarding a complaint, disciplinary action will be taken against the individual.

### **203:6 HARASSMENT AVOIDANCE TRAINING**

1. Upon orientation, all new employees will be informed of the Board's policies on equal opportunity, discrimination, and harassment, including the procedure for reporting a complaint.



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### **CODE OF ETHICS**

Policy Number 204

It is the policy of the Highlands County Board of County Commissioners (Board), that all employees are expected to conduct their professional lives in a completely ethical, truthful, and honorable manner in all dealings with the public and other Board employees.

All employees, including the Board's contract employees (i.e. County Administrator, County Attorney), will conduct themselves in a professional manner so as to maintain public confidence in their profession, their county government, and the public trust.

The Board recognizes that it is essential to the proper conduct and operation of government that public officials and employees be independent and impartial and that their public office not be used for private gain other than for the compensation as provided by law. The public interest requires this code protect against any conflict of interest and establish standards for the conduct of government employees in situations where conflicts may exist.

All Board employees will conduct their official affairs in such a manner so as to not be improperly influenced by anyone in the performance of their official duties.

The Board further recognizes that it is also essential that government attract those citizens best qualified to serve. Thus, policies against conflict of interest must be designed as not to impede unreasonably or unnecessarily the recruitment and retention by government of those best qualified to serve.

To this end, the Board remains committed to upholding the high standard of ethics for all public officers and employees as set forth in Part III of Chapter 112, Florida Statutes.

### **204:1 GENERAL PROVISIONS**

1. No Local Officer as defined by Florida Statutes or employee of the Board, including the Contract Employees, shall have any interest, financial or otherwise, direct or indirect, or engage in any business transaction or professional activity, or incur any obligation of any nature which is in conflict with the proper discharge of his or her duties in the public interest.
2. The Local Officers and employees of the Board, including Contract Employees, are agents of the people and hold their positions for the benefit of the public. Such officers and employees are bound to observe, in their official acts, the highest standards of ethics regardless of personal considerations, recognizing that promoting the public interest and maintaining the respect of the people in their government is of foremost concern.

### **204:2 GIFTS TO COUNTY EMPLOYEES**

Employee acceptance of loans, advances, gifts, gratuities, favors, or entertainment from a supplier, bidder, or other party doing business with the Board is improper. Detailed procedures concerning gifts is specified in the Purchasing Manual.

### **204:3 CONFLICTS OF INTEREST**

1. The Board adheres to the principles and precepts contained in the Code of Ethics for Public Officers and Employees, Chapter 112 (Part III), Florida Statutes. Where a question arises concerning whether or not any activity conforms to the Code of Ethics, the County Administrator, with advice from the County Attorney and Human Resources as needed, shall decide the question. Any employee wishing to determine whether a proposed activity would be prohibited may document the circumstances of the proposed activity and request an opinion from Human Resources. Copies of the request and resulting



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opinions shall be provided to the Department Director prior to engaging in the activity. If an employee is in doubt as to whether a conflict of interest exists, it is that employee's responsibility to seek clarification via this process.

2. Employees in a position to influence actions and decisions regarding the Board's administration shall refrain from relationships which may adversely affect the exercise of their independent judgment in dealing with suppliers.
3. An outside personal economic relationship which affords present or future financial benefits to an employee, their family, or individuals with whom they have business or financial ties may be a conflict of interest requiring evaluation by the County Administrator.
4. An employee having an outside personal economic relationship under the conditions specified above shall file a sworn statement to this effect with Human Resources.
5. Employee acceptance of loans, advances, gifts, gratuities, favors or entertainment from a supplier, bidder, or other party doing business with the Board is improper.
6. It is improper for employees to use their position with the Board to obtain or attempt to obtain any special preferences, privileges, or exemptions for themselves or for others.
7. No employee shall disclose confidential information gained by reason of their official position, nor shall the employee use such information for personal gain or benefit.

### **204:4 POLITICAL ACTIVITIES AND UNLAWFUL ACTS**

Board employees are governed by the provisions of Section 99.012, Florida Statutes, relating to political activities and unlawful acts. Employees filling positions in Board departments receiving federal funds are also subject to the provisions of the federal Hatch Act regarding political activities.

### **204:5 ADMINISTRATION OF THE CODE OF ETHICS**

1. Where a question arises concerning whether or not any activity conforms to the Code of Ethics, the County Administrator, with advice from the County Attorney and Human Resources as needed, shall decide the question.
2. Any employee wishing to determine whether a proposed activity would be prohibited may document the circumstances of the proposed activity and request an opinion from Human Resources. Copies of the request and the resulting opinions shall be provided to the Department Director prior to engaging in the activity.
3. Employees who violate the Code of Ethics as defined herein, or in Chapter 112, Florida Statutes, and in addition to any other criminal or civil penalty that may be imposed, shall be subject to disciplinary action, consisting of one or more of the following:
  - a) Restitution of any pecuniary benefit from the violation;
  - b) Civil penalties pursuant to Section 112.317(b) 6 Florida Statutes;
  - c) Reduction in salary level;
  - d) Demotion;
  - e) Suspension from employment for not more than ninety (90) calendar days without pay;
  - f) Dismissal from County employment.



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4. Violations of this Code of Ethics by County contract employees may be grounds for termination of the contract employee for "just cause" as that term may be applied in the individual employment contract(s).
5. However, when approved by the County Administrator as involving no conflict of interest or activity which interferes with their employment, an employee may be a candidate for or hold local public office, unless otherwise prohibited by law.



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### **CITIZENS RELATIONS**

Policy Number 205

It is the policy of the Highlands County Board of County Commissioners (Board), to be citizen and service oriented, and to require employees to treat citizens in a courteous, helpful, and respectful manner at all times. As an employee of the Board, employees are expected to treat all members of the community with the highest degree of professionalism and customer service.

#### **205:1 GENERAL PROVISIONS**

1. Employees must understand that the citizen comes first. All employees have an obligation to represent the Board in a positive fashion and to make citizens feel as comfortable as possible in dealing with employees of the Board.
2. Employees with citizen contact are expected to know the programs and services offered by the Board, and to learn the wants and needs of citizens. Such employees should attempt to educate citizens about the use of the Board provided services and should seek new ways to serve the citizen.
3. Employees are encouraged to report recurring citizen-related problems to their Supervisor and/or make suggestions for changes in Board policies or operating procedures to solve problems.
4. Employees should be prepared to listen carefully to citizen inquiries and complaints and then deal with them in a responsive, professional manner. If a controversy arises, the employee should attempt to explain the Board policy in a clear, yet polite, manner. If a citizen becomes unreasonable or abusive and the employee cannot resolve the problem, the citizen should be referred to the employee's Supervisor.



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### USE OF COMMUNICATION SYSTEMS AND TECHNOLOGY

Policy Number 206

It is the policy of the Highlands County Board of County Commissioners (Board), to provide or contract for the communication systems and equipment necessary for the conduct of its business.

#### 206:1 GENERAL PROVISIONS

1. Employees should familiarize themselves with the numerous types of communication systems and equipment used by the Board. Most of these services and equipment have usage charges or other related expenses. Employees should be aware of these charges and expenses and should exercise care in choosing the proper technology for each business communication. Employees should consult their Supervisor if there is a question about the proper technology to use.
2. Employees may not use the Board's address for receiving personal packages, and may not use Board stationery or postage for personal letters. Employees should exercise care so that no personal correspondence appears to be an official communication of the County.

#### 206:2 PERSONAL USE OF COUNTY TECHNOLOGY

1. The computer and telecommunication systems are a vital part of Board operations and every effort shall be taken to ensure their availability and proper use. This usage policy is established to ensure users are aware of the proper use of these systems.
2. Users should understand that all information generated on agency equipment is the sole property of the agency, and that employees and private parties hold no ownership of any such information or equipment. Moreover, any such work products will, in most cases, be considered public record. This includes but is not limited to reports, letters, email, etc. This information is subject to monitoring at any time, with or without notice, at the sole discretion of the agency/organization. Users of these systems are specifically informed that there is no expectation of privacy between the user and the employing agency/organization for any data created or stored in the systems described.
3. **Prohibitions.** All users are prohibited from:
  - a) Theft, damage or destruction of computing equipment, facilities, programs or data;
  - b) Accessing, copying or modifying computers, programs or data without proper authorization;
  - c) Reproducing or allowing others to reproduce copyrighted software material in any form without proper authorization;
  - d) Accessing or using computers, programs, or data which are not authorized to the user's account;
  - e) Sharing personal access codes.
  - f) Sharing any security related procedures, files or accounts with unauthorized persons;
  - g) Interfering with computer systems, telecommunications facilities, networks, or other resources including e-mail systems, such that the activities of other users are inhibited or disrupted (e.g. introducing computer viruses, worms.)
  - h) Intentionally rendering computer systems, telecommunications facilities, networks, or other resources inoperative (e.g. "crashing" the system or network);
  - i) Using computer systems, telecommunications facilities, networks, or other resources including e-mail systems, for private commercial purposes including, but not limited to, the promotion of "for profit" and or privately owned businesses or sale of private property;
  - j) Using computer systems, telecommunications facilities, networks, or other resources including e-mail systems to abuse, defame, harass or threaten another individual or group, commit fraud or distribute other unlawful messages;
  - k) Use of computer systems, telecommunications facilities, networks, or other resources for frivolous or non-productive purposes as defined by the agency/organization;





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- l) Users shall not change computer settings that could be considered security related (such as network settings, screen saver password protection and timeout, etc.).
- m) Users shall not move or relocate networked computer systems (such as the G or O drive). Users are required to receive prior written or electronic authorization by the administrators of the network prior to moving telecommunication equipment. Desktop, Notebook, Laptop, and Hand Held computers may be excluded from this requirement.
- n) Users shall not setup any type of automatic forwarding of outside e-mail to any County agency/organization from a home or remote computer; all other unauthorized acts or uses of computing facilities or resources, or any other actions not in accordance with the policies of the agency/organization.



## HIGHLANDS COUNTY BOCC PERSONNEL RULES & REGULATIONS

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### **EQUAL EMPLOYMENT OPPORTUNITY**

Policy Number 207

It is the policy of the Highlands County Board of County Commissioners (Board), to provide equal opportunity in employment to all employees and applicants for employment. No person is to be discriminated against in any and all terms, employment as defined by local, state and federal laws, rules or regulations based upon age, race, sex, religious belief, color, national origin, disability/handicap, gender, genetics or any other legally protected group/class.

#### **207:1 GENERAL PROVISIONS**

1. The Board may, consistent with applicable law, choose to establish programs to achieve prompt and full utilization of minorities, the disabled, or veterans, and women at all levels and in all segments of the work force. The results of the program(s) are to be reviewed periodically and modified as necessary to achieve their stated objectives.
2. The Board, as a matter of policy and practice, shall not:
  - a) Fail or refuse to hire or to discharge any individual, or otherwise discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment because of such individual's age, race, sex, religious belief, color, national origin, disability/handicap, gender, genetics, or any other legally protected group/class.
  - b) Limit, segregate, or classify employees in any way which would deprive or tend to deprive any individual of employment opportunities, or otherwise adversely affect the status as an employee, because of such individual's age, race, sex, religious belief, color, national origin, disability/handicap, gender, genetics, or any other legally protected group/class.

#### **207:2 EMPLOYMENT**

1. Human Resources is responsible for formulating, implementing, coordinating and monitoring all efforts in the area of equal employment opportunity. These may include, but are not limited to:
  - a) Assisting management in collecting and analyzing employment data;
  - b) Developing policy statements and programs emphasizing recruitment and retention techniques designed to comply with the equal employment policies of the Board;
  - c) Complying with various statutory record-keeping and notice requirements in order to ensure full compliance with all employment-related statutes and regulations;
  - d) Keeping employees informed of the latest developments in equal employment opportunity laws and regulations.
2. Any communication from an employee or applicant for employment, an external agency, or an attorney concerning any equal employment opportunity matter is to be referred to Human Resources.
3. While overall authority for implementing this policy is assigned to Human Resources, an effective equal employment opportunity program cannot be achieved without the support of supervisory personnel and employees at all levels. Any employees or applicants who feel they may have been subjected to any form of employment discrimination have a responsibility to report this fact to their Supervisor and/or Human Resources.



## HIGHLANDS COUNTY BOCC PERSONNEL RULES & REGULATIONS

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### **207:3 REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES**

Human Resources will assist departments in the reasonable accommodation process for those employees with a qualifying disability, in order to enable them to perform the essential functions of their job.

1. Employees who are diagnosed by a health care provider as having a qualifying disability and who want a reasonable accommodation should inform Human Resources of their need as soon as possible. The employee's medical condition should be kept confidential, as required by law.
2. Employees who have a qualifying disability and who want an accommodation should provide Human Resources with any pertinent medical records needed to make decisions regarding job assignments, ability to continue working, or ability to return to work. The medical record must reflect the limitation(s) for the accommodation(s) that the employee is seeking. Employees are encouraged to suggest possible accommodations.
3. The Human Resources may also require a doctor's certification of an employee's ability to perform duties safely or to assist in determining appropriate accommodations. Additionally, Human Resources may request that an employee submit to a medical examination if it believes the employee is a health or safety threat to themselves or others.
4. In attempting to reach a reasonable accommodation with a person with a qualifying disability, Human Resources will consult with the person with the disability to reach an accommodation to perform the essential functions of the job.

### **207:4 AGE DISCRIMINATION**

1. The Board acknowledges the value in the skills and experience possessed by older workers. These workers are not only an asset to the community; they are a valuable resource of knowledge and experience. The Board bases its employment decisions solely on abilities and qualifications.
2. It is the policy of the Board to not discriminate against a worker or applicant on the basis of age, and to uphold the principles set forth in the federal Age Discrimination in Employment Act (ADEA) and the Florida Civil Rights Act.
3. The Board, as a matter of policy and practice, shall not:
  - a) Fail or refuse to hire or to discharge any individual or otherwise discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's age;
  - b) Limit, segregate, or classify employees in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect the status as an employee, because of such individual's age; or
  - c) Discriminate against any of its employees or applicants for employment, because such employee or applicant has opposed any practice made unlawful under ADEA or the Florida Human Rights Act, or because such employee or applicant has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or litigation under the ADEA or the Florida Civil Rights Act.

### **207:5 COMPLAINTS**

Anyone having reason to believe they may have been subjected to discrimination are urged to bring those concerns to the EEO Coordinator, ADA Coordinator, or Human Resources. The complaint procedure is detailed in Policy 210, Discrimination Complaint.



## HIGHLANDS COUNTY BOCC PERSONNEL RULES & REGULATIONS

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### **AMERICANS WITH DISABILITIES NON-DISCRIMINATION POLICY**

Policy Number 208

It is the policy of the Highlands County Board of County Commissioners (Board), to ensure that full consideration is given to individuals with disabilities for employment. The Rehabilitation Act of 1973 was enacted to “promote and expand employment opportunities in the public and private sectors for handicapped individuals and to place such individuals in employment.” Section 504 of the Rehabilitation Act of 1973, as amended by 45 CFR, Part 84, however, does not protect all “handicapped persons.” In order to be considered as within the protected class/group, an individual must be a “qualified person with a handicap or disability.” With respect to employment, the affected individual must be able “with reasonable accommodations (to) perform the essential functions of the job in question.” The Americans with Disabilities Act of 1990 and as amended in 2009, Title I, Employment, further outlines the federal law that protects qualified individuals who have disabilities from being discriminated against in all phases of employment.

#### **208:1 GENERAL PROVISIONS**

1. In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the Highlands County BCC will not discriminate against qualified individuals should he or she have a physical or mental impairment which substantially limits one or more major life activities; have record of such impairment; or is regarded as having such impairment.
2. Effective Communication: Highlands County BCC will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in Highlands County BCC programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.
3. Modifications to Policies and Procedures: Highlands County BCC will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in Highlands County offices, even where pets are generally prohibited.
4. Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the Highlands County BCC, should contact the Human Resources Manager / ADA Coordinator, at 863-402-6500 as soon as possible but no later than forty-eight (48) hours before the scheduled event.
5. The ADA does not require the Board to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.
6. The Board will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

#### **208:2 COMPLAINTS**

Anyone having reason to believe they may have been subjected to discrimination are urged to bring those concerns to the EEO Coordinator, ADA Coordinator, or Human Resources. The complaint procedure is detailed in Policy 210, Discrimination Complaint.



## HIGHLANDS COUNTY BOCC PERSONNEL RULES & REGULATIONS

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### **LIMITED ENGLISH PROFICIENCY**

Policy Number 209

It is the policy of the Highlands County Board of County Commissioners (Board), to take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access and an equal opportunity to participate in our services, activities, programs and other benefits. The policy also provides for communication of information contained in vital documents, including but not limited to, waivers of rights, consent documents or any other applicable forms. All interpreters, translators and other aids needed to comply with this policy shall be provided without cost to the person being served, and clients and their families will be informed of the availability of such assistance free of charge.

#### **209:1 GENERAL PROVISIONS**

1. Language assistance will be provided through use of competent bilingual staff, staff interpreters, contracts or formal arrangements with local organizations providing interpretation or translation services, or technology and telephonic interpretation services. All staff will be provided notice of this policy and procedure, and staff that may have direct contact with LEP individuals will be trained in effective communication techniques, including the effective use of an interpreter.
2. Human Resources will be responsible for maintaining an accurate and current list showing the name, language, phone number and hours of availability of bilingual staff.
3. Some LEP persons may prefer or request to use a family member or friend as an interpreter. However, family members or friends of the LEP person will not be used as interpreters unless specifically requested by that individual and after the LEP person has understood that an offer of an interpreter at no charge to the person has been made by the facility. Such an offer and the response will be documented in the person's file. If the LEP person chooses to use a family member or friend as an interpreter, issues of competency of interpretation, confidentiality, privacy, and conflict of interest will be considered. If the family member or friend is not competent or appropriate for any of these reasons, competent interpreter services will be provided to the LEP person.
4. Children and other clients will not be used to interpret, in order to ensure confidentiality of information and accurate communication.
5. The Board will inform LEP persons of the availability of language assistance, free of charge, by providing written notice in languages LEP persons will understand. At a minimum, notices and signs will be posted and provided in common areas. Documentation will also be available on the County website.

#### **209:2 COMPLAINTS**

Anyone having reason to believe they may have been subjected to discrimination are urged to bring those concerns to the EEO Coordinator, ADA Coordinator, or Human Resources. The complaint procedure is detailed in Policy 210, Discrimination Complaint.



## HIGHLANDS COUNTY BOCC PERSONNEL RULES & REGULATIONS

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### **DISCRIMINATION COMPLAINT**

Policy Number 210

It is the policy of the Highlands County Board of County Commissioners (Board), to ensure that anyone having reason to believe they may have been subjected to discrimination are urged to bring those concerns to the attention of their immediate supervisor.

#### **210:1 PROCEDURES**

1. The complaint should be in writing using the Discrimination Complaint Form and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.
2. The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than fourteen (14) business days after the alleged violation to:

Human Resources Manager / ADA Coordinator  
600 South Commerce Avenue  
Sebring, FL 33870

3. Within fourteen (14) business days after receipt of the complaint, the Human Resources Manager or his/her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within fourteen (14) business days of the meeting, the Human Resources Manager or his/her designee will respond in writing explaining the position of the Board.
4. If the response by the Human Resources Manager or his/her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within fourteen (14) business days after receipt of the response to the County Administrator or his/her designee.
5. Within fourteen (14) business days after receipt of the appeal, the County Administrator or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within fourteen (14) business days after the meeting, the County Administrator or his/her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.
6. All written complaints received by the Human Resources Manager or his/her designee, appeals to the County Administrator or his/her designee, and responses from these two offices will be retained by the Board for at least three (3) years.

#### **210:2 RECORDS**

Records generated as a result of action taken under the provisions of this chapter are exempt from public examination per Section 119.07(3) (p), Florida Statutes, until a finding is made relating to probable cause, the investigation of the complaint becomes inactive, or the complaint or other record is made part of the official record of any hearing or court proceeding.



## HIGHLANDS COUNTY BOCC PERSONNEL RULES & REGULATIONS

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### **300 - EMPLOYMENT**

#### **HIRING**

Policy Number 301

It is the policy of the Highlands County Board of County Commissioners (Board), to be an equal opportunity employer and to hire individuals upon the basis of their qualifications, suitability, and ability to successfully complete assigned work.

#### **301:1 GENERAL PROVISIONS**

1. Supervisors and Department Directors who need to fill a regular full or part-time job vacancy should submit a Position Fill Request to Human Resources to request that the position be advertised and filled. All requisitions will be reviewed by Human Resources and the Office of Management and Budget before the vacancy is posted. County Administrator approval is required for all postings that require job description changes, internal posting, and during any period deemed as a Hiring Freeze.
2. During the recruitment, hiring, and orientation process, no statement is to be made promising permanent or guaranteed employment and no document should be called a contract unless, in fact, a written employment agreement is to be used. All employees of the Board should be made aware in writing that employment with the County is at-will and should exercise great care not to make any representations otherwise.
3. Any candidate for employment must complete a Board Application for Employment and submit it to Human Resources. All applications must be received no later than 5:00 P.M. on the closing date of the job announcement. Any applications received after this date and time will not be accepted.
4. The hiring department will work closely with Human Resources to determine whether an applicant meets the minimum qualifications for the open vacancy. The interview panel will select the candidate(s) for hire and make a recommendation to the County Administrator for final approval.
5. An application may be rejected by Human Resources if the applicant:
  - a) Has made false statements or omissions of any fact or practical deception in the Employment Application form or process, regardless of when discovered.
  - b) Whether or not an applicant will be rejected depends on the specific facts, including the nature of the offense, relevance to employment, passage of time since the incident occurred, evidence of rehabilitation, or other mitigating factors.
  - c) Does not meet the minimum training, education, or experience requirements established for the position.
  - d) Has falsified the application through either commission or omission.
  - e) Has failed to complete the application and/or sign it.
6. Human Resources is responsible for New Employee Orientation and for the processing of employment forms. The Supervisor is responsible for any necessary job training. Further information is available in Policy 401, Orientation and Training.
7. All employees may bid for any posted job by submitting an Employee Bid Form (Appendix 1) and an updated job application. Temporary employees may apply for posted jobs by completing a regular application form. If there is a qualified internal candidate available for the position the vacancy may not be advertised. This request will be submitted as an Internal Promotion to the County Administrator for approval. Please see Policy 303:4 Promotion, for additional information.





## HIGHLANDS COUNTY BOCC PERSONNEL RULES & REGULATIONS

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6. Applicants offered employment in safety-sensitive positions with the Board may be required to successfully pass a pre-employment drug screening. A qualified laboratory chosen by the Board will perform the test. Any applicant who refuses to take the test, or whose test results are positive, will be denied employment at that time. Please see Policy 105, Drug-Free Workplace, for additional information.
7. All applicants offered employment with the Board will have a criminal background check and a review of motor vehicle records.
8. Former employees of the Board who left in good standing may be considered for re-employment. A former employee who is re-employed will be considered a new employee from the date of re-employment. Further information is available in Policy 303:3, Reinstatement.

### **301:2 PERSONNEL REQUISITIONS**

This section sets forth the rules and regulations for the members of the interview panel in accordance with recommending qualified candidates for hire to the County Administrator.

1. Each listing of persons from a Certificate of Eligibles for appointment shall be entitled a "Personnel Requisition."
2. Additions and deletions from the Personnel Requisition listings may be made by Human Resources and approved by the County Administrator. Justification for such changes must accompany the requisition.
3. Procedure:
  - a) **Order of Qualification.** When issuing the Personnel Requisition, applicants should be listed in order of hiring preference.
  - b) **Geographic Location Tie-Breaker.** When qualifications are equal, geographical location of the applicant's home in relationship to the job site may be used as a consideration for breaking the tie. Geographical location will not serve to eliminate an applicant who is more qualified than others being certified.
  - c) **Exception.** When proximity to work location is essential due to required response time for reporting to the work site on an unscheduled basis, the names of eligible candidates may be certified on the basis of area residency.
  - d) **County Residency Policy.** It is not the policy of the Board to exclude employment opportunities from qualified applicants who reside outside the geographical limits of Highlands County or who are unwilling to relocate to the Highlands County area. It is, however, the policy of the Board to present an offer of employment to qualified applicants who reside within the geographical limits of Highlands County or are willing to relocate therein, prior to other applicants of equal qualification.

### **301:3 VETERAN PREFERENCE**

Veterans' Preference for eligibility in employment will be extended to certain Veterans and spouses of Veterans according to 295.07, Florida Statutes. The Florida Statute extends Veterans' Preference to:

1. The state and its political subdivisions shall give preference in appointment and retention in positions of employment to veterans:
  - a) Those disabled veterans:
    - i. Who have served on active duty in any branch of the United States Armed Forces, have received an honorable discharge, and have established the present existence of a service-connected disability that is compensable under public laws administered by the United States Department of Veterans Affairs; or





## HIGHLANDS COUNTY BOCC PERSONNEL RULES & REGULATIONS

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2. Who are receiving compensation, disability retirement benefits, or pension by reason of public laws administered by the United States Department of Veterans Affairs and the United States Department of Defense.
  - a) The spouse of a person who has a total disability, permanent in nature, resulting from a service-connected disability and who, because of this disability, cannot qualify for employment, and the spouse of a person missing in action, captured in line of duty by a hostile force, or forcibly detained or interned in line of duty by a foreign government or power.
  - b) A wartime veteran as defined in s. 1.01(14), who has served at least one (1) day during a wartime period. Active duty for training may not be allowed for eligibility under this paragraph.
  - c) The unremarried widow or widower of a veteran who died of a service-connected disability.
  - d) The mother, father, legal guardian, or unremarried widow or widower of a member of the United States Armed Forces who died in the line of duty under combat-related conditions, as verified by the United States Department of Defense.
  - e) A veteran as defined in s. 1.01(14). Active duty for training may not be allowed for eligibility under this paragraph.
  - f) A current member of any reserve component of the United States Armed Forces or the Florida National Guard.

### **301:4 RECRUITING**

This section sets forth rules and regulations for recruiting applicants for vacancies and newly established positions.

1. **Recruiting Action.** Active recruitment for all authorized regular positions, available or anticipated available will be conducted by Human Resources in cooperation with other departments and agencies.
2. **Vacancies.** Anticipated vacancies are those authorized regular positions being vacated within no more than ninety (90) calendar days. Anticipated vacancies may not be forecast or advertised based on pending disciplinary action or requested changes in the manning level. A vacancy may be anticipated when the employee occupying the position has submitted a written resignation, been approved for transfer to another position within the organization, or has applied for and been approved for retirement within thirty (30) calendar days.
3. **New Position Recruitment.** A new position may only be recruited after it has been approved by the Board and funded. Recruitment action shall not occur more than ninety (90) calendar days before the established effective hire date.
4. **Recruitment Scope.** Recruitment actions and/or announcements shall be designed to reach all segments of the County population. Announcements will be displayed in the reception area and will be made available by Human Resources upon request. All job postings will be posted electronically on the Board website. They may also be provided to each department, to public and private employment agencies, and/or to automated employment services.
5. **Basis for Recruitment.** Applicants for all positions shall be recruited on the basis of minimum training and experience requirements established for that position without regard to age, race, sex, religious belief, color, national origin, disability/handicap, gender, genetics or any other legally protected group/class.
6. **Recruiting Language.** All recruitment literature shall contain the title of the employer "Highlands County Board of Commissioners" and the phrase "An Equal Opportunity, Veterans Preference, and Drug-Free Workplace Employer."



## HIGHLANDS COUNTY BOCC PERSONNEL RULES & REGULATIONS

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### **301:5 PRIVATE EMPLOYMENT AGENCIES**

The use of private employment agencies is permissible provided:

1. Human Resources direct recruitment cannot produce personnel for hire in sufficient time to serve the need for the personnel.
2. Use of the private employment agency may provide a competitive business advantage over direct hire of personnel.
3. The private employment agency must provide Human Resources written certification of compliance with Federal Civil Rights Act, Americans with Disabilities Act, Age Discrimination in Employment Act, pertinent guidelines of the Equal Employment Opportunity Commission, and Florida law.
4. Fees or charges for services rendered shall be reasonable per the market.

### **301:6 JOB POSTING**

Posting shall be dated per the date issued by Human Resources. All postings may be placed on department bulletin boards for the information of Board employees. Announcements may be posted electronically.

1. Employee Bids:
  - a) All employees may bid for any posted job by submitting a Bid Form and an updated job application. Temporary employees may apply for posted jobs by completing a regular job application form.
  - b) Bids must be submitted in sufficient time to allow processing through the proper chain of command to arrive in Human Resources no later than 5:00 PM on the closing date of the job announcement. Bids received after this date and time will not be accepted.
  - c) Bids which would result in lateral moves to a position with the same job title will not be considered. Bids which would result in a demotion must be approved by Human Resources.
  - d) All employees who successfully bid on a job posting may forfeit the option to return to the position they vacated.
2. Job openings filled by transfers, reassignment, or internal promotions may not be subject to job postings.
3. Reclassifications due to changes in job requirements are not subject to job postings.
4. In order to reach all segments of the population, paper or electronic copies of each job posting may be sent to the local State of Florida employment agency, local organizations or any other applicable agency.

### **301:7 ADVERTISING**

To ensure a supply of qualified applicants and promote community relations with all segments of the County's population, job postings may be advertised in local media, and posted electronically as a general rule, under the following conditions:

1. All regular and temporary vacancies, without regard to pay grade to afford a high quality pool of applicants for consideration.
2. New regular positions without regard to pay grade (if not filled by reassignment, reclassification or internal promotion).



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3. Advertisements may be placed outside the County when local advertising fails to produce sufficient applicants that meet the minimum qualifications for the job or when directed by the County Administrator to fulfill special recruiting requirements.

The following situations do not require job posting:

1. Vacancies for which a posting was published for the same or lower pay grade within ninety (90) calendar days of the effective date of the vacancy, and for which well-qualified current applicants exist.
  - a) Applicants may be selected for positions of the same job title; or
  - b) Applicants may be selected for positions in the same or lower pay grade for which they interviewed.
  - c) This excludes positions that require Board appointment.
2. Part-time and/or temporary postings, when there are sufficient applications on-hand to support a quality hiring decision.
3. When disciplinary action results in reassigning an employee from a higher position to a vacancy in a lower pay grade.
4. When a vacancy is being filled by an existing employee through lateral transfer, reassignment, reclassification, or internal promotion.
5. When a vacancy is filled by a former employee returning from workers' compensation absence.



## HIGHLANDS COUNTY BOCC PERSONNEL RULES & REGULATIONS

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### APPLICANTS FOR EMPLOYMENT

Policy Number 302

It is the policy of the Highlands County Board of County Commissioners (Board), that applications for employment shall be accepted for open positions. All applicants will be accorded uniform and equal treatment in all phases of the examination procedure. Applicants may not be accepted or rejected because of age, race, sex, religious belief, color, national origin, disability/handicap, gender, genetics or any other legally protected group/class. Reasonable accommodations may be made for disabled applicants to ensure equal access to the examination and evaluation process.

#### 302:1 GENERAL PROVISIONS

1. **Application Assembly.** It is the sole responsibility of the applicant, whether a current or former employee or applying from outside the organization, to assemble and deliver any and all materials that comprise their application for employment. Human Resources staff is not required to perform word processing, copying services, procure or update materials or transcripts, etc. in order to assemble applications.
2. **Compliance with Laws, Rules, and Regulations.** Staff shall ensure that all positions are filled in a manner consistent with the intent and purpose of this section and other applicable state and federal rules, regulations, and law.

#### 302:2 PROCEDURES

1. **Receipt.** Human Resources is responsible for accepting applications for employment.
2. **Forms.** Applications will be submitted on the Highlands County Board of County Commissioners Application for At-Will Employment. Applicants requesting special assistance due to disability will receive equal consideration and be afforded reasonable accommodation throughout the application and examination process.
3. **Signature Required.** Applications must be signed by the applicant, attesting to the truth of all statements contained on the application. Falsification of an application may be cause for disqualification of an applicant or the dismissal of the employee. Applications received without the applicant's signature, whether intentional or accidental, may be rejected.
4. **Qualifying.** Applicants may be individually reviewed and ranked based on a numeric grading scale. Veterans' preference will be awarded per Chapter 295, Florida Statutes.
5. **Application Rejection.** An application may be rejected by Human Resources if the applicant:
  - a) Has been convicted of a felony or first degree misdemeanor which directly relates to the position sought, regardless of when discovered.
  - b) Has made false statements or omissions of any fact or practical deception in the Employment Application form or process, regardless of when discovered.
  - c) Whether or not an applicant will be rejected under items (a) and (b) above depends on the specific facts, including the nature of the offense, relevance to employment, passage of time since the incident occurred, evidence of rehabilitation, or other mitigating factors.
  - d) Does not meet the minimum training, education, or experience requirements established for the position.
  - e) In consultation with hiring department, if an unsatisfactory employment record as shown by written factual evidence, i.e. employment application or references. In such cases, former employers and references may be contacted to gain additional information.
  - f) Employee is ineligible for rehire due to an involuntary resignation.



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6. **Application Status.** Applicants not selected for an interview will be advised by mail or telephone. Applicants examined or interviewed will be advised by mail or telephone of their status following the interview.
7. **Not Hired.** Applicants not hired may request to use the application on file for up to six (6) months after submission. After six (6) months a new application will be required.
8. **File.** Human Resources shall maintain the original application as part of the personnel file for all persons hired.

### **302:3 INTERVIEW**

All appointments will be made on the basis of merit and fitness to be determined as far as practical and possible by a competitive examination process, which may include, but not be restricted to, any or all of the following: oral interview, written test, oral test, performance test, physical or fitness test, evaluation of training and experience, length of time in present position, and any other applicable criteria which will fairly measure the relative abilities of individuals competing in examinations.

Candidates may be required to attain at least a minimum performance on each part of the examination process in order to be considered for employment.

Reasonable accommodations will be provided in the examination process when requested by disabled job applicants.

Interviews for the position of Director and above require public notice.

Applicants may be examined by one or more of the following methods:

1. **Personal Interview.** An in-person or web-based interview to determine abilities and qualification, which may include any or all of the following: oral interview, written test, oral test, performance test, physical, or fitness test. Personal interviews shall be conducted by an interview panel, Human Resources, Department Directors, Supervisors, or designee. Applicants may be scored or ranked using a numeric grading scale.
2. A second or third interview may be required at the request of the Department Director or County Administrator.
3. **Interview Panel.** The interview panel should be comprised of three (3) or more members to include: the Supervisor, the Department Director or department designee, and a member of Human Resources. Prior approval through the County Administrator or Human Resources is required for all non-Board panel members. The County Administrator may participate in a two (2) person panel of his or her choosing for which Human Resources does not have to participate.

**Public Information and Records Retention.** Following an interview, Human Resources will make available, upon request, the results in accordance with Chapter 119, Florida Statutes.

### **302:4 OTHER PERSONNEL SERVICES (OPS)**

Other Personnel Services (OPS) positions are intended to fulfill short-term or sporadic needs of the Board, except professionals, who are to be used on a fill-in status only. Employment of non-professional personnel in the OPS category in the same position for periods longer than six (6) calendar months requires prior approval by the Board of County Commissioners. See Policy 310, Supplemental Workforce.



## HIGHLANDS COUNTY BOCC PERSONNEL RULES & REGULATIONS

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### **302:5 CONDITIONAL OFFER OF EMPLOYMENT AND PROCESSING**

After tentative selection and before final processing, an applicant shall be required to:

1. Take a physical examination performed and evaluated by a designated physician, if a requirement of the position.
2. Take a physical agility test, if required by the position.
3. Present proof of:
  - a) Authorization to work in the United States. Highlands County participates in E-Verify.
  - b) Proof of identification
4. Sign a waiver and authorization to conduct a criminal, work, and personal reference background investigation.
5. Complete drug and/or alcohol test, if required by the position (safety sensitive).
6. Present a valid Florida Driver's License, if required by the position.
7. Sign a loyalty oath.
8. Complete bonding and fingerprinting requirements for the positions, if any.

### **302:6 PHYSICAL EXAMINATION**

When physical examination is required for specified positions, the applicant shall present to the designated physician and undergo a physical examination by a physician. Using the job description, the physician shall conduct the examination and identify all medical conditions which may have an effect on the prospective employee's ability to perform the essential job functions of the identified position.

If medical restrictions/limitations are identified, Human Resources shall review the report and determine:

1. If reasonable accommodations can be made available for the selected candidate.
2. If the prospective employee shall be required to submit additional medical information from their personal physician.
3. If the offer of employment must be withdrawn.

An applicant who fails to pass the physical examination may request reconsideration by submitting additional medical information per the following:

1. Written request for reconsideration must be made to Human Resources within ten (10) calendar days of notice of examination failure.
2. Upon receipt of a request for reconsideration, Human Resources shall review it with the authorized physician who made the initial assessment, if necessary, additional medical examinations may be authorized at the expense of the Board.

The applicant shall not be considered a Board employee until completion of the medical examination process and acceptance of an unqualified offer of employment. Final appointment to the position is contingent on successful completion of all required elements of the pre-employment physical, physical agility test, drug



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screen (if safety sensitive), and background investigation. Rejection of a candidate at this step will be based on a reason that is job-related and consistent with business necessity.

### **302:7 E-VERIFY**

To comply with federal regulations of the Immigration Reform and Control Act (IRCA), all employees are required to complete an Employment Eligibility Verification form (I-9 form). This law applies to all individuals hired, including full-time, part-time and OPS employees. E-Verify is a web-based program administered by the U.S. Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS) Verification Division, and the Social Security Administration that supplements the current I-9 employment eligibility verification process. The program determines whether the information provided by the new hire matches government records and whether the new hire is authorized to work in the United States.

1. All employees must complete Section 1 of the I-9 form on day one of their employment. All employees must complete the I-9 form within three (3) business days of the date employment begins by providing appropriate documentation. Any employee who fails to complete the I-9 within the three (3) business day time period cannot continue to work.
2. To maintain compliance, the appropriate Human Resources designee must also certify Section 2 of Form I-9 AND prepare the E-Verify report within three (3) business days of the date of employment.
3. Re-verifications & Re-hires. Federal regulations require an update and/or re-verify the I-9 form when one of the following occurs:
  - a) An employee is terminated and then re-hired - The original I-9 is valid only when the employee is re-hired within three (3) years of the original hire date. Otherwise, a new I-9 form and E-Verify report must be completed. A new E-Verify report must be completed for all re-hires.
  - b) An employee's work authorization is about to expire and a new or extended status has been approved, or, the employee's status has changed to another non-immigrant or to immigrant status. No new E-Verify report is required for work authorization re-verifications.
4. I-9 Retention. The Board shall retain a valid I-9 in accordance with the State of Florida General Records Schedule GS1-SL.
5. Final appointment to the position is contingent on successful completion of all required elements of the investigation. Rejection of a candidate at this step will be based on a reason that is job-related and consistent with business necessity.





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### APPOINTMENT

Policy Number 303

It is the policy of the Highlands County Board of County Commissioners (Board), that all new employees (full-time and part-time regular employees in Board-approved positions; does not include temporary employees) are to be carefully monitored and evaluated during original appointment, reinstatement, promotion, demotion, reassignment or trainee status.

#### 303:1 APPOINTMENT TYPES

1. An established position must be filled by one of the following types of appointments:
  - a) Original.
  - b) Trainee.
  - c) Reinstatement.
  - d) Promotion.
  - e) Demotion.
  - f) Reassignment (Policy 308)
2. **Regular Status.** An employee does not attain regular status until completion of the six (6) month probationary status. Upon accepting a new position regardless of the appointment type, all employees will be placed into probationary status.
  - a) When an employee who has not attained regular status is granted a leave of absence without pay in excess of three (3) workdays during any pay period, the time spent on such leave shall not count toward the completion of the employee's probationary period for that class.
3. **Minimum Training and Experience Requirements.** Any person appointed to a position under the Board must meet the minimum training and experience requirements established on the job description for the position to which appointed, unless:
  - a) **Designee Pay.** The employee is appointed with Designee Pay per Section 601:3.
  - b) **Trainee Status.** Human Resources and the Department Director shall determine if the individual does not yet meet the minimum training requirements and appointment to trainee status is appropriate. In this case, the employee should be able to complete the training requirement within six (6) months of appointment.

#### 303:2 ORIGINAL APPOINTMENTS

No original appointment shall be made without the approval of the County Administrator. Except for reinstatement, promotion, demotion, or reassignment appointments, appointments made in accordance with the provisions of this chapter to established positions shall be considered original appointments.

Upon original appointment to a position, an employee shall be given status in that position in accordance with the following:

1. **Probationary Status.** An employee appointed to fill an established position on a regular full-time or part-time basis shall be given probationary status. As an incentive for new employees to complete probation and matriculate as a regular employee with an evaluation of 3.1 or higher, up to a five (5) percent end of probation pay raise may be authorized on a case by case basis by the County Administrator.





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2. **Trainee Status.** An employee appointed to fill an established position on a regular full-time or part-time basis shall be given trainee status when:
- The employee does not meet the minimum training and experience requirements for that position; and
  - The employee is participating in accordance with an established training schedule or program approved by Human Resources.
  - Upon the completion of the training, or six (6) months of continuous employment, whichever comes later, the employee may be given regular status. Training shall last no longer than six (6) months.

A new employee without regular status may be terminated at any time without the right to appeal.

### 303:3 REINSTATEMENT

- A Board employee who held regular status prior to separation may be given a reinstatement appointment, provided:
  - The employee was separated from employment in good standing.
  - Reinstatement is made within one (1) month from the date the employee separated.
  - The appointment is made to a position in the same pay grade or to a position in a lower pay grade within a similar position.
- Limitations.** If an employee who held regular status is not given a reinstatement appointment within one (1) month from the date separated, the employee shall be given an original appointment if re-employed by the Board. See Policy 303:2, Original Appointment.
- Laid-Off Employees.** Whenever possible, vacancies shall be filled by reinstatement of former employees who have been laid-off, in accordance with Section 312, Layoff Policy.

### 303:4 PROMOTION

An employee shall be given a promotion appointment when moved from a position in one pay grade to a position in another pay grade having a greater degree of responsibility and a higher maximum salary. All promotions are subject to approval by the County Administrator.

- Eligibility.** Employees with or without regular status may be promoted to a position for which the employee meets the minimum training and experience requirements.
- Probation.** A promoted employee who has previously attained permanent status, shall serve a probationary period of three (3) months in the higher pay grade. This period may be extended for a maximum of three (3) months by the Department Director with concurrence of Human Resources, for a maximum of six (6) months total.
- Leave Accrual After Promotion.** Employees with regular status prior to promotion continue to accrue annual and sick leave in the same manner in effect prior to promotion. Employees without regular status prior to promotion shall be awarded sick leave three (3) months after the date of original hire and annual leave after six (6) months so long as progress is satisfactory. See Policy 501, Sick Leave, and Policy 503, Annual Leave, for details on how leave is computed.
- Demotion During Probation.** A promoted employee may be demoted to a position within the same pay grade from which they were promoted any time prior to attaining regular status in the higher pay grade, without having the right to appeal the demotion.



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5. **Internal.** The County Administrator may authorize an internal promotion for any vacancy. No external or internal job posting is required. Salary shall not be approved at more than ten (10) percent above the employee's current salary.

### 303:5 DEMOTION

An employee shall be given a demotion appointment when moved from a position in pay grade to a position in another pay grade having a lesser degree of responsibility and a lower maximum salary.

1. **Voluntary Demotion.** With the approval of the County Administrator, an employee with regular status may be demoted, to a position for which the employee meets the minimum training and experience requirements providing the demotion is voluntary and the employee signs a statement to that effect. Salary will be reduced by five (5) percent or to the mid-point of the new pay grade. Salary may not exceed the mid-point of the new pay grade.
2. **Involuntary Demotion.** Involuntary demotions of regular employees require the approval of the County Administrator. An employee with regular status shall be given a demotion appointment to a position in a lower pay grade in the same manner prescribed for original appointments and may appeal the action through the Grievance Procedure. Salary will be reduced by ten (10) percent or to the mid-point of the new pay grade. Salary may not exceed the mid-point of the new pay grade.
3. **Status.** Demoted employees shall be placed on a six (6) month probationary status.
4. **Demotion of Non-Regular Employees.** An employee who has not attained regular status and is given a demotion appointment to a position in a lower pay grade shall not have the right to appeal the demotion.

### 303:6 POSITION OVERLAP

No position shall be filled by more than the equivalent of one (1) full-time employee, except as provided for in this section. Overlap is defined as a condition in which two (2) employees are placed in the same position for any of the following reasons:

1. For the purpose of training one employee to take-over the duties of another employee.
2. For the purpose of performing duties of an employee placed on leave with or without pay due to the employee's personal illness, injury, disability or other absence.
3. Overlap shall not occur in any position without County Administrator approval and may not exceed ninety (90) calendar days unless a longer period is authorized by the Board.



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### **NEPOTISM & FRATERNIZATION**

Policy Number 304

It is the policy of the Highlands County Board of County Commissioners (Board), to be an equal opportunity employer and to hire individuals upon the basis of their qualifications, suitability, and ability to successfully complete assigned work.

#### **304:1 NEPOTISM**

1. A relative of an employee will be considered for employment by the Board, provided the applicant possesses all the qualifications for employment. A relative will not be hired, however, if such employment would:
  - a) Create either a direct supervisor/subordinate relationship with a relative; or
  - b) Create either an actual conflict of interest or the appearance of a conflict of interest.
2. These criteria will also be considered when assigning, transferring or promoting an employee. For the purposes of this policy "relative" shall be defined, in accordance with Chapter 112.3135, Florida Statutes, as an individual who is related to the public official as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister half-brother, or half-sister.
3. Employees who marry or become members of the same household may continue employment as long as there is not:
  - a) A direct supervisor/subordinate relationship between such employees; or
  - b) An actual conflict of interest or the appearance of a conflict of interest.
4. Should one of the above situations occur, Human Resources will attempt to find a suitable position within another department to which one of the affected employees may transfer. If accommodations of this nature are not feasible, the employees will be permitted to determine which of them will resign.

#### **304:2 FRATERNIZATION**

The Board recognizes the need to establish a work place free of relationships that could create liability for the County and a perception of favoritism and/or conflict among County employees; therefore, interfering with the proper conduct of County business.

1. The Board does not feel that a prohibition against a consensual romantic relationship is necessary, provided:
  - a) Both parties mutually and voluntarily consent to the relationship.
  - b) The relationship does not affect judgment or performance of duties of involved employees; and
  - c) The relationship does not negatively impact the work environment.
  - d) The relationship is not between a direct supervisor and subordinate.
2. Employees are strictly prohibited from engaging in any form of intimate contact that would in any way be deemed inappropriate by a reasonable person serving anywhere on County premises, whether during working hours or not.



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### **JOB CLASSIFICATIONS**

Policy Number 305

It is the policy of the Highlands County Board of County Commissioners (Board), to evaluate all jobs in order to establish a consistent basis for measuring and ranking the relative worth of each job. Further, it is the intent of the Board to maintain salary ranges, current job titles, and job descriptions in accordance with sound compensation practices.

#### **305:1 GENERAL PROVISIONS**

1. Human Resources is responsible for coordinating the continuing internal review of the Board's compensation structure and for making sure that each job is evaluated and assigned a salary range which accurately and fairly reflects each job's responsibilities and performance.
2. The Pay Plan contains salary ranges with a minimum and a maximum rate for each job title. Changes in salary range assignments may only be made by the County Administrator, and are subject to approval by the Board of County Commissioners.
3. Human Resources should evaluate all new positions and review, on a periodic basis, all job descriptions to ensure that they accurately reflect current duties. If a suitable job title does not exist, Human Resources may recommend the establishment of a new job title and salary range for approval by the County Administrator.
4. Only the Board may authorize establishing new regular or temporary positions with benefits. To the extent feasible, actions that may result in new positions will be processed as part of the normal budget cycle. Classification of new positions or reclassification of existing positions which require immediate action and which significantly impact either the County organization or individual employees may be considered as an exception to policy.
5. Human Resources is responsible for developing and administering daily activities of the job evaluation program. This includes taking responsibility for revising and/or updating job descriptions, deleting job titles that are no longer needed, and position reclassifications. Human Resources may require the assistance of Supervisors, Managers, or Department Directors to ensure the accuracy of the duties listed within the job description.
6. Human Resources is responsible for reassigning job titles to the Exempt and Hourly pay plans based on changes in organizational needs, in compliance with the Fair Labor Standards Act.

#### **305:2 JOB DESCRIPTIONS**

1. Job descriptions define the kind of work and level of responsibility normally assigned to employees performing a job. While exact duties and responsibilities of positions under a specific job title may differ, all positions so designated shall be sufficiently similar as to kind of work, level of difficulty or responsibility, and qualification requirements to warrant like treatment for personnel purposes.
2. Job descriptions shall contain the parts listed below. Each part must contain the minimum amount of information required to distinguish each characteristic.
  - a) **Position Information.** The position title given will best describe the job specification. This section will include the job title, job code, FLSA classification, type of position, division, department, cost center, pay grade, pay range, special risk (if applicable), and if the position is full or part-time.



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### b) **Position Duties & Responsibilities.**

- i. *General Description.* The specific reason the position is established, and the overall objectives to be achieved by the employee that holds the position.
- ii. *Essential Job Functions.* Specific statements as to the kind of work and level of responsibility the job specification encompasses, but not restrictive to the duties that may be required. A statement of the number of personnel supervised by the holder of the position, if any.
- iii. *Knowledge, Skills, and Abilities.* Statements specifying the knowledge level, special abilities, and skills necessary to do the job. This section will also contain a description of the physical abilities required of the position, based on the normal and recurring physical demands of the job.
- iv. *Physical Skills.* Physical ability requirements must be based on the essential functions performed by the job. A description of the usual and occasional location and environment in which the holder of the position is required to operate.

### c) **Minimum Qualifications.** Statements of the kind and amounts of training, education, experience, and/or other qualifications that is normally required of applicants for the job specification. This section will also include working hours and disaster assignment.

3. The County Administrator is authorized to make minor changes to job descriptions, excluding pay grades. All major changes, including the creation of new positions, require Board approval.

### **305:3 RECLASSIFICATION**

1. A position may be reclassified from either a higher or lower pay grade as a result of significant changes in assigned duties and responsibilities.
2. Reclassifications cannot be effected for situations involving the assignment of new duties and responsibilities which in effect create a new position.
3. Reclassifications will not be approved for artificial changes in duties and responsibilities solely for the purpose of gaining a change in the current authorized pay grade.
4. All reclassifications must be reviewed by the County Administrator and Human Resources, and approved by the Board, prior to implementation.

### **305:4 LEAD WORKERS**

1. When two (2) or more positions in the same position or pay grade are located in the same work unit, one position may be assigned lead worker duties, provided:
  - a) The position is assigned duties and responsibilities of a limited supervisory nature in addition to normal assignments of the position.
  - b) The supervisory responsibilities do not justify reclassification of the position.
2. Lead worker duties may not be assigned to a position unless the position has been reviewed by the County Administrator and Human Resources, and approved as a lead worker position by the Board.
3. Employees assigned lead worker responsibilities will not receive more than a pay increase of ten (10) percent above the employee's current biweekly salary as approved by the County Administrator. Such salary increases may not exceed the maximum of the current pay grade.



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**305:5 EMERGENCY MEDICAL SERVICES**

1. Seven separate job titles (hourly positions) are authorized for personnel normally assigned to the twenty-four (24) hours on and forty-eight (48) hours off work shift configuration, also known as Payroll two (2):
  - a) Paramedic Supervisor
  - b) Medical Supervisor
  - c) Paramedic Field Training Officer (FTO)
  - d) Paramedic
  - e) Paramedic (OPS)
  - f) Emergency Medical Technician (EMT)
  - g) Emergency Medical Technician (OPS)
2. **Provisional Paramedic Positions.** A maximum of four (4) EMTs may be elevated to the minimum starting salary for a Paramedic, providing:
  - a) Paramedic training has been completed and the proper state certification obtained while an employee of the Highlands County Emergency Medical Service.
  - b) Current duty performance is considered to be above average by the appropriate shift Supervisor and the Emergency Medical Service Manager.
  - c) The employee is not serving a period of employment probation, as outlined in Policy 402, Probationary Period.
  - d) A current position vacancy for Paramedic does not exist within the EMS.

Paramedics advanced in salary under these provisions must accept the first available regular Paramedic position offered. Paramedics who refuse to bid on or accept an available Paramedic position will be returned to the salary rate being received as an EMT immediately prior to the Paramedic salary advancement.

An employee may be appointed to a Provisional Paramedic position at a salary five (5) percent below the salary range minimum of the Paramedic position, for a training period not to exceed three (3) months. Salaries for employees granted an increase per this section will be effective from the first day of the pay period following notification of eligibility.

3. **Paramedic Field Training Officer (FTO).** A total of three (3) Paramedic qualified personnel may be selected for and appointed the major additional duty of Field Training Officer. Persons so appointed will receive up to five (5) percent salary increase on the date of appointment, providing the salary increase does not exceed the established salary maximum for the pay grade. Selections must be approved by the County Administrator prior to appointment. Upon vacation of a FTO position into a lower pay grade, either voluntarily or involuntarily, the current salary level of the employee will be reduced by five (5) percent, effective from the date of the termination of appointment.
4. **OPS Positions.** In order to provide qualified and competent reliefs for Paramedic and EMT personnel for vacation, off-site training, illness, injury, and other contingencies, persons meeting all the qualifications of the regular position may be placed on a call-up roster. Persons employed as OPS will be paid at a rate to be determined by the Department and approved by the County Administrator. OPS employees will not accrue paid leaves, be eligible for health or life insurance benefits, or receive Florida Retirement Service credit unless approved by the Board.



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### 305:6 FIRE SERVICES

1. Three separate job titles (hourly positions) are authorized for Fire Services:
  - a) Firefighter/EMT (Regular)
  - b) Firefighter/EMT (OPS)
  - c) Fire Services Specialist
  
2. **Firefighter/EMT Regular - Lead Worker Positions.** A maximum of one (1) Firefighter/EMT per station may be appointed Lead Worker by the Director with approval from the Board. The Firefighter/EMT assigned as Lead Worker may be assigned duties and responsibilities of a limited supervisory nature, in addition to normal assignments of the position. The Lead Worker will have the responsibility for coordinating administrative matters with headquarters, and will be provided a ten (10) percent pay differential for performing these additional duties. Upon relief of Lead Worker duties by the Department Director, this differential will be eliminated and the employee will revert to their previous status.
  
3. **Firefighter/EMT (OPS).** In order to provide qualified and competent reliefs for Firefighter/EMT personnel for vacation, off-site training, illness, injury, and other contingencies, persons meeting all the qualifications of the Firefighter/EMT regular position may be placed on a call-up roster. A current Medical Emergency First Responder certification may be substituted for the EMT requirement. Persons employed as Firefighter/EMT (OPS) will be paid at a rate to be determined by the Department Director and approved by the County Administrator. Firefighter/EMT (OPS) employees will not accrue paid leaves, be eligible for health or life insurance benefits, or receive Florida Retirement Service credit.





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### **WHITE COLLAR EXEMPTION**

Policy Number 306

It is the policy of the Highlands County Board of County Commissioners (Board), to evaluate positions and remain in compliance with local, State, and Federal Labor Laws. Certain employees classified as executive, administrative, professional, or computer professional are exempted from the provisions of the Fair Labor Standards Act (FLSA), provided they meet the following criteria.

#### **306:1 GENERAL PROVISIONS**

1. The employee is paid on a salary basis or as otherwise required by the FLSA. To qualify as salary basis, the employee must be paid a predetermined amount on a weekly or less frequent but regular basis, and generally will be paid a full salary regardless of the number of days or hours worked in a work week. An employee need not be paid for any work week in which they perform no work.
2. Compensation cannot be reduced because of variations in the quality or quantity of work performed.
3. The employee must be paid the full salary for any week in which the employee performs any work, except where a deduction is authorized as set forth below.
4. Accrued annual and sick leave credits will be used for absences of one or more full days. Deductions will not be made from accrued benefits for less than a full day of absence.
5. Deductions will not be made for absences occasional by the employer or by the operating requirements of the County.

#### **306:2 PERMISSIBLE EXEMPT SALARY DEDUCTIONS**

There are seven (7) exemptions to the “no-pay docking” rule. Deductions from an exempt employee’s salary may be made in the following circumstances:

1. Absences from work for one (1) or more full days for personal reason, other than sickness or disability. Use of accrued annual and sick leave credits may be required for these absences. See Policy 501, Sick Leave, or Policy 503, Annual Leave, for information on the use of sick or annual leave.
2. Absence from work for one (1) or more full days due to sickness; or, if the employee has accrued sick leave, such absences will be charged against the employee’s accrued leave. If sick leave has been exhausted, a deduction in salary in full day increments will be made. See Policy 501, Sick Leave.
3. To offset any amount received as payment for jury fees, witness fees, or military pay.
4. Penalties imposed in good faith for violating safety rules of major significance. Prior to imposing a salary deduction under this subsection, Supervisors are required to seek the approval of Human Resources.
5. Unpaid disciplinary suspension of one (1) or more full days imposed in good faith for violations of workplace conduct rules.
6. A proportionate part of an employee’s full salary may be paid for time actually worked in the first and last weeks of employment.
7. Unpaid leave taken pursuant to the Family and Medical Leave Act (FMLA). See Policy 506, Family Medical Leave.





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### **306:3 COMPLAINT PROCEDURE**

It is the intent of the Board, as employer, to never make improper deductions from exempt pay. However, in the event any exempt employee believes a deduction to their salary has been made improperly, the following steps may be taken:

1. The employee may report such complaint, either verbally or in writing, directly to the Human Resources or to the County Administrator.
2. Human Resources may provide a verbal or written response to the complainant within five (5) business days of receipt of such complaint, either agreeing with the complaint and issuing corrective pay action, or showing disagreement with the complaint and the basis upon which the deduction is considered proper.



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### **LATERAL TRANSFER**

Policy Number 307

It is the policy of the Highlands County Board of County Commissioners (Board), that it may, at its discretion, initiate or approve employee job transfers from one position to another or from one location to another. Lateral transfers only allow employees to transfer into a position with the same job title and pay grade.

#### **307:1 GENERAL PROVISIONS**

1. The Board may require employees to make either a temporary or long-term job transfer in order to accommodate the Board's business needs.
2. Employees may request a voluntary lateral transfer. To be eligible for a voluntary lateral transfer, employees must have held their current position for at least six (6) months if the position sought is outside their current department. Approval is required from the Supervisors and Directors in both departments.
3. Employees transferring will do so at their existing rate of pay with no salary increase.
4. An employee with regular status who is given a lateral transfer shall retain regular status upon appointment to the new position.



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### **REASSIGNMENT**

Policy Number 308

It is the policy of the Highlands County Board of County Commissioners (Board), that it may, at its discretion, initiate or approve reassignment appointments to move an employee from one position to another.

#### **308:1 GENERAL PROVISIONS**

1. An employee shall be given a reassignment appointment when moved from a position within the same pay grade, but which has a different job title.
2. Employees given a voluntary reassignment will not receive more than a three (3) percent pay increase above the employee's current salary as approved by the County Administrator. Such salary increases may not exceed the maximum of the pay grade.
3. An employee with regular status who is given a reassignment appointment to a different position shall be given probationary status after Human Resources has determined that the employee meets the minimum training and experience requirements for that position. Human Resources may require a qualifying examination, such as a drug test or a fit-for-duty medical exam, if the employee has not previously passed an appropriate examination. The employee will be placed on a three (3) month probationary status.
4. An employee involuntarily reassigned, for which the individual is qualified, shall not have the right to appeal such action.
5. All reassignments require approval of the County Administrator prior to implementation.



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### **SECONDARY EMPLOYMENT**

Policy Number 309

It is the policy of the Highlands County Board of County Commissioners (Board), that it shall be considered the primary employer for all regular employees paid by the Board. As primary employer, the Board is entitled to and should receive one hundred (100) percent of each employee's efforts and energy while on the job.

#### **309:1 GENERAL PROVISIONS**

1. Secondary employment determined to be the cause of substandard or unsafe performance of duty could result in discharge.
2. No employee may engage in outside employment which would interfere with the interests of the Board. Moreover, secondary employment may violate the Code of Ethics for Public Officers and Employees, Chapter 112, Florida Statutes. Employees of the Board shall not engage in any employment activity or enterprise which has been or may be determined to be inconsistent, incompatible, or in conflict with the duties, functions or responsibilities of their job or department.
3. No employee shall hold any other position in governmental or private employment or as an independent contractor when such other position may have the effect of reducing the efficiency of service to the Board. Employees holding other positions cannot solicit or advertise or take calls concerning their other employment during working hours at the Board.
4. Employees should ensure that the Secondary Employment Request has been approved, prior performing any outside duties to ensure compliance with this policy.

#### **309:2 PROCEDURE**

Requests for outside employment authorization shall be submitted in writing using the Secondary Employment Form (Appendix 2) and shall contain the following information:

1. Name and address of secondary employer.
2. Position and/or nature of work to be performed.
3. Anticipated hours of employment.
4. Sworn statement attesting that the requested employment is in total compliance with this chapter.

#### **309:3 APPROVAL AND CANCELLATION**

Approval for outside employment may be granted by the County Administrator. Approval may be canceled at any time by the Department Director or the County Administrator, upon ten (10) business days written notice to the employee. Approval of one application cancels any other application previously approved.

#### **309:4 ADDITIONAL CONDITIONS**

1. **Eight-Hour Rule.** Persons employed in safety-sensitive positions shall not engage in secondary employment within eight (8) hours immediately prior to a normally scheduled period of work for the Board. It is the responsibility of the employee, to notify the immediate Supervisor of any potential schedule conflicts. For purposes of this rule, safety sensitive positions are:
  - a) Paramedics.
  - b) EMTs.



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- c) Firefighter/EMTs.
- d) Animal Control Officers.
- e) Operators of heavy equipment and dump trucks.

There are no acceptable circumstances or hardship conditions that warrant exception to this policy. Violation of this requirement may be cause for disciplinary action including termination.

1. **Secondary Employment Caused Illness or Injury.** The Board assumes no liability for injury or illness caused by outside employment. Accumulated sick leave credits may be used to cover outside employment caused illness or injury with the prior approval of the employee's immediate Supervisor.
2. **Annual Leave Use.** Annual leave credits may be used to cover outside employment caused illness or injury with the prior approval of the employee's immediate Supervisor.
3. **Disposition.** Secondary employment authorization requests, whether approved or disapproved, must be delivered to Human Resources for review and filing.

**NOTE:** Secondary employment of the Board's contract employees (County Administrator, County Attorney) is governed by contract with the Board.



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### **SUPPLEMENTAL WORKFORCE**

Policy Number 310

It is the policy of the Board of County Commissioners (Board), to supplement the regular workforce with temporary, seasonal employees, student interns, or other forms of flexible staffing when needed, because of periods of peak workload or employee absences.

#### **310:2 GENERAL PROVISIONS**

1. All vacancies in positions covered by this policy need not be advertised.
2. The Board may utilize students, volunteers and other similar applicants for flexible staffing purposes, if not prohibited by law. When deemed necessary, such applicants will be required to provide a certificate of age.
3. All employees covered by this policy are not eligible for paid absences, vacations and holidays.
4. All employees covered by this policy are to be paid within the pay range of their job title.
5. Other Personal Services (OPS) is a temporary employer/employee relationship used solely for accomplishing short-term or intermittent tasks. Human Resources will review all requests and submit to the County Administrator for approval prior to extending temporary employment.
6. A temporary/OPS employee is hired to work part-time or full-time hours for a limited/finite period. Temporary employees may be hired to work on special projects or periods of peak workload, not to exceed six (6) months in duration, with prior approval by the Board of County Commissioners.
7. Temporary/OPS employees may also be used to cover employee absences due to FMLA, workers' compensation, or other leaves of absence for the duration of the regular employee's absence.
8. A temporary/OPS employee normally works regularly scheduled hours during the term of their temporary assignment.

#### **310:3 PART-TIME EMPLOYEES (NON-OPS)**

1. Board approved positions that are scheduled for less than thirty (30) hours. Full-time employment is considered thirty (30) hours or more.
2. Part-time positions are not eligible for Board health insurance (health, dental, supplemental).
3. Part-time positions are eligible for the Florida Retirement System (FRS).
4. Salary and appointment are obtained in the same manner as regular full-time positions.



## HIGHLANDS COUNTY BOCC PERSONNEL RULES & REGULATIONS

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### **VOLUNTEER**

Policy Number 311

It is the policy of the Board of County Commissioners (Board), to recognize and strongly support volunteer services to assist County government in providing services and programs in which citizens are encouraged to volunteer their time and talents in the provision of County services.

#### **311:1 GENERAL PROVISIONS**

In order to maximize the effectiveness of volunteers, while limiting the risk of exposure to both volunteers and the Board, this policy will apply to all volunteers and departments, except advisory committees, boards, and commissions (refer to Policy on Board Appointments).

#### **311:2 DEFINITION**

Volunteer is defined as an individual who performs hours of voluntary service to the Board for civic, charitable, humanitarian, recreational, health, public safety or general welfare reasons, without promise, expectation or receipt of compensation for services rendered.

#### **311:3 PROCEDURES**

1. The requesting department shall submit a request to Human Resources outlining its volunteer needs and desired applicant qualifications.
2. All applicants interested in volunteering must complete a Volunteer Application that will be forwarded to Human Resources for review. Applicants for Volunteer Fire Services shall complete a Volunteer Firefighter Application that will be forwarded to and processed by the Fire Services department.
3. The requesting department will review the Volunteer Application(s) and inform Human Resources of those whose qualifications meet the needs of the department.
4. Once tentatively selected, Human Resources will complete the application process. Volunteers will need to submit to and successfully complete the following:
  - a) Background check.
  - b) Motor Vehicle Record check, if applicable.
  - c) Any other applicable standards, as required.
5. If the results of any required items reveal information or conduct that the Board determines to be disqualifying, the applicant will not be eligible for placement with any department of the Board.
6. Human Resources shall complete the volunteer application process and any costs associated therein will be the responsibility of, and charged to the requesting department.
7. Each department head, or his or her designee, shall coordinate the department's volunteer program and shall serve as its contact person. Each department shall also provide updated volunteer services and contact information regularly to Human Resources.

#### **311:4 TRAINING**

Volunteers will receive a summary of Board policies and procedures, an overview of their volunteer assignment and, as appropriate, a written list of duties and expectations, hours of service, supervision, necessary forms, accident reporting procedures, confidentiality, call-in, etc. Volunteers shall be directed to serve within their assigned duty assignment.



## HIGHLANDS COUNTY BOCC PERSONNEL RULES & REGULATIONS

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### **311:5 SUPERVISION**

Volunteers will be supervised as to assignments, work performance, activity, use of equipment, etc. Performance problems will be corrected or the volunteer service terminated.

### **311:6 REPORTING REQUIREMENTS**

The department to which volunteers are assigned will assure that each volunteer maintains an individual Volunteer Sign-In Log. This log is to be maintained by the department for reference purposes.

### **311:7 PERSONAL INJURY**

Volunteers are considered employees pursuant to Chapter 440, Florida Statutes, Workers' Compensation Law. Worker's compensation medical-only coverage will be provided. Worker's Compensation is administered through the Board's Risk Coordinator.

### **311:8 DAMAGE TO VOLUNTEER PROPERTY**

When volunteer's personal property is damaged while the volunteer is serving in an authorized volunteer status, the Board will not be responsible to reimburse for the damage.

### **311:9 DRIVING**

All operators of a motor vehicle while on County business must be qualified to drive and drive safely. Operators must be at least 18 years of age and have sufficient knowledge about vehicle handling, demonstrated by a safe driving record, so as to protect employees, volunteers, the Board, clients and the public from an unsafe driver. This provision applies to both County-owned and volunteer-owned vehicles. Volunteers operating County equipment will receive instruction from the supervisor regarding County vehicles before being authorized to operate them.

### **311:10 DAMAGE TO PRIVATE PROPERTY**

When a volunteer serving in an authorized volunteer status damages private property, provisions of the Board's insurance policies will prevail.





## HIGHLANDS COUNTY BOCC PERSONNEL RULES & REGULATIONS

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### LAYOFF POLICY

Policy Number 312

It is the policy of the Highlands County Board of County Commissioners (Board), that reductions in workforce and elimination of regular positions may be necessary from time to time for various reasons.

#### 312:1 GENERAL PROVISIONS

A layoff is defined as a separation of employment due to the abolishment of positions due to shortage of funds or work, or a material change in the duties or organization of a department.

1. **Authority.** The Department Director shall recommend the positions to be abolished in his or her department. All recommendations must be reviewed by the County Administrator and Human Resources, and approved by the Board, before taking action.
2. **Considerations.** The Department Director, in determining the priority of layoff for individual employees, may be guided by a variety of considerations including job performance, relative skill levels, versatility and attendance. Seniority may be a factor in the Supervisor's consideration, but the principle of "last hired, first fired" will not always govern in instances of layoff. Rather, the Department Director should determine layoff priority based upon the best interest of the Board.
3. **Layoff Notification.** After Board approval, the Department Director shall notify Human Resources of intended actions. The Director will notify the affected employees in person with the presence of Human Resources. A written notification from Human Resources will be supplied to each affected employee.
4. **Regular Employees.** No regular status employee in an affected position shall be laid off while a probationary employee continues to serve in a position with the same job title in the affected department.
5. **Reassignment, Lateral, or Demotion Request.** Within seven (7) business days after receiving written notice of layoff, regular status employees shall have the right to request reassignment, lateral transfer, or demotion to another in lieu of layoff provided:
  - a) The petitioner meets the minimum qualifications for the requested position.
  - b) Such reassignment, lateral transfer, or demotion shall not cause layoff of another employee.
  - c) All requests are subject to review and approval by the County Administrator.
6. **Priority Consideration of Laid-off Employees.** Human Resources shall notify the hiring department if a laid-off employee meets the minimum qualifications for the vacancy. Laid-off employees must complete an application to be considered for any position. Supervisors and Department Directors are encouraged to consult with Human Resources when selecting applicants for interview.
7. **Layoff Not Disciplinary.** A layoff shall not be considered a disciplinary action.



## HIGHLANDS COUNTY BOCC PERSONNEL RULES & REGULATIONS

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### **SEPARATION OF EMPLOYMENT**

Policy Number 313

It is the policy of the Board of County Commissioners (Board) to separate employment because of an employee's resignation, termination, or retirement; the expiration of an employment contract; or a reduction in the work force. Termination can be for any reason not prohibited by law. In the absence of a specific written agreement, employees are free to resign at any time and for any reason.

#### **313:1 GENERAL PROVISIONS**

1. Employees are requested to give a minimum of two (2) weeks written notice of their intent to resign and to remain in good standing. Written resignations may not be rescinded. The County Administrator may reserve the right to waive the notice.
2. Employees who are absent from their normally scheduled work shift for three (3) consecutive days without being excused or giving proper notice will be considered as having voluntarily resigned.
3. For policies and procedures leading up to termination for disciplinary reasons, please refer to Policy 702, Corrective Action and Disciplinary Procedure.
4. For policies and procedures governing retirement, see Policy 314, Retirement.
5. For policies and procedures governing the payment of sick leave and vacation leave at the separation of employment, refer to Policy 501, Sick Leave, and Policy 503, Annual Leave.
6. Supervisors should send notices of resignation or recommendations for termination to Human Resources for processing. These notices should be accompanied by any needed supporting documents, such as notices of corrective action, disciplinary reports, and letters of resignation. All terminations should be reviewed by Human Resources and approved by the County Administrator before any final action is taken. Failure to do so may lead to disciplinary action, up to and including termination.
7. Supervisors should ensure that the employee returns all Board property prior to separating employment. This can be accomplished by using a checklist that itemizes what must be relinquished by the employee. Should an employee fail to return any or all equipment issued, Human Resources will assess the value with the assistance of the department, and deduct from the employee's final paycheck. If the employee returns the equipment at a later time, a refund may be issued.
8. **COBRA.** Employees terminating employment with the Board may elect to continue health care coverage by paying the established rates.
9. Requests for employment verifications should be directed to Human Resources.

#### **313:2 ADMINISTRATIVE SEPARATION**

When circumstances warrant, employees may be administratively separated from service by Human Resources with the approval of the County Administrator. An administrative separation is non-disciplinary in nature. Such separation may occur in the following situations:

1. Upon notice that an employee has exhausted FMLA leave entitlement and expressed intent not to return to work.
2. The employee is unable to perform the essential functions of their job duties with or without reasonable accommodation.



## HIGHLANDS COUNTY BOCC PERSONNEL RULES & REGULATIONS

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### **313:3 RUNNING FOR PUBLIC OFFICE**

1. An employee contemplating running for public office shall comply with the requirements of 99.012, Florida Statutes. An employee shall be considered to be running for public office upon payment of the required qualifying fee, signing the oath of candidacy, or making the required financial disclosure before the appropriate qualifying officer. Persons in this situation may:
  - a) Take an unpaid leave of absence upon becoming a candidate; or
  - b) Submit an irrevocable resignation with a future effective date, so long as it conforms to the requirements of the Statute.



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### **RETIREMENT**

Policy Number 314

It is the policy of the Highlands County Board of County Commissioners (Board), to provide employees assigned to established positions membership in the Florida Retirement System (FRS), in accordance with Florida Retirement System rules.

#### **314:1 GENERAL PROVISIONS**

1. The Florida Retirement System is a compulsory, State administered retirement plan. The provisions of Chapter 121, Florida Statutes, will be adhered to in administration of the retirement program.
2. Retirement ages will be determined according to Chapter 121.021(29), Florida Statutes.
3. Employees who choose to take normal retirement are requested to give Human Resources as much advance notice of their intent as possible.
4. Employees who qualify for retirement under this policy become eligible to receive retirement, health, and various other benefits in accordance with the provisions of the State of Florida and the Board's employee plans. Retiring employees are eligible to receive pay for accrued but unused vacation and sick leave in accordance with Board policies (see Policy 501, Sick Leave, and Policy 503, Annual Leave, for further information). All employee benefit plans and programs are subject to amendment or termination, even after retirement, at the Board's sole discretion.
5. It is recommended that all employees approaching retirement age or becoming vested consult with FRS representatives regarding the proper procedures. It is the employee's responsibility to initiate, follow up, and complete the FRS retirement process if choosing to retire.
6. Under current FRS rules, retired employees may be eligible to reapply for employment with an FRS employer when:
  - a) Within six (6) calendar months, your retirement will be voided and you will be required to repay all the Pension Plan benefits you have received, including any DROP payout.
  - b) During calendar months seven (7) to twelve (12), your Pension Plan benefits will be suspended for each month you are employed during this period (you must notify the Division of Retirement of your employment). If your benefits are not suspended timely, the employee and the Board will be required to repay benefits you should not have received.
  - c) After twelve (12) months, you will not be required to repay any prior benefits and you will continue receiving benefits from the Pension Plan without interruption.



## HIGHLANDS COUNTY BOCC PERSONNEL RULES & REGULATIONS

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### **400 – THE WORKPLACE**

#### **ORIENTATION AND TRAINING**

Policy Number 401

It is the policy of the Highlands County Board of County Commissioners (Board), to provide New Employee Orientation programs and to conduct or support training programs as deemed appropriate.

#### **401:1 GENERAL PROVISIONS**

1. Human Resources is responsible for the overall development and coordination of New Employee Orientation and for implementing the portions that cover policies, procedures, services, facilities, benefits, and new employee documentation. Each Supervisor is responsible for orientation as it applies to introducing the new employee to the specific job and department.
2. Supervisors are responsible for recommending employees for special training programs, for providing on-the-job training, or for arranging on-the-job trainers. Such training will normally be conducted during regular working hours.
3. The Board will provide special training programs for safety and health matters when deemed necessary, or as required by government regulation.



## HIGHLANDS COUNTY BOCC PERSONNEL RULES & REGULATIONS

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### **PROBATIONARY PERIOD**

Policy Number 402

It is the policy of the Highlands County Board of County Commissioners (Board), that all new employees are to be carefully monitored and evaluated for an initial on-the-job probationary period of six (6) months. The probationary period applies to new hires, reassigned, and promoted employees. After satisfactory completion of the probationary evaluation, such employees will be formally evaluated on an annual basis.

### **402:1 GENERAL PROVISIONS**

1. Supervisors are responsible for department orientation of new employees, including establishment of performance standards, work schedules, and expected employee behavior.
2. Supervisors are to observe carefully the performance of each employee in a new position. Strengths and weaknesses in performance, attendance, conduct or attitude are to be brought to the employee's attention.
3. After six (6) months, a written evaluation of the employee's performance (Appendix 3) must be completed. The evaluation is to include a recommendation as to whether the employee should continue in the position. The evaluation should be completed by the Supervisor, forwarded to the Department Director for review and signature and then reviewed with the employee. The signed evaluation is then provided to Human Resources for inclusion in the employee's personnel file. A copy should be provided to the employee.
4. The probationary period may be extended up to three (3) additional months when requested by the Department Director and approved by Human Resources. Initial probation shall not exceed nine (9) months from the date of hire of any new employee.
5. During the probationary period, an employee may be disciplined, laid off, suspended, or terminated, and such action shall not be subject to the grievance procedure set forth in this manual.
6. The probation period may be reduced to less than six (6) months for an employee performing in a satisfactory manner with the approval of the County Administrator.
7. Annual leave may be taken only after the employee has successfully completed their initial probationary period and been recommended for continued employment. Sick leave may be taken after three (3) months of employment; see Section 501, Sick Leave.



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### **HOURS OF WORK**

Policy Number 403

It is the policy of the Highlands County Board of County Commissioners (Board) to establish the time and duration of working hours as required by workload, productivity, customer service needs, the efficient management of human resources, and any applicable law.

#### **403:1 GENERAL PROVISIONS**

1. Departments are to perform work during the time of day and week that will provide the best level of service to the people of Highlands County. When the operational and service needs of the Board require a schedule different from the normal workweek, departments are authorized to change or adjust any work schedule with the Department Director and County Administrator's approval.
2. No department shall operate on less than a forty (40) hour workweek, except for holidays and other situations; see Policy 504, Holidays.
3. The workday for each full-time hourly employee shall be 8, 10, or 24 hours, as prescribed by the department.
4. Employees exempt from the Fair Labor Standards Act (FLSA) may be required to work in excess of the department's scheduled hours without additional compensation. Accordingly, Supervisors and Department Directors shall use good judgment when requiring exempt employees to work beyond scheduled hours.

#### **403:2 WORK SCHEDULES**

1. The Department Director shall establish the scheduled hours of work for employees within their department. To be full-time positions, such hours shall not be less than the minimum hours of a normal workweek, and shall, as far as practical, be uniform for employees in the same unit assigned the same duties. Employee work schedules that deviate from normal business hours, require County Administrator approval.
2. Human Resources shall maintain a copy of each department's work schedule.
3. Employees are expected to be ready to start work at their designated start time.
4. Full-time employees are required to be present on their assigned jobs for the total hours in the established workday and workweek.
5. Part-time employees are required to be present on their assigned jobs for the total number of hours scheduled for them during the established workday and workweek.

#### **403:3 MEAL AND BREAK PERIODS**

1. One (1) hour is the normal time allotted for meal periods. The Department Director or designee may authorize thirty (30) minute meal periods, at their discretion. No meal period shall be for less than thirty (30) minutes.
  - a) Meal periods are to be scheduled in a manner to best serve the public.
  - b) Meal period time cannot accumulate or be saved for the purpose of leaving work early.



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2. Rest breaks are not a right, but a privilege provided when time and circumstances permit. Breaks must be arranged so as not to interfere with Board business. Each Department Director or designee may allow employees two (2) rest breaks per shift:
  - a) No work break shall exceed fifteen (15) minutes absence from the employee's work station.
  - b) Unused work breaks may not be accumulated.
  - c) Break time shall not cover late arrival for duty or early departure from duty.
  - d) Break time may not be used in conjunction with regular meal breaks.
  - e) No work break shall cause unsafe or hazardous conditions to exist solely for the purpose of taking a break at a pre-designated time during the workday.
3. Employees working for Emergency Medical Services or Fire Services are required to observe a minimum rest period of eight (8) hours immediately prior to the commencement of a scheduled regular work shift. Specifically, employees are required to refrain from working for pay or as a volunteer in the eight (8) hours immediately prior to a scheduled regular or overtime work shift.

### **403:4 HOURS NOT WORKED**

1. Supervisors, Managers, and Department Directors may, at their discretion, allow employees to make up time off during a given workweek (See Policy 405, Alternative Work Arrangements).
2. All hourly employees may be required to make up time if scheduled hours are not worked during the workweek, if paid or unpaid leave is not used.
3. Exempt employees may make limited alterations to their schedule during a given workweek, with supervisor approval.

### **403:5 TRAINING AND OFFSITE WORK**

Employee attendance at lectures, meetings, and training programs will be considered hours of work, if such attendance is requested and approved by management.





## HIGHLANDS COUNTY BOCC PERSONNEL RULES & REGULATIONS

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### **OVERTIME, COMPENSATORY TIME, AND SHIFT DIFFERENTIAL**

Policy Number 404

It is the policy of the Highlands County Board of County Commissioners (Board) that work in excess of a normal work week shall be kept to a minimum and avoided whenever possible. Except for emergencies, all overtime and compensatory time must be approved in advance by the Department Director.

#### **404:1 OVERTIME**

1. Department Directors shall strive to arrange work schedules in such a way that overtime is not required or permitted, except as follows:
  - a) **Emergency.** Unusual situations which require emergency or immediate action, usually near the end of the workday, which may not be postponed to the following workday.
  - b) **Public/Property Danger.** When danger to the health and safety or well-being of the general public, employees, or other persons could occur if an employee is not required to be on duty, or where danger to property is imminent.
  - c) **Miscellaneous.** When management determines that the responsibilities of the department cannot be accomplished unless overtime work is authorized.
2. Employees are required to work overtime when directed, unless excused by their Supervisor. The refusal to work overtime as directed is grounds for disciplinary action, up to and including termination. Supervisors will assign overtime to employees in the particular job for which overtime is required.
3. Hourly employees are not permitted to work overtime without the prior approval of their Supervisor or Department Director. For the purposes of overtime compensation, **only hours worked in excess of 40** during a workweek will be counted.
  - a) **Fire Services.** Overtime pay at the rate of time and one-half (1.5 times the normal hourly rate) will be paid for each hour worked in excess of one hundred six (106) hours during a fourteen (14) day work period.
4. Hourly employees are entitled to receive pay or may be offered compensatory time for hours worked in excess of 40 during the workweek; see Policy 404:2, Compensatory Time and Policy 603, Pay Procedures. Those employees in administrative, executive, and professional positions as defined by the Fair Labor Standards Act (FLSA) are exempt from the overtime compensation provisions of this policy; see Policy 306, White Collar Exemption.
5. **Overtime Exclusions.** Administrative leave (except for line of duty court appearance), annual leave, sick leave and/or holiday pay will not be considered in the computation for overtime pay. Should an hourly employee be required to work on a holiday that falls on the normally scheduled day off and such work exceeds the forty (40) hour work week for included employees, they will be paid overtime at the rate equal to time and one-half (1.5 times the normal hourly rate) plus eight (8) hours holiday pay. When such work does not place the employee in an overtime situation for the work week, the normal hourly rate will be paid plus eight (8) hours holiday pay.

#### **404:2 COMPENSATORY TIME**

1. Compensatory time off is an adjustment to the regular work schedule in order to limit the amount of overtime pay necessary. Department Directors may elect to grant compensatory leave in lieu of overtime pay for hours worked in excess of forty (40) during the workweek. Compensatory time will be granted as time off at the rate of one and one half times the hours worked in excess of forty (40) during the workweek.



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2. Compensatory time off must be scheduled with supervisory approval and at a time mutually convenient to the employee and the department. The time may be taken on dates and times as directed by the Board. See Policy 603, Pay Procedures, for further clarification.)
3. In no case will compensatory time off be accumulated in excess of 80 hours (160 hours for EMS). When an employee exceeds this cap, they may be paid the hours in excess of the cap at the overtime rate.
4. Exempt employees are ineligible for compensatory time.
5. Compensatory time must be exhausted before annual, sick, or leave without pay is used.

### **404:3 SHIFT DIFFERENTIAL (EMS ONLY)**

The rate of pay given to full-time non-exempt employees who are scheduled on a regular or rotating basis to work during the evening or the night shift. The differential rate is applied when an employee works in excess of forty (40) hours within a workweek.



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### ALTERNATIVE WORK ARRANGEMENTS

Policy Number 405

It is the policy of the Highlands County Board of County Commissioners (Board) to allow for flexibility in work arrangements where possible, providing there will be no adverse effect on the operation of the government, or create an undue business burden on the Board or its operations, as a way to attract and retain the best employees. The Board recognizes that our diverse work force may, at times, have needs that require creative approaches to helping employees balance work and life demands. This policy is provided as one tool for management and employees to use to work as partners to ensure we meet our commitments to citizens while recognizing and addressing the demands of life outside of work.

#### 405:1 GENERAL PROVISIONS

1. Flexible work schedules and other arrangements are only available in instances where there is no adverse effect on the work to be performed. Certain work, by its very nature does not allow for flexible work arrangements.
2. Department Directors should assess the impact of alternative work arrangements on the functions of their work unit and consider alternative work schedules or patterns that would maintain or enhance service quality.
3. In all cases, the Board retains all of its prerogatives regarding an alternative work arrangement. A Supervisor may deny a request based on business reasons. An alternative work arrangement may also be terminated at any time by a Supervisor if business needs so dictate.
4. The following work arrangements may be available options to employees, subject to the Department Director and County Administrator's approval:
  - a) **Compressed workweek.** A full-time (40 hour) work schedule compressed into a four-day workweek (e.g. four 10-hour days).
  - b) **Flextime.** A work schedule that permits flexibility in starting and quitting times without altering the required number of work hours in a given period (e.g. in a work week) and usually specifies a core period of the day during which all employees must be scheduled. Such scheduling is not available to counter and customer service staff members that have established working hours for contact with our customers. May also be offered to employees to alleviate the need of overtime.
  - c) **Part-time.** A regular employee working less than a full-time work schedule. (Note: A reduction in hours which results in an employee working less than 30 hours per week may have consequences on their benefits package.)
  - d) **EMS.** Will normally consist of three (3) shifts designed to work twenty-four (24) hours on and forty-eight (48) hours off.
5. County employees may be allowed a temporary schedule change not to exceed one (1) pay cycle, subject to Department Director approval.
6. For purposes of appropriateness and consistency of alternate arrangements, a brief description of specific alternate work arrangements should be sent to Human Resources for review.
7. All alternative work arrangements are subject to the discretion of the County Administrator and may be terminated at any time.



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### **TIMESHEETS AND RECORD KEEPING**

Policy Number 406

It is the policy of the Highlands County Board of County Commissioners (Board), that each employee shall maintain an accurate timesheet. Timesheets must be signed or otherwise certified by the employee and his or her Supervisor, and must be submitted to the appropriate persons by the designated dates and times.

#### **406:1 GENERAL PROVISIONS**

1. Departments are required to complete an individual timesheet, on paper or in electronic format, showing the daily hours worked for all employees. The timesheet must show the date and time an employee's work week starts, the number of hours worked each day, and the total hours worked during the week.
2. The following points should be considered in filling out timesheets:
  - a) Hourly employees are not permitted to commence work before their normal starting time or to continue work after their normal quitting time without the prior approval of their Supervisor.
  - b) Employee timesheets are to be verified and approved by the Supervisor involved.
  - c) Falsifying timesheets is prohibited and may be grounds for disciplinary action, up to and including termination.
  - d) Hourly employees are required to take scheduled meal breaks.
  - e) Annual and sick leave approvals, on paper or in electronic format, must be submitted with the timesheet.
  - f) To amend a timesheet already submitted, employees should contact Human Resources.
  - g) Timesheets must be signed by each individual employee. Should an employee be unavailable for signature, the timesheet shall be annotated, "Not available for signature" and signed by the immediate Supervisor.
  - h) Supervisors will not sign timesheets that they know to be inaccurate and shall under no circumstances encourage employees to submit signed timesheets that are inaccurate, doing so is grounds for disciplinary action, up to and including termination.



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### **EDUCATIONAL ASSISTANCE**

Policy Number 407

It is the policy of the Highlands County Board of County Commissioners (Board), to provide educational assistance to its employees to allow them to enhance their ability to serve the public interest of the citizens of Highlands County.

1. The County Administrator may authorize, within available funds, up to 100 percent reimbursement of tuition and laboratory fees incurred by an employee who satisfactorily completes a job-related course or training at an approved educational institution. Courses must be related to the employee's principal duty assignment, and must be approved prior to the start of the course.
2. Employees who have received educational assistance are required to agree to remain in the employment of the Board of County Commissioners for the amount of time specified on the Education Reimbursement Form after the certification, degree, or training is completed. In the event that the employee leaves Board employment prior to this time, the employee may be required to reimburse the County for the total number of funds expended, including but not limited to tuition, meals, mileage, lodging, and/or certificate fees.
3. Employee should submit all requests for approval by using the Educational Assistance Form (Appendix 4).



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### **EMPLOYEE AWARDS**

Policy Number 408

It is the policy of the Highlands County Board of County Commissioners (Board), to recognize extended service to the organization, acknowledge employee accomplishments and contributions, and to improve County government through an awards program. In addition to the awards specified in this section, the County Administrator may approve other recognition awards for presentation by the Board.

#### **408:1 YEARS OF SERVICE AWARDS**

Presented to employees who have been continuously employed by Highlands County for designated periods of time. Awards are presented quarterly at regular meetings of the Board of County Commissioners, for 5, 10, 15, 20, 25, 30, and 35 years of service. Awards consist of a certificate and pin. The first award is given upon the fifth anniversary.

#### **408:2 EMPLOYEE OF THE QUARTER AWARDS**

Employees may be recognized for their service above and beyond the call of duty to Highlands County and its citizens.

1. Regular employees of Highlands County up to and including supervisory employees.
2. Recognition will take place at Board meetings, generally at the first meeting of each quarter based on the nominee selected by the Employee Awareness Committee and screened by Human Resources and County Administration.
3. Eligible employees must meet the following minimum criteria:
  - a) The nominated employee must not have received any documented disciplinary action during the previous twelve (12) months.
  - b) The employee must not have adverse disciplinary action pending.
  - c) The employee's last Performance Evaluation must have a minimum overall rating of satisfactory or higher.
  - d) The employee must not have been found negligent in a safety accident/incident during the previous twelve (12) months or be involved in a pending safety accident/incident in which negligence appears to be a factor.
4. Ineligible employees include:
  - a) Other Personnel Services (OPS), Temporary Staffing, Interns and all other temporary employees.
  - b) Employees who have not completed the initial probationary period. This does not include probationary periods due to promotion.
5. Employees may be nominated by peers, Supervisors, Department Directors, or the public. Nominations must clearly identify and describe a specific incident, action, completed project, or extended period in which the employee's involvement, while in the performance of his/her duties as a County employee, exceeded the job description in a manner warranting recognition, deserving honor or esteem. Nominations are to be submitted directly to Human Resources. The qualifying behaviors may include but are not limited to:
  - a) Cost saving suggestions
  - b) Process improvement changes that improve efficiency or effectiveness
  - c) Safety enhancement in the workplace



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- d) Customer service that exceeds expectations
  - e) Solving reoccurring problems
  - f) Morale improvement
6. Upon a submission of a nomination, Human Resources along with the employee's Director will verify the employee meets the minimum requirements and has represented the County in the following manner:
- a) Completed all regular and special duties as required, including adhering to the County's Rules and Regulations.
  - b) Maintained a positive attitude and overall excellent spirit of cooperation toward County goals and objectives.
  - c) Displayed courteous service dealing with the public, fellow employees, and outside agencies.
7. After verification as specified above, the nominations will be presented by Human Resources to the Employee Awareness Committee (EAC). The EAC will discuss and recommend an Employee of the Quarter. Human Resources will submit the recommendation to the County Administrator for final approval. In case of a tie, the County Administrator will cast the deciding vote.
8. Nominations will be active through the end of the calendar year.
9. No employee shall be awarded Employee of the Quarter more than once per calendar year.
10. The Employee of the Quarter will be awarded the following:
- a) A certificate of appreciation signed by the Chairperson of the Board, generally presented at the first Board meeting of each quarter.
  - b) Eight (8) hours of personal leave.
  - c) The recipient's name will be displayed on a plaque in the lobby of the Government Center.
  - d) A news article may be submitted to the local newspapers, including a picture of the award recipient.
  - e) A picture of each quarter's recipient may be placed on the County's website in the Employee Recognition section.



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### 500 - LEAVE

#### SICK LEAVE

Policy Number 501

It is the policy of the Highlands County Board of County Commissioners (Board), to provide employees with appropriate time off due to illness under certain conditions. Eligible employees accrue paid sick leave and may take time off as necessary due to illness.

#### 501:1 GENERAL PROVISIONS

1. Employees must give prior notice to their Supervisors or Department Director that they must be absent due to illness, injury, or exposure to a contagious disease or to care for dependents. This notice must be before the scheduled start time of the employee's work shift. Exceptions to this policy must be approved by the County Administrator.
2. Employees may be required to furnish doctor's note for absences claimed due to sickness when the Supervisor or Department Director deem such request proper.
3. Employees who have been absent three (3) or more scheduled workdays within a thirty (30) day period may be required to provide a doctor's note before returning to work, prior to the start of the next shift.
4. Employees who, upon request by their Supervisor or Department Director, fail to comply with the procedures in this section shall not be eligible to use accrued sick leave credits and may be subject to disciplinary action, up to and including termination.
5. Employees whose sick leave records indicate unwarranted use of sick leave may be required to submit medical certification for all absences claimed due to illness. Furthermore, if attendance is not improved within thirty (30) calendar days of such notice and an acceptable record maintained thereafter, the employee may be subject to disciplinary action, up to and including termination. Human Resources shall conduct an analysis of employee sick leave per Supervisor request.
6. **Increments.** Sick leave shall be granted in increments of not less than ¼ hour.
7. **Special Computation for Ten Hour Employees.** Leave shall be approved in ten (10) hour increments for each scheduled workday in which sick leave has been approved; provide their individual leave account is sufficient to cover the period.
8. **Special Computation for Twenty-Four Hour Employees.** Leave shall be approved in twenty-four (24) hour increments for each scheduled workday in which sick leave has been approved; provide their individual leave account is sufficient to cover the period.

#### 501:2 SICK LEAVE ACCRUAL GENERAL

1. Sick leave benefits shall accrue during the initial period of employment probation; however, are not available for use. After three (3) months employees will be credited with the appropriate number of sick leave hours, which may be used at any time thereafter. Employees will continue to accrue sick leave at the standard rate thereafter.
2. Sick leave accrued during a pay period shall be credited to the employee on the last day of that pay period; or, in the case of separation, on the last day the employee is on payroll.
3. Employees shall not earn sick leave during breaks of service. An employee who has officially separated from Board employment will start with a balance of zero (0) sick leave hours if rehired.





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- 4. Contract Employees (i.e. County Administrator, County Attorney) will accrue per the terms of their contract.
- 5. Part-time and OPS employees will not accrue sick leave.

**501:3(a) SICK LEAVE ACCRUAL (PAYROLL 1)**

Sick leave benefits will accrue for non-emergency personnel and Fire Services personnel in regular positions under the Board as follows:

<u>CONTINUOUS SERVICE</u>	<u>ACCRUAL RATE PER PAY PERIOD</u>	<u>ACCRUED SICK LEAVE</u>
Less than 5 years	2.00 hours	52.00 hours
5 or more but less than 10 years	3.00 hours	78.00 hours
10 or more years	4.00 hours	104.00 hours

**501:3(b) SICK LEAVE ACCRUAL (PAYROLL 2)**

EMS personnel scheduled to work twenty-four (24) hours on and forty-eight (48) hours off work shift will accrue sick leave benefits in compliance with the following schedule:

<u>CONTINUOUS SERVICE</u>	<u>ACCRUAL RATE PER PAY PERIOD</u>	<u>ACCRUED SICK LEAVE</u>
Less than 5 years	4.15 hours	70.55 hours
5 or more but less than 10 years	6.23 hours	105.91 hours
10 or more years	8.31 hours	141.27 hours

**501:4 AUTHORIZED USES OF SICK LEAVE**

Sick leave shall be authorized only for the following:

- 1. **Personal Illness.** The employee's personal illness, injury, or exposure to a contagious disease that could endanger others. Personal illness shall also include disability caused or contributed to by pregnancy, miscarriage, abortion, childbirth, and recovery therefrom.
- 2. **Medical Appointment.** The employee's personal appointment with a doctor, dentist, or other recognized practitioner when it is not possible to arrange such appointments when off-duty.
- 3. **Family Member Illness or Medical Appointment.** Illness or injury of a member of the employee's immediate family, which may require the personal care and attention of the employee. Immediate family is defined as the spouse or the grandparents, parents, brothers, sisters, and children of either the employee or spouse. Additionally, eligible employees may use FMLA.
- 4. **Workers' Compensation Supplementation.** An employee is allowed to use one (1) hour per workday of paid sick leave to supplement the tax-free benefit. The net wages received should be nearly equivalent to the net wages received prior to the covered injury. Retroactive payment of sick credits is not authorized.

**501:5 WHEN SICK LEAVE IS EXHAUSTED**

- 1. Employees unable to work after all sick leave credits have been used may use accrued annual leave before being placed on leave without pay.



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2. **Family and Medical Leave Act of 1993.** Persons employed by the Board for at least twelve (12) months, and who have worked a minimum of 1,250 hours for the Board in the twelve (12) months preceding a request for FMLA leave, are eligible to use leave as provided for in the law. Procedures for requesting FMLA leaves are contained in Policy 506, Family Medical Leave. FMLA leave, when authorized, shall be on a rolling twelve (12) month period counting from the first day of leave granted under the request.

### 501:6 SICK LEAVE REIMBURSEMENT

1. In order to encourage employees to properly use sick leave and recognize those who have demonstrated a high degree of physical fitness and safety by accruing large amounts of unused sick leave credits, the following lump-sum reimbursements shall be authorized:
  - a) **Ten years of continuous County service** and accrual of 450 or more sick leave hours-lump-sum payment, upon separation, of 25 percent of the accrued sick leave hours based on current hourly wages.
  - b) **Fifteen years of continuous County service** and accrual of 750 or more sick leave hours-lump-sum payment, upon separation of 35 percent of the accrued sick leave hours based on current hourly wages.
  - c) **Twenty years of continuous County services** and accrual of 1,000 or more sick leave hours-lump-sum payment, upon separation, of 50 percent of the accrued sick leave hours based on current hourly wages.

As of October 1, 1996, the payment of Sick Leave Reimbursement Pay upon cessation of employment is limited to not more than 2,080 hours. All regular employees with sick leave balances in excess of this limit as of the date will retain their sick leave balances and may continue to earn additional sick leave hours; however, the maximum hours that may be reimbursed shall be limited to 2,080 hours. Creditable service as an elected official, even when continuous, will not be used to compute continuous service for this payment.

2. To be eligible for lump-sum payment of accrued Sick Leave Incentive benefits, employees must separate employment in good standing. The following requirements shall be met in order to separate employment in good standing.
  - a) Notice of separation of at least two (2) weeks.
  - b) No disciplinary action thirty (30) calendar days prior to separation
3. Any employee that is involuntarily terminated will not be eligible for lump-sum payment of accrued Sick Leave.
4. **Death.** In case of death, payment for unused annual leave at the time of death shall be made to the employee's designated beneficiary or as otherwise provided by law.

### 501:7 TRANSFER OF SICK LEAVE UPON SEPARATION

An employee leaving the Board to work for another FRS employer that allows limited transfer of sick leave may elect not to have up to 40 hours of sick leave bought back upon separation of employment with the Board.

It is the responsibility of the employee to inform Human Resources in writing of any intent to have sick leave transferred to another FRS employer prior to separation of employment with the Board. The employee is also responsible for obtaining and filling out any paperwork needed for such transfers.



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Failure to notify Human Resources and/or failure to have completed the necessary paperwork in sufficient time prior to leaving employment with the Board may result in all sick leave being paid out at the appropriate rate and no accrued sick leave being transferred to the new FRS employer.

It is solely the responsibility of the employee to find out if another FRS employer allows for sick leave transfer and the amount that may be transferred. This practice varies widely among FRS employers and the Board will not make inquiries for employees regarding the transfer of leave to another FRS employer.

The Board will accept up to 40 hours of accrued sick leave transferred from another FRS employer.



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### **SICK LEAVE POOL**

Policy Number 502

On a purely voluntary basis, eligible employees may join a Sick Leave Pool (SLP) with other employees. The SLP is established to provide additional paid sick leave protection to eligible employees. Participation in the SLP shall be on a voluntary basis and is available only to eligible employees.

#### **502:1 REQUIREMENTS**

To join the SLP, an employee must:

1. Have at least one (1) year of full-time employment with the County.
2. Have a minimum of thirty **(30) hours** of unused sick leave remaining after contributing eight **(8) hours** to the pool.
3. Participating employees will make equal contributions to the SLP.

#### **502:2 JOINING THE SICK LEAVE POOL**

1. After the initial contribution of sick leave hours, further contributions will only be required as may be necessary to replenish the pool. Any such contributions will be equally required of all employees participating in the pool.
2. A participating employee using sick leave from the pool will not be required to re-contribute sick leave to the pool, except as otherwise provided herein.
3. A participating employee who chooses to no longer participate in the SLP will not be eligible to withdraw any sick leave already contributed to it.
4. Joining the pool is prohibited at any time other than the initial enrollment and periodic replenishment periods.
5. Pool replenishment will be accomplished annually as needed, during an open enrollment period in the fall. New members will be required to contribute at the same rate as original (charter) members or the current rate, whichever is higher.

#### **502:3 CONDITIONS**

1. A participating employee will not be eligible to use sick leave from the pool until all personal sick and annual leave has been depleted.
2. An employee must have been approved for FMLA before drawing time from the pool.
3. SLP time drawn from the pool must only be used for FMLA qualified events.
4. Leave withdrawal from the SLP will require, in all cases, a statement from a physician attesting to the disability, to the estimated period of disability, and a statement that the employee is unable to work.
5. A maximum of two hundred forty (240) hours may be withdrawn from the pool per member in a calendar year (January 1 through December 31).
6. Sick leave not yet earned may not be advanced for the purpose of contributing to the pool.



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7. Alleged abuse of SLP time will be investigated. On a finding of wrongdoing, the employee will be required to repay all of the sick leave credit drawn from the pool and will be subject to such other disciplinary action as determined appropriate by Human Resources and the County Administrator.
8. An employee using SLP leave for the majority of the month will not earn sick leave.

### **502:4 SICK LEAVE POOL COMMITTEE**

Operation of the pool will be monitored by a committee acting in an advisory capacity to the County Administrator.

1. The committee shall be composed of the Assistant County Administrator, Human Resources Representative, one (1) hourly employee, one (1) salary employee both members of the SLP, and a director of a department other than that to which the applying employee belongs. The committee shall be chaired by the Assistant County Administrator.
2. The committee shall not grant sick leave in excess of the balance in the pool.



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### **ANNUAL LEAVE**

Policy Number 503

It is the policy of the Highlands County Board of County Commissioners (Board), to afford the opportunity for all regular full-time employees to take annual vacations with pay in accordance with established guidelines. The purpose of annual leave is to provide employees time away from normal work activities without loss of pay or benefits. Approved vacations are beneficial to the operation of the Board and beneficial to its employees. Therefore, each eligible employee is encouraged to take annual vacation leave. Annual leave may also be used to supplement sick leave, or to perform personal activities, etc.

### **503:1 GENERAL PROVISIONS**

1. **Authority.** Employees shall request use of annual leave electronically or in writing by using authorized forms. The Supervisor's approval is required prior to use. Leave use may not be not authorized prior to the time it is earned.
2. **Opportunity to Use.** Each Department Director and Supervisor must provide opportunities to use accrued annual leave credits required for proper rest and relaxation. Individual employees are responsible for monitoring their own leave balance and for using them for the intended purpose. The maximum allowable carry-over of annual leave shall be 240 hours. All accrued annual leave hours in excess of 240 hours at the end of each calendar year will be deleted from accrued benefits without reimbursement. It is an employee's personal responsibility to request and schedule leave taking in order to avoid losing hours at the end of the calendar year.
3. **Compulsory Use.** A Department Director may require an employee to use all or part of the employee's accrued annual leave for vacation purposes at any time deemed advisable for the smooth functioning of the department, or to comply with above.
4. **Special Computation for Ten Hour Employees.** Leave shall be approved in ten (10) hour increments for each scheduled workday in which annual leave has been approved; provide their individual leave account is sufficient to cover the period.
5. **Special Computation for Twenty-Four Hour Employees.** Leave shall be approved in twenty-four (24) hour increments for each scheduled workday in which annual leave has been approved; provide their individual leave account is sufficient to cover the period.
6. **Crediting Date.** Annual leave earned during any pay period shall be credited to the employee on the last day of that pay period or, in the case of separation, on the last day the employee is in payroll.
7. **Increments.** Annual leave shall be granted in increments of not less than ¼ hour.
8. **Payment.** Compensation for unused annual leave shall be paid when an employee separates employment, whether administratively, voluntarily, or involuntarily.
  - a) **Computation.** Annual leave value at separation shall be computed by multiplying the employee's current hourly rate times the number of hours of accrued annual leave.
  - b) **Final Pay.** Payment shall be included in the employee's final paycheck, provided:
    - i. All Board property and materials in the employee's possession are properly returned or accounted for.
    - ii. Sufficient notification is given prior to separation.
    - iii. All insurance premiums, educational, and training obligations have been fulfilled.
  - c) **Death.** In case of death, payment for unused annual leave at the time of death shall be made to the employee's designated beneficiary or as otherwise provided by law.



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- 9. **DROP.** Payment for unused annual leave may also be made to employees entering the Deferred Retirement Option Program (DROP) per Chapter 121.091(13), Florida Statutes not to exceed the amount of the employee’s annual leave on account or 240 hours, whichever is less.
- 10. Part-time and OPS employees will not accrue annual leave.
- 11. Annual leave benefits shall accrue during the initial period of employment probation; however, are not available for use. New employees satisfactorily completing initial probation and attaining regular status shall be credited with the accrued leave on the last day of the pay period in which probation is completed. Probation is initially set at six (6) months but may be shortened or lengthened at the discretion of the Department Director; County Administrator approval is required. If the employee is released from probation prior to six (6) months, the annual leave will be credited at a pro-rated amount based on the amount of time the employee has been employed. If after the initial six (6) months of employment, the employee is on probationary status, the County Administrator may authorize the release of the appropriate leave balance.
- 12. Promotions, training, reinstatements, reclassifications, lateral transfers, and disciplinary periods of probation are not considered initial probation provided the minimum probationary service has previously been satisfactorily completed.
- 13. Employees shall not earn annual leave during breaks of service. An employee who has officially separated from Board employment will start from a balance of zero (0) annual leave hours if rehired. Service in the elected official category shall not be used in computing continued service.

**503:2(a) EARNING ANNUAL LEAVE (PAYROLL 1)**

Full-time regular non-emergency and Fire Services employees filling authorized Board positions shall earn annual leave hours as follows:

<u>CONTINUOUS SERVICE</u>	<u>ACCRUAL RATE PER PAY PERIOD</u>	<u>ACCRUED ANNUAL LEAVE</u>
Less than 10 years	4.00 hours	104.00 hours
10 or more years	5.00 hours	130.00 hours

**503:2(b) EARNING ANNUAL LEAVE (PAYROLL 2)**

Full-time regular non-emergency and Fire Services employees filling authorized Board positions shall earn annual leave hours as follows:

<u>CONTINUOUS SERVICE</u>	<u>ACCRUAL RATE PER PAY PERIOD</u>	<u>ACCRUED ANNUAL LEAVE</u>
Less than 10 years	8.31 hours	141.27 hours
10 or more years	9.81 hours	166.77 hours

**503:3 ANNUAL LEAVE PAYOUT**

- 1. Annual Leave payouts may be paid to employees requesting payment for unused annual leave between November 1<sup>st</sup> and December 15<sup>th</sup> of each calendar year.
- 2. Employees may request payout for a maximum of eighty (80) hours annual leave. Payment for unused annual leave will not exceed the amount of the employee’s annual leave on account.



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3. The payout may be split into multiple pay periods.
4. It is the responsibility of the employee to fill out the Annual Leave Payout Form (Appendix 5) and ensure that it is submitted to Human Resources in a timely manner. Failure to do so, may result in a delay in the payout.





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### HOLIDAYS

Policy Number 504

It is the policy of the Highlands County Board of County Commissioners (Board), to designate and observe certain days each year as holidays. The holiday schedule adopted annually by the Board.

#### 504:1 GENERAL PROVISIONS

1. The Board reserves the right to schedule work on an observed holiday.
2. When an approved holiday falls on a Saturday, the preceding Friday shall be observed as the official holiday. When an approved holiday falls on a Sunday, the following Monday shall be observed as the official holiday.
  - a) EMS employees paid on Payroll two (2), i.e. EMTs, Paramedics, Paramedic Field Trainers, and Paramedic Supervisors, will observe holidays on the regularly scheduled calendar day without regard to Saturday or Sunday.
3. If a listed holiday is observed on a day which is a regularly scheduled day off for an employee, the employee will not be compensated, nor may the employee take another day in lieu of the scheduled holiday.
4. Holiday pay for less than full-time employees shall be awarded at the rate of one (1) hour of holiday pay for each ten (10) hours worked during the pay period in which the holiday falls. For example, if a part-time employee is scheduled to work twenty (20) hours during the pay period of the holiday, they would receive two (2) hours holiday pay, thirty (30) hours scheduled, three (3) hours, forty (40) hours scheduled, four (4) hours, etc. to a maximum of sixty (60) hours scheduled, six (6) hours holiday pay would be paid. Employees who work seventy (70) hours or more would receive the full holiday benefit.
5. If an employee takes sick leave (including annual leave substituted for sick leave) on the day prior to or the day after an observed holiday, they may be required to provide written proof of illness in the form of a physician's statement of treatment. Failure to provide such proof of illness when requested shall result in the employee not being paid for such sick leave and/or loss of holiday pay for the observed holiday, and may result in disciplinary action, up to and including termination.
6. Employees on unpaid leaves of absence shall not be entitled to holiday pay for any holiday that falls during any period of unpaid leave.
7. The Board recognizes that some employees may wish to observe, as periods of worship or commemoration, certain days which are not included in the Board's list of observed holidays. Employees requesting to take a day off for such reasons may be permitted to do so if the employee's absence from work will not result in an undue hardship on the ability of the department to conduct business, providing prior approval has been obtained from the employee's Supervisor. Employees may use accumulated paid annual leave on such occasions, or they may take such time off as an unpaid, excused absence.
8. **Mandatory Holiday Duty.** Exempt employees that are required to work on a scheduled holiday for the convenience and necessity of the Board may be granted administrative leave at straight time for the period worked if the total hours for the work week exceeds the standard work week hours. Prior approval by the County Administrator is required.
9. **Other Agency Holidays.** Board personnel with shared employment with the University of Florida Extension Service, Courthouse, and other employees in similar situations, may observe holidays of that organization, or of the Board. The total number of holidays for Board employees with shared employment may exceed the total number of days provided to Board employees annually.



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### **LEAVE OF ABSENCE**

Policy Number 505

It is the policy of the Highlands County Board of County Commissioners (Board), to grant employees leave(s) of absence under certain circumstances.

#### **505:1 GENERAL PROVISIONS**

1. Medical certification may be required for a serious health condition, as described in the Family & Medical Leave Act (FMLA), although employee may not qualify for protection under FMLA. See Policy 506, Family Medical Leave.
2. The Board requires that all accumulated annual, sick, and compensatory leave first be exhausted and counted towards the maximum amount of approved leave. The remainder of the leave period, if any, is unpaid.
3. Should an employee exhaust all FMLA and/or approved Workers Compensation leave, the Director may grant a one-time, thirty (30) calendar day Leave of Absence. Should the employee need additional leave, the County Administrator may grant additional time in thirty (30) calendar day increments on a case by case basis.
4. Employees who are on an approved leave of absence are expected to report any change of status in the need for a leave, as soon as such a change takes place, to the immediate Supervisor, Department Director or Human Resources.
5. Employees intending to return to work from an approved leave of absence shall notify the immediate Supervisor and Human Resources in advance of returning to work. Employees are encouraged to provide as much advance notice as possible. Failure to notify the Supervisor may result in a delay in the return to work. Proper medical documentation may be required before employee is able to return to work.
6. An employee who fails to return to work at the conclusion of an approved leave will be considered to have voluntarily abandoned their position. In such instances involving leave of absence without pay, the Board will recover from the employee the Board's share of any insurance premiums paid by the Board on behalf of the employee and their dependents.
7. Benefits that accrue according to length of service, such as paid vacation, sick leave, and retirement credit, do not accrue during periods of unpaid leave of absence. Likewise, holidays will not be granted during periods of unpaid leave.
8. An employee returning to work from a leave of absence, including military leave, must comply with reinstatement requirements specified by federal and state law. If the same job or one of equivalent status is not available as a result of a reduction in force, the employee will be treated in the same manner as though they were not on leave at the time of the reduction in force.

#### **505:2 BENEFITS COVERAGE DURING LEAVE**

1. If the leave of absence is unpaid, the employee will be required to pay the cost of health, dental, and life insurance premiums and any employee elected coverages (i.e. Aflac, TA, Vision, etc.) during the leave of absence. The employee will be billed monthly for their portion of the coverage.
2. If the leave of absence is paid, the Board will continue to pay the normal cost of insurance premiums for the employee and the employee's dependents as if the employee were otherwise working during the leave of absence. The employee will likewise continue to pay their portion of any premiums during this period. Failure of the employee to pay their portion of the premiums may result in loss of coverage.



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### **FAMILY MEDICAL LEAVE**

Policy Number 506

It is the policy of the Highlands County Board of County Commissioners (Board), to grant its employees up to twelve (12) weeks leave of absence using a rolling twelve (12) month period, to be used in accordance with the provisions of the Family & Medical Leave Act (FMLA).

#### **506:1 GENERAL PROVISIONS**

1. Employees who have been employed for at least one (1) year, fifty-two (52) weeks, which need not be consecutive, and have worked at least one thousand two hundred fifty (1,250) hours during the preceding twelve (12) month period are eligible for leave under the FMLA.
2. For employees who are not eligible for FMLA leave, the Board will review business considerations and the individual circumstances involved. Any leave granted under these special conditions and circumstances is non-FMLA leave, and does not afford the protections granted to eligible employees by the Family & Medical Leave Act.
3. The Family & Medical Leave Act requires that a total of twelve (12) weeks of unpaid leave be made available during a rolling twelve (12) month period. The Board requires that all applicable annual, sick, and compensatory leave first be exhausted and counted towards the maximum amount of leave required under the law. The remainder of the leave period, if any, is unpaid.
4. **Exempt Employees.** During a period in which intermittent or reduced schedule FMLA leave is to be taken, the employee will be compensated on an hourly basis and paid only for the hours worked. The employee may elect to use annual or sick leave to offset the un-worked hours. Refer to 29 CFR 825.206 for additional details.

#### **506:2 REASONS FOR LEAVE AND CONDITIONS/RESTRICTIONS**

1. All employees who meet the applicable time-of-service requirements may be granted a combined total of twelve (12) weeks of leave, whether paid or unpaid, during the designated rolling twelve (12) month period for the following reasons:
  - a) The birth of the employee's child, and in order to care for the child.
  - b) The placement of a child with the employee for adoption or foster care.
  - c) To care for the employee's spouse, child, or parent who has a serious health condition. The care of grandparents or in-laws is not covered under FMLA.
  - d) A serious health condition that renders the employee incapable of performing the functions of his/her job.
  - e) To care for the employee's spouse, parent, child, or next-of-kin who is a covered service member with a serious injury or illness sustained while on active duty. See Policy 507, Military Medical Leave.
  - f) For a qualifying exigency when an employee's spouse, child, or parent is called to active duty. See Policy 507, Military Medical Leave.

**Note:** Employees who have no biological or legal relationship with a child may nonetheless stand in loco parentis to the child and be entitled to FMLA leave. Human Resources, in consultation with the legal counsel, shall make determinations regarding in loco parentis conditions and qualifications on a case-by-case basis. Reasonable documentation may be required.



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2. Leave to be used for the birth or placement of a child for adoption or foster care must be taken within twelve (12) months from the date of the birth or placement. If the Board employs both parents, they will be permitted to take a combined total of twelve (12) weeks of leave for the birth or placement of the child.
3. Family or medical leave may be taken as intermittent leave or leave on a reduced-schedule only if there is a **medical need** for such leave (as distinguished from voluntary treatments and procedures), and that such medical need can be best accommodated through an intermittent or reduced leave schedule.
  - a) An employee needing intermittent FMLA leave or leave on a reduced leave schedule must make a reasonable effort to schedule the leave so as not to disrupt department operations.
  - b) In addition, provisions of the Family & Medical Leave Act allow the employer to assign an employee to an alternate position with equivalent pay and benefits that better accommodates the employee's planned intermittent or reduced leave schedule. The employee will be returned to their original or similar position following this application of leave.
  - c) When leave is taken after the birth or placement of a child for adoption or foster care, an employee may take leave intermittently or on a reduced leave schedule only if the employer agrees. The employer's agreement is not required, however, for leave during which the mother has a serious health condition or if the newborn child has a serious health condition.

### **506:3 TRACKING AND AVAILABILITY OF LEAVE**

1. Effective September 1, 2009, the Board uses a twelve (12) month rolling leave period measured forward from the date the employee first takes FMLA leave. The first day FMLA is taken is the day that the rolling leave period begins. After completion of twelve (12) months from that date, the next twelve (12) month rolling period begins the next time the FMLA leave is used.
2. For ease of tracking intermittent leave, the twelve (12) week entitlement may be equivalently defined in hours. If an employee's schedule varies from week to week, a weekly average of the hours worked over the twelve (12) weeks prior to the beginning of the leave period would be used for calculating the employee's normal workweek.
3. If an employee is not eligible to take FMLA leave, Human Resources will notify the employee why he or she is not eligible.
4. FMLA leave will be tracked and notated on the employee's timesheet by the department. It shall be the responsibility of the department to inform an employee of the amount of FMLA leave available at the time leave is requested. Human Resources shall inform the employee when the end of the twelve (12) week entitlement is nearing.
5. An error by Human Resources as to the amount of time due to an employee under FMLA will not reduce or increase the amount of time the employee is legally owed.
6. To the extent allowed by law, in the event an absence is for any reason covered by the FMLA, the Board reserves the right to count it as FMLA leave, whether the employee has applied for it or not. When this occurs, the employee will be promptly notified as required by law.

### **506:4 REQUESTS FOR LEAVE**

1. An employee requesting leave when the need for the leave is foreseeable should complete the appropriate FMLA certification paperwork and return it to Human Resources for further processing. If approved, the employee shall follow standard policy for requesting leave.



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2. All fields should be completed on the FMLA certification paperwork including whether the request for leave is a new or existing one, the type of leave being requested, the estimated duration of the leave, and the starting and approximate ending dates of the leave (if known).
3. **Confidentiality.** Medical information is confidential and is only retained by Human Resources and/or Risk Management in confidential files. If the information is not specific to a diagnosis or is simply stating the reasons listed above, that information is not considered confidential medical information. Human Resources, Risk Management, and the HIPAA Privacy Officer are available to advise what information constitutes confidential medical information.

### 506:5 NOTICE OF LEAVE

1. An employee intending to take family or medical leave due to an expected birth or placement of a child, or because of a planned medical treatment, must submit a leave request form at least thirty (30) calendar days before the leave is to begin. Failure to provide this notice may postpone the leave.
2. If leave is to begin within thirty (30) calendar days, an employee must give notice to their immediate Supervisor and Human Resources as soon as the necessity for leave arises.
3. If the leave is not foreseeable, the employee may provide notice to their immediate Supervisor or Department Director by phone, fax, or email. Medical details need not be given. The employee should provide enough information for Human Resources to understand that a serious health condition will create incapacity from the employee's job. If leave is to care for a family member, information must be provided that the condition will render the family member unable to perform daily activities. The employee should include at least an estimate of how long they will be absent. Failure by the employee to provide sufficient information to determine whether FMLA is applicable may result in delay or denial of protected leave.
4. If the current absence relates to an already approved FMLA condition, the employee must advise the immediate Supervisor or Department Director at the time the leave is requested. Calling in sick without providing more information is not considered sufficient notice for that leave to be protected.
5. Normal department call-in procedures for unscheduled absences should be observed unless an emergency situation is indicated.
6. If a Supervisor learns of an event which can be reasonably foreseen to qualify as FMLA leave, the employee should be provided a Notice of Eligibility and Rights and Responsibilities and certification paperwork within five (5) business days of learning of the employee's potential need for the leave or the employee's request for leave. Following receipt of the completed and approved certification paperwork, a Designation Notice will be prepared by the department and sent to the employee. The Designation Notice informs the employee that the Board has designated the leave as FMLA leave.
7. In general, FMLA leave is not counted retroactively. However, if the Board learns that leave is for an FMLA-qualifying purpose after leave has begun, the entire portion or some portion of the paid leave period may be retroactively counted as FMLA leave, to the extent that the leave period qualified as FMLA leave. Such determinations will be made in consultation with Human Resources.
8. An employee may be absent from work due to an on-the-job illness or injury that also qualifies as a serious health condition under FMLA and still receive workers' compensation. In such cases, workers' compensation leave and FMLA leave will run concurrently. Human Resources, when necessary, shall make such determinations as to whether workers' compensation leave should be counted as FMLA leave.
  - a) If the workers' compensation leave is longer than the twelve (12) week entitlement under FMLA, such leave will revert to the rules provided by workers' compensation laws and regulations.



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### 506:6 MEDICAL CERTIFICATION OF LEAVE

1. A request for leave based on the serious health condition of the employee or employee's spouse, child, or parent will require a Medical Certification completed by the applicable health care provider. This certification must be submitted to Human Resources. **Failure to complete and submit necessary FMLA paperwork will result in the denial of FMLA leave until such time as proper paperwork has been completed, received, and reviewed.** The Board may also request re-certifications periodically during the course of any FMLA leave, according to guidelines in the regulations. Certification information will be kept confidential and filed in the employee medical file, to be kept in Human Resources.
  - a) The Board may request the employee to provide a recertification no more often than every thirty (30) calendar days and only in connection with an absence by the employee. The Board is not responsible for any expense associated with a recertification.
2. The certification forms provided by Human Resources should be completed by the employee's/ family member's healthcare provider and must be returned to Human Resources within fifteen (15) calendar days from the date that the request is made on the Notice of Eligibility and Rights and Responsibilities, unless the employee notifies Human Resources of extenuating circumstances. Failure to use the Board's designated certification form may result in delay in approving protected leave, even if other information is submitted. If incomplete or insufficient information is received by Human Resources, the employee will be asked to obtain the missing information from the healthcare provider. Failure to provide certification as requested will result in denial of protected leave.
3. Medical certification is needed for a female employee (mother) in the case of FMLA leave being taken for the birth of a child. For adoption, foster placement, or for leave being taken by the male employee (father), proof of birth, adoption, foster placement should be provided as certification.
4. The Board may request, at its own expense, second, or third medical opinions regarding FMLA determination. The department will pay the cost of such opinions.

### 506:7 BENEFITS COVERAGE DURING LEAVE

1. During a period of FMLA leave, an employee will be retained by the Board health plan under the same conditions that applied before the leave commenced.
2. To continue health coverage, the employee must continue to make any contributions that they made to the plan prior to taking leave. Failure of the employee to pay their portion of the health insurance premium may result in the loss of coverage.
3. If the employee fails to return to work after the expiration of the leave, the employee may be required to reimburse the Board for payment of health insurance premiums during any unpaid leave.
4. An employee is not entitled to the accrual of employment benefits that would have accrued if not for the taking of leave. However, an employee who takes FMLA leave will not lose any employment benefits that accrued before the date the leave began.

### 506:8 RESTORATION OF EMPLOYMENT

1. An employee eligible for FMLA leave, will be restored to their old position or to a position with equivalent pay, benefits, and other terms and conditions of employment. The Board cannot guarantee that an employee will be returned to their original position. The County Administrator will make a determination as to whether a position is an equivalent position. Employees who wish to challenge this determination should contact Human Resources.





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2. Pursuant to the FMLA, an employee may be denied restoration rights if:
  - a) The individual cannot perform the essential functions of the job, with or without accommodation.
  - b) The individual would pose a significant risk to the safety of other employees.
  - c) The employee's job was eliminated or they were laid off because of business conditions.

### **506:9 CONTACT AND COMMUNICATION GUIDELINES**

1. During FMLA leave, employees must periodically report on their medical status and intent to return to work. An employee must contact the immediate Supervisor or Human Resources no less often than once every thirty (30) calendar days, and at any time that the need for FMLA has changed.
2. The Director, Human Resources, or the Risk Manager are allowed to initiate communication with employees who are on an FMLA leave as needed.

### **506:10 RETURN FROM LEAVE**

1. An employee must notify the immediate Supervisor and Human Resources of their intent to return from FMLA leave before they can be returned to active status.
2. If an employee wishes to return to work prior to the scheduled expiration of an FMLA leave of absence, notification and medical certification releasing the employee to return to work must be given to Human Resources prior to the employee's planned return.
3. **Medical Clearance.** Except during the course of approved intermittent leave, all employees of the Board whose FMLA leave was taken due to the employee's own serious health condition must obtain from the employee's health care provider a medical certification releasing the employee to return to work. This certification must be obtained and provided to Human Resources before the employee will be allowed to return to work. The Board will consider any employee request for reasonable accommodations to an ongoing condition as required by law.
4. The Board reserves the right to request medical clearance from intermittent medical absences if reasonable safety concerns exist due to the approved FMLA condition. This request will be made only in consultation with Human Resources.
5. If at any point an employee gives notice that they will not be returning from FMLA leave, the Supervisor should request a written resignation; however, the receipt of written resignation is not required for the employee to be considered terminated.

### **506:11 FAILURE TO RETURN FROM LEAVE**

The failure of an employee to return to work upon the expiration of a qualifying FMLA leave will subject the employee to immediate termination unless a leave of absence is granted. See Policy 505, Leave of Absence.

### **506:12 RELATIONSHIP TO THE AMERICANS WITH DISABILITIES ACT**

1. The Family & Medical Leave Act provides certain job protections and entitlements as they relate to the "serious health condition" of the employee and/or the employee's immediate family. The Americans with Disabilities Act requires employers to make "reasonable accommodations" for individuals with qualifying disabling conditions. While the FMLA and the ADA seem to cover separate situations and operate exclusively from each other, Supervisors must be aware that in practice there may be circumstances that present themselves in a way that may create difficulty in separating the two Acts.
2. The American with Disabilities Act requires that each case be handled on a case-by-case basis. If an employee requests a modified work schedule following a leave, as a result of an FMLA leave condition, or at any other time, the request must be evaluated to determine if it is a "reasonable accommodation" request falling under the ADA, or simply an FMLA leave request.



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### **MILITARY FAMILY MEDICAL LEAVE**

Policy Number 507

It is the policy of the Highlands County Board of County Commissioners (Board), that employees who are otherwise eligible to take leave under the Family & Medical Leave Act (FMLA) may qualify for military family leave.

#### **507:1 GENERAL PROVISIONS**

1. To be eligible, an employee must meet the same requirements as for regular FMLA.
2. Employees using Military FMLA are also subject to all other provisions and requirements of FMLA including notice of the need for leave, certification, communications with employer, use of accruals during the leave, and scheduling of intermittent time. (See Policy 505, FMLA.) The employee must contact Human Resources to discuss details of certifications and other authentications required to protect leave taken under Military FMLA.
3. Two types of Military FMLA are available, Military Caregiver Leave and Military Exigency Leave

#### **507:2 MILITARY CAREGIVER LEAVE**

1. An employee who is the spouse, son, daughter, parent, or next-of-kin of a covered service member who is recovering from a serious illness or injury sustained in the line of duty on active duty may be granted up to twenty-six (26) weeks in a single twelve (12) month period in order to care for the service member.
  - a) **Serious illness or injury.** One that renders the service member medically unfit to perform the duties of the member's military position.
  - b) **Covered service member.** One who is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list due to the injury or illness.
  - c) **Next of kin.** Nearest blood relative.
2. Military Caregiver Leave may be taken intermittently, on a reduced schedule, or continuously, but only during a single twelve (12) month period. The single twelve (12) month period is measured forward from the date an employee first takes leave to care for the service member and ends twelve (12) months later. Caregiver Leave is granted for a single injury/illness. An aggravation or complication of an earlier injury/illness is still considered to be the same. Any unused amount is forfeited.
3. During the single twelve (12) month period, Caregiver Leave is combined with regular FMLA leave and the total cannot exceed twenty-six (26) weeks. Only twelve (12) of the twenty-six (26) weeks total may be for an FMLA-qualifying reason other than to care for a covered service member.
4. If leave qualifies as both military caregiver leave and FMLA medical leave to care for a family member with a serious health condition, it must be counted as Caregiver Leave.

#### **507:3 MILITARY EXIGENCY LEAVE**

An employee who has a spouse, son, daughter, or parent in the National Guard or Reserves may be granted up to twelve (12) weeks of leave during the rolling twelve (12) month period established by the employer for FMLA leave for qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on federal active duty or is called (or has been notified of an impending call) to federal active duty in support of a contingency operation. Family members of members of the regular Armed Forces and members of the National Guard called to active duty by the governor in response to a state emergency are not eligible for this type of leave.





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Qualifying Exigency Leave may be taken continuously, intermittently, or on a reduced schedule. The employee may not be transferred to an alternative job while on leave.

Qualifying Exigency Leave is part of regular FMLA leave. The maximum amount of leave is twelve (12) weeks within the rolling twelve (12) month period, including all other types of regular FMLA leave except Military Caregiver Leave.

Any one or more of the following non-medical, non-routine activities, and no others are included in the definition of "Qualifying Exigency":

1. **Short-term deployment activities.** If a military member receives seven (7) or less calendar days notice prior to the date of employment, an employee may take FMLA leave to address any issues arising from the short notice. An employee may take FMLA leave for up to seven (7) calendar days beginning on the date the military order is received, even if the seven (7) day period ends after the military member has been deployed.
2. **Military events and related activities.** To attend official events sponsored by the military that are related to the active duty call or status, and to attend family support or assistance programs and informational briefings sponsored by the military, military service organizations, or American Red Cross that are related to the active duty call or status of the military member.
3. **Childcare and school activities.** Certain childcare and related activities arising from the call to active duty or active duty status, such as arranging for alternative childcare, providing childcare on a non-routine, urgent, immediate need basis, enrolling or transferring a child to a new school or daycare facility, and attending certain meetings at a school or daycare facility.
4. **Financial and legal arrangements.** To make or update arrangements to address the military member's absence, such as obtaining power of attorney, transferring bank account authority, enrolling in the Defense Enrollment Eligibility Reporting System (DEERS), obtaining military identification cards, or preparing or updating a will or living trust; and/or to act as the military member's representative before a federal, state, or local agency for certain purposes relating to military service benefits while the military member is on active duty or call to active duty, and up to a period of ninety (90) calendar days following the termination of the military member's active duty status.
5. **Counseling activities.** To attend counseling, provided the need for counseling arises from the military member's active duty call or status, and that such counseling is provided by someone other than a health care provider, such as a chaplain or pastor. The counseling must be for the employee, the military member, and/or the military member's child.
6. **Rest and recuperation activities.** Leave may be taken to spend time with the military member that has been granted short-term, temporary, rest and recuperation leave during the deployment period. This leave is limited to a maximum of five (5) calendar days for each instance of rest and recuperation.
7. **Post-deployment activities.** To attend certain post-deployment activities sponsored by the military for a period of approximately ninety (90) calendar days following termination or the military member's active duty status, or to address issues that arise from the death of a military member on active duty status.
8. **Additional activities.** Leave for other exigencies may be granted, provided it arises out of the military member's call to active duty or status and the employee and employer mutually agree on both the timing and the duration of the leave.



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### **DOMESTIC VIOLENCE LEAVE**

Policy Number 508

It is the policy of the Highlands County Board of County Commissioners (Board), to permit all qualifying employees to request and take up to three (3) paid or unpaid working days of leave in any twelve (12) month period to undertake activities resulting from an act of domestic violence if the employee, or a family or household member of the employee, is the victim of domestic violence. For further detail, see 741.313, Florida Statutes.

Highlands County, in accordance with Florida Statutes, will keep confidential and exempt from public disclosure all such requests, substantiating documentation, and leave.

### **508:1 QUALIFYING FOR DOMESTIC VIOLENCE LEAVE**

To qualify for leave under this policy, an employee must:

1. Be employed by the Board for three (3) or more months.
2. Provide to their immediate Supervisor as much advance notice as possible of the need to take leave, except in cases of imminent danger to the health or safety of the employee or the family or household member.
3. Provide to Human Resources sufficient documentation of the act of domestic violence, specific documentation to be determined on a case-by-case basis.
4. Exhaust first all annual, sick, or compensatory leave. If employee does not have any available leave, they may use leave without pay.
5. Leave may be used for one or more of the following reasons:
  - a) Seeking an injunction for protection against domestic violence or an injunction for protection in cases of repeat violence, dating violence, or sexual violence.
  - b) Obtaining medical care or mental health counseling, or both, for the employee or a family or household member to address physical or psychological injuries resulting from the act of domestic violence.
  - c) Obtaining services from a victim services organization, including, but not limited to, a domestic violence shelter, program, or a rape crisis center as a result of the act of domestic violence.
  - d) Making the employee's or victim's home secure from the perpetrator of the domestic violence or to seek new housing to escape the perpetrator.
  - e) Seeking legal assistance in addressing issues arising from the act of domestic violence or to attend and prepare for court related proceedings arising from the act of domestic violence.



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### ADMINISTRATIVE LEAVES

Policy Number 509

It is the policy of the Highlands County Board of County Commissioners (Board), to provide time off to employees to attend funerals or memorial services and for civic duty (jury duty, witness duty, and military duty). Abuse or falsification of bereavement or civic duty leaves shall be subject to disciplinary action, up to and including termination.

The County Administrator may grant administrative leave with or without pay when it is determined that it is in the best interest of the Board not to have the employee in the work area.

#### 509:1 BEREAVEMENT

1. An employee shall be granted four (4) business days of administrative leave with pay for the death of any member of the employee's immediate family. Immediate family is defined as the spouse or the grandparents, parents, brothers, sisters, children, and grandchildren of either the employee or the spouse. An employee may also be granted this leave for the death of a person with loco parentis standing with the employee; i.e., a person who has been the position or place of a parent to the employee. Employees may use annual, sick, compensatory, or leave without pay if they wish to take any additional time off.
2. An employee may be requested to provide a statement in writing to their immediate Supervisor giving the name of the deceased and their relationship to the employee. This information shall be retained in the employee's personnel file.

#### 509:2 COURT APPEARANCES

1. **Jury Duty.** An employee summoned as a member of a jury panel shall be granted administrative leave with pay for regular hours worked. A copy of the jury summons will be provided to Human Resources and will be retained in the employee's personnel file. Payment received by the employee for jury duty, except for meals, travel, and lodging expenses, shall be endorsed to the Board. The Board shall not reimburse the employee for meals, lodging, and travel expenses incurred while serving as a juror.
2. **Witness Duty.** An employee subpoenaed as a witness, not involving personal litigation, shall be granted administrative leave with pay for regular hours worked. A copy of the subpoena will be provided to Human Resources and will be retained in the employee's personnel file. Payment received by the employee for witness duty, except for meals, travel, and lodging expenses, shall be endorsed to the Board. The Board shall not reimburse the employee for meals, lodging, and travel expenses incurred while serving as a witness.
3. **Line of Duty Court Appearance.** An employee subpoenaed in the line of duty to represent the Board as a witness or defendant shall be granted administrative leave. Appearances in such cases shall be considered part of the employee's job assignment. The employee shall be paid per diem and travel expenses, and shall be required to turn over to the Board any fees received from the agency making such payments.
4. **Personal Litigation.** In no case shall administrative leave with pay be granted for court attendance when an employee is engaged in personal litigation. The employee may use annual leave, compensatory leave, or leave without pay in such cases, per Policy 503, Annual Leave.



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### 509:3 VOTING

An employee who lives such distance from assigned work location as to preclude voting outside of working hours may be authorized a maximum of one (1) hour of administrative leave with pay for this purpose. An employee shall not be granted administrative leave with pay to work at the polls during elections. The employee must request and receive approval from the Director prior to using.

### 509:4 EXAMINATIONS

An employee may be granted a maximum of eight (8) hours of administrative leave with pay to take examinations before a state or federal agency, provided such examinations are pertinent to the Board employment and not pursuant to tuition assistance provided courses.

### 509:5 MILITARY DUTY LEAVE

1. An employee who is a member of the Armed Forces of the United States shall, upon presentation of a copy of the employee's official orders to the employee's Supervisor, be granted leave with full pay and without loss of benefits (including retirement) during periods in which the employee is ordered to active service or military training. This time will be considered continuous service.
  - a) Requests for military leave under this subsection shall be submitted in writing with proper documentation at least one (1) month prior to the commencement date of the orders.
2. Chapter 115, Florida Statutes, recognizes two (2) types of duties within the military for a leave of absence: active service and military training.
  - a) **Active service.** Active duty in the Florida defense force or civil service in training or on active duty with any branch of the Armed Forces or Reservists of the Armed Forces, the Florida National Guard, the Coast Guard of the United States, and service of all officers of the United States Public Health Service detailed by proper authority for duty with the Armed Forces.
  - b) **Military training.** Armed forces reserve or guard training for inactive service members.
3. Any Board employee who is also a member of the National Guard or a Reserve component of the Armed Forces of the United States may be granted leave of absence from their respective duties to enter active duty status, the first thirty (30) calendar days of any such leave will be with full pay. During such leave of absence, the employee shall be entitled to preserve all benefits and retirement privileges, and such time will be treated as continuous service.
4. After the thirty (30) calendar day period described above, the Board may supplement the military pay to bring the employee's pay to the level earned at the time they were ordered to active service. The supplement will be based on the calculated difference of the military base pay and the employee's gross pay with the Board while on active service. It is the responsibility of the employee to provide a copy of their military earning statement to Human Resources so they can determine if a supplement is due.



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### **WORKERS' COMPENSATION LEAVE**

Policy Number 510

It is the policy of the Highlands County Board of County Commissioners (Board), to ensure the availability of all reasonable and necessary authorized medical care and payment of all related medical costs to employees who are injured or develop an occupational disease as a result of the conditions of their job. Additionally, employees may be entitled to receive partial compensation for lost wages due to a qualified job-related injury or illness. For additional information, refer to Chapter 440, Florida Statutes.

#### **510:1 GENERAL PROVISIONS**

1. Employees who sustain an on-the-job work-related injury or illness shall immediately inform their supervisor. Failure to notify the supervisor immediately may impact benefits under the Workers' Compensation Law, and shall constitute the employee's refusal to submit to drug testing per Section 440.09(7)(c), Florida Statutes. After the employee is absent three (3) consecutive workdays, Human Resources will send the employee Family Medical Leave Act (FMLA) paperwork.
2. The Supervisor is responsible for reporting all Workers' Compensation injuries to Risk Management within twenty-four (24) hours of the injury. Failure to do so may lead to disciplinary action, up to and including termination.
3. In non-emergency situations, prior to medical attention being sought for any work-related injury or illness, employees shall consult with Risk Management for treatment or referral to an authorized health care provider. Failure to follow this procedure may jeopardize the employee's benefits under the Workers' Compensation Law and lead to disciplinary action, up to and including termination.
  - a) This provision does not apply to life-threatening emergencies when immediate care must be sought through "9-1-1" dispatch. However, Risk Management must be informed as soon as possible of the injury.
4. If an authorized health care provider certifies the inability of an employee to perform work due to a work-related injury or illness, the employee must elect to use accrued sick leave (or vacation leave once all sick leave is exhausted) for the first seven (7) calendar days. On the eighth (8<sup>th</sup>) calendar day off of work, the employee will revert to workers' compensation indemnity benefits for partial or total indemnity benefits under Florida Workers Compensation Law. Employees will be paid workers' compensation indemnity benefits for the first seven (7) calendar days only if they are disabled for more than twenty-one (21) calendar days (these days do not have to be consecutive calendar days).
5. Indemnity benefits will be based upon the employee's average weekly wage for the thirteen (13) week period immediately preceding the work-related injury or illness.
6. While receiving indemnity benefits, annual and sick leave will still be accrued. Holiday pay is not available to an employee receiving total temporary indemnity benefits. Holiday pay may be available to an injured employee if the Holiday falls within the first seven (7) calendar days of the injury.
7. Workers compensation wage indemnity benefits are paid at the rate of 66 <sup>2</sup>/<sub>3</sub>% of gross wages and are tax-free. An employee is allowed to use one (1) hour per workday of paid leave to supplement the tax-free benefit. The net wages received should be nearly equivalent to the net wages received prior to the covered injury.
8. Workers compensation shall not be payable if the injury was occasioned primarily by the intoxication of the employee; by the influence of any drugs, barbiturates, or other stimulants not prescribed by a physician; or by the willful intention of the employee to injure or kill himself, herself, or another.



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9. If injury is caused by the knowing refusal of the employee to use a safety appliance or observe a safety rule required by statute or lawfully adopted by the Board, or if injury is caused by the employee's refusal to use safety equipment provided by the Board, workers' compensation indemnity benefits shall be reduced by twenty-five percent (25%) and the employee will not be allowed to use accrued annual or sick leave to supplement workers' compensation indemnity.
10. If the employee is unable to perform an essential job function and has a qualifying condition that may substantially limit one or more life function(s), the employee should contact Human Resources for referral to the Board Americans with Disabilities Act (ADA) Coordinator. If the employee cannot perform the essential functions of the position after Maximum Medical Improvement (MMI) and proper certification is received for a qualifying condition under ADA, the Board will consider all requests for reasonable accommodations.
11. Return to Alternate/Light Duty. When Risk Management has been advised that the employee is entitled to receive a temporary partial disability benefit or a temporary total disability benefit, and there is medical certification that the employee cannot perform the duties of the employee's regular position, but the employee can perform some work beneficial to the Board, the Risk Coordinator or Human Resources, may return the employee to alternate duty at his/her regular rate of pay to perform any duties the employee is capable of carrying out, subject to the following conditions:
  - a) Light duty work, whether part-time or full-time, is solely at the discretion of the employer.
  - b) Light duty work is not permanent.
  - c) No light duty position will be created in the absence of an operational need or requirement.
  - d) Light duty employment may be extended at the sole discretion of the employer.

### **510:2 RETURN AFTER WORKERS COMPENSATION LEAVE**

1. Worker's compensation disability leave shall run concurrent with leave under the FMLA.
2. The employee must return to the essential duties of the employee's position after light duty work terminates or the expiration of leave under FMLA, if applicable.
3. The ability to perform the essential duties of a position shall be determined by the Board on the basis of factors including medical information provided by the employee's treating physician.

### **510:3 FAILURE TO RETURN AFTER WORKERS COMPENSATION LEAVE**

The failure of an employee to return to work at the expiration of light duty work or leave under FMLA, whichever is later, shall subject the employee to termination unless leave without pay has been granted with proper medical certification, consistent with the Personnel Rules and Regulations.





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### **600 – PAY PRACTICES**

#### **SALARY ADMINISTRATION**

Policy Number 601

It is the policy of the Highlands County Board of County Commissioners (Board), to pay employees on a regular basis and in a manner so that the amount, method, and timing of such payments comply with applicable laws or regulations.

#### **601:1 GENERAL PROVISIONS**

1. New employees generally will be hired at the minimum rate assigned to their job title's pay grade. Supervisors may recommend higher starting rates depending on an applicant's experience, skill level, or on other competitive considerations. These recommendations should be reviewed and approved by the appropriate Department Director.
2. Employees promoted into a new position will generally receive a promotional increase at least to the minimum of the new salary range. No increase will be granted which brings an employee's base salary above the maximum of the new pay grade. Promotional increase recommendations must be approved by the County Administrator.
3. Employees who perform a lateral transfer will not receive an increase.
4. The Department Director and Human Resources will handle considerations for reclassifications to lower level positions or involuntary demotions prior to any discussion with the employee. The salary of an employee reclassified to a lower level position or involuntarily demoted should not exceed the maximum of the new salary range. Reclassification and demotion recommendations must be approved by the County Administrator. See Policy 305:3, Reclassification, for additional information.
5. When a position is reclassified to a higher pay grade as a result of a significant change in job duties, an employee's salary will be increased at least to the minimum of the pay grade.
6. Human Resources will review job titles and pay grades for reclassifications. All changes must be approved by the Board.
7. Adjustments to salary may be granted to correct an internal or external equity problem reviewed by the Department Director and Human Resources and approved by the County Administrator.
8. An employee may be appointed to a trainee position at a salary five (5) percent below the salary range minimum of the assigned position, for a training period not to exceed twelve (12) months.

#### **601:2 OUT-OF-CLASS STATUS**

1. An employee appointed or assigned to fill an established position on a full-time or part-time basis for a specified period, not to exceed twelve (12) months, shall be given out-of-class status when:
  - a) Qualified applicants are not available for the position.
  - b) The County Administrator approves a department request to temporarily fill the position with a person from a lower pay grade or different job title.
    - i. If the individual meets the minimum training and experience requirements for the position; they may receive up to a ten (10) percent temporary increase.
    - ii. If the individual does not meet the minimum training and experience requirements for the position; they may receive up to a five (5) percent temporary increase.



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- c) Pay for employees in out-of-class status may exceed the maximum limit for their original pay grade while assigned this status.

### **601:3 DESIGNEE PAY**

When an employee performs duties not part of the normal duties of their position for a period of not more than thirty (30) calendar days, the employee may receive a temporary increase of up to ten (10) percent. This type of out-of-class assignment is usually designated for the purpose of filling in for the absence of a lead worker or Supervisor.





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### PERFORMANCE EVALUATIONS

Policy Number 602

It is the policy of the Highlands County Board of County Commissioners (Board), that the job performance of each employee should be evaluated periodically by the employee's Supervisor.

1. performance evaluation upon the following occasions:
  - a) By the end of the first six (6) months of employment.
  - b) Annually. Rating periods end December 31<sup>st</sup> of each year.
  - c) At any other time deemed appropriate to recognize improved or deteriorated performance.
2. Disagreement with the results of the evaluation is not subject to the grievance procedure set forth in these policies and procedures.
3. Supervisors, in completing evaluations, should prepare a written evaluation of each employee's job performance. Such an evaluation should include the Supervisor's comments and recommendations, and, if needed, an action plan for both the employee and Supervisor and performance goals for the next evaluation period. All performance evaluations that require an Action Plan shall be reviewed and approved with the Department Director and Human Resources prior to discussing with the employee.
4. Department Directors should review and approve each Supervisor's written evaluation to help assure that the evaluation process has been properly completed in a fair and objective manner. This review should occur prior to discussing with the employee.
5. After the written evaluation has been reviewed and approved by the Department Director, the Supervisor and employee should meet and discuss the evaluation, assess the employee's strengths and weaknesses in a constructive manner and set objectives and goals for the period ahead. The employee should be given the opportunity to examine the evaluation and make written comments about any aspect of it. The employee and Supervisor should then sign and date the evaluation and forward it to Human Resources for review.
6. Employees may request an additional meeting with their Supervisor, Director, or Human Resources to further discuss the evaluation.
7. Upon review, should Human Resources find any omissions or un-supported ratings, the Supervisor will be asked to review with the employee. If additional documentation is necessary, the original evaluation and the additional documentation will be provided to the County Administrator for approval and inclusion in the employee's personnel file.
8. Information derived from the performance evaluation may be considered when making decisions affecting an employee including, but not limited to, decisions concerning training needs and opportunities, pay, promotion, transfer, or continued employment.
9. All provisions of this section relating to the payment of salaries are contingent upon funds being available. Any deviation from paying employees in accordance with these rules and regulations because of budgetary limitations must be approved by the Board.
10. **Special Probation Limitation.** An employee may be placed on a thirty (30) calendar day special probation not more than once in any twelve (12) month period.



## HIGHLANDS COUNTY BOCC PERSONNEL RULES & REGULATIONS

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### **PAY PROCEDURES**

Policy Number 603

It is the policy of the Highlands County Board of County Commissioners (Board), to pay employees on a regular basis and in a manner so that the amount, method and timing of such payments comply with any applicable laws or regulations.

#### **603:1 GENERAL PROVISIONS**

1. Payroll one (1) employees normally will be paid biweekly on a fourteen (14) day pay period cycle, and Payroll two (2), EMS employees will be paid every three (3) weeks on a twenty-one (21) day pay period cycle. If the regular payday occurs on a holiday, employees will be paid on the last working day prior to the holiday.
2. Employees on each payday will receive, in addition to their pay, an electronic or paper statement showing gross pay, deductions and net pay. Federal and Social Security taxes will be deducted automatically. No other deductions will be made unless required or allowed by law, contract or employee obligation. Employees may elect to have additional voluntary deductions taken from their pay only if they authorize the deductions in writing and if the additional deductions are approved by the Board.
3. Employees who discover a mistake in their pay should notify Human Resources immediately. In the case of a mistake, the error will be remedied.
4. Employees shall be paid by electronic transfer or check in accordance with the schedule established by the Board and the Finance Office of the Clerk of Courts. Electronic direct deposit pay method is mandatory for all regular employees hired after April 1, 2000.
5. Hourly rates of pay are computed on the basis of 2,080 work hours annually for all full-time employees not exempted by the provisions of the Fair Labor Standards Act.

a)  $\text{Annual Salary} / 2080 \text{ hours} = \text{Hourly Rate}$

#### **603:2 CALLBACK AND STANDBY PAY**

1. **Callback Pay.** Employees who have completed their regular day's work period and who are called back to work shall receive two (2) hours call back pay at the applicable straight time rate if they are not assigned a minimum of two (2) hours work. All hours worked over the forty (40) hour work week will be compensated at time and one-half rate.
2. **Standby Pay.** Employees placed on twenty-four (24) hour standby after normal duty hours shall earn two (2) hours pay at straight time for every day that they are on standby, plus pay for all hours actually worked.
3. **Overtime Exclusions.** See Policy 404, Overtime.

#### **603:3 PROCESSING PAYROLL DURING A STATE OF LOCAL EMERGENCY AND DECLARED DISASTER**

In case of a declared disaster and/or local state of emergency, where there is a concern that the daily operations will be impacted for more than one (1) week, and in order to ensure our employees continue to receive their wages during the local state of emergency, the Board authorizes the Clerk's Office to:

1. Prepare and issue payroll for the Board using base hours only for regular full-time and part-time employees. On-call personnel would not be paid unless there is a reasonable mechanism to timely report actual hours worked to Human Resources.



## HIGHLANDS COUNTY BOCC PERSONNEL RULES & REGULATIONS

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2. Budget review of payroll costs prior to the release of payments for this payroll will be suspended and resolved, if necessary, when the Board returns to normal operations.
3. The payments to individual employees generated by this payroll processing will be released upon authorization by fax, e-mail, or verbal authorization, which will be followed up with written authorization once the Board returns to normal operations.
4. Normal operations are defined as being when the Board and Clerk's financial and timekeeping software has been restored and is available to fiscal personnel.



## HIGHLANDS COUNTY BOCC PERSONNEL RULES & REGULATIONS

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### **PAY FOR WORK DURING EMERGENCIES OR DISASTERS**

Policy Number 604

It is the policy of the Highlands County Board of County Commissioners (Board), that the following pay procedures apply when any natural, technological, human caused emergency, or disaster requires a State of Local Emergency Declaration by either the Board.

#### **604:1 GENERAL PROVISIONS**

The following procedures apply during any state of local emergency declared by the Board pursuant to Section 252.38, Florida Statutes.

##### **1. Disaster Essential Employees**

- a) Board personnel in either the exempt or non-exempt pay plans who are designated as disaster essential employees and who are assigned to work during emergencies will be compensated for time worked.
- b) It is the department's responsibility to verify any emergency hours worked and approve all payments.
- c) For non-exempt personnel, overtime pay for hours worked during the emergency should be calculated in the same manner as overtime pay is calculated during non-emergency work weeks where the employee works more than forty (40) hours.
- d) For exempt personnel not entitled to overtime compensation, employees will be paid emergency pay at their straight time hourly rate for all hours worked in excess of fifty (50) hours in any work week during the emergency, in addition to their normal salary.



## HIGHLANDS COUNTY BOCC PERSONNEL RULES & REGULATIONS

### **PAY RAISES**

Policy Number 605

It is the policy of the Highlands County Board of County Commissioners (Board), to ensure the County Administrator is committed to compensating all employees in a fair and consistent manner within budget constraints. Contracted employees (i.e. County Administrator, County Attorney) are paid in accordance to their contract.

#### **605:1 GENERAL PROVISIONS**

Cost of Living (COLA) adjustments and Performance-Based Merit increases may be awarded, except where an employee's increase brings his/her pay above the maximum for their pay grade in which cases, Incentive Pay may be granted. Other Personnel Services (OPS), employees of private employment agencies, and positions that are not fully funded by the Board of County Commissioners will not be eligible to receive COLA, Performance-Based Merit, or Incentive Pay increases.

#### **605:2 COST OF LIVING ADJUSTMENT**

A cost of living adjustment (COLA) may be approved by the Board during the annual budget process and will typically be effective with the first full pay period in October, unless approved otherwise. This increase will be granted to all employees at a percentage or fixed amount approved by the Board and within the guidelines established by this policy. Employees within their initial six (6) month probationary period will receive this increase at a pro-rated distribution based on the number of days employed.

<b>Number of days employed</b>	<b>Percentage of COLA</b>
More than 180 days	100%
121 - 180 days	75%
91 - 120 days	50%
61 - 90 days	25%
1 - 60 days	0%

The pro-rated distribution of the COLA will become effective for employees hired on or after October 1, 2016. Employees hired prior to October 1, 2016 will receive the COLA at 100%.

#### **605:3 PERFORMANCE-BASED MERIT INCREASE**

All regular employees are eligible for a performance-based merit increase on an annual basis, subject to approval of funding by the Board. Performance-based merit increases will typically be effective with the first full pay period in April, unless approved otherwise, and will be based upon the employees performance evaluation for the prior period of January through December.

Upon completion of twelve (12) months of continuous employment in a full-time regular position, an employee may be considered for a performance-based merit increase. Performance-based merit increases are not automatic and shall only be granted when both of the following are met:

- a) Employee received a rating of satisfactory or better on each rating factor during the twelve (12) month period under evaluation, and
- b) Employee received an overall rating above a 3.0.



## HIGHLANDS COUNTY BOCC PERSONNEL RULES & REGULATIONS

All employee evaluations are due annually, in January, for the prior twelve (12) month period (January – December). Human Resources shall review all employee evaluations and will work with departments to ensure that the evaluation process is administered in a fair and consistent manner.

In addition to being used as a guide in determining performance-based pay increases, the purpose of performance evaluations is to give employees a better understanding of what is expected on the job. Supervisors have an obligation to provide ongoing feedback and counseling to employees in an effort to provide the means for improvement on the job. All written performance reviews will be based on an employee's overall performance in relation to his/her job responsibilities and will also take into account conduct, demeanor, and record of attendance and tardiness. Any Supervisor or Director who fails to address employee performance may be subject to disciplinary action, up to and including termination.

Performance-Based Merit increases will not be awarded to:

- a) Employees who have not completed twelve (12) months of continuous employment.
- b) Employees who have been involuntary demoted or suspended during the period under evaluation.
- c) Employees who are on special probation of any kind.
- d) Employees that failed to complete the annual mandatory training requirements during the period under evaluation.
- e) Employees who have not achieved a rating of satisfactory or better on each rating factor AND an overall rating above a 3.0.
- f) Employees who have shared employment (i.e. Extension, Courthouse)

Employees who have received one (1) disciplinary action within the period under evaluation may still qualify for a performance-based merit increase if all other conditions are met. Situations will be evaluated by the Director and Human Resources.

Performance-Based Merit increases will be granted to eligible employees as shown below based on their overall performance rating.

Overall Rating	Percentage of Performance-Based Merit Increase
4.51 – 5.00	Tier 4
4.01 – 4.50	Tier 3
3.51 – 4.00	Tier 2
3.01 – 3.50	Tier 1
0.00 – 3.00	0%

Tiers are dependent on the level of funding approved by the Board. Tiers will be established by Administration, in coordination with Human Resources on an annual basis.

### **605:4 INCENTIVE INCREASE**

In order to retain qualified employees, incentive pay may be granted, subject to approval of funding by the Board. Incentive pay will typically be effective with the first full pay period in April, unless approved otherwise, and will be based upon the employees performance evaluation for the prior period of January through December.

To be eligible for incentive pay, an employee must have reached the top of his/her pay grade and served more than five (5) years in a position covered by this policy. Incentive pay will not increase an employee's base pay and will only be effective for a twelve (12) month period.



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Incentive increases are not automatic and shall only be granted when both of the following are met:

- a) Employee received a rating of satisfactory or better on each rating factor during the twelve (12) month period under evaluation, and
- b) Employee received an overall rating above a 3.0.

Incentive increases will not be awarded to:

- a) Employees who have been involuntary demoted or suspended during the period under evaluation.
- b) Employees who are on special probation of any kind.
- c) Employees that failed to complete the annual mandatory training requirements during the period under evaluation.
- d) Employees who have not achieved a rating of satisfactory or better on each rating factor AND an overall rating above a 3.0.
- e) Employees who have shared employment (i.e. Extension, Courthouse)

Employees who have received one (1) disciplinary action within the period under evaluation may still qualify for an Incentive increase if all other conditions are met. Situations will be evaluated by the Director and Human Resources.

Incentive increases will be granted to eligible employees as shown below based on their overall performance rating.

Overall Rating	Percentage of Incentive Increase
4.51 – 5.00	Tier 4
4.01 – 4.50	Tier 3
3.51 – 4.00	Tier 2
3.01 – 3.50	Tier 1
0.00 – 3.00	0%

Tiers are dependent on the level of funding approved by the Board. Tiers will be established by Administration, in coordination with Human Resources on an annual basis.

### **605:5 MERIT LEAVE**

If, due to funding constraints, the Board is unable to approve funding for Performance-Based Merit or Incentive Increases the Board may choose to grant Merit leave. Merit Leave may be granted in one (1) day increments and must be used during the calendar year. Unused merit leave will lapse at the end of each calendar year. Merit leave usage will follow the same approval process as annual leave.

### **605:6 SPECIAL SALARY ADJUSTMENT**

The County Administrator may approve a special salary adjustment of no more than ten (10) percent for any employee, if unusual or special conditions exist which justify such adjustment.

### **605:7 PAY ON PROMOTION**

1. When promoted, an employee's salary shall be increased to at least the minimum rate of the pay grade for the position to which the employee is being promoted, unless the employee is to undergo a training period for a specified amount of time. In this case, the employee shall be paid five (5) percent less than



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the minimum rate for the duration of the training period, provided this is not less than the rate the employee was previously earning.

2. Employees promoted to a higher pay grade who are currently receiving pay equal to or greater than the minimum rate for the new pay grade may be advanced in salary by up to ten percent (10) or the mid-point of the new paygrade, whichever is greater, as recommended by the Interview Panel and as authorized by the County Administrator.

### **605:8 MAXIMUM RATE OF PAY**

A salary increase may not place the employee's salary above the maximum rate of pay authorized for the assigned pay grade, unless approved by the Board.

### **605:9 LESS THAN SATISFACTORY PERFORMANCE**

An employee whose annual performance evaluation is considered to be less than required (below satisfactory) shall not be eligible to receive a merit salary increase.

### **605:10 LONGEVITY PAY**

1. Applies only to persons hired prior to October 1, 1985 and who have had no subsequent break in service of twenty-four (24) hours or longer.
2. Employees in "good standing" prior to October 1, 1985, will receive a two (2) percent increase in salary effective the first day following the anniversary date of completion of 5, 10, 15, 20, and 25 years continuous service as an employee of the Board. The total longevity salary increase will not exceed two (2) percent of the employee's current salary for five (5) years of service, four (4) percent for ten (10) years, six (6) percent for fifteen (15) years, eight (8) percent for over twenty (20) years and ten (10) percent for twenty-five (25) years of continuous service. Longevity increases will be automatic and not require individual approval by the Board.





## HIGHLANDS COUNTY BOCC PERSONNEL RULES & REGULATIONS

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### 700 – CORRECTIVE ACTION PROCESS

#### EMPLOYEE BEHAVIOR AND STANDARDS OF CONDUCT

Policy Number 701

It is the policy of the Highlands County Board of County Commissioners (Board), that all employees are expected to comply with the Board's standards of behavior and performance and that any noncompliance with these standards must be remedied.

#### 701:1 GENERAL PROVISIONS

1. It is the policy of the Board that certain rules and regulations regarding employee behavior are necessary for the efficient operations of the Board and for the benefits and safety of all employees. Employees are expected at all times to conduct themselves in a positive manner so as to promote the best interests of the Board. Conduct that interferes with operations that discredit the Board or that is offensive to citizens, customers, or coworkers will not be tolerated.
2. Any violation of the Board's policy or any conduct considered inappropriate or unsatisfactory may, at the Board's discretion, subject the employee to disciplinary action, up to and including termination. Generally, there are two groups of sample offenses for which employees may be disciplined. The guidelines for recommended penalties for those examples of unacceptable conduct are set forth below. However, the principles concerning application of discipline to these sample offenses or others as set forth in Policy 702, Corrective Action and Disciplinary Procedure, shall apply. Nothing herein shall be construed to require the Board to have just cause for any form of disciplinary action, including termination, or to limit disciplinary action to the sample offenses enumerated below.
3. This section provides recommended, but not mandatory, penalties to apply to the specific examples offenses listed here. However, the penalty utilized shall be at the discretion of the Department Director and/or Administration in all matters of discipline, and nothing herein shall require that a particular form of discipline be utilized in any case prior to the utilization of another form of discipline.
4. An employee may be placed on administrative leave with or without pay pending an investigation by the County Administrator pending consideration of potential disciplinary action.
5. Policies 701:2, Group 1 Offenses, and 701:3, Group 2 Offenses, are illustrative examples of some of the prohibited conduct that is subject to disciplinary action, up to and including termination.

#### 701:2 GROUP 1 OFFENSES

**First Offense:** Documented Counseling.

**Second Offense:** Written Reprimand, up to five (5) workdays suspension without pay and/or demotion.

**Third Offense:** Up to Termination.

1. Quitting work, loitering, or leaving assigned work area during working hours without permission.
2. Wasting time, dawdling, or repeated instances of poor time management.
3. Taking more than allowable time for meal or rest periods.
4. Unacceptable productivity or competency.
5. Sleeping on the job, unless authorized to do so.



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6. Reporting to work or working while unfit for duty, either mentally or physically, unless the condition is a legally recognized disability, in which case the matter will be dealt with in accordance with applicable law.
7. Violating a safety rule or practice.
8. Engaging in horse play, scuffling, wrestling, throwing things, malicious mischief, distracting the work of others, cat calls, or other disorderly conduct.
9. Failure to report loss of or damage to any County piece of equipment or other County property entrusted to the employee's custody.
10. Failure to keep the department and Human Resources notified of the employee's current proper address and telephone number.
11. Gambling, loitering, or engaging in any other game of chance while on duty or in any fashion that brings disrepute upon the Board.
12. Violation of published Board or departmental policies, rules, standard orders, operating procedures, or regulations, unless included as a Group 2 offense.
13. Unexcused tardiness or absence.
14. Failure to possess and maintain a current and valid state motor vehicle operator's license, if driving a vehicle is required by the Board as an essential part of the employee's job.
15. Failure to report an on-the-job accident or injury.
16. The use of abusive language.
17. Failure to wear appropriate safety equipment or failure to abide by safety rules and practices.
18. Improper attire or inappropriate personal appearance.
19. Engaging in any form of workplace harassment, excluding sexual harassment, which is a Group 2 offense.
20. Solicitation or distribution (except as provided by Board policy).

### **701:3 GROUP 2 OFFENSES**

#### **First Offense:** Up to Termination

1. Conviction of a crime, other than minor traffic offenses.
2. Excessive tardiness and/or absenteeism, regardless of the reason.
3. Abuse of leave privileges.
2. Use of official position for personal advantage.
3. Deliberately or negligently misusing, destroying, losing, or damaging any County property or property of another employee.



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4. Falsification of personnel, Board or departmental records, including employment applications, accident records, work records, purchase orders, timesheets, or any other report, record, or document.
5. Making false claims or intentional misrepresentation in an attempt to obtain sickness or accident benefits, worker's compensation, or any other benefits.
6. Insubordination or the refusal to perform work assigned, or to comply with written or verbal instructions of a Supervisor.
7. Unlawful use of, possession, or display of explosives or weapons under Florida Law, as amended from time to time, on or in County property unless authorized.
8. Removal of County property or any other employee's property from County locations without proper authorization, theft of County property, or theft of any employee's property.
9. Failure to return at the end of authorized leave of absence.
10. Concerted curtailment, restriction of production, or interference with work in or about the department's work stations including, but not limited to, instigating, leading, or participating in any walkout, strike, sit down, stand-in, slowdown, or refusal to return to work at the scheduled time for the scheduled shift.
11. Absent without permission (AWOL).
12. Sexual harassment consisting of unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature. The victim may be of either sex, and need not be of the opposite sex.
13. Assault or battery of a fellow employee or citizen.
14. Use, sale, dispensing, or possession of alcoholic beverages or illegal drugs on County premises, while in uniform, or in County vehicles.



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### **CORRECTIVE ACTION AND DISCIPLINARY PROCEDURE**

Policy Number 702

It is the policy of the Highlands County Board of County Commissioners (Board), that all employees are expected to comply with the County's standards of behavior and performance, and that any noncompliance with these standards must be remedied.

#### **702:1 GENERAL PROVISIONS**

1. Under normal circumstances, the Board endorses a policy of progressive discipline in which it attempts to provide employees with notice of deficiencies and an opportunity to improve. The Board does, however, retain the right to administer discipline in any manner it sees fit, and to modify or waive these procedures at its sole discretion.
2. Corrective action is typically warranted when an employee is not meeting Board standards of attendance, performance, or conduct (attitude or human relations).
3. The normal application of progressive discipline is:
  - a) Documented Counseling.
  - b) Written warning.
  - c) Suspension and/or Involuntary Demotion.
  - d) Termination.

#### **702:2 DISCIPLINARY PROCEDURES**

Facts and circumstances surrounding the incident or violation shall be carefully considered before taking any formal disciplinary steps. In all cases of formal corrective action and/or discipline, Human Resources should be contacted to ensure appropriate action steps are taken.

1. **Documented Counseling.** The intention of a documented counseling is to reestablish expectations, goals, and/or objectives. Supervisors who identify that an employee is not meeting expectations shall discuss the situation with the employee to include the action necessary to correct the problem. Supervisors will use an Employee Warning Report (Appendix 6). Memoranda and additional documentation may be attached. A copy shall be given to the employee and another copy forwarded to Human Resources for inclusion in the employee's file.
2. **Written Warning.** A written warning is formal documentation of an incident or violation of expected performance and/or behaviors, usually taking place after a documented counseling has been given. Supervisors will use an Employee Warning Report (Appendix 6). Memoranda and additional documentation may be attached. A copy shall be given to the employee and another copy forwarded to Human Resources for inclusion in the employee's file.
3. **Suspension and/or Involuntary Demotion.** Prior to any suspension being initiated, Human Resources shall be contacted. Human Resources will assist the department in determining whether a suspension is appropriate, and aid in determining the duration of the suspension. The employee's immediate Supervisor, with the approval of the Department Director, shall notify the employee in writing of the proposed corrective action the reasons and circumstances relevant to the proposed corrective action. All actions requesting Involuntary Demotion are subject to County Administrator approval. Supervisors will use an Employee Warning Report (Appendix 6). Memoranda and additional documentation may be attached. A copy shall be given to the employee and another copy forwarded to Human Resources for inclusion in the employee's file. Suspension without pay longer than five (5) workdays requires the approval of the County Administrator.



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4. **Termination.** Prior to a termination being initiated, Human Resources shall be contacted. All terminations require the approval of the County Administrator. The employee shall be notified in writing by the Supervisor or Department Director using the Employee Warning Report (Appendix 6).

In situations where the employee's presence creates, in the County Administrator's opinion, a hazard to property, employees, the public, or otherwise interrupts the operations of the Board, the employee may be placed immediately on administrative leave with pay. The immediate Supervisor and/or Department Director shall then contact Human Resources to determine future action to be taken.

### **702:3 AUTHORIZATION OF DISCIPLINARY ACTIONS**

1. In all cases in which discipline is administered, the Department Director or Supervisor shall notify the employee of the action taken, and a copy of such notice will be included in the employee's personnel file. The documentation of disciplinary action should include a statement referencing any applicable Personnel Rules and Regulations or department policies violated and, unless the discipline being imposed is dismissal, a statement indicating what will happen if the employee commits further offenses.
2. Supervisors are authorized to counsel and reprimand subordinate employees where appropriate.
3. Department Directors are authorized to suspend any subordinate employee without pay for up to five (5) workdays where appropriate.
4. Department Directors are authorized to discharge any subordinate employee. All terminations should be reviewed by Human Resources and approved by the County Administrator before any final action is taken. Failure to do so may lead to disciplinary action, up to and including termination.
5. Regular employees who believe that they may have been disciplined too severely or who question the reason for discipline are encouraged to utilize the employee complaint procedure set forth in Section 703, Grievance Procedure.



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### **GRIEVANCE**

Policy Number 703

It is the policy of the Highlands County Board of County Commissioners (Board), that employees should have the opportunity to participate in an objective process to settle disputes regarding certain corrective actions. Employees will have an opportunity to grieve corrective actions for disciplinary reasons of suspension, demotion, or termination – no other actions or issues are subject to the grievance procedure. All grievances will be resolved definitively through this process.

#### **703:1 GENERAL PROVISIONS**

1. The provisions of this policy apply to all employees who have been suspended, demoted, or terminated resulting from disciplinary corrective actions.
2. Exclusions to this policy are:
  - a) Employees in their initial probationary period.
  - b) Contracted employees.
  - c) Employees covered under the Supplemental Workforce Policy Number 310

#### **703:2 INITIAL GRIEVANCE/COMPLAINT**

1. The employee shall present the grievance in writing using the Grievance Form (Appendix 7), to the employee's Department Director or Human Resources within three (3) business days of the notice of the disciplinary action. In circumstances where the grievant reports directly to the Department Director, the initial grievance shall be presented to the County Administrator. Failure to file a written grievance within this established time will nullify the employee's right to use the grievance process for the event in question.
2. For purposes of corrective actions, the term "event" as used in this section shall mean the date on which the employee is notified of the disciplinary action.
3. The Department Director may meet with the employee and other involved parties to discuss the matter following the receipt of the written grievance. If a meeting is held, it shall be within five (5) business days of the receipt of the grievance. The Department Director shall answer the grievance in writing within seven (7) business days following the meeting. If no meeting is held, the Department Director shall answer the grievance within five (5) business days after receipt of the written grievance. If the employee is not satisfied with the response of the Department Director or if no response is given, the employee may request a Grievance Hearing.

#### **703:3 GRIEVANCE HEARING**

1. The employee may file a written request for a Grievance Hearing within three (3) business days of receipt of the Department Director's response, if dissatisfied with the result or failure of the Department Director to supply a timely answer. The written appeal shall be submitted to Human Resources and shall include the final outcome being requested from the grievance hearing.
2. The County Administrator will oversee the hearing and shall be notified by Human Resources of the receipt of the request for review. If the employee reports directly to the County Administrator, an outside mediator may be used.



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3. The hearing shall consist of the following parts:
  - a) **Pre-Grievance Hearing.** Publicly noticed. Held within five (5) business days from the receipt of the written request.
    - i. Meeting called to order by the County Administrator.
    - ii. Brief overview of the event by the employee and the Supervisor or Director.
    - iii. Names of witnesses that will be called upon.
    - iv. Schedule Grievance Hearing date within five (5) business days from the date of the Pre-Grievance Hearing.
  - b) **Grievance Hearing.** Publicly noticed.
    - i. Meeting called to order by the County Administrator.
    - ii. Opening statements by the employee and the Supervisor or Director.
    - iii. Witness statements. Each party involved can request witnesses to provide written or verbal statements. A witness may decline the request. The County Administrator may request information and interview witnesses prior to the hearing from any of the parties involved. Human Resources will facilitate information retrieval and witness interviews.
    - iv. Closing remarks by the employee and the Supervisor or Director.
    - v. Meeting concluded by the County Administrator.
  - c) The County Administrator shall provide written response to the employee within fourteen (14) business days of the hearing.
  - d) The decision of the County Administrator is final.
4. **Liberty Interest (Name Clearing) Hearings.** In cases involving suspensions without pay, demotion, and dismissal where the employee misconduct at issue is considered stigmatizing or would substantially interfere with the employee's future employability (such as in cases alleging theft, drug violations, and/or criminal conduct) the employee is entitled to a liberty interest hearing.
  - a) Whenever a liberty interest hearing is implicated, the employee should be provided written notice of his/her right to request a hearing. The employee must contact Human Resources to request a liberty interest hearing within three (3) business days.
  - b) The liberty interest hearing is a noticed public hearing held solely for the purposes of permitting the employee to publicly present their side to the allegations of misconduct which have been raised. The liberty interest hearing is not an appropriate avenue to seek to overturn the disciplinary decision at issue.

#### **703:4 TIME LIMITS**

1. The failure of any County representative to respond or take other action within the time limits set forth herein shall not nullify the employee's right to use the grievance process for the event in question.
2. No grievance shall be entertained or processed unless it is commenced in a timely manner as defined by this policy. If a grievance is not initiated or appealed in a timely manner in accordance with the provisions of this policy within the time frames set forth above, any further privileges shall be waived. The time limits may be extended by mutual agreement of the parties in writing only.



# HIGHLANDS COUNTY

BOARD OF COUNTY COMMISSIONERS

Human Resources

## EMPLOYEE BID FORM

Employee Name(s): \_\_\_\_\_ Department: \_\_\_\_\_

Position: \_\_\_\_\_ Supervisor: \_\_\_\_\_

Position applying for: \_\_\_\_\_

All employees may bid for any posted job by submitting a Bid Form and an updated job application.

**Supervisor Approval:**     Yes    or     No       **Signature:** \_\_\_\_\_

If not approving, please provide explanation:

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**Director Approval:**     Yes    or     No       **Signature:** \_\_\_\_\_

If not approving, please provide explanation:

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**Human Resources:**

Date received: \_\_\_\_\_

Initials: \_\_\_\_\_





# HIGHLANDS COUNTY

BOARD OF COUNTY COMMISSIONERS

Human Resources

## SECONDARY EMPLOYMENT FORM

Employee Name: \_\_\_\_\_ Employee ID: \_\_\_\_\_

Cost Center: \_\_\_\_\_ Department: \_\_\_\_\_

### Request for Secondary Employment Authorization

In accordance with Policy 309 of the Highlands County Board of County Commissioners, Personnel Rules and Regulations, authorization is requested to hold a secondary job. I recognize that Highlands County is my primary employer and should any conflict in scheduling between my county job and my secondary employment, my county job takes priority. I further understand and acknowledge that this request includes paid self-employment. If authorized my secondary employment information is provided below.

#### **Secondary Employer Information:**

Company Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Position/Nature of work to be performed: \_\_\_\_\_

Schedule (i.e. Mon. thru Fri. 6 p.m. to 10 p.m.): \_\_\_\_\_

Total scheduled hours per week: \_\_\_\_\_

*I hereby certify that the company listed above poses no conflict of interest as contemplated in Sections 112 (Part III), Florida Statutes and the Highlands County Board of County Commissioners Personnel Rules and Regulations.*

\_\_\_\_\_  
Agreed to by Employee

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Director/Department Head

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Human Resources

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
County Administrator

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

\_\_\_\_\_  
Date



**HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS**  
**PERFORMANCE APPRAISAL FORM**

PLEASE TYPE OR PRINT CLEARLY

EMPLOYEE NAME (LAST, FIRST, INITIAL)	JOB TITLE	EMPLOYEE I.D. #
DEPARTMENT	DATE OF HIRE	RATING PERIOD FROM: TO:
ANNIVERSARY DATE		
TYPE OF REPORT (Select One): <input type="checkbox"/> PROBATIONARY <input type="checkbox"/> ANNUAL <input type="checkbox"/> SPECIAL		

For each factor, enter the appropriate number (1, 2, 3, 4, 5) on the scale. See reverse of form for definitions of factors, rating guide and quality point average.

For each category below, mark with "X" the appropriate rating.

POOR 1	NEEDS IMPROVEMENT 2	SATISFACTORY 3	ABOVE SATISFACTORY 4	OUTSTANDING 5	<ul style="list-style-type: none"> <li>• An explanation is required for all factors rated 1 or 2</li> <li>• An Action Plan is required for an overall performance rating of 2.9 or below to include specific personal development and individual goals. The Action Plan must be reviewed by Human Resources prior to implementation.</li> <li>• A full written justification is required for an overall performance rating of 4.6 or above.</li> </ul>	UNSATISFACTORY	SATISFACTORY	<p>An Unsatisfactory rating will require an attached Action Plan with specific goals for improvement.</p>
					1- PUBLIC CONTACT/INTERACTION			A - ATTENDANCE
					2- CO-WORKER CONTACT			
					3- COMMUNICATIONS			B - SAFETY
					4- POLICIES & RULES COMPLIANCE			
					5- JOB KNOWLEDGE			C - APPEARANCE
					6- MEETS DEADLINES			
					7- PLANNING	DISCIPLINE		
					8- ADAPTABILITY	YES	NO	Has the employee received any disciplinary action(s) within the last 12 months?
					9- INITIATIVE			
					10- WORK QUANTITY			
					11- WORK QUALITY			
					12- ACCOUNTABILITY			
					13- EQUIPMENT CARE/MAINTENANCE			
					14- WORK AREA CARE/MAINTENANCE			
<b>Non-Supervisory Overall Rating</b>					<b>Add All Numerical Ratings &amp; Divide By Number Of Factors Rated To Determine Overall Rating.</b>			
<b>SUPERVISORY EMPLOYEES:</b>								
					15- CONFLICT RESOLUTION			
					16- STAFF DEVELOPMENT			
					17- LEADERSHIP			
					18- EVALUATION OF SUBORDINATES			
					19- ORGANIZATIONAL SKILLS			
					20- FISCAL/RESOURCES MANAGEMENT			
<b>Supervisory Overall Rating</b>					<b>Add All Numerical Ratings &amp; Divide By Number Of Factors Rated To Determine Overall Rating.</b>			

If yes, please list discipline and if the issue has been resolved.



PERFORMANCE APPRAISAL FORM

**FACTOR DEFINITIONS & GUIDELINES**

**FACTOR RATING GUIDE:**

1- Poor	The employee clearly fails to meet the minimum performance requirements on job related criteria for that specific factor and is deficient enough to justify release from present job unless improvement is made.
2- Needs Improvement	The employee's performance with respect to a factor is below the requirements for the job and must be improved to be satisfactory.
3- Satisfactory	The employee's performance with respect to a factor meets the full job requirements as the job is defined at the time of rating. A satisfactory rating means good performance.
4- Above Satisfactory	The employee far exceeds the performance requirements on job related criteria for that specific factor. Such exemplary performance is characterized by unusual accomplishments.
5- Outstanding	The employee's performance with respect to a factor is extraordinary and approaching the best possible for the job or exceeding the job requirements.

**FACTORS 1 – 14 AND A – C MUST BE RATED FOR ALL EMPLOYEES:**

1- Public Contact/Interaction:	Relations with customers, public, outside agencies, and the community.
2- Co-Worker Contact:	Relations with other employees and ability and willingness to work with fellow employees.
3- Communications:	The ability to understand and impart written and/or oral instructions or questions.
4- Policies & Rules Compliance:	Complies with adopted rules, regulations, adheres to policies and procedures, and follows supervisor's instructions.
5- Job Knowledge:	Depth of knowledge and application of job skills.
6- Meets Deadlines:	Timely completion of tasks as assigned.
7- Planning:	Ability to organize work and resources, set goals and attainable objectives, use time and resources effectively.
8- Adaptability:	Ability to solve novel and/or crisis situations, ability to adjust to change.
9- Initiative:	Resourceful, self-motivating, self-starting and looking for new and better ways to do things.
10- Work Quantity:	Amount of work an individual does in a work day or in the time allowed.
11- Work Quality:	Accuracy and thoroughness in performing duties and keeping the work area well organized.
12- Accountability:	Obligation or willingness to accept responsibility or to account for one's actions.
13- Equipment Area Maintenance:	General upkeep, and repair of equipment.
14- Work Area Maintenance:	General upkeep, and repair of work area; including office, storage, and general use areas.

**ADDITIONAL FACTORS MUST BE RATED:**

A. Attendance:	Regularity of attendance and punctuality.
B. Safety:	Safe performance of duties, including operation of vehicles and equipment.
C. Personal Appearance:	Cleanliness, grooming, appropriateness of dress on the job, and uniforms ( <i>if applicable</i> ) .

**FACTORS 15 – 20 MUST BE COMPLETED FOR ALL SUPERVISORY EMPLOYEES:**

15- Conflict Resolution:	Ability to address workplace conflicts.
16- Staff Development	Ability to assign, schedule, train and supervise personnel.
17- Leadership	Ability to influence others to maximize their efforts towards achieving a goal and to engage employees to give discretionary effort.
18- Evaluation of Subordinates	Ability to provide fair and balanced employee performance appraisals.
19- Organizational Skills	Ability to identify tasks to be accomplished, pulling elements together in an orderly, functional, and structured whole, facilitate discussions on program planning processes, facilitate brainstorming activities, give constructive feedback on others' work, and prioritizing tasks.
20- Fiscal/Resources Management	Ability to plan, organize, direct and control the financial activities and resources. Ability to apply general management principles to financial resources.

**OVERALL RATING**

RATING	Definition	Merit Increase
1.0 - 2.9	Performance is inferior or marginal, work is below job requirements.	TBD
3.0 - 3.5	Overall, performance meets expectations although employee may need improvement in specific areas. Employee may also perform above expectations in limited specific areas.	TBD
3.6 - 4.5	Overall, performance is above expectations in some if not all areas of performance.	TBD
4.6 - 5.0	Overall performance is superior and work is characterized by unusual accomplishments.	TBD



**HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS  
PERFORMANCE APPRAISAL FORM**

PLEASE TYPE OR PRINT CLEARLY

**EVALUATOR'S COMMENTS (Attach additional sheet(s) if necessary):**

I have completed this report based on my observations and knowledge of the employee's performance. It represents my best judgment of the employee's performance.

\_\_\_\_\_  
SUPERVISOR'S/EVALUATOR'S SIGNATURE \_\_\_\_\_  
Date

I have reviewed this report and agree with the supervisor's evaluation of the employee.

\_\_\_\_\_  
DIRECTOR'S SIGNATURE \_\_\_\_\_  
Date

**I RECOMMEND THIS EMPLOYEE BE GRANTED:**

- |   |   |
|---|---|
| <input type="checkbox"/> RETAIN PERMANENT STATUS            | <input type="checkbox"/> TERMINATED   |
| <input type="checkbox"/> PERMANENT STATUS FROM PROBATION    | <input type="checkbox"/> MERIT INCREASE (enter percent according to instructions) |
| <input type="checkbox"/> EXTENSION OF PROBATION ____ MONTHS |   |
| <input type="checkbox"/> SPECIAL PROBATION ____ DAYS        |   |

**EMPLOYEE'S COMMENTS (Attach additional sheet(s) if necessary):**

This performance evaluation has been discussed with me by my supervisor, and I have received a copy. I understand and accept these ratings except as indicated in the comments above.

\_\_\_\_\_  
EMPLOYEE'S SIGNATURE \_\_\_\_\_  
Date

\_\_\_\_\_  
COUNTY ADMINISTRATOR'S SIGNATURE \_\_\_\_\_  
Date

\_\_\_\_\_  
HUMAN RESOURCES SIGNATURE \_\_\_\_\_  
Date



**HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS  
PERFORMANCE APPRAISAL FORM**

PLEASE TYPE OR PRINT CLEARLY

**ACTION PLAN (If Applicable). Action Plan must be reviewed by Human Resources.**

I have completed this Action Plan on my observations and knowledge of the employee's performance. It represents my best judgment of the employee's performance.

\_\_\_\_\_  
SUPERVISOR'S/EVALUATOR'S SIGNATURE

\_\_\_\_\_  
Date

I have reviewed and agree with the recommended Action Plan.

\_\_\_\_\_  
DIRECTOR'S SIGNATURE

\_\_\_\_\_  
Date

This Action Plan has been discussed with me by my supervisor, and I have received a copy. I understand and accept this Action Plan.

\_\_\_\_\_  
EMPLOYEE'S SIGNATURE

\_\_\_\_\_  
Date



**HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS  
PERFORMANCE APPRAISAL FORM**

PLEASE TYPE OR PRINT CLEARLY

**ADDITIONAL EVALUATOR'S COMMENTS:**

Please initial if comments are present.



**HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS  
PERFORMANCE APPRAISAL FORM**

PLEASE TYPE OR PRINT CLEARLY

**ADDITIONAL EMPLOYEE'S COMMENTS:**

**Please initial if comments are present.**



**HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS**  
**PERFORMANCE APPRAISAL FORM**

PLEASE TYPE OR PRINT CLEARLY

EMPLOYEE NAME (LAST, FIRST, INITIAL)		JOB TITLE		EMPLOYEE I.D. #
DEPARTMENT		DATE OF HIRE	RATING PERIOD FROM: TO:	ANNIVERSARY DATE
TYPE OF REPORT (Select One): <input type="checkbox"/> PROBATIONARY <input type="checkbox"/> ANNUAL <input type="checkbox"/> SPECIAL				

For each factor, enter the appropriate number (1, 2, 3, 4, 5) on the scale. See reverse of form for definitions of factors, rating guide and quality point average.	For each category below, mark with "X" the appropriate rating.
---	--

POOR 1	NEEDS IMPROVEMENT 2	SATISFACTORY 3	ABOVE SATISFACTORY 4	OUTSTANDING 5		UNSATISFACTORY	SATISFACTORY	
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					8- ADAPTABILITY	YES	NO	Has the employee received any disciplinary action(s) within the last 12 months?
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PERFORMANCE APPRAISAL FORM

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**HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS  
PERFORMANCE APPRAISAL FORM**

PLEASE TYPE OR PRINT CLEARLY

**EVALUATOR'S COMMENTS (Attach additional sheet(s) if necessary):**

I have completed this report based on my observations and knowledge of the employee's performance. It represents my best judgment of the employee's performance.

\_\_\_\_\_  
SUPERVISOR'S/EVALUATOR'S SIGNATURE \_\_\_\_\_  
Date

I have reviewed this report and agree with the supervisor's evaluation of the employee.

\_\_\_\_\_  
DIRECTOR'S SIGNATURE \_\_\_\_\_  
Date

**I RECOMMEND THIS EMPLOYEE BE GRANTED:**

- |   |   |
|---|---|
| <input type="checkbox"/> RETAIN PERMANENT STATUS            | <input type="checkbox"/> TERMINATED   |
| <input type="checkbox"/> PERMANENT STATUS FROM PROBATION    | <input type="checkbox"/> MERIT INCREASE (enter percent according to instructions) |
| <input type="checkbox"/> EXTENSION OF PROBATION ____ MONTHS |   |
| <input type="checkbox"/> SPECIAL PROBATION ____ DAYS        |   |

**EMPLOYEE'S COMMENTS (Attach additional sheet(s) if necessary):**

This performance evaluation has been discussed with me by my supervisor, and I have received a copy. I understand and accept these ratings except as indicated in the comments above.

\_\_\_\_\_  
EMPLOYEE'S SIGNATURE \_\_\_\_\_  
Date

\_\_\_\_\_  
COUNTY ADMINISTRATOR'S SIGNATURE \_\_\_\_\_  
Date

\_\_\_\_\_  
HUMAN RESOURCES SIGNATURE \_\_\_\_\_  
Date



**HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS  
PERFORMANCE APPRAISAL FORM**

PLEASE TYPE OR PRINT CLEARLY

**ACTION PLAN (If Applicable). Action Plan must be reviewed by Human Resources.**

I have completed this Action Plan on my observations and knowledge of the employee's performance. It represents my best judgment of the employee's performance.

\_\_\_\_\_  
SUPERVISOR'S/EVALUATOR'S SIGNATURE

\_\_\_\_\_  
Date

I have reviewed and agree with the recommended Action Plan.

\_\_\_\_\_  
DIRECTOR'S SIGNATURE

\_\_\_\_\_  
Date

This Action Plan has been discussed with me by my supervisor, and I have received a copy. I understand and accept this Action Plan.

\_\_\_\_\_  
EMPLOYEE'S SIGNATURE

\_\_\_\_\_  
Date



**HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS  
PERFORMANCE APPRAISAL FORM**

PLEASE TYPE OR PRINT CLEARLY

**ADDITIONAL EVALUATOR'S COMMENTS:**

Please initial if comments are present.



**HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS  
PERFORMANCE APPRAISAL FORM**

PLEASE TYPE OR PRINT CLEARLY

**ADDITIONAL EMPLOYEE'S COMMENTS:**

Please initial if comments are present.



# HIGHLANDS COUNTY

BOARD OF COUNTY COMMISSIONERS

Human Resources

## EDUCATIONAL ASSISTANCE FORM

Employee Name: \_\_\_\_\_ Employee ID: \_\_\_\_\_

Cost Center: \_\_\_\_\_ Department: \_\_\_\_\_

<b>School/Agency:</b>	
<b>Attendance Dates:</b>	
<i>Description</i>	<i>Cost</i>
<b>Total Expenses:</b>	

Please provide justification for the above charges:

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In consideration of payment of these expenses, you agree to the following:

*Please initial each line.*

1. If your employment is voluntarily or involuntarily terminated with Highlands County Board of County Commissioners prior to completing the course or the required length\* of active employment, you will refund the entire or prorated amount of the educational expenses provided to you. This amount or a portion thereof may be withheld from your final paycheck. \_\_\_\_\_
2. If you are unable to complete this course due to what Highlands County Board of County Commissioners considers extenuating circumstances (such as your illness or the illness of a family member) you may not be required to refund the expenses. This determination will be made by the County Administrator or Designee. \_\_\_\_\_
3. If you do not complete the course for reasons other than extenuating circumstance (as defined in #2), you will refund the entire or prorated amount of the educational expenses provided to you. This amount or a portion thereof, may be withheld from your paycheck. \_\_\_\_\_

\*Required length of employment begins upon the date of successful completion of the training/class.

<b>Educational Expense</b>	<b>*Required length of employment</b>
\$0 - \$499.99	Six (6) months
\$500.00 - \$999.99	One (1) year
\$1000.00 & above	Two (2) years

If any action is brought to enforce any provision of this Agreement with the Highlands County Board of County Commissioners, you agree to pay all costs associated with the action as well as any costs of litigation, including all reasonable attorney fees.

This Educational Expense Agreement creates no contract of employment between you and the Highlands County Board of County Commissioners. You may terminate your employment at any time with or without cause, and the Highlands County Board of County Commissioners may terminate your employment at any time with or without cause.

\_\_\_\_\_  
**Agreed to by Employee**

\_\_\_\_\_  
**Printed Name**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Director/Department Head**

\_\_\_\_\_  
**Printed Name**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**County Administrator**

\_\_\_\_\_  
**Printed Name**

\_\_\_\_\_  
**Date**



# HIGHLANDS COUNTY

BOARD OF COUNTY COMMISSIONERS

Human Resources

## ANNUAL LEAVE PAYOUT FORM

Employee Name: \_\_\_\_\_ Department: \_\_\_\_\_

Employee Number: \_\_\_\_\_ Job Title: \_\_\_\_\_

I am a full-time Board employee, and hereby request to be compensated for up to 80 hours of earned Annual Leave. The disbursement will occur the pay period indicated below upon approval, barring any unforeseen circumstances.

This is a one-time election and will be deducted from my Annual Leave balance and my Annual Leave will be reduced by the hours elected below.

I wish to cash in \_\_\_\_\_ hours of accrued annual leave

Please check the pay period/check date you would like to receive your Annual Leave Pay-Out.

**Payroll 1** **Check Date** ✓

10/17/16 – 10/30/16	11/04/16	
10/31/16 – 11/13/16	11/18/16	
11/14/16 – 11/27/16	12/02/16	
11/28/16 – 12/11/16	12/16/16	

**EMS Payroll 2** **Check Date** ✓

10/12/16 – 11/1/16	11/08/16	
11/02/16 – 11/22/16	11/29/16	

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

Date: \_\_\_\_\_





# HIGHLANDS COUNTY

BOARD OF COUNTY COMMISSIONERS

Human Resources

## EMPLOYEE WARNING REPORT FORM

Employee Name: \_\_\_\_\_ Employee ID: \_\_\_\_\_

Date of Warning: \_\_\_\_\_ Department: \_\_\_\_\_

### Type of Warning:

Documented Counseling     Written Reprimand     Suspension without pay     Termination

### Type of Violation:

Attendance     Carelessness     Disobedience     Safety     Work Quality

County Policy     Other: \_\_\_\_\_

### County Statement

Description (include date, time, and details of violation):

Previous Violations:

Plan for Improvement:

Consequences for further actions:

### **Acknowledgement:**

By signing this form, you confirm that you understand the information in this warning. You also confirm that you and your supervisor have discussed the warning and a plan for improvement. Signing this form does not necessarily indicate that you agree with this warning.

**The employee may appeal a Suspension with pay, Demotion, or Termination in writing to the Department Director or Human Resources within 3 days of receiving notice of the disciplinary action.**

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

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor Name

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Director Name

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

\_\_\_\_\_  
Date



# HIGHLANDS COUNTY

BOARD OF COUNTY COMMISSIONERS

Human Resources

## GRIEVANCE FORM

Employee Name(s): \_\_\_\_\_ Position: \_\_\_\_\_

Department: \_\_\_\_\_ Supervisor: \_\_\_\_\_

Work/Personal Telephone: \_\_\_\_\_

**Step One:** The employee shall present the grievance in writing using the Grievance Report, to the employee's Department Director or Human Resources within three (3) business days of the notice of the disciplinary action.

Please concisely state the circumstances/concerns you have that led to your grievance. Information, such as **names**, **dates**, **events**, and **witnesses** should be included. Attach any supporting documents or additional pages if necessary:

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**Remedy Sought by Grievant** - Please state what action you believe could be taken to resolve your concern(s):

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\_\_\_\_\_  
**Grievant Signature**

\_\_\_\_\_  
**Date**

**Step Two:** The Department Director may meet with the employee and other involved parties to discuss the matter following the receipt of the written grievance. If a meeting is held, it shall be within five (5) business days of the receipt of the grievance. The Department Director shall answer the grievance in writing within seven (7) business days following the meeting. If no meeting is held, the Department Director shall answer the grievance within five (5) business days after receipt of the written grievance.

**Date Director received grievance:** \_\_\_\_\_ **Date of meeting (if applicable):** \_\_\_\_\_

**Director recommendation, attach supporting documents if necessary:**

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**Director Signature**

---

**Date**

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**Step Three:** The employee may file a written request for a Grievance hearing within three (3) business days of receipt of the Department Director's response or failure of the Department Director to supply a timely answer. The written appeal shall be submitted to Human Resources.

I \_\_\_\_\_, formally request a Grievance Hearing.  
(Print Name)

---

**Grievant Signature**

---

**Date**

**Step Four:** The Pre-Grievance Hearing will be held within five (5) business days from the receipt of the written request. The Grievance Hearing will be held within five (5) business days from the date of the Pre-Grievance Hearing. The County Administrator or designee shall provide written response to the employee within fourteen (14) business days of the hearing; the decision is final.

**Date of Pre-Grievance Hearing:** \_\_\_\_\_ **Date of Grievance Hearing:** \_\_\_\_\_

**County Administrator/Designee recommendation, attach supporting documents if necessary:**

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\_\_\_\_\_  
**County Administrator/Designee Signature**

\_\_\_\_\_  
**Date**

---

**Internal Use Only**

**Human Resources:**

**Date Employee was notified of decision:** \_\_\_\_\_

**Date hard copy was sent certified mail to employee:** \_\_\_\_\_

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## HIGHLANDS COUNTY BOCC PERSONNEL RULES & REGULATIONS

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### DEFINITIONS

**Alternate Duty** - Allows eligible employees to perform some work which is beneficial to the County when they are unable to perform the duties of their regular position; only for those employees covered by Workers' Compensation Leave.

**Compensatory Time** - Permits eligible hourly employees to take time off at the overtime rate (1.5) for each hour of work in excess of 40 hours during one workweek (in lieu of overtime pay).

**Compressed Workweek** - A full-time (40 hour) work schedule condensed into a 4-day workweek (e.g. four 10-hour days).

**Corrective Action/Disciplinary Procedure** - May include any or all of the following in an attempt to provide employees with notice of deficiency and an opportunity to improve: verbal warning, documented counseling, written warning, suspension, involuntary demotion, and/or termination.

**County Administrator** – The chief executive officer who reports to the elected governing Board of County Commissioners. The Assistant County Administrator will act as the County Administrator's Designee unless otherwise stated. County Administrator may be substituted with County Administrator or Designee throughout this manual.

**Designee Pay** - When an employee performs duties not part of the normal duties of their classification, the employee may receive a temporary increase. Usually designated for the purpose of filling in for the absence of a lead worker or Supervisor.

**Educational Assistance** - To provide reimbursement of tuition, books, lab fees, and registration fees of qualified courses to eligible employees, allowing them to enhance their ability to serve the public interest of the citizens of Highlands County.

**Exempt Employee** - An employee in this classification is not subject to the minimum wage and overtime requirements of the US Fair Labor Standards Act; and as such, is not required to fill out hourly time records and must be paid on a salary basis.

**Flextime** - A work schedule that permits flexibility in starting and quitting times without altering the required number of work hours in a given period (e.g. in a workweek) and usually specifies a core period of the day during which all employees must be scheduled.

**Full-time Employee** – Typically an employee working 40 or more hours per workweek.

**Grievance Procedure** - The opportunity to participate in an objective process to settle disputes regarding corrective actions.

**Harassment** - Verbal, nonverbal, or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, gender, sex, national origin, age or disability, or that of his or her relatives, friends or associates, and that (1) has the purpose or effect of creating an intimidating, hostile, or offensive working environment; (2) has the purpose or effect of unreasonably interfering with an individual's work performance; or (3) otherwise adversely affects an individual's employment opportunities.

**Hourly Employee** - An employee in this classification is subject to the minimum wage and overtime compensation requirements of the US Fair Labor Standards Act; and as such, is required to fill out hourly time records.



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**Immediate Family – Bereavement.** Defined as the spouse or the grandparents, parents, brothers, sisters, children, and grandchildren of either the employee or the spouse. An employee may also be granted this leave for the death of a person with loco parentis standing with the employee, i.e., a person who has been in the position or place of a parent.

**Immediate Family - Family & Medical Leave Policy - Spouse,** child under age 18 or incapable of self-care due to a mental or physical disability (biological, adopted, and/or foster), and parent (biological and/or 'in loco parentis').

**Immediate Family - Sick Leave Policy -** Defined as the spouse or the grandparents, parents, brothers, sisters, and children of either the employee or spouse.

**Incentive Pay -** Incentive pay will not increase an employee's base pay and will only be effective for a twelve (12) month period.

**Overtime Pay – Non-emergency personnel.** Pay for eligible hourly employees at an overtime rate (1.0 or 1.5) of pay for all hours worked in excess of 40 hours during one workweek. If an employee uses any form of leave during a workweek (sick, vacation, etc.), their rate of pay will be one times their regular rate of pay, up to 40 hours.

**Overtime Pay – EMS -** All hours worked in excess of 40 hours in a work week will be paid at time-and-one-half (1.5 X normal hourly rate). Annual leave, sick leave, administrative leave (except for line of duty court appearances) and holiday hours paid are not considered to be hours worked for computation of overtime pay.

**Overtime Pay - Fire –** Pay at the rate of one and one-half (1.5) times the normal hourly rate will be paid for each hour worked in excess of 106 hours during a 14-day work period. Annual leave, sick leave, administrative leave (except for line of duty court appearances) and holiday hours paid are not considered hours worked for computation of overtime pay.

**Part-time Employee -** Typically, an employee working less than 40 hours per week.

**Performance Evaluation -** An appraisal written by a Supervisor about an employee's work performance, which includes praise for accomplishments, recommendations for improvement, and an action plan of goals for both the employee and Supervisor for the next assessment period.

**Probationary Employee -** An individual who has not completed initial probation.

**Reduction in Workforce -** The abolishment of Board-approved full and/or part-time positions due to operational needs, re-organization, lack of work, outsourcing of functions, shortage of funds, or other reasons deemed appropriate by the Board; not intended to be a short-term adjustment.

**Regular Employee -** An individual who is employed as a part-time or full-time employee in a Board-approved position.

**Relative - Hiring Policy/Nepotism -** An individual who is related to the employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister.

**Salaried Employee -** See exempt employee.

**Seasonal Employee –** An individual who is hired by a department, primarily to work during one season. These employees normally work regularly scheduled hours throughout the season, and may also work sporadically during other special events throughout the year



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**Secondary Employment** - An employee holding a regular full-time or part-time Board-approved position who also holds a second position with the County of an on-call nature.

**Sexual Harassment** - Unwelcome, one-sided attention, sexual advances, requests for sexual favors, or other unwanted verbal or physical conduct of a sexual nature that may come from Supervisors, managers, co-workers, citizens, or other individuals in the workplace or at any County-sponsored activity, program, party or trip whether at the work site or not - regardless of the gender of the parties involved.

**Shift Differential** - Allows for additional compensation to certain hourly employees for working other than "normal" business hours (second or third shift).

**Sick Leave Pool** - A voluntary fund of donated sick leave which has been established to provide limited additional sick leave benefits to participating members in the case of serious personal illness or injury.

**Standby Duty** - Assigned to certain hourly employees holding positions which are restricted to a designated location or premises in order to provide coverage for services and to handle emergencies during off-duty hours.

**Student Intern** – An individual who is provided with the opportunity for practical, real-world work experience to help them transition into a future professional career. These individuals may work either regularly scheduled hours, or unscheduled irregular hours throughout the course of their internship.

**Temporary Employee** - An individual who is hired either part-time or full-time for a limited period, not to exceed six months of employment. These employees may be hired to work on special projects, during peak workloads, and/or to cover employee absences due to FMLA, workers' compensation, or other leaves of absence. These employees are not eligible for paid absences, vacations and holidays.

**Transfer** - Moving to another position in the same or lower salary range or from one location to another; may be of a voluntary or involuntary basis.

**Uniform** - Clothing issued, or required to be worn, by the Board; or any clothing with an affixed County logo and/or wording that indicates, or could be interpreted to indicate, that the individual is or may be a Board employee.



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