

## SECTION I

### POLICY STATEMENTS

#### THE OBJECTIVES OF THE PERSONNEL POLICIES ARE:

- a. To provide efficient and friendly service at all times to all the citizens and visitors of the City of Mexico Beach.
- b. To attract and retain employees of the highest caliber.
- c. To select employees based on qualification, knowledge, and skill
- d. To provide training for supervisory personnel which will ensure their ability to lead and motivate their subordinates in an effective manner.
- e. To provide a pay plan and employee benefits which are fair and competitive.
- f. To provide a clean, safe, and pleasant working environment.
- g. To provide a grievance procedure which provides prompt and appropriate settlement of employee grievances.
- h. To provide opportunities for employees to increase their skills and job potential through training and education opportunities.
- i. To promote from within based upon qualifications, performance, knowledge, skills and potential to handle increased responsibilities.
- j. To encourage the development of individual acceptance of responsibility for the attainment of outstanding public service.

## EQUAL OPPORTUNITY AND NON-DISCRIMINATION

The City of Mexico Beach is committed to providing equal employment opportunities for all individuals. The Equal Employment Opportunity Policy is an integral component of all of our employment policies, practices and procedures.

The City of Mexico Beach will recruit, hire, train and promote persons in all job titles without regard to race, color, religion, national origin, sex, age (except where sex or age is a bona-fide occupational qualification as defined by law), or physical or mental disability (except where the disability prevents the individual from being able to perform the essential functions of the job and cannot be reasonably accommodated in full compliance with the law). The City will make employment decision so as to further the principle of equal employment opportunity. The City will ensure that promotion decisions are in accordance with principles of equal employment opportunity by imposing only valid and nondiscriminatory requirements for promotional opportunities. The City will also ensure that all personnel decisions and actions, including, but not limited to compensation, benefits, transfers, promotions, layoffs, returns from layoff, discipline, terminations, company-sponsored training, education, social, and recreation programs, will be administered without regard to race, color, religion, national origin, sex, age, or disability.

All employees are required to comply with our Equal Employment Opportunity Policy. Managers and supervisors are expected to cooperate fully in meeting our equal employment opportunity objectives and their compliance with this policy will be monitored closely.

## AMERICAN WITH DISABILITY ACT

The City of Mexico Beach will provide equal opportunities for disabled persons seeking employment and will provide a bias-free work environment for disabled employees. Reasonable accommodation will be provided, where possible, in accordance with the Americans with Disability Act.

## SEXUAL HARASSMENT

The City of Mexico Beach believes that all of its employees should be treated with respect and should be able to work in an environment free of unwelcome sexual conduct. Accordingly, the City of Mexico Beach strictly prohibits sexual harassment in the workplace by any person and in any form. This policy applies not only to conduct of a supervisor toward a subordinate, but also to conduct between co-workers and acts of non-employees, such as visitors, suppliers, customers, etc.

Sexual harassment is a form of sex discrimination that is prohibited by law, as well as City policy. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, when:

- An employee is expected either explicitly or implicitly to submit to such conduct in order to get or keep a job; or
- An employee's willingness or unwillingness to submit to such conduct is used as the basis for an employment-related decision affecting the employee; or
- Such conduct creates an intimidating, hostile, or offensive work environment or substantially interferes with the employee's job performance.

The following list contains examples of the type of behavior that is prohibited by this policy, but it is not intended to include the entire realm of behavior that is prohibited:

- Obscene or objectionable language;
- Making comments about a person's clothing, body, or personal life;
- Addressing an individual with a term of endearment or nickname not of that individual's choosing;
- Telling sexual jokes or making sexual innuendoes;
- Touching, hugging, rubbing, patting, pinching or kissing another person;
- Leering at a person's body;
- Displaying sexually explicit or offensive pictures or materials in the workplace;
- Pressuring an employee for a date or sexual activities; and
- Unwelcome sexual flirtations, advances, or propositions.

Everyone covered by this policy must assume that behavior of the kind listed above will not be acceptable to another employee. Be aware of how people respond to what you do and say. If an individual objects to your behavior toward him or her, listen and heed the objections.

### Reporting Complaints

The City of Mexico Beach cannot remedy problems that it does not know exist. Therefore, it is important that anyone covered by the policy report sexual harassment and other kinds of discrimination to management immediately. If you believe that you have been sexually harassed or subject to other discrimination, you should take the following actions:

- Tell the offender firmly that his or her behavior is unacceptable;
- Report the incident immediately to the City Administrator verbally or in writing.
- If you are harassed by a non-employee, notify the City Administrator immediately. The City of Mexico Beach cannot control the offensive behavior of all non-employees, but will do its best to remedy the situation.
- If complaints are lodged against any appointed employee (City Administrator, City Clerk) these reports should be directed to the City Council.

Any supervisor or management employee who observes or receives a report of sexual harassment or other discrimination from an employee **MUST** report it to the City

Administrator IMMEDIATELY, no matter how insignificant it may seem to the employees, manager or supervisor.

The City of Mexico Beach will review all reports of sexual harassment or other discrimination in a thorough and timely manner. Confidentiality will be maintained during the investigation to the extent possible without jeopardizing the thoroughness of the investigation. If the City's investigation determines that sexual harassment or other discrimination has occurred, the City of Mexico Beach will take immediate and appropriate corrective action to end the problem and prevent its recurrence. Employees who have engaged in harassing or discriminatory conduct will be subject to appropriate disciplinary action, up to and including termination. The employee making the complaint will be advised of the results of the investigation.

Retaliation against individuals who report harassment or discrimination or who assist in an investigation of alleged harassment or discrimination is expressly prohibited.

It is also City policy that bad faith claims of sexual harassment which have no rational basis in fact or justifiable employee perception, are deliberately designed to affect adversely the employment or personal relationships of persons against who the complaint is made. The City of Mexico Beach take this strong stand because such claims often affect the future employment and important family relationships of not only the claimant, but also the person against whom the claim is made.

#### ALCOHOL AND DRUG ABUSE

The City of Mexico Beach recognizes that the future of the City is dependent on the physical and psychological health of its employees. The City also recognizes drug and alcohol dependency as an illness and a major health problem.

The City of Mexico Beach will utilize reasonable means to maintain a drug-free work environment for its employees, including supervisor training, employee education, providing employees access to information concerning drug and alcohol abuse program and implementing substance abuse testing of employees and job applicants to detect use of illegal substances. The City Administrator shall provide an annual letter to employees outlining the availability of drug or alcohol counseling.

It is management's responsibility to counsel employees whenever they see changes in performance or behavior that suggests an employee has a drug problem. Although it is not the supervisor's job to diagnose personal problems the supervisor should encourage employees to seek help and advise them about available resources for getting help. Everyone shares responsibility for maintaining a safe work environment and co-workers should encourage anyone who has a drug problem to seek help.

#### Definitions

As used in the policy, the term

- A. Alcohol means ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, from whatever source or by whatever process produced.
- B. Drug means amphetamines, cannabinoids, cocaine, phencyclidine (PCP), methadone, methaqualene, opiates, barbiturates, benzodiazepines, propoxyphene, or a metabolite of any such substances.

- C. Employee means any person who works for salary or wages for the City of Mexico Beach, one who is assigned to a budgeted position, has satisfactorily completed their probation period and is eligible for all benefits and pay increases in accordance with the personnel policies of the City of Mexico Beach.
- D. Job applicant means a person who has applied for a position with the City of Mexico Beach and has been offered employment conditioned upon successfully passing a substance abuse test and may have begun work pending the results of the substance abuse test.
- E. Nonprescription medication means a drug or medication authorized pursuant to Federal or state law for general distribution and use without a prescription in the treatment of human disease, ailments, or injuries.
- F. Prescription medication means a drug or medication lawfully prescribed by a physician for an individual and taken in accordance with such prescription.
- G. Substance means drugs or alcohol.

#### Prohibited Conduct

The primary goal of the City of Mexico Beach is to maintain a safe, productive and drug-free working environment. For this reason, the City has established the following policy:

- A. It is a violation of City policy for any employee to use, possess, sell, trade, offer for sale, or offer to buy illegal drugs or otherwise engage in the illegal use of drugs on or off the job.
- B. It is a violation of City policy for anyone to report to work under the influence of illegal drugs or alcohol.
- C. It is a violation of City policy for anyone to use prescription drugs illegally. However, nothing in this policy precludes the appropriate use of prescription or non-prescription medications.

Violations of this policy are subject to disciplinary action up to and including termination.

#### Pre-Employment Drug Testing

- A. All applicants for employment at the City of Mexico Beach must undergo testing for the presence of drugs as a condition of employment. All offers of employment will be conditional, pending a satisfactory drug test.
- B. Job applicants who are extended a conditional offer of employment will be required to submit voluntarily to a drug test at a laboratory chosen by the City and by signing consent agreement, will release the City of Mexico Beach from liability.
- C. Any applicant with a confirmed positive test will be denied employment.
- D. Refusal to submit to a drug test will be interpreted as a voluntary withdrawal of application for employment.
- E. If the physician, medical official or lab personnel have reasonable suspicion to believe that the job applicant has tampered with the specimen, the applicant will not be considered for employment.

- F. The City of Mexico Beach will not discriminate against applicants for employment because of a past history of drug abuse. It is the current use drugs that are prohibited.
- G. Applicants with a confirmed positive test result may, at their option and expense, have a second confirmation test made on the same specimen. An applicant will not be allowed to submit another specimen for testing. Applicants must present themselves drug-free as demonstrated by the drug testing selected by this City.
- H. Individuals who have failed a pre-employment test may initiate another application with the City after a period of not less than six months. However, they must present themselves drug-free as demonstrated by the drug testing selected by this City.

**In addition to the above policy, the City of Mexico Beach adopts and abides by The Drug Free Workplace Act, FS 112.045.**

#### ROUTINE FITNESS FOR DUTY TESTING

City employees are entrusted with a number of jobs, all of which impact upon the safety and/or wellbeing of the public; with this in mind, and in order to protect our citizens, employees may be scheduled for a “Routine Fitness for Duty” medical physical. During the course of this physical, drug testing will be conducted. No cost for either the medical physical or the drug testing will be passed on to the employee. Per Rule 11B-27.002(1)(d), all current and potential future law enforcement officers must undergo and successfully pass a physician’s assessment. Per FS 633.34, all current and potential future firefighters must undergo and successfully pass a medical examination (completed in compliance with ch. 458, ch. 459, or ch. 464).

#### ATTENDANCE POLICY

You have been hired to perform an important function at the City of Mexico Beach. As with any group effort, it takes cooperation and commitment from everyone to operate effectively. Therefore, your attendance and punctuality are very important. Absences cause a slow-down in the work and added burdens for your fellow employees. Good attendance is something that is expected from all employees. You should be at the job site by the start of each workday at the time designated by the department. Excessive absenteeism or tardiness will not be tolerated and will be cause for disciplinary action up to and including discharge.

We do realize, however, that there are times when absences and tardiness cannot be avoided. In these situations, you are expected to notify your supervisor as soon as possible; if your immediate supervisor is unavailable, you should attempt to contact someone higher in the chain-of-command and inform them of the situation.

#### SMOKING POLICY

Tobacco use, particularly smoking, is the leading preventable cause of death in the United States. Reducing secondhand smoke exposure for employees and citizens

makes our office, buildings and vehicles safer, cleaner and more enjoyable. Ultimately, it can also reduce healthcare costs.

In accordance with the Florida Clean Indoor Air Act, Smoking is only permitted outside in designated smoking areas where available.

#### SAFETY AND LOSS CONTROL

The City of Mexico Beach recognizes the necessity for a safe and healthful workplace, through the adherence to sound safety and health principles. With the assistance of City employees, the Management will work to provide a hazard free work environment. Safety rules and/or instructions will be posted or employees advised in appropriate areas. As a minimum, all City employees must observe the following safety rules in addition to safety rules specifically indicated for each type of employment or task:

- A. Horseplay on City premises is strictly prohibited at all times.
- B. Do not drive or behave recklessly or carelessly on City property or while on duty at any time.
- C. Observe common safety practices
- D. Always use safety and protective devices and equipment as directed by the City.
- E. All employees and visitors must wear approved safety glasses at all times while in the maintenance areas.
- F. Good housekeeping is part of safety, good health and good work. Each employee is responsible for keeping their immediate working area clean.
- G. All injuries must be reported to management immediately.
- H. Because of potential safety and other problems, we cannot allow non-business visitors (including family members and particularly children) in any working area at any time without advance permission from the City Administrator. If you observe any unauthorized non-business visitor in any working area, please immediately notify the City Administrator or your supervisor.
- I. Only City Employees are allowed to operate or ride in any City-owned vehicle, heavy equipment or vessel. Any violation of this section will result in disciplinary action as deemed necessary by the City Administrator.

#### WORKPLACE VIOLENCE

Employees' conduct toward co-workers, supervisors or the public must be courteous, positive and appropriate for the work situation. Violence or the threat of violence, by or against any employee of the City of Mexico Beach is unacceptable. Employees who violate this policy will be subject to serious disciplinary action and possible criminal charges. The City will work with law enforcement to aid in the prosecution of anyone outside of the organization who commits violent acts against employees.

The following behavior is prohibited; however this is not a complete list:

- A. Fighting or malicious behavior while on or in city property
- B. Fighting or assaulting a fellow employee or citizen.

- C. Threatening or intimidating management, supervisors, security guards or fellow workers, including making statements while working which tend to threaten or intimidate other employees or supervisors.
- D. Engaging in horseplay fighting, violence or any other action interfering with the work of other employees or service to the public.
- E. Using threatening or profane or abusive language in dealing with the public, co-workers, supervisors or other persons contacted in business relationships, or otherwise provoking or abusing others in any way.
- F. Harassing, terrorizing, threatening with physical violence or punishment, or otherwise forcing an employee to suffer embarrassing or degrading experiences.
- G. Unauthorized possession of a firearm while on duty. The only exception is law enforcement personnel.

Employees engaging in prohibited behavior are subject to disciplinary action up to and including termination from employment. No employee acting in good faith, who reports actual or threatened violent behavior, shall be subjected to retaliation or harassment because of their report.

The Chief of Police is the workplace critical incident coordinator. The Chief may be contacted at any time and will ensure that available resources are coordinated as needed in the response to reported incidents of workplace violence.

#### CONFLICT OF INTEREST

No employee shall accept gifts, gratuities or loans from organization, business concerns, or individuals with whom he/she has official relationships on city business. These limitations are not intended to prohibit the acceptance of articles of negligible value which are distributed generally; not to prohibit employees from accepting social courtesies which promote good public relations; nor to prohibit employees from obtaining loans from regular lending institutions.

No employee shall solicit contributions from another employee for a gift to an employee in a superior official position nor shall such superior accept a gift presented as a contribution from employees receiving less salary. This does not, however, prohibit a voluntary gift of nominal value when made on a special occasion.

No person seeking appointment or promotion within the city shall either directly or indirectly give, render or pay any money or other thing of value to any person in connection with an appointment, promotion or proposed appointment or promotion. This prohibition is not intended to prevent payment to a legitimate employment agency.

Employees shall not use or attempt to use their position to secure special privileges or exemptions for themselves or others, except as may be provided by written policy or law.

Employees shall not disclose confidential information gained by reason of their official position, nor shall they otherwise use such information for their personal gain or benefit. Employees are expected to remain mindful of the confidential nature of many



aspects of the work of some departments of the City. City Administrator permission is required for release of sensitive or privileged information.

Employees shall not transact any business in their official capacity with any business entity of which they own a substantial interest.

Employees shall not have personal investments in any enterprise which will create a substantial conflict between their private interest and the public interest.

If an employee of the city is an officer, director, agent, or member of, or owns controlling interest in any firm, corporation, partnership or other business entity which is subject to current proceedings of the city, they shall file a sworn statement to this effect with the City Administrator.

#### EMPLOYEE POLITICAL ACTIVITY

Political action by employees of the City of Mexico Beach shall be governed by Chapter 104.31 of the Florida Statutes. Nothing herein shall be construed to limit or restrict the right or ability of an employee to be involved in political campaigns or other community or political issues during the time an employee is not at work.

#### NEPOTISM

To insure the reality and appearance of fairness in the best interests of the City of Mexico Beach, immediate relatives as defined in Florida Statute will not be employed in any positions where:

- A. One relative would have the authority to supervise, appoint, remove, discipline or evaluate the performance of the other.
- B. One relative should be responsible for auditing the work of the other
- C. Other circumstances may exist which would place the relatives in a situation of actual or reasonably foreseeable conflict between the City's interest and their own.

#### PERSONAL CONDUCT POLICY

The City of Mexico Beach respects the privacy interests of its employees and recognizes their right to conduct their personal lives free from interference from the City. Nonetheless, employees should keep in mind that, even while off-duty, they represent the City to the public and should strive to preserve the City's reputation. In addition, certain types of off-duty conduct may reflect poorly upon an employee's character and judgment and thereby influence his or her standing as a City of Mexico Beach employee. Therefore, employees who engage in unprofessional or criminal conduct or other serious misconduct off-duty may be subject to disciplinary action by the City, including termination of employment, if such conduct is determined by management to be harmful to our city image, inconsistent with expectation of our employees, or otherwise adversely affect our legitimate business interests.

#### STATEMENT OF GENERAL LAW

Any State, Federal or local issues which become law will be enforced and administered according to provisions of the act. Copies of specific policies will be provided to all employees and these Personnel Policies may be amended by City Council to conform to such law.

## SECTION 2

### DEFINITIONS AND AUTHORITY

#### DEFINITIONS

**Appointing Authority** – Except for Charter positions, only the City Administrator shall have the authority to ‘appoint, employ, promote, advance individuals for appointment, employment, promotion or advancement in connection with employment.

**Continuous Service** – This is service credit which determines eligibility for employee benefits such as vacation, leaves of absence, etc. If a regular employee works for the City of Mexico Beach, then resigns in good standing and returns within 30 days, a continuous service will be reflected upon the approval of the City Administrator.

**Hours of Work** – This refers to the number of hours an employee is scheduled for work in any 24-hour period. Employees shall be paid only for the time actually worked, on approved leave, or in a call back status.

**Family Member** - ‘Family Member is defined as parent, grand-parent, child, grandchild, spouse, sibling, father-in-law, mother-in-law, brother-in-law and sister-in-law, including all step variations.

**May** – The word ‘may’ is interpreted as permissive.

**Overtime Pay** – This means the compensation paid for work performed in excess of the standard 40 hours specified for the work week.

**Part-Time Employee** – A part time employee is one who has a normal workweek of less than 25 hours.

**Permanent Part-Time Employee** – A permanent part-time employee is one that works a regular schedule and has year round employment. Under certain conditions, based on the City’s health insurance policy and federal law, permanent part-time employees will be eligible for health insurance coverage. Permanent part-time employees are also eligible for retirement benefits.

**Probationary Employee** – A probationary employee is one who does not have regular status. This employee has less than six (6) months continuous service with the City of Mexico Beach or has been promoted and is serving a six (6) month probationary period.

**Regular Employee** – A regular employee is one who is assigned to a budgeted position, has satisfactorily completed their probation period and is eligible for all benefits and pay increases in accordance with the personnel policies of the City of Mexico Beach.

**Shall** – The word ‘shall’ is interpreted as mandatory.

**Temporary Employee or Seasonal Employee** – A temporary employee is one employed for a specific period of time, normally limited in duration to six (6) months or less in a fiscal year and, unless contradicted by law, is not eligible to receive any benefits nor is eligible for pay increases.

**Termination or Leave of Absence Dates** – The effective date of a termination (voluntary, involuntary, compulsory or failure to return from an approved leave of absence), shall be the last day worked or the last day for which pay was received. The start date of a leave of absence shall be the date following the last day worked or the last day for which pay was received. The leave ending date shall be the last day of the authorized leave period.

**Work Day and Work Shift** – This refers to the number of hours regularly scheduled to be worked in one 24-hour period.

**Working Days** – This generally refers to the 5-day period, Monday through Friday, except where 7-day or around-the-clock coverage is required.

**Work week** - This refers to the number of hours regularly scheduled to be worked during any seven (7) consecutive days. The first day of the workweek is Wednesday.

### SCOPE

These policies shall apply to and govern all employees of the City of Mexico Beach unless exempted or amended by written employment contracts approved by the City Council.

### AUTHORITY TO ESTABLISH A POSITION

All new positions or offices in the City organization, except those appointed by the City Council, together with rates of pay, are established and approved by the City Administrator and shall require final approval by the City of Mexico Beach Council. Once positions are established, the City Administrator is vested with the power to hire and terminate all persons filling such positions except for those positions appointed directly by the City Council.

### REQUEST FOR PERSONNEL ACTION

Any request for a personnel action (employment, termination, establishment of new position, promotion, etc.) will be submitted to the City Administrator in writing.

### ADMINISTRATIVE AND APPOINTING AUTHORITY

General authority and responsibility for personnel administration is vested in the City Administrator for all positions. Final authority in personnel matters is reserved for the City Administrator with regard to all matters and subjects covered by these policies. However, if a conflict arises between these personnel policies and the City Charter, the City Charter shall prevail. The City Administrator may not delegate authority to Department Heads.

#### CITY ADMINISTRATOR DUTIES AND RESPONSIBILITIES.

The City Administrator is the chief administrative officer of the city and may head one or more departments and shall be responsible to the City Council for the proper administration of all city affairs except those delegated to other appointed officials of the City.

The City Administrator, under these Personnel Policies and when necessary, shall hire as needed, suspend, remove, terminate, discipline any employee of the city, unless otherwise provided in the City Charter. The City Administrator may not delegate such power to a department head. The City Administrator shall not have the right to appoint, suspend, or remove the officers provided for appointment in the City Charter or appointed by City Council.

The Mayor and City Council members shall conduct the business of the city as set forth in the City Charter and Code, including special and regular meetings. However, no elected official shall instruct or direct any city employee in the performance of their daily job tasks but shall act through the City Administrator. The Mayor and City Council may make inquiry to the City Administrator or the appropriate department head regarding the status of a project or activity but shall not individually direct or instruct any employee to take any action.

#### ADMINISTRATION OF PERSONNEL POLICIES

Administration of these rules and policies shall be the sole responsibility of the City Administrator. Supervisor personnel shall be responsible for the effective administration of these rules and policies within their respective operations. Administration of these rules and policies for appointed officials shall be the responsibility of the City Council.

#### AUTHORITY FOR VARIANCE FROM POLICY

Department Heads shall have the right to request, in writing, a variance from these policies when individual circumstances so justify. This request shall be submitted to the City Council for approval.

#### CHANGES AND AMENDMENTS TO PERSONNEL POLICIES.

Specific paragraphs or portions of Personnel Policies may be changed by the City of Mexico Beach Council, providing council approval is given by resolution. or

ordinance. The entire Personnel Policy booklet shall be updated bi-annually, or more often, if necessary, to incorporate all changes which have been made in the interim.

### ACCOUNTING RESPONSIBILITIES

Department Heads and other supervisory personnel are responsible for maintaining complete and accurate attendance records for employees within their respective operations. Such records constitute the basis for preparation of departmental payrolls, will be preserved for future audit purposes as needed or required.

### PERSONNEL RECORDS

The City of Mexico Beach will maintain a permanent record of the employment of each employee; the City Clerk will maintain and be responsible for all personnel files. This file will contain a history of employment including, but not limited to promotions, commendations, disciplinary actions and salary. Employees are responsible to keep their personnel files current with regard to information regarding address, phone numbers or the person to notify in case of emergency. Information regarding education classes, training courses completed or other information reflecting qualification should be provided by each employee.

Chapter 119 of the Florida Statutes requires public agencies, including the City of Mexico Beach, to permit public access to the personnel records of their employees. Request for information will be complied with as required by current law. Personnel files may be copied, to the extent permitted by law, but may not be removed from City Hall or the presences of the City Clerk or City Administrator.

## **SECTION 3 – EMPLOYMENT INFORMATION AND REQUIREMENTS**

### STANDARDS OF CONDUCT

Employees of the City of Mexico Beach are goodwill ambassadors, and such status involves a degree of duty and obligation regarding public and private conduct which is not common to many other classes of employment. The attitude and deportment of an employee should, at all times, promote good will and a favorable attitude of the public toward the City's administration and its programs and policies. Each employee shall act in a manner that could not be construed to be in conflict with the City and its reputation. Employees who fail to comply with the City's Standards of Conduct may be disciplined up to and including termination.

### MEDIA POLICY

The City Administrator, or his/her designee, shall be responsible for all official contact with the news media during working and non-working hours; this is to include answering any questions by telephone from the media. An employee's failure to follow this direction may be grounds for dismissal.

## ADMINISTRATIVE POLICY SOCIAL MEDIA & NETWORKING

The goals of the City of Mexico Beach sponsored social networking sites are:

- To increase public awareness of the City's programs, policies and services.
- To promote the value and importance of the City's programs, policies and services among government officials, civic leaders and the general public.
- To maintain open, professional and responsive communications with members of the public and the news media.

### Purpose

The purpose of this policy is to ensure the proper use of the City's social networking sites and technologies. Publicly posted information will be professional and reflect positively on the City of Mexico Beach, its elected officials, employees, volunteers, programs, policies and services. Employees will check facts, cite sources, present balanced views, acknowledge and correct errors and check spelling and grammar before publishing any posts. Further, employees are personally responsible for the content they publish on blogs, wikis or any other form of user-generated media.

### Ownership

All social media communications messages composed, sent or received on the City's IT equipment or used in official City business or representing the City of Mexico Beach are the property of the City of Mexico Beach and subject to public records. The City of Mexico Beach reserves the right not to publish any posting, or to later remove it.

### Overview

Social media is intended to be used for informational purposes only. If the user wishes to contact City Council or Administration or to request City services, they should visit the City's official website: <http://www.mexicobeachgov.com> for contact information.

The City of Mexico Beach social media accounts and pages are maintained and moderated by the office of the City Administrator to ensure that posted comments are constructive and suitable for all readers while respecting a range of opinions and points of view.

Anyone posting comments contrary to this Terms of Use policy may be prohibited from future participation. The City of Mexico Beach reserves the right to update these Terms of Use. By participating on this page, users agree to send and receive messages that are both proper and related to the posting, discussion or forum topic. The following actions are unacceptable practices:

Defaming, harassing, threatening, or otherwise violating the legal rights of others, including their privacy (see below); Misrepresenting one's person, background, or character;

Posting any defamatory, infringing, obscene, false, or unlawful material; Selling, advertising, or exchanging any goods or services unless expressly allowed; posting any copyrighted material owned by a third party.

Also, users post and comment to any official site of the City of Mexico Beach, Florida forum at their own risk. While championing proper use of such forums, the City of Mexico Beach cannot guarantee that violations of the above code will not occur.

Under Florida law, this is a public record. If you do not want your name or posting released in response to a public-records request, do not post to this page.

#### Management of Social Web Applications

The City of Mexico Beach's office of the City Administrator is responsible for overall social media administration, including, but not limited to, blogs, wikis, video sharing, business pages and social networking sites. The office of the City Administrator will:

- Maintain the site, including the look and feel and pages for the comment policy, descriptions, etc.
- Review each post. This will primarily be for policy and legal issues; other editing will be light, essentially only to correct spelling or grammatical errors.
- Coordinate review with the city attorney's office for legal issues.
- Upload posts (repeat bloggers/posters may be authorized to post themselves).
- Moderate comments (see Moderating Public Comments).

All department and city service-related social media sites, with the exception of Police and Fire, must be approved before an account may be set-up.

Each site should have wording that indicates who the owner of the site is and an email link back to the individual who maintains it. The name of the City and the City logo should be on the site.

#### External Links

To meet its purpose, the City's Social Networking Sites may contain links to other social networking sites or websites that are not owned, regularly reviewed or controlled by the City. The City's Social Networking Sites do not provide links to external sites that are strictly political or religious in nature. The provision of direct links should not be construed as an endorsement or sponsorship of these external sites, their content or their hosts. The City specifically disavows legal responsibility for what a user may find on another site, whether or not operated by the City. The views and opinions of the authors of documents published on or linked to the City's Social Networking Sites do not necessarily state or reflect the opinion, policy or position of the City.

The City of Mexico Beach is not responsible for the content, quality, accuracy or completeness of any offsite materials referenced by or linked through the City's Social

Networking Sites. By using the City's social networking sites, the user acknowledges and accepts the risk of injury or damage from viewing, hearing, downloading or storing such materials rests entirely with the user and that the City is not responsible for any materials stored on other social networking sites or websites, nor is it liable for any inaccurate, defamatory, offensive or illegal materials found on other social networking sites or websites.

The City does not endorse any content, viewpoint, products or services linked from its social networking sites and shall not be held liable for any losses caused by reliance on the accuracy, reliability or timeliness of such information. The City does not warrant the accuracy or reliability of or endorse any products or service providers listed or linked to its site.

### External Links

Links to other social networking sites or websites are approved if they meet the following criteria:

- They are state, regional, local or federal government agencies, special purpose districts, hospitals, scientific or cultural organizations serving the Mexico Beach community.
- They are community festivals and events that are open to the general public and that are sponsored or co-sponsored by the City.
- Providers of search engines from the City of Mexico Beach websites.
- No links are allowed to sites containing inappropriate material or to information irrelevant to the City's mission or services.
- The City's review team, consisting of the City Administrator, City Clerk, and Police Chief, and Public Works Director, have the authority to approve external links.
- The City's review team is authorized to order removal of material that is noncompliant with these guidelines from the City's social network sites.

Links shall not be made to sites that are associated with, sponsored by or serve a candidate for elected office or any political part or organization supporting or seeking to defeat any candidate for elective office or ballot proposal.

### Privacy & Security

The City has the right to monitor employees' social media use on City equipment and will exercise its right as necessary. Users do not and should have no expectation of privacy. Social media is not a secure means of communication

When using social networking sites technologies, City employees will:

- Identify themselves by name and as an employee of the City of Mexico Beach.
- Use appropriate language and refrain from ethnic slurs, personal insults, obscenity or engage in any conduct that would not be acceptable in the City's workplace.
- Demonstrate proper consideration for others' privacy and for topics that may be considered objectionable or inflammatory, such as politics and religion.
- Be aware that what is written will not only reflect on the writer, but also on the elected officials of the City of Mexico Beach and other City employees.



- Not provide confidential information about cases or clients, including names, or use such material as part of any content added to a site.
- Not comment on business partners or their competitors' practices or services or use such as part of content added to a site.
- Not provide others with confidential or proprietary information that would compromise negotiations or including such as part of content added to a site without permission to publish or report on conversations that are meant to be private or internal to the City of Mexico Beach.
- Be aware that all content added to a site *may* be subject to Florida's public records & open meetings laws and discovery in legal cases.
- Insure that any content published to any website outside of the City of Mexico Beach that is related to an employee's work or subjects associated with the City of Mexico Beach will include the following disclaimer: "The postings on this site are my own and do not necessarily represent the City of Mexico Beach's positions, strategies or opinions."

### Hosting

Currently, the City of Mexico Beach uses YouTube for video sharing, and Facebook for status updates. As the need and technologies evolve, other hosting sites may be used.

### Moderating Public Comments

Where moderation of comments is an available option, comments from the public will be moderated by the City of Mexico Beach City Administrator, City Clerk or Police Chief before posting in compliance with the City's comment policy.

In general, comments that are abusive, obscene, defamatory, in violation of copyright, trademark right, or other intellectual property right of any third party, or otherwise inappropriate or incorrect will not be posted.

Where moderation prior to posting is not an option, sites will be regularly monitored by the offices of the City Administrator, City Clerk or Police Chief.

### Other Considerations

Postings must not violate any federal, state or municipal laws. For example, they may not:

- Reveal information about ongoing investigations
- Discuss deliberative materials
- Violate the regulatory process
- Circumvent Public Records & Open Meetings Laws
- Violate privacy or copyright
- Violate other legal issues that may not apply

Postings must not contradict or encourage misuse of City of Mexico Beach directions, guidance or other official information.

## EMPLOYEE APPLICATIONS FOR EMPLOYMENT

Each applicant seeking employment with the City must complete an application for employment that will be provided by the city. To be considered for employment the following requirements must be met:

- a. Application must be completed fully and accurate. Any false statement or failure to comply with all the requirements set forth in the application shall be sufficient reason for disqualification prior to employment or termination after an applicant has been hired.
- b. Each applicant shall be required to give consent for a criminal history check and background investigation
- c. All applicants shall be at least 18 years of age, except for part-time work or summertime employment.
- d. Applicants must meet qualifications specified for the position they are seeking.
- e. All employees must serve a six (6) month probation period.

**For those applicants who wish to claim “military preference,” the City of Mexico Beach complies with Florida Statute, Chapter 295 “Laws Relating to Veterans: General Provisions” (specifically, FS 295.07 – FS 295.085).**

All appointments or promotions shall be made by the City Administrator on the basis of merit and fitness as indicated by work performance, skills, experience, and training. These personnel policies do not create any rights to employment by the City of Mexico Beach. Any employee who has a written contract approved by the City Council shall be subject to the terms of these personnel policies and the contract terms. If a conflict arises, the contract prevails.

## PERSONAL APPEARANCE

It shall be the responsibility of all employees to represent the City of Mexico Beach to the public in a manner which shall be courteous, efficient, and helpful. City employees should always be well-groomed and dressed in a manner suitable for the public service environment and to reflect favorably on the City. Department Heads shall establish a suitable dress code for each department to follow. The employee’s Department Head will discuss the subject of personal appearance with the employee if it is felt that the employee is not positively reflecting a positive image of the city.

## EMPLOYEE ORIENTATION

The Department Head shall review the personnel policy manual with each new employee for use as a general guide to policies, procedures, benefits, and organization structure of the City. Upon employment, the new employee will be furnished a copy of the manual and must sign a receipt acknowledging that fact; this receipt will be placed in the employee’s personnel file.

## WORK SHIFT ASSIGNMENTS

When employed, each employee is assigned a work shift in accordance with the particular operational requirement of their department. Any changes to those shifts, except where specifically noted otherwise, shall be at the sole discretion of management. Management will attempt to give each employee one week advance notice as possible but recognizes that there may be times when minimum notice is required.

#### AUTHORITY FOR ABSENCE

No employee shall be absent from their regularly scheduled duties except by authority of the department head. Employees absent due to reasons beyond their control will be responsible for explaining their absence to their department head (or Designee) prior to the beginning of their shift if possible, but no later than one hour into their shift. In cases where an extended absence or illness is expected, the Department Head shall have the authority to modify the above daily reporting requirement. Except in cases of leave incident to vacation, occupational disability, illness, jury duty, military training, maternity, academic, or in connection with the Family Medical Leave Act, all absences in must be approved by the City Administrator.

#### DRIVING RECORDS

Driving records of employees required to drive during performance of duties must be maintained in a satisfactory manner. Management may periodically review driving qualifications and driving records. Should this review identify an unfavorable record, it may result in the employee being transferred to a non-driving position or terminated.

#### EXIT INTERVIEWS

Exit interviews will be conducted with departing employees to determine the reason for the employee leaving City employment. The employee's department head will schedule the interview with the City Administrator prior to the last day of employment. This exit interview is not mandatory if the employee declines to participate. The exit interview or declination will be documented in writing.

### **SECTION 4 – COMPENSATION PLAN**

#### SALARY AND WAGE SCHEDULE

The salaries of employees of the City shall be on the basis of grade schedules prescribed in the Job Classification and Pay Plan adopted by ordinance by the City Council. A copy of the pay plan program is available in the City Clerk's office.

#### ANNUAL EVALUATIONS

Employees shall be evaluated on their work performance annually; these evaluations will be completed before the start of each new fiscal year (October 1). Merit pay increases may be based on the employee's evaluation. All evaluations will be completed on the Mexico Beach Employee Evaluation form (please refer to the attachment section at the end of this manual).

## PAY RATES

*Appointment* – New employees will be employed at the minimum rate for the position classification. Compensation at a high rate, but not to exceed the mid-point of the salary range, may be approved by the City Administrator when experience, skill, training or conditions of the labor market justify. Entry level rates above the mid-point must be approved by the City Council.

*Promotion* – When an employee is promoted to a higher graded position, their pay will be increased a minimum of 5% of their old salary but not to exceed the midpoint of the salary range, unless approved by the City Council; employees already exceeding the mid-range salary point do not require Council approval for the 5% increase.

*Re-Classification of position* – When a position is reclassified and results in a higher grade, the same procedures that apply for promotions will apply. When a position is classified and results in a lower grade, the salary will be set by the City Administrator, but not higher than the maximum for the new grade.

*Demotion* – When an employee is involuntarily placed in a lower graded position, the salary will be set by the City Administrator but not higher than the maximum for the new pay grade.

### *Pay Rate during special circumstances*

*Reinstatement* – Employees separated from employment with the city for more than 30 days and rehired, will have their pay set in accordance with those procedures in 'Appointment.'

*Recall or return from military service* – Any employee returning to work after being laid-off, or serving in the military, will have their pay set as though they had never left employment.

*Cost of Living* – Cost-of-living increases may be recommended by the City Administrator to Council for approval. Such increases may result in the pay grade ranges (minimum – midpoint-maximum).

*Overtime Pay – Holiday Pay – Recall Pay* – The city shall seek to limit overtime work to essential operations and emergency situations. Overtime work must be approved by the employee's department head prior to being worked. Department Heads will keep accurate records of all overtime.

Overtime work is considered to be in excess of 40 hours per week. Employees' required to work overtime will be paid in accordance with the Fair Labor Standards Act (FLSA)

but not less than one and one-half times the regular pay for all hours worked. For purposes of computing overtime of less than one hour, increments of 15 minutes will be used. Overtime is required and any employee that refuses to can be disciplined and terminated.

*Recall Pay* – Any employee who is recalled to work during off-duty hours will be paid overtime pay for all hours worked. If the employee works less than 2 hours, they will be paid for two hours.

*Special License Increase*- Any employee who obtains a license or professional designation that is beneficial to the City will receive a minimum dollar per hour increase of their regular pay, subject to approval by the City Administrator.

## COMPENSATORY TIME

With approval of the Department Head, employees can choose to use compensatory time in lieu of being paid overtime. Accurate records of compensatory time accumulated and used must be kept by the City Clerk's office. In no case, will compensatory time earned and not used, exceed 40 hours. Employees will accrue comp time at the rate of 1.5 hours per hour.

Exempt employees can accrue compensatory time earned and not used, not to exceed 40 hours.

## PAYMENT OF COMPENSATORY TIME

In the event of an employee's death, the beneficiary shall be paid for all accumulated compensatory time.

An employee who separates from employment with the City shall be paid out any remaining compensatory time.

## SECTION 5 – EMPLOYEE BENEFITS

### SICK LEAVE

Sick leave is time off with pay for employees to be used for employee illness or illness of family members.

#### Earning Sick leave

- a. Sick leave is earned at the rate of 6 hours per month.
- b. Temporary employees are not eligible to earn or use sick leave.
- c. Regular employees in a non-pay status for more than 30 days do not accrue sick leave

#### Using Sick Leave

- a. Sick leave may be used for employee's illness or illness of employee's immediate family and/or relative as defined in Section 2 of this policy manual.
- b. Employees absent more than two (2) days may be required to bring a certificate from a medical provider. If the Department Head suspects abuse of sick leave, employees may be required to bring a medical certificate for any absence. Department Heads are authorized to investigate any circumstances that may indicate abuse.
- c. Sick leave can be used in increments of 15 minutes.
- d. Employees must exhaust all sick leave prior to requesting leave without pay for illness, except while on Workers' Compensation.
- e. Any employee that cannot report to work due to illness is required to call the Department Head within two hours of the start of their shift. Family members can call if the employee is not capable.

#### ABUSE OF SICK LEAVE

Frequent claiming of benefits under the sick leave entitlements can provide the basis for the Department Head to determine that the physical condition of the employee is below the necessary standards for the proper performance of their duties. Likewise, if reasonable suspicion exists that an employee is malingering or abusing sick leave entitlements, a statement as to the physical condition of the employee by a physician may be required. Abuse can result in disciplinary action up to termination.

#### PAYMENT OF SICK LEAVE

An employee who separates from employment with the City with less than ten years creditable service shall not be paid for unused sick leave.

Any employee with over ten (10) years service who separates from employment with the city can be paid at the current pay rate for no more than 1/5 of the sick leave.

#### DONATION OF SICK LEAVE

An employee may make a one-time per illness donation of sick to another city employee not to exceed 40 hours per donation. All donations must be approved by the City Administrator in writing.

#### ANNUAL LEAVE

Annual leave is time off the job with pay for the personal use of all employees. The following applies to annual leave.

##### Earning

Annual leave is earned based on years of service on the following scale

0-1 year of service	- 5 work days per year
1-5 years of service	- 10 work days per year
6 – 10 years of service	- 15 work days per year
11-14 years of service	- 20 work days per year
15 or more years of service	- 25 work days per year

Probationary employees earn leave but can not use the leave until completion of the probationary period.

Leave can be accumulated to a maximum of 25 work days (200 hours) in a year. Leave in excess of 25 work days will be paid out December 1 of every year unless deferral is approved by the City Administrator in advance.

#### Using Annual Leave

Requests for annual leave must be made in advance with as much notice as possible and be approved by the Department Head. Late requests may result in disapproval of the leave request.

Annual leave may be used for absences resulting from sickness or injury if sick leave is insufficient to cover the length of sickness or injury.

Holidays which occur when an employee is on annual leave are not charged against the employee's annual leave.

#### Payment for unused annual leave

In the event of an employee's death, the beneficiary shall be paid for all accumulated annual leave. An employee who separates from employment with the City shall be paid out any remaining accrued annual leave time.

Employees who have completed at least one year's service may sell a portion of their accumulated leave to the City. Employees can elect to sell a maximum of 50% of their leave at the employee's hourly pay rate, not to exceed 60 hours per year. This option is open to employees in December and June of each year.

### LEAVE WITHOUT PAY

Leave without pay is time off the job without pay. Employees on leave without pay do not earn any sick or annual leave, but do earn seniority. There is no entitlement to leave without pay and it's up to the discretion of management to approve. The following guidelines apply:

- a. Employee must submit a request in writing indicating all pertinent information including amount of time, reason, start date, etc.
- b. The request is submitted to the Department Head and approved by the City Administrator.
- c. No sick leave or annual leave will accumulate while on leave without pay.
- d. Leave can be granted for reasons such as academic (if of benefit to the City); military if in excess of approved military leave; medical or family emergencies. This list is not all inclusive.
- e. Leave without pay is not available to employees unless they have exhausted all annual leave.
- f. There is no earned entitlement to leave without pay and it must be approved in advance by management.

- g. Health, dental, life insurance and supplemental health benefits may be continued if the employee agrees to pay the employees contribution and the employers' contribution, if applicable, in advance of the leave without pay.
- h. Only full-time regular employees who have completed six months of satisfactory service are eligible.
- i. Application must be made in writing providing full details for the request.
- j. Employees who took leave without pay for medical reasons must bring a medical statement certifying that they are fit for return to employment. Employees may be required to submit to a physical exam arranged by the city.

#### FUNERAL LEAVE

In the event of the death of a family member as defined in Section 2, an employee shall be allowed a maximum of three paid work days. Adequate notice must be given to the Department Head for approval. Probationary and regular part-time employees are eligible for the benefit, but temporary employees are not eligible.

#### MILITARY LEAVE

Any employee who is a member of the United States Armed Forces Reserve, including the National Guard of Florida, shall be entitled to up to 17 days of paid leave per calendar year upon presentation of formal orders or appropriate certification for training or service. Such military leave shall accrue without loss of time on the job or efficiency rating.

In all situations regarding military leave, the City of Mexico Beach will comply with the Uniformed Services Employment and Re-employment Rights Act (USERRA).

#### HOLIDAYS

The following twelve days (12) are the holidays for all employees of the City of Mexico Beach:

1. The first of January – New Year's Day
2. The third Monday of January – Martin Luther King birthday
3. The last Monday of May – Memorial Day
4. The Fourth of July – Independence Day.
5. The first Monday of September – Labor Day
6. November 11<sup>th</sup> – Veterans Day
7. The fourth Thursday of November – Thanksgiving
8. The Friday after Thanksgiving – Thanksgiving Friday
9. The twenty-fourth of December – Christmas Eve
10. The twenty-fifth of December – Christmas Day
11. 2 Floating Holiday's to be used October 1 thru March 1.

#### NOTES:

1. Holidays must be taken as they occur and cannot be accumulated.



2. Employees required to work on holidays will be authorized holiday pay which is double straight time rate.
3. Holidays that fall on an employee's first rest day will be observed the last workday before the holiday. (E.g. If a holiday falls on a Saturday and the employee's shift is Monday to Friday, the holiday will be observed on Friday.)
4. Holidays that fall on an employee's second rest day will be observed the first workday of the new week. (E.g. If a holiday falls on Sunday and the employee's shift is Monday to Friday, the holiday will be observed on Monday.)
5. In order for an employee to receive holiday pay, they must have worked the scheduled workday before and after the holiday, unless otherwise approved by the City Administrator.
6. Regular part-time employees will receive 4 hours pay when off for a holiday.
7. Floating holiday's must be used in the off season from October 1 thru March 1.

### TUITION ASSISTANCE PROGRAM

The City of Mexico Beach will provide reimbursement for license renewal and CEU's for City Staff if the license/Certification is required to fulfill their job duties. The reimbursement will need to be budgeted and approved by the Department Head and the City Administrator. No reimbursement will be offered for college tuition.

### BOAT RAMP

The City of Mexico Beach maintains a municipal boat ramp facility which charges a nominal fee for access, as an added benefit all employees will be exempt from this fee and be provided access to the boat ramp.

### FAMILY AND MEDICAL LEAVE ACT

The City of Mexico Beach complies with all applicable federal and state labor and employment laws, including the Family and Medical Leave Act of 1993 (FMLA). Under the FMLA eligible employees are entitled to certain rights, and have certain obligations, with respect to unpaid leave or certain family and medical reasons.

#### FMLA Leave Eligibility

An eligible employee under the FMLA is an employee who had been employed by the City of Mexico Beach for at least 12 months, who has worked at least 1,250 hours in the past 12 months.

#### Reasons for FMLA Leave

An eligible employee may take FMLA leave of up to 12 weeks per leave year (as defined below), for any of three different reasons:

- a. To care for a newborn child, or a child newly placed in the employee's custody through adoption or foster care for a period of up to one year after such birth or placement;
- b. To care for the employee's spouse, child or parent who has a serious health condition; or

- c. Because of the employee's own serious health condition if that condition renders the employee unable to perform his or her job functions.

Any leave taken by an eligible employee for one or more of these reasons will be counted against that employee's annual FMLA leave entitlement.

#### Serious Health Condition

As defined in the FMLA, a serious health condition includes any injury, illness, impairment, or physical or mental condition that requires either in-patient care in a medical facility (i.e. overnight hospitalization), or continuing treatment by a health-care provider. These terms are construed by the City in accordance with applicable federal laws and regulations.

#### Leave Year

For the purpose of this policy, the leave year within which an eligible employee may take his or her 12 weeks of FMLA-protected leave means the 12-month period beginning on the date the employee first takes leave for any of the reasons set forth previously.

#### Compensation for FMLA Leave

Generally, FMLA leave is not paid. However, an eligible employee may elect to take any accrued paid vacation leave, or, for personal medical leave, paid sick days in lieu of taking unpaid leave under the FMLA. Such paid leave will be counted towards the employee's 12 weeks of FMLA leave granted per leave year.

#### Intermittent or Reduced Hours Leave

In the case of leave taken to care for a seriously ill spouse, child, or parent, or due to the employee's own serious health condition, an employee may take leave intermittently (i.e. periodically) or on a reduced hours schedule (i.e. reduced number of working hours per day or per week) only when such leave is medically necessary, as certified by the employee's or family member's health-care provider. Otherwise, such leave is not permitted except at the sole discretion of the City. An employee, who takes leave intermittently or on a reduced leave schedule, may be temporarily transferred to another position for which the employee is qualified to better accommodate that leave.

#### Job and Benefits Security

An eligible employee who takes leave under the FMLA and who returns to work before his or her annual FMLA entitlement has expired will be restored to the position he or she held when the leave commenced, or to an otherwise equivalent position with respect to pay, benefits and other terms and conditions of employment, unless the employee would no longer have been employed in such a position had the employee not taken such leave. Additionally, any unused employment benefits that had accrued to an eligible employee prior to the commencement of leave will be restored upon return from FMLA leave.

#### Continuation of Group Health Plan Coverage.

Group health plan coverage will be maintained by the City of Mexico Beach during an eligible employee's period of FMLA leave to the extent and under the same circumstances as it ordinarily is furnished to that employee. Premium payments should

be made to the City Clerk on the 1<sup>st</sup> and 15<sup>th</sup> of each month. The City Clerk will notify eligible employees concerning the amount of each premium payment. Failure to pay such premiums during leave may result in the loss of health coverage. An eligible employee who fails to return to work after the expiration of the FMLA leave period for reasons that are not beyond his or her control will be expected to reimburse the City of Mexico Beach for health-care premiums paid by the City during the leave period.

#### Employee Notice Requirements

An eligible employee must give the City of Mexico Beach at least 30-days notice of his or her intent to take leave under the FMLA. If the employee is unable to give such notice because the need for leave is not foreseeable, then the employee must give as much notice as practicable. Typically, this will mean giving notice to the City within two working days of learning that FMLA leave must be taken. Any employee who fails to give the requisite notice may be delayed in receiving authorization for leave.

#### Health-Care Provider Certification

In cases of leave to be taken to care for a seriously ill family member or due to the employee's own serious health condition, an eligible employee must provide the City with a completed and signed health-care-provider certification indicating that the employee requires FMLA leave. This certification must be returned to the City within 15 days after the employee gives notice of his or her intent to take FMLA leave, and must contain the following information:

- a. The date on which the serious health condition commenced;
- b. The probable duration of the condition;
- c. The treatment regime prescribed;
- d. Any appropriate medical facts within the health-care-provider's knowledge regarding the condition;
- e. If applicable, a statement that the employee needed to provide care for his or her spouse, child, or parent and an estimated duration of such need;
- f. In applicable, a statement regarding the medical necessity of intermittent or reduced hours schedule leave.

Failure to return this certification in a timely manner may result in delays in securing authorization for leave, and failure to return the certification at all will preclude the employee from taking leave and may result in any time off being counted as an excused absence.

The City of Mexico Beach also may require, at its own expense, a second and third health-care-provider opinion if there is a question as to the validity of the certification provided by the employee.

An eligible employee also may be asked to furnish the City with subsequent health-care-provider certifications on a reasonable basis during the employee's leave period. An eligible employee's failure to furnish subsequent certifications may result in termination of the employee's right to leave.

An eligible employee on FMLA leave must submit to the City, a medical release (i.e. fitness-for-duty certification) indicating that the employee is able to return to work.

Failure to submit such a release will preclude the employee from being restored to his or her employment with the City.

#### Nondiscrimination/Nonretaliation Policy Statement

The City of Mexico Beach will not: (1) Interfere with, restrain, or deny the exercise of any right provided under the FMLA; (2) discharge or discriminate against any person for opposing any practice made unlawful by the FMLA; or (3) discharge or discriminate against any person for his or her involvement in any proceeding under or relating to the FMLA.

### HEALTH INSURANCE, LIFE INSURANCE AND RETIREMENT

All regular full-time employees are eligible for the group health program immediately upon being hired. Each employee electing insurance coverage will receive a booklet with pertinent information outlining all details and costs (currently 75% is paid by the City with the remaining 25% paid by the employee). The City will not offer any additional stipend in lieu of Health Insurance.

When an employee terminates employment with the City, health insurance is continued until the last day of the month in which the employee terminates. Coverage may then be converted to individual policies in accordance with Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) regulations. With approval of City Council, a retired employee may elect to stay under the group coverage by paying 100% of the insurance premium. The City Council may, by resolution, amend the health insurance coverage amounts paid by the city if the Council deems it necessary.

All regular full-time employees are eligible for a \$50,000 life insurance policy through the City. The City pays for the cost of this coverage and all pertinent information regarding this policy will be given to the employee at the time of hire.

The City of Mexico Beach participates in the Florida Retirement System. Contributions into this retirement plan are made by the City and vary depending upon your job classification, as established by law. At this time, the employee is required to contribute three percent (3%) of their pay to the Florida Retirement System.

### UNIFORMS

Employees in certain positions where uniforms are required may be furnished uniforms at no cost to the employee as permitted by state law. The City of Mexico Beach will pay up to seventy five dollars (\$75.00) to employees for the purchase of steel-toed boots or safety glasses when required for the performance of their duties. Employees must return all uniforms when they terminate employment before a final paycheck can be issued.

### COURT DUTY

Any employee who is legally summoned to serve on a jury during a court trial or subpoenaed to be a witness in a legal proceeding may be permitted absence with pay for

the time required for such duty up to 10 work days per fiscal year. Employees shall provide written verification as may be required by their supervisor or the City Clerk indicating the Call for jury duty and the time served. When excused or relieved from such service, the employee shall report for their regular employment provided that at least three hours remain during their regular work day. Any fees paid for jury duty may be retained by the employee.

### OCCUPATIONAL DISABILITY

All cases of injury occurring on the job shall be filed from action under the provisions of Worker's Compensation, however, any employee disabled as the result of a job related injury shall be terminated after a period of one year unless the employee makes application requesting an extension of time, which may or may not be granted. Neither sick leave nor annual leave will accumulate during the period of disability.

## SECTION SIX

### POSITION CLASSIFICATION PLAN

#### PROMOTION

The policy of the City of Mexico Beach is to provide employees the opportunity for advancement by promotion by considering all current employees for vacancies which occur. Promotions for more responsible positions shall be based on performance, attitude, education, experience, and any special qualification. Employees interested in a specific position should advise the City Clerk that they wish to be considered for the vacancy.

Promotion announcement will be placed on employee bulletin boards around the city. Employees can contact their Department Head for exact location of boards.

The City Administrator shall approve or disapprove all personnel actions including promotions, transfers, etc.

#### DEMOTION

Employees may be demoted to positions in lower classifications upon recommendation of the responsible Department Head with approval of the City Administrator for the following grounds

- a. Employees in probationary periods.
- b. Lack of work or abolishment of a position.

- c. Unsatisfactory performance

### TRANSFER

Employees may transfer from jobs at the same rate with the approval of the City Administrator.

### RECLASSIFICATION OF POSITION

Positions must be accurately classified to insure that employees are paid properly for their work. If a Department Head believes a position needs to be reclassified, a request can be submitted to the City Administrator citing reasons why.

Positions may be reclassified with or without a change in pay grade. When a position is reclassified to a higher grade, such change shall be processed in accordance with the 'Rate of Pay for Promotion' in Section 4.

When a position is downgraded, it will result from a determination by the Department Head that the position has changed and the classification is no longer valid. An adjustment in salary shall be made in accordance with Section 4, "rate of Pay on Demotion.'

### REDUCTION IN FORCE

If it becomes necessary that the workforce be reduced, employees will be selected for reduction taking into account, (1) their current position, (2) knowledge, skill and ability of the employee, (3) overall performance including attendance and (4) seniority.

Should an employee, whose position has been eliminated due to a reduction in force, be selected for a vacancy that exists, final determination will be based on the same consideration of employees selected for reduction indicated in the paragraph above.

Placement of an employee involved in reduction in force could be a promotion and pay will be set in accordance with Section 4, 'Rate of pay on promotion.' If the placement is at the same grade, the employee's salary will be unchanged. However, if an employee is placed in a lower grade at lower pay, the employee will maintain their present salary for a period of up to three months. If the employee isn't placed into a position comparable to the position they were demoted from after three months, their pay will be adjusted to the maximum amount for the grade they were demoted to.

## SECTION SEVEN – DISCIPLINE

There are certain standards of common honesty, decent behavior, and job performances which are taken for granted. Employees are expected to adhere to these standards as a good citizen and as a good employee. It is also City policy that bad faith claims made against another employee which have no rational basis in fact or justifiable employee perception, are deliberately designed to affect adversely the employment or personal relationships of persons against who the complaint is made. The City of Mexico

Beach take this strong stand because such claims often affect the livelihood and future employment of the employee.

If an employee engages in misconduct which violates policies of the City of Mexico Beach then disciplinary action can be imposed. Such action may include warnings, reprimands, suspensions, or termination.

- a. Warnings - For very minor offenses, the employee can simply be warned. Examples would include short tardiness, failure to follow guidelines, etc. This action is documented by a memo by the Department Head.
- b. Reprimand – For minor offenses that have received a warning and not been corrected or for offenses of a more serious nature such as more than one warning, leaving work early, missing deadlines, etc. This action is documented by a letter.
- c. Suspension – Employees may be suspended for up to five days without pay for offenses that are serious but not such as to require termination. These would include failure to report to work, conduct that disrupts the work environment, failure to follow safety requirements, etc.
- d. Termination – Employees who commit infractions of a serious nature or who have other disciplinary actions may be terminated. These are serious violations including such things as fighting, mistreatment of other employees or citizens, failure to report to work, etc. Employees who fail to report to work for three days will be terminated. This action is documented by letter.
- e. Employees serving in their initial six-month probationary period may be terminated at the discretion of the City. The probationary period is considered an extension of the hiring process and employee performance, attitude, and skill are still being evaluated. Probationary employees shall not have benefit of the grievance procedures.

All disciplinary actions reduced to writing will be kept in a disciplinary file in the City Clerk's Office, but not in the employee's official personnel folder. Warning and reprimands will be removed after 2 years. Suspension letters will be removed after five years. Termination letters will be included in the employees' official personnel folder.

All disciplinary action must be approved by the City Administrator.

## **SECTION EIGHT – EMPLOYEE COMPLAINTS AND APPEALS**

The management of the City of Mexico Beach is interested in hearing and settling any work-related problems employees may have. When an employee receives disciplinary action they believe to be unwarranted or too severe for the infraction, they may file an appeal. Employees may also file an appeal over any work related item that is under the control of the City of Mexico Beach. Performance evaluation and terminations during probation are not subject to the appeal procedure.

The following steps must be followed to file an appeal:

- a. Employees must file an appeal in writing with their Department Head within three days of the event giving rise to the dissatisfaction. The appeal must explain the situation in detail and include the remedy which the employee is seeking. The Department Head will evaluate the appeal and inform the employee of their decision, in writing.
- b. Following the decision of the Department Head, if the employee is still seeking remedy, they have the opportunity to request a meeting and appeal to the City Administrator. The employee and Department Head must both attend this meeting and provide copies of all written correspondence to the City Administrator at this time.
- c. If a Department Head is filing an appeal due to an action taken against them, they shall file the appeal directly with the City Administrator.
- d. Final decision on all appeals shall be that of the City Administrator and will be provided in writing to the employee and/or Department Head.
- e. The City Clerk will maintain copies of all appeals and the action taken in the employee's disciplinary file.
- f. Any complaints against the City Clerk or City Administrator will be reported to the City Council.

**SECTION NINE – MEXICO BEACH POLICY ON USE OF GOVERNMENT VEHICLES AND USE OF PERSONAL VEHICLES FOR CITY BUSINESS.**

The following guidance is mandatory for anyone using a City vehicle for any reason. Nothing in this policy shall be construed to prohibit the use or occupancy of a City vehicle to render emergency aid or assistance to any person. This policy may be supplemented by the City Administrator to meet specific individual needs but no modification can conflict with the requirements herein.

1. DEFINITIONS
2. VEHICLE OPERATORS
3. CARE OF VEHICLES
4. DRIVER RESPONSIBILITY
5. TAKE HOME POLICY
6. ACCIDENTS
7. USE OF PERSONAL VEHICLES FOR OFFICIAL BUSINESS
8. EFFECTIVE DATE

**DEFINITIONS**

**Motor Vehicle** – means any motorized vehicle owned by the City

**Authorized Driver** – means any City employee, Council Member, P&Z member, DPS volunteers, or any person specifically approved by the City Administrator to drive a vehicle. Driver must have valid license issued by the Florida Department of Motor Vehicles. In addition, authorized drivers using specialized equipment must have the appropriate license to operate that vehicle.

**Authorized passenger** – means any person being transported by City vehicle while accompanying an authorized driver on official city business



**City** – means the City of Mexico Beach, Florida

**De-minimus Use** – means infrequent and limited travel between work stops during the work day (Examples are stopping between two business stops for a meal, stopping at a convenience store for a cup of coffee or to use the restroom while on City Business).

**On Call employee** – means any City employee who is subject to recall and must be available within two hours.

**Take-home Vehicle** – means a city vehicle that an authorized driver has been given permission to take back and forth from their home to work.

#### VEHICLE OPERATORS

1. Use of City vehicles is limited to:
  - a. Authorized Drivers
  - b. Other drivers approved by the City Administrator
  - c. Mechanics or service personnel performing work on the vehicle
2. Vehicles must be operated:
  - a. In support of City business
  - b. In full compliance with federal, State, County and City Safety requirements
  - c. With all authorized drivers and passengers must wear seat belts

#### CARE OF VEHICLES

1. Identification – All city vehicles must be clearly identified with the City Logo and department on the side of the vehicle and the back of the vehicle.. Exceptions can be granted by City Council.
2. Inspection - Prior to using a City vehicle, an authorized driver is required to make an inspection to see if there is any apparent damage or unsafe conditions. Driver should check brakes, lights, windshield wipers, seat belts, steering and look to see if the tires are improperly inflated or worn.. Discrepancies should be reported to the drivers supervisor and the vehicle not driven.
3. Fueling - All City vehicles will be fueled at the City yard with appropriate credit card. If the vehicle is outside the city and needs fuel, commercial fuel may be purchased and a receipt obtained for submission of a claim by the driver.
4. Not in use - When not in use, or unattended, the vehicle will have the ignition keys removed and the doors and trunk locked

#### DRIVER RESPONSIBILITIES

1. While driving a City vehicle authorized drivers are required to obey all laws and be courteous to other drivers and pedestrians.
2. Use of any alcoholic beverage or illegal drugs by authorized driver or passenger is forbidden. If an authorized driver is taking prescribed drugs that might impact

- their driving they must report such use to their supervisor before driving any city vehicle.
3. Smoking or any other tobacco use is not permitted in any vehicle.
  4. If an authorized driver received a driving citation in a city vehicle, by any authorized authority it must be reported to the authorized drivers' supervisor immediately. The employee cited will be personally responsible for the citation or ticket.
  5. In the event of a mechanical breakdown, the driver must contact his supervisor or the City Administrator as soon as possible.

#### TAKE HOME POLICY

City vehicles can be taken home by employees when authorized by the City Administrator. The purpose is to increase response time in the event of city emergencies or to provide enhanced security to the city. Use of take-home vehicles is subject to availability of vehicles. The following are examples of when City vehicles may be taken home:

- (a) Police officers who reside within twenty-five (25) miles of the City
- (b) Emergency Service employees who maintain emergency equipment on the vehicle
- (c) Public works employees in Water, Sewer department who are required to be 'on call.'

The following policies apply to City vehicles when at a private residence:

- (a) There is clear documentation in the City Administrators office of the reason and approval of the Authorized Driver to take the vehicle home.
- (b) While at an employee's residence, the city vehicle will be in an appropriate place to protect the vehicle and not cause embarrassment to the City.
- (c) While City vehicles are at an employee's residence, they may not be used for personal business
- (d) Non-City employees, family members, or friends may not be in the vehicle
- (e) The vehicle is not authorized for routine personal use.

#### ACCIDENTS

The following procedures must be followed in the event of an accident while in a City vehicle:

- (a) Determine if anyone is injured, notify emergency personnel (911), and render aid.
- (b) Immediately notify the employee's supervisor and/or City Administrator.
- (c) Each vehicle will have information in the glove box regarding what action to take at the site of an accident.
- (d) If a City vehicle is involved in an accident, regardless of how minor, the driver is required to undergo a drug test immediately.

## PERSONAL VEHICLES FOR OFFICIAL BUSINESS

Departments that do not have a City Vehicle will be allowed to use their personal vehicles for official business with the approval of the City Administrator. Reimbursement will be provided at the current IRS mileage reimbursement rate.

## EFFECTIVE DATE

The policies set forth in this personnel policy will be effective upon passage. All current employees will be grandfathered in at their current annual leave rate and will not be effected by the rate changed until their net scheduled increase. New employees as of July 29, 2015 will be subject to the new annual leave rates.

**EMPLOYEE'S RECEIPT OF POLICY AND PROCEDURE MANUAL**

My signature below indicates that I have received a copy of the City of Mexico Beach Personnel Policy and Procedure Manual.

I understand that this manual contains information regarding the Company's rules, regulations and benefits which affect me as an employee.

I acknowledge that I have read and understood the City of Mexico Beach policies.

I also understand that the City of Mexico Beach may revise, supplement or rescind policies, procedures or benefits described in the manual, with or without notice.

**Print Name:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

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

