

City of Rockledge, Florida



Personnel Policies and Procedures Manual

Effective April 1, 2015

Approved and adopted by
Resolution No. 2015-756
of the
Rockledge City Council
on April 1, 2015

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MISSION STATEMENT

The municipal government of the City of Rockledge exists for the sole purpose of providing needed services to citizens and businesses of the community. This mission is accomplished through a Council/Manager form of local government, wherein policy directives are established by the Mayor and City Council in public meetings and implemented by the City Manager, Departmental Administrative Directors, and the employees of the City of Rockledge.

Our Mission as City Employees

- To be always mindful that the citizens are our customers and to treat them with value, dignity, courtesy, and fairness.
- To provide the highest quality service possible at the most reasonable cost.
- To be intolerant of waste, both in materials and time.
- To treat our fellow employees with dignity, honesty, and fairness while looking for the opportunity to assist others.
- To be solution-finders and problem-solvers.
- To promote the City positively, remain loyal to the community as our employer, and remember always that we are public servants.
- To work toward the goal of maintaining and improving the quality of life for all citizens of Rockledge.

USE OF GENDER PRONOUNS STATEMENT

For the purposes of this manual, it is understood that the use of masculine gender pronouns to indicate employees of the City shall be interpreted to mean both male and female employees, that such usage is in the interest of readability and follows proper rules of English, and, further, that such usage is not intended as, nor shall it be interpreted to be, sexual discrimination.

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SECTION 1
GENERAL STATEMENTS

1. EMPLOYEE OPPORTUNITY

- A. The City of Rockledge, Florida, provides an excellent opportunity for a career to its dedicated employees. The City is committed to recruit, hire, train and promote, on merit principles, persons in all job classifications without regard to race, color, religious creed, national origin, ancestry, age, gender, marital status, sexual preference, or a special need which does not preclude the performance of the essential functions of the job, with reasonable accommodation(s) provided as necessary. Advancement shall be based solely upon an individual employee's total qualifications and job performance compared to the job or position requirements.
- B. Equal employment opportunity means that every person has an equal opportunity in employment based on his qualifications. This applies to all the areas of employment, such as hiring, promotions, training, job assignments, benefits, discipline, discharges and compensation.

2. MANAGEMENT RIGHTS

This manual is designed to be a guide for management and employees. Management rights will prevail in the administration and decisions of these Personnel Procedures as adopted by City Council.

3. OFFICIAL PERSONNEL POLICY

- A. This personnel manual and any subsequent amendments will be reviewed periodically and updated by the City Manager and appropriate staff.
- B. A copy of this manual will be presented to all present and future City employees. An electronic version of this manual is also available on the City's web site.
- C. Any deviation from this policy will be made only by the City Manager in writing to the Department Director of the department or employee affected.

4. SEPARATE DEPARTMENT MANUALS

In cases where language in the Personnel Manual is not consistent with separate departmental policies and procedures manuals, the separate departmental policies and procedures manual, after having been approved by the City Manager, shall apply in all cases, with the exception of Management Rights only and with the approval of the City Manager.

5. CONFLICTS WITH BARGAINING UNIT AGREEMENTS

In instances where the Personnel Policies and Procedures are in conflict with approved bargaining unit agreements, the bargaining unit agreement shall prevail, except in cases of management rights.

6. EMPLOYEE CONDUCT

- A. Employees of the City shall be expected to keep in mind that they are public servants and to conduct themselves accordingly. Every employee should clearly demonstrate a

commitment to serve the City and to conduct themselves in a professional manner at all times. This applies equally to your fellow workers, supervisors, City Council, and the general public.

- B. The City of Rockledge has established a chain of authority which will be used for the processing of official City business. This chain of authority is to be followed either up or down, whichever is applicable, unless otherwise specified in other sections of this manual:

- Mayor and City Council Members

- City Manager

- Department Director

- Supervisor

- Employee

- C. Good citizenship is essential for a good public servant. Each employee shall make an effort to practice good citizenship, thereby setting an example for the entire community.
- D. The City of Rockledge prohibits sexual harassment of employees in any form. Such conduct may result in disciplinary action up to and including discharge.

It is the City's policy to prohibit harassment of one employee by another employee or supervisor on the basis of race, color, religious creed, national origin, ancestry, age, gender, marital status, sexual preference, or special need. While it is not easy to define precisely what harassment on any of these bases is, it includes, but is not limited to, slurs, epithets, threats, derogatory comments and unwelcome jokes, sexual advances, requests for sexual favors and other verbal or physical conduct such as uninvited touching or sexually-related comments. It is the responsibility of any employee who feels that he or she is a victim of such harassment to report the matter to their supervisor or the Human Resource Coordinator, who, in turn, will be responsible for reporting all incidents/complaints to the Department Director. In the event the harassment is initiated by a supervisor, Department Director or management official, it will be the responsibility of the affected employee to bypass the violator's position in the chain-of-command and report the violation to the Human Resource Coordinator. Violations of this policy will not be permitted and may result in discipline up to and including discharge.

- E. The City of Rockledge encourages its employees to develop friendships with their co-workers. However, under no circumstances shall these friendships create a disruption to work routine or other employee relationships, nor shall these friendships be a consideration during employee evaluations, pay increases, promotions, layoffs, or career advancement opportunities.
- F. Workplace Violence Policy

The City of Rockledge provides a safe workplace for all employees. To ensure a safe workplace and to reduce the risk of violence, all employees should review and understand all provisions of this workplace violence policy.

1. Prohibited Conduct

- a. The City of Rockledge does not tolerate any type of workplace violence committed by or against employees. Employees are prohibited from making threats or engaging in violent activities.
- b. This list of behaviors, while not inclusive, provides examples of conduct that is prohibited.
 1. Causing physical injury to another person;
 2. Making threatening remarks;
 3. Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;
 4. Intentionally damaging employer property or property of another employee;
 5. Possession of a weapon while on City property or while on City business;
 6. Committing acts motivated by, or related to, sexual harassment or domestic violence.

2. Reporting Procedures

Any potentially dangerous situation must be reported immediately to the Human Resource Coordinator. Reports can be made anonymously and all reported incidents will be investigated. Reports or incidents warranting confidentiality will be handled appropriately and information will be disclosed to others only on a need-to-know basis. All parties involved in a situation will be counseled and the results of the investigation will be discussed with them. The City will actively intervene at any indication of a possibly hostile or violent situation.

3. Risk Reduction Measures

- a. Hiring: Based upon reasonable availability of information with regard to applicant backgrounds, the Human Resource Specialist will consider this as a factor prior to proceeding with hiring.
- b. Individual Situations: While the City does not expect employees to be skilled at identifying potentially dangerous persons, employees are expected to exercise good judgment and to inform the Human Resource Coordinator if any employee exhibits behavior which could be a sign of a potentially dangerous situation. Such behavior includes:
 1. Bringing weapons, as defined by Florida Statutes, to the workplace
 2. Displaying overt signs of extreme stress, resentment, hostility or anger
 3. Making threatening remarks
 4. Sudden or significant deterioration of performance
 5. Displaying irrational or inappropriate behavior

4. Dangerous/Emergency Situations

Employees who confront or encounter an armed or dangerous person should not

attempt to challenge or disarm the individual. Employees should remain calm, make constant eye contact and talk to the individual. If a supervisor can be safely notified of the need for assistance without endangering the safety of the employee or others, such notice should be given. Otherwise, cooperate and follow the instructions given.

5. Enforcement

Threats, threatening conduct, or any other acts of aggression or violence in the workplace will not be tolerated. Any employee determined to have committed such acts will be subject to disciplinary action, up to and including termination. Non-employees engaged in violent acts on the City's premises will be reported to the proper authorities.

7. EMPLOYEE COURTESY

- A. City offices are open to visits by the public. Employees are expected to render professional courtesy and assistance whenever possible. In those instances when visitors would unavoidably disrupt essential work operations, the visitor will be given the opportunity to reserve an appointment for a later time.
- B. Every employee must keep in mind that the public considers him to be their public servant. Friendliness and business-like manner will help formulate a good public attitude toward each employee and the City Government. Each employee shall strive to promote the City at all times, whether on or off duty.

8. OFFICE AND WORK HOURS

- A. The Administrative Offices at City Hall shall be open Monday through Friday from 8:00 a.m. to 5:00 p.m., except for legal holidays listed in Section 7.
- B. All other City offices and departments shall maintain the hours and work schedules required by the City Council to serve the public. These hours and work schedules are the responsibility of the Department Director with the approval of the City Manager. Individual work schedules may be made flexible by the Department Director so long as that flexibility does not hamper the operation of the department and meets with the approval of the City Manager.

9. TELEPHONE USAGE

- A. The telephones are for conducting necessary City business.
- B. Long distance calls in any department shall be made by personnel authorized by the respective Department Director.
- C. Personal telephone calls by an employee will be made only when necessary, and shall be limited in scope and duration; all work-related calls shall always take precedence over personal calls. Abuse of this privilege may result in disciplinary action as identified in Section 6.2.A.

10. CELLULAR PHONE/COMMUNICATIONS TECHNOLOGY USAGE

- A. No cellular phone is to be used by the driver of any City-owned vehicle while the vehicle is in motion unless it is determined by the City Manager that the use is "operationally required" or an "emergency". This shall apply to texting, as well as other internet use.

- B. Personal use of a cellular phone during work hours will be determined by individual Department Directors, subject to approval by the City Manager.

11. PAYROLL

- A. Payroll funds are required to be deposited directly into an employee’s personal bank account at a financial institution of the employee’s choice.
- B. Payroll will be processed in accordance with a schedule maintained by the Finance Division. Any variation from this policy requires the approval of the City Manager or designee.

12. CHANGES IN REGULAR PAYROLL DATES

Changes in regular payroll dates may be required in the event of holidays. In such cases, the Finance Division will inform the various departments as to any change in the payroll dates.

13. PAYROLL DEDUCTIONS

The City Council has authorized the following deductions:

- Income Withholding Tax (mandatory)
- Social Security (F.I.C.A.) (mandatory)
- City-sponsored Employees Group Medical Insurance..... (provided for employee; optional for dependents)
- Other Hospital and Insurance Programs (optional for employees and their dependents)
- City Retirement Fund (mandatory)
- Deferred Compensation Program.....(optional)
- Union Dues(optional)
- Child Support Payments and Garnishments..... (Voluntary or Court Ordered)
- Donations to Charitable Organizations (United Way, Special Olympics, etc)(optional)
- Any miscellaneous deduction authorized by the City Manager

14. EMPLOYMENT LAWS

All applicable federal, state, and local laws pertaining to employment practices shall be imposed as they are deemed applicable, within the City's employment practices.

15. CODE OF ETHICS (CONFLICT OF INTEREST)

The ethical conduct of all City employees and officials shall be regulated by the provisions of Chapter 112 (Part III) of the Florida Statutes.

16. SMOKING POLICY

The interior offices and rooms of all City buildings will be smoke-free. Smoking areas at individual departmental facilities shall be determined by the respective Department Director. There shall be no smoking in City vehicles. This policy shall also apply to electronic smoking devices.

17. DRUG-FREE WORK PLACE

The City of Rockledge strives to provide a safe work environment and encourages personal health and safety. In regard to this, the City considers the abuse of drugs on the job to be an unsafe and counterproductive work practice. Furthermore, the City sees substance abuse or use as a serious threat to its employees and citizens. With these statements in mind, the City of Rockledge declares all work environments for City employees as **DRUG-FREE**. Use of illegal drugs, alcohol, or abuse of prescription drugs shall not be tolerated and shall subject individuals to disciplinary measures. Physician-prescribed pharmaceuticals may be taken by an employee during work hours; however, the employee shall notify his immediate supervisor of the situation. The medication container must be clearly labeled as to contents and warnings of potential side effects. If special accommodation is required by the employee due to potential side effects of the medication, the employee shall provide, to his supervisor, a statement of such from his physician. Federal and/or State Regulations relative to random drug testing of specified employee job categories will be adhered to by the City of Rockledge. The City's Drug Free Workplace Policy is included in this manual as Appendix A.

18. PERSONAL VISITS IN THE WORKPLACE

It is realized that, from time to time, there is a need for employees to receive personal visitors while on duty. Personal visits by an employee's family members or other individuals are permitted during working hours, but should be limited in length and frequency. Abuse of this privilege may result in disciplinary action as identified in Section 6.2.A.

19. BREAK PERIODS

Each City employee is entitled to three (3) breaks per work day, not to exceed ten (10) minutes each, or two (2) breaks per work day, not to exceed fifteen (15) minutes each, as determined by the Department Director. Breaks are not to be used in conjunction with any authorized leave time or meal period, nor is it permissible to consecutively combine breaks to create a lengthier break period. Employees may not leave their designated work site during break periods. Abuse of this privilege may result in disciplinary action as identified in Section 6.2.A.

20. MEAL PERIODS

The scheduling and length of employee meal periods will be determined by the Department Director to facilitate servicing the public and permit efficient department operations. Each City employee is entitled to one (1) meal period per work day that is not to exceed one (1) hour in length. Meal periods are not to be used in conjunction with any authorized leave time or break time, nor may employees "work through" their assigned meal period in order to arrive at work late or leave work early. Abuse of this privilege may result in disciplinary action as identified in Section 6.2.A.

21. HAIR & FACIAL HAIR

Employees will be allowed to have facial hair at a reasonable length, provided it does not interfere with safety equipment that may be required to be worn. Hair and facial hair will be kept clean and groomed. The Department Director will be responsible for enforcement

of this provision.

22. BODY PIERCING

The only visible body piercing allowed will be in the ears. Gauged earlobe openings must be capped or plugged for safety purposes. Facial jewelry, such as eyebrow rings, nose rings or studs, lip rings or tongue studs are not professionally appropriate and must not be worn during work hours. Torso body piercing with visible jewelry that can be seen through or under clothing must not be worn during work hours.

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SECTION 2
EMPLOYMENT PROCEDURES

1. GENERAL POLICY

The City of Rockledge has established the policy wherein personnel are recruited and interviewed by the individual Department Director or his designee. The City Manager or his designee retains final hiring authority.

2. EMPLOYEE APPLICATIONS

- A. All persons seeking employment with the City must file an application prior to employment.
- B. Applications will be retained for a minimum of one (1) year for future consideration.

3. HIRING PRACTICES

- A. Prerequisite upon the Department Director is the assurance that the employee hired is properly placed and in an authorized position. All new hires are subject to availability of open positions.

B. MINORITY RECRUITMENT AND HIRING

The City of Rockledge is committed to a policy of fairness and equity for all employees. In this pursuit, the City is obligated to give every employee the opportunity to achieve their maximum potential. Therefore, the City takes steps to:

- 1. Recruit, hire, and promote individuals for all job classifications without regard to race, age, color, religion, gender, national or ethnic origin, marital status, sexual preference, or special need.
- 2. Base its decisions on employment selection to assure furthering the principles of equal employment opportunity.
- 3. Insure that promotion decisions are in accord with the principles of equal employment opportunity by imposing only valid requirements for promotions.
- 4. Insure that all personnel actions, such as compensation, benefits, transfers, layoffs, recalls, training, and education, will be administered without regard to race, age, color, religion, gender, national or ethnic origin, marital status, sexual preference, or special need.
- 5. Insure that all facilities and programs of the City of Rockledge are available to all employees on a non-discriminatory basis.
- 6. Pursue the development of programs to hire qualified minority individuals in order to be a reflection of the City's recorded demographics in supervisory, non-traditional, and positive role model enhancement positions. The programs shall include, but not be limited to, the following:
 - a. Traditional and non-traditional methods for recruitment and retention, free of preferential or discriminatory treatment of any group.
 - b. Direct involvement of community groups and Council-appointed ad-hoc

committees.

- c. Implementing policies and plans as adopted by the Rockledge City Council.
- d. The development of plans for the establishment of near- and long-term goals, particularly relating to expanding employment opportunities and affirmative action efforts.

C. VETERAN'S PREFERENCE

It is the policy of the City of Rockledge to give preference to eligible veterans and spouses of veterans regarding selection and promotion positions, in accordance with State and Federal Law.

D. AMERICAN DISABILITIES ACT

The policy of the City of Rockledge is to abide by the American Disabilities Act and adhere to Title 1, which states, "... an employer may not discriminate against a qualified individual with a disability because of such individual's disability with regard to job application procedures, hiring, or discharge of employees, compensation, advancement, job training and other terms, conditions and privileges of employment.

- E. Qualified applicants will be interviewed by the Department Director or his designee before a decision is made regarding employment. City Manager approval as to salary and grade must be obtained prior to the commencement of employment.
- F. Before a prospective employee can be hired, he must submit to, and pass, a drug screen testing conducted by a qualified medical laboratory.
- G. Applicants must possess an appropriate Florida Driver License, if required to perform the essential function(s) of the position applied for or to operate any City vehicle.

4. NOTICE OF POSITION VACANCY

- A. If a position is not filled by promotion or transfer of personnel currently employed by the City, then the position will be recruited.
- B. The City Manager or his designee may actively recruit to secure the best qualified applicant for the position.
- C. If an unfilled promotional vacancy exists, a notice of same will be placed on all departmental bulletin boards. Such notice will clearly state eligibility requirements and application procedures. Sufficient time will exist between posting and filling the job to allow all interested and qualified employees an opportunity to apply.

5. PHYSICAL EXAMINATION

- A. The City may require a physical examination as a condition of employment. Initial employment of any applicant is tentative until the physical examination has been completed and satisfactory results are received.
- B. All physical examinations should be taken prior to the date of the employee's reporting to work and the doctor's report must be received by the Department Director prior to the employee's first day of employment.
- C. An employee may be required at any time, given sufficient cause, to undergo a physical examination or drug and alcohol screen at the City's expense to determine that

employee's fitness for duty. The examining doctor will be selected by the City.

6. HIRING OR PROMOTION OF RELATIVES

- A. For the purpose of this section, the term *relative* shall mean: spouse, father, mother, son, daughter, brother, sister, father-in-law, mother-in-law, brother-in-law, sister-in-law, daughter-in-law, son-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, grandparent, uncle, aunt, nephew, niece or first cousin, whether or not they reside at the same house.
- B. The State of Florida adopted Section 112.3135, serving as a restriction on employment of relatives. This section shall serve to incorporate the requirements of Section 112.3135 and if amended shall be deemed incorporated in this section.

The City of Rockledge shall not appoint, employ, promote nor advance an individual to a position within the City who will be serving under or over another individual who exercises jurisdiction or control over a relative.

- C. Relatives are permitted to work within the same division or section of a City department unless it is determined that such employment is not in the best interests of the City. Consideration will include the operational job-related difficulties that would be anticipated or encountered within the division or section. The Department Director may recommend against same in writing to the City Manager, who will make the final determination. Job-related difficulties include employee morale, environment conducive to inordinate friction between employees, undue pressure on employees, or the potential for internal disciplinary problems between employees.

7. NEW POSITIONS ESTABLISHED

- A. When departmental operation conditions may justify the addition of a new employee position during a budget year, the Department Director shall submit a request to the City Manager for a review of existing positions and procedures. The City Manager will submit a report stating his findings and recommendations to the Department Director and Human Resource Coordinator.
- B. If an emergency situation or unusual circumstances require the need for immediate addition of temporary or permanent employees, the Department Director should use any means necessary and report the facts to the City Manager.
- C. Any and all new positions with budgetary impact are subject to the approval of the City Council.

8. PERSONNEL REQUIREMENTS - ANNUAL BUDGET

Required personnel changes impacting new, expanded, reduced, or discontinued work programs shall be submitted with proper justification in the annual department budget requests submitted to the City Manager for his review and recommendations to the City Council for its determination and action.

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SECTION 3
EMPLOYEE RECOGNITION PROGRAM

1. GENERAL POLICY

The City has instituted a recognition program for its employees, whereby employees exhibiting exceptional qualities during the performance of their duties are rewarded as prescribed in the criteria for the award category.

2. AWARD CATEGORIES AND CRITERIA

A. CITY EMPLOYEE OF THE QUARTER

1. **CRITERIA:** Dedication to duty, attitude, attendance, courtesy to the public, as well as to fellow employees, outstanding job performance, and promotion of City image.
2. **AWARD:** A \$100.00 gift card, one (1) day of paid personal leave, and a Certificate of Commendation to be presented publicly by the Mayor and City Council.
3. **METHOD FOR SELECTION:** Each Department Director will *nominate* one (1) person from his department who qualifies to receive the award. From this pool of departmental nominations, the City Manager will evaluate each nominee, based on the prescribed criteria, and will select one (1) of the nominees as the recipient of the award.

B. CITY EMPLOYEE OF THE YEAR

1. **CRITERIA:** Eligible employees include those who were *nominated* to receive the Employee of the Quarter award.
2. **AWARD:** A \$250.00 gift card, two (2) days of paid personal leave, and a commemorative plaque to be presented publicly by the Mayor and City Council.
3. **METHOD FOR SELECTION:** A committee consisting of one (1) employee representative from each department, the previous year's award recipient, the Human Resource Coordinator, and the City Manager will canvass the nominees and select the one (1) nominee the committee determines is most deserving of the award.

C. QUALITY PUBLIC SERVICE AWARD

1. **CRITERIA:** Attitude, service to community, exceeding duty requirements to meet needs, ability to work with fellow employees, and innovative approaches to duty. This award represents the spirit of the positive image the City wishes to be displayed in the community
2. **AWARD:** A \$100.00 gift certificate, a commemorative plaque and a letter of commendation will be presented publicly by the Mayor and City Council.
3. **METHOD FOR SELECTION:** Each department will form its own committee of at least three (3) employees whose task it will be to select one (1) person from their department to receive the award. The committee shall be appointed by the Department Director and shall reflect the diversity of the respective department. Individual awards will be given to the selected employee representing each of the

City's departments:

- City Hall/Building Division/Planning Division/Redevelopment Division
- Fire Department
- Police Department
- Public Works Department
- Waste Water Treatment Department

D. EMPLOYEE SAFETY RECOGNITION PROGRAM

1. **CRITERIA:** Employees being considered for safety recognition are evaluated on their personal safety record, their safety training participation, their adherence to safety rules, how they recognize safety hazards and promote safety awareness among co-workers, and their significant safety related contributions towards making a safe workplace.

The City Manager, Department Directors, and Safety Committee Members are not eligible to participate in the Safety Recognition Program but may otherwise be recognized for their safety efforts and achievements at the discretion of the City Council, City Manager, or Safety Committee.

2. **AWARD:** A \$150.00 gift certificate, a commemorative plaque to be presented publicly by the Mayor and City Council on a yearly basis; presentation to be coordinated with the Employee of the Year Award.
3. **METHOD FOR SELECTION:** Employees are encouraged to nominate their co-workers for this recognition. Nominations, including a brief synopsis of why the employee should be considered, shall be given to any of the Workplace Safety Committee members: (Contact your Department Director for your department's representative on the Workplace Safety Committee.) Workplace Safety Committee members will then make the selection as to whom shall receive this recognition.

3. EMPLOYMENT ANNIVERSARY POLICY

- A. The City acknowledges milestone employment anniversaries and recognizes employees in accordance with the following:

- 5 & 10 Years: Letter from City Manager and \$25 gift certificate
- 15 & 20 Years: Letter from City Manager and \$50 gift certificate
- 25 Years: Letter from City Manager and \$75 gift certificate
- 30/35 Years: Certificate of Commendation, \$100 gift certificate and recognition at City Council meeting.

- B. Gift certificates are not guaranteed and are only available as appropriated by the City Council. Gift certificates shall not be added to base wages, but shall be considered as incentive pay. For purposes of this section, active employment shall not include leaves of absence, workers compensation leave, or any other leave when an employee is out for greater than six (6) months (except in extenuating circumstances as determined by the City Manager).

SECTION 4
WAGE AND BENEFITS

1. GENERAL POLICY

The wages provided by the City of Rockledge are intended to provide fair compensation for all positions with regard to range of pay for other positions, prevailing rates of pay for similar employment in other like-sized public jurisdictions in the area, the financial conditions of the City, and other factors. The City Manager or designee shall, as directed by City Council, make comparative studies as required of all factors affecting the levels of salary ranges.

2. ANNUAL SALARY REVIEW

- A. The Department Director and the City Manager will review the salary of all employees at the time of preparing the annual budget requests.
- B. All annual salary increases are subject to City Council approval of the budget.
- C. Additional increases in pay and job title changes may be granted during a fiscal year to an employee with a superior performance rating and recommended in writing by the Department Director and approved by the City Manager. This applies only for exceptional performance above and beyond normal duty and only as provided for in the budget, or a substantial change in job responsibilities.

3. EXTRA TIME COMPENSATION

- A. Extra time pay at the rate of one and one-half (1 & 1/2) times regular pay will be given non-exempt employees in excess of the authorized work week/pay period hours when provision is made for same in the annual budgetary appropriations. Time worked shall include vacation leave, holidays, scheduled sick leave, and compensatory time. All extra time must be approved in advance by the Department Director or designee.
- B. No employee will be required to work extra time, unless it is an emergency or public necessity, or as required to meet minimum staffing requirements, as determined by the Department Director or designee, or in the event of a meeting scheduled beyond normal working hours.
- C. Any non-exempt employee who has left his normal place of work for his residence and is called back for overtime work shall be paid for such overtime in accordance with the above, provided that he shall receive a minimum payment of two (2) hours at one-and-one-half (1½) times his regular rate of pay. The minimum time provided herein does not apply if an early call-in period extends into the start of an employee's regular work period or extends beyond the normal work period.

4. COMPENSATORY TIME OFF

- A. Supervisory personnel may be granted compensatory time off for extra time hours worked on an hour for one and one-half (1 & 1/2) hour basis when approved by the Department Director or designee.
- B. Exempt personnel may receive compensatory time off when approved by the City Manager.

- C. Non-exempt personnel may request compensatory time in lieu of overtime pay, as approved by the Department Director or designee.
- D. Accumulation of compensatory time shall not exceed 80 hours, except as approved by the City Manager.

5. INSURANCE BENEFITS

- A. Group medical insurance is provided at no cost as a part of the employee benefit package. Should the employee take advantage of the family coverage provision of the plan, he may do so, provided he authorizes a payroll deduction of one-half (1/2) the additional cost (see Section 1.10). The City reserves the right to place a limit on the portions of medical insurance paid by the City.
- B. Life insurance is carried on all employees of the City at no cost to them. Additional coverage is provided firefighters and police officers as required by Florida Statutes.
- C. Any employee can contact the Human Resource Coordinator for specific hospitalization benefits and required waiting period (90 days waiting period).
- D. Coverage and benefits will be determined by contracts recommended by the City Manager and approved by the City Council.
- E. The costs for medical insurance coverage can be controlled by employees through proper use of the plan, as well as through preventive illness and wellness programs taken by the employee.

6. SOCIAL SECURITY AND RETIREMENT PROGRAM

- A. All City employees are covered by the Social Security Act. Any question regarding impending employee retirement should be referred to the Human Resource Coordinator for appropriate direction.
- B. A general retirement program has been established for City employees after retirement to supplement Social Security benefits. This pension plan is administered by the appropriate committee of trustees (Police, Fire, General Employees).
- C. Employee participation in the City's Retirement Plan is mandatory, commencing with the employee's date of employment.
- D. Accumulated employee contributions to the retirement fund, plus applicable interest, will be paid to terminating employees, after completing necessary forms at City Hall. Receipt of retirement contributions by the terminated employee may take up to sixty (60) days.

7. INJURY BENEFITS

A. WORKERS COMPENSATION

- 1. All employees of the City of Rockledge are covered by Workers Compensation, which provides for payment of medical care required pursuant to an on-the-job injury and in accordance with state law.
- 2. When an injury occurs, all emergency attention required shall be taken by the immediate supervisor or employee in charge. An *INCIDENT/ACCIDENT INVESTIGATION FORM* shall be completed in duplicate and the duplicate copy

retained for departmental records. The employee shall be responsible for reporting the injury immediately, unless conditions render the employee physically unable to do so.

3. If, due to the serious nature of the injury, the employee is unable to return to work, the attending physician will present written evidence as to the extent and nature of the injury to the office of the Human Resources Coordinator. In any case, the employee shall have the written permission of the physician before he may return to work.
4. Should an employee be injured in the line of duty, while Workers Compensation eligibility is being determined, the City will, at the employee's option, pay the employee's regular wages for the first five (5) work days following the accident, and charge this time to sick leave, provided the employee has adequate sick leave accrued. In the event the employee does not have adequate sick leave accumulated, up to five (5) days of vacation or compensatory time may be used and charged accordingly. If no sick leave, vacation, or compensatory time is used, the employee will not receive wages until Workers Compensation is activated eight (8) days from the date of the injury. Sick leave, vacation, or compensatory time used in connection with Workers Compensation will not be credited back to the employee's leave accounts; however, the employee will receive the full payment for Workers Compensation.

When an employee chooses sick leave, vacation, or compensatory time for the first five (5) work day period, each department is responsible for indicating the leave time as *Workers Compensation/Sick Leave*, or *Workers Compensation/Vacation*, or *Workers Compensation/Compensatory Time* on the payroll time sheets.

While on Workers Compensation leave, the employee will be responsible for payment of the portions of the insurance benefit normally paid by the employee.

All provisions of Workers Compensation are subject to bargaining unit contract provisions.

5. Whenever possible, generic drugs will be used for prescriptions in connection with Workers Compensation, in an effort to control health care costs.
6. Employees who are out on workers compensation are prohibited from working a second employment unless approved by the workers compensation physician.
7. The Drug-Free Workplace policy and procedure shall be adhered to by all employees.

B. LIGHT DUTY ASSIGNMENT

The City of Rockledge does not recognize "light duty" as an applicable phrase with regard to the ability of an individual to perform his job function. However, it reserves the right to permit temporary assignment for up to sixty (60) days, if doing so serves the best interest of the City and has the concurrence of the Department Director and the City Manager.

8. SAFETY PRACTICES

- A. Safety practices shall be observed at all times in order to facilitate protection of all

employees.

- B. The City's safety officers shall be designated by the Department Director and approved by the City Manager to investigate all industrial injuries and submit to the required Department Directors or Supervisors and City Manager applicable recommendations for prevention of similar accidents in the future.
- C. The use of seat belts is MANDATORY in all City vehicles and failure to use them shall result in disciplinary action.

9. PROBATIONARY PERIOD

- A. The City shall require a six (6) month probationary period for all newly-hired employees in all departments, with the exception of Police and Fire Departments bargaining-unit personnel. Upon recommendation by the Department Director, and approval of the City Manager, probation may be extended by a period of up to ninety (90) days.
- B. The probationary employees shall be evaluated at the end of the first three (3) months, and at the end of the six (6) month probationary period. Police and Fire Departments personnel shall also be evaluated thirty (30) days prior to the expiration of the probationary period.
- C. All employees on probationary status shall not have recourse through the grievance procedure in any matter of discipline, termination for cause or lay-off due to reduction in force. The City may, at its sole discretion, terminate any employee, with or without cause, during the initial employment probationary period.
- D. An employee receiving a promotion is subject to a probationary period of ninety (90) days in his new position.

10. OUTSIDE EMPLOYMENT

- A. All employees may engage in outside employment, providing it in no way interferes with their regular City employment requirements. No employee may engage in part-time employment that may be considered to be a conflict of interest.
- B. No employee shall engage in outside employment during sick leave or while on workers compensation time off, except as outlined in Section 4.7.A.6.
- C. All City of Rockledge employees who engage in outside employment automatically make themselves ineligible, as far as their City relationship is concerned, to receive sickness and accident benefit payments of Workers Compensation on account of disability contracted during or resulting from such outside employment, except accidental insurance.
- D. No equipment, facilities, vehicles or property of the City shall be utilized by any employee while engaged in outside employment, except in those instances in the best interest of the City of Rockledge as approved by the City Manager.
- E. No employee shall work outside employment while being paid by and on duty for the City of Rockledge.
- F. Violation of any of the above shall result in disciplinary action.

11. LONGEVITY PAY

- A. Longevity pay shall be awarded as follows:
- First pay period after completion of the 5th anniversary of active employment, and each anniversary thereafter until the 10th year - \$250.00.
 - First pay period after completion of the 10th anniversary of active employment, and each anniversary thereafter until the 15th year - \$400.00.
 - First pay period after completion of the 15th anniversary of active employment, and each anniversary thereafter until the 20th year - \$600.00.
 - First pay period after completion of the 20th anniversary of active employment, and each anniversary thereafter while employed - \$800.00.
- B. Longevity pay is not guaranteed and is only available as appropriated by the City Council. Longevity pay shall not be added to base wages, but shall be considered as incentive pay. For purposes of this section, active employment shall not include leaves of absence, workers compensation leave, or any other leave when an employee is out for greater than six (6) months.

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SECTION 5
GRIEVANCE PROCEDURE

1. GENERAL POLICY

A. The City Manager invites employees to make suggestions for work improvement and to register complaints regarding working conditions, personnel handling, distribution of work, and any other personnel matters. It is his desire to implement recommended suggestions and eliminate the cause of any justifiable complaints whenever possible. Any suggestion, complaint, etc., should be made to the immediate supervisor, and it shall be the responsibility of said supervisor to pass the comments through the chain of command.

B. "WHISTLE-BLOWER" PROTECTION

The City of Rockledge will not tolerate discrimination against employees who make complaints in accordance with the proper supervisory levels or grievance procedure. No employee shall be subject to reprisal, separation, or other disciplinary action for disclosure, not prohibited by law, of violations of laws, rules, regulations, wrongdoings, inefficiencies, or other improper actions. Employees who have knowledge of such actions are encouraged to report them to their immediate supervisor or Department Director. These reports are kept confidential on a need-to-know basis. No reprisal, of any type, by any person, will be permitted and should this occur, the offending party shall be subject to disciplinary action. The employee will immediately bring any reprisals to the attention of the appropriate management personnel.

The above statement does not protect against proper disciplinary actions taken against an employee who files a knowingly-false or malicious report.

C. In any case where a valid union contract specifically modifies the grievance procedure set forth herein below, the provisions of the union contract will prevail. In every other instance, however, the provisions of this manual shall be adhered to.

2. EMPLOYEE GRIEVANCE PROCEDURE

The grievance procedure can only be instituted in accordance with the procedures set forth below. In every case, written documentation of the grievance discussion and decision will be filed at the departmental level; in cases that the grievance reaches the Office of the City Manager (Step 3), written documentation will be retained in the employee's Official Personnel File at City Hall.

A. STEP 1:

The employee shall first verbally discuss his grievance with his supervisor within seven (7) working days of the date that the employee became aware of the action giving rise to the grievance. The supervisor shall respond in writing within seven (7) working days.

B. STEP 2:

If an employee is not satisfied with the decision given by the supervisor, the employee may request the supervisor to arrange a meeting with the Department Director within seven (7) working days by the following procedure:

1. The employee shall put the alleged grievance in writing on the City Grievance Form;
2. The employee shall present the form to the supervisor for forwarding to the Department Director. The supervisor cannot deny the right to this request; and
3. Upon receipt of the written grievance, the Department Director will schedule a hearing with the employee(s) and may have the supervisor in Step 1 present. This must be completed within seven (7) working days.

C. STEP 3:

If the grievance is not settled in Step 2, the employee(s) may appeal the decision to the City Manager within seven (7) working days. The City Manager will schedule a hearing in a manner consistent with that used in Step 2, and may have the Human Resource Coordinator, supervisor or foreman and Department Director present. The City Manager will make his decision within ten (10) working days of the hearing and inform all parties involved of his decision.

D. STEP 4:

Should the employee be unwilling to accept the decision of the City Manager, he may require him to schedule a hearing of the grievance before the Administrative Committee of the City Council. This applies only to employees not covered by any collective bargaining agreement.

- E. The Administrative Committee shall have final authority in the resolution of all grievances, subject to any questions of law which may arise. This applies only to employees not covered by any collective bargaining agreement.

SECTION 6
DISCIPLINARY ACTION

1. GENERAL POLICY

- A. The City of Rockledge does not employ unreasonable or harsh disciplinary measures, but recognizes the need for discipline in any well managed organization. Employees shall be made aware of the consequences that will arise should any regulation be violated or action taken that is not in accord with this manual or reasonable work responsibility. Disciplinary actions will range from a verbal reprimand (written documentation in personnel file) to immediate discharge, and the employee should be aware that disciplinary action will become a permanent part of his personnel file and will be reviewed during consideration for promotion or pay increase.
- B. If, in the course of a disciplinary action, the Department Director becomes aware of extenuating circumstances, he may request of the City Manager a waiver of the discipline required for the indicated offense.

2. CLASSIFICATION OF OFFENSES

- A. Offenses are divided into three (3) categories, as set forth below, and include, but are not limited to, the following:
 - 1. MINOR OFFENSES
 - a. Excessive tardiness (more than two (2) times within a 30-day period)
 - b. Lack of courtesy to the general public
 - c. Careless use of City property involving damages of less than \$500
 - d. Selling, soliciting or distributing handbills on City property while on duty
 - e. Receiving a citation for traffic law violation in a City vehicle (employee is responsible for paying citation)
 - f. Damage to private and/or City vehicles caused by carelessness and resulting in damage of less than \$1,000
 - g. Failure to perform job assignment in a satisfactory manner
 - h. Fraternalization between employees that is disruptive to work routine or employee relationships
 - i. Safety violations
 - j. Violation of the Cellular/Computer and Social Media Policy
 - k. Any other action of a minor nature that is deemed unacceptable as a public servant.
 - 2. MAJOR OFFENSES
 - a. Continued violation of safety rules
 - b. Careless use of City property resulting in damage in excess of \$500

- c. Failure to report absence within twenty-four (24) hours of schedule duty
- d. Abuse of sick leave policy
- e. Damage to private and/or City vehicles caused by carelessness and exceeding \$1,000
- f. Leaving the workplace without permission from a supervisor
- g. Absence without notification during duty hours
- h. Having knowledge of thievery or misappropriation of City funds or equipment, and failing to report same to proper supervisory personnel
- i. Excessive unexcused absences (more than two (2) within a 30-day period)
- j. Actions or comments which discriminate against another employee or citizen concerning race, color, religious creed, national origin, ancestry, age, gender, sexual preference, marital status, or a disability.
- k. Refusal to work during a declared disaster
- l. Any other action of a major nature that is deemed unacceptable as a public servant.

3. INTOLERABLE OFFENSES

- a. Misappropriation of City funds or equipment or stealing the property of the City, the public, or a fellow employee
- b. Willful damage to City property, equipment or vehicles, regardless of the extent of the damage
- c. Engaging in any slow-down activities
- d. Failure to report a major contagious disease in household that could infect fellow employees and citizens as a result of exposure
- e. Operation of City vehicle without a valid Florida State Operator's License
- f. Insubordination or failure to carry out a lawful order
- g. Consumption of, or being under the influence of drugs, alcohol or any other intoxicant during working hours
- h. Sexual harassment (refer to Section 1.6.D)
- i. Possession of a deadly weapon during work hours (authorized personnel are exempted)
- j. Gambling on City property or during working hours
- k. Job abandonment (unexcused absences for three (3) consecutive days)
- l. Failure to respond to progressive discipline
- m. Conduct unbecoming a public servant
- n. Continued abuse of sick leave policy
- o. Falsification of personnel, employment, or other city records

- p. Asleep during working hours.
- B. If an employee receives no further minor offenses for a one (1) year period (2 years for major offenses), his record shall be considered cleared, insofar as progressive discipline is concerned. However, an employee's entire record will be considered in cases where the City is considering termination.

3. DISCIPLINARY ACTION

- A. MINOR OFFENSES. Should an employee be found to have committed a minor offense, the recommended disciplinary action used will be the following:
 - 1st Offense: Verbal reprimand (written documentation in personnel file)
 - 2nd Offense: Written reprimand to be placed in personnel file
 - 3rd Offense: Suspended for one (1) working day without pay
 - 4th Offense: Suspended for three (3) working days without pay
 - 5th Offense: Dismissal
- B. MAJOR OFFENSES. Should an employee be found to have committed a major offense, the recommended disciplinary action used will be the following:
 - 1st Offense: Written reprimand to be placed in personnel file
 - 2nd Offense: Suspended for three (3) working days without pay
 - 3rd Offense: Suspended for five (5) working days without pay
 - 4th Offense: Dismissal
- C. INTOLERABLE OFFENSES. Should an employee be found to have committed an intolerable offense, the disciplinary action may result in ***IMMEDIATE DISMISSAL***.
- D. In extenuating circumstances, management reserves the right to suspend employees, with or without pay, pending the outcome of an investigation into said circumstances.
- E. Management reserves the right to modify disciplinary procedures when it is determined that extenuating circumstances exist.

4. EMPLOYEE DUE PROCESS

The City of Rockledge recognizes that all employees are to be afforded due process when accused of rule or policy violations. The City recognizes the following classes of employees and establishes procedures which an employee may elect to use.

- A. Probationary Employees
 - 1. Name Clearing Hearing- Generally probationary employees have only a "liberty interest" during the process. Any disciplined employee may request a name clearing hearing when a public record indicates that he acted improperly and it affects his good name and reputation associated with employment. The purpose of the hearing is to afford the employee an opportunity to refute stigmatizing information and pursue the removal of that information, as well as any unsubstantiated allegations, from public record. In all cases, employees who wish to have a Name Clearing Hearing must request it to their Department Director.

B. Non-Probationary Employees

1. **Grievance Procedure-** An employee may use the grievance procedure to appeal a disciplinary action taken against him when there is a disagreement over the issued discipline. The grievance procedure to be utilized is established within this manual or within labor agreements. During an appeal the employee will retain seniority status but must accept any disciplinary action. Should the disciplinary action be reversed on appeal, the employee is entitled to have returned to him all wages for time lost, not to exceed a normal work week.
2. **Pre-Determination Hearing-** Accused employees facing discipline that could result in dismissal, suspension or demotion for disciplinary reasons shall be offered a pre-determination hearing by their Department Director and/or City Manager. The purpose of this hearing is to afford the employee an opportunity to present information to explain his action and/or dispute the charges prior to a disciplinary decision. Attendance to a scheduled hearing is optional for the employee.
3. **Name Clearing Hearing-** Any disciplined City employee may request a name clearing hearing when a public record indicates that he acted improperly and it affects his good name and reputation associated with employment. The purpose of the hearing is to afford the employee an opportunity to refute stigmatizing information and pursue the removal of that information, as well as any unsubstantiated allegations, from public record. In all cases, employees who wish to have a Name Clearing Hearing must request it to their Department Director.

**SECTION 7
HOLIDAYS**

1. GENERAL POLICY

The City Council has authorized the following paid holidays during each calendar year for all City employees in all departments. The City Council reserves the right to designate other holidays for the benefit of City employees.

- A. The first day of January.....**New Year's Day**
- B. The third Monday of January.....**Martin Luther King's Birthday**
- C. The last Monday of May **Memorial Day**
- D. The fourth day of July**Independence Day**
- E. The first Monday of September.....**Labor Day**
- F. The eleventh day of November **Veterans Day**
- G. That day in November proclaimed as.....**Thanksgiving Day**
- H. The day following Thanksgiving Day..... **Thanksgiving Holiday**
- I. The twenty-fifth day of December**Christmas Day**
- J. **Floating Holiday.**
- K. Two (2) Floating Holidays will be granted to employees who have six (6) months of unbroken service with the City; dates are subject to approval of Department Director or designee and shall be taken in increments of not less than eight (8) hours.

2. WORK DURING HOLIDAYS

- A. Any Department Director or designee who finds it necessary to do so may request some or all employees of his department to report to work on any of the holidays listed above.
- B. An employee who is required to work on a holiday shall receive extra time compensation in the manner consistent with Section 7.4.B or C of this manual, or the labor contract for that employee group, whichever is applicable.
- C. Employees who request to work on an observed holiday may take a different day off after receiving approval from the City Manager. Exchange will be on an hour-for-hour basis.

3. HOLIDAYS OCCURRING ON SATURDAY OR SUNDAY

Whenever any legal holiday listed above falls on a Saturday, the Friday before will be the paid holiday. If the holiday falls on a Sunday, the following Monday will be the paid holiday.

4. PAYMENT FOR HOLIDAY

- A. Holiday pay will not be permitted if an employee is absent from his job responsibilities both the last scheduled working day prior to the holiday and the first scheduled working day after the holiday; subject to collective bargaining unit agreements. For purposes of interpretation, a scheduled working day shall exclude prior approved use of vacation or

compensatory days, or absences where a physician has required time off for the employee, or a doctor's excuse is provided for an illness. However, continued abuses by any employee of absences prior to and following holidays, will be considered sufficient grounds for progressive discipline.

- B. An employee who, as a part of his normal work schedule, must work a City holiday will be compensated at a rate not to exceed double time for actual hours worked on that holiday, provided that the employee meets all other eligibility requirements.
- C. Any employee who is required to work on a holiday will be compensated at straight time unless he has worked in excess of forty (40) hours, in which case the employee will be compensated at a rate not to exceed time-and-one-half (1& 1/2). This also applies to employees who are in a standby situation subject to call-outs.

**SECTION 8
VACATIONS**

1. GENERAL POLICY

- A. City employees will receive vacation with pay in accordance with the following schedule, if they have been in continuous employ of the City of Rockledge

<u>COMPLETED SERVICE</u>	<u>DAYS (HOURS) PER YEAR</u>
1 year through 3 years	10 (80)
4 years through 7 years	12 (96)
8 years through 12 years	15 (120)
13 years through 18 years	20 (160)
19 years through 23 years	22 (176)
24 years and over	25 (200)

- B. Up to ten (10) days (80 hours) of vacation may be automatically carried forward into the next year of employment. However, in no case shall the carry forward be for a period in excess of one (1) year.
- C. Employees with greater than twelve (12) years of service may automatically carry forward up to fifteen (15) days of vacation to the next year of employment. In addition, they may reduce the carry-forward to ten (10) days and be paid for up to five (5) days at their current rate of pay on the anniversary; however, qualified employees shall request this option in writing to the City Manager at least seven (7) days prior to their anniversary date, or the option is automatically null and void. In no case shall the carry-forward be for a period in excess of one (1) year.
- D. Vacation will not be used in increments of less than one (1) hour.

2. VACATION SCHEDULES

- A. Vacation schedules will be prepared or approved by the Department Director or designee on a basis of seniority and department work schedules. Vacations shall be arranged as to be mutually convenient to both the employee and the City, when possible, but should a conflict occur, the requirements of the City shall prevail.
- B. Vacations may be taken any time during the employment year subject to the approval of the Department Director or designee.
- C. The Department Director or designee may change the vacation schedule if required.

3. DEPARTMENT POOLING OF VACATION TIME

In the case of extreme hardship where the employee has exhausted all sick leave, vacation leave and compensatory time, the Department Director shall discuss the matter with the City Manager for appropriate action. Actions allowed may include departmental pooling of vacation time and advance leave, as approved by the City Manager.

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SECTION 9
SICK LEAVE

1. GENERAL POLICY

- A. Paid sick leave will be granted to all City employees when they are ill if they have accumulated sufficient sick days on their record. (Annual leave and compensatory time may be used in lieu of sick leave.)
- B. Sick leave time will be accumulated at the rate of eight (8) hours per month for all City employees, except where modified by bargaining unit contracts.
- C. Sick leave is a privilege which shall be allowed only for personal sickness or quarantine because of contagious disease in an employee's family.
- D. No employee may use accumulated sick leave prior to completing six (6) months of continuous employment, unless approved by the Department Director and the City Manager.
- E. Sick leave used will be charged in increments of not less than one (1) hour.

2. SICK LEAVE NOTIFICATION

To receive sick pay, an employee must call or notify his supervisor or department office within thirty (30) minutes from the time he is scheduled to be at work.

3. SICK LEAVE EARNED

- A. No employee is permitted to use sick leave that has not already been accumulated, except by approval of the City Manager. The Human Resource Coordinator and Finance Division will be held responsible for accurate records being kept on sick leave during any current year with attendance records supplied by each Department/Division.
- B. In the case of extreme hardship where the employee has exhausted all sick leave, annual leave and compensatory time, the Department Director shall discuss the matter with the City Manager for appropriate action. Actions allowed may include departmental pooling of sick leave and advance leave, as approved by the City Manager.

4. PHYSICIAN VERIFICATION OF SICK LEAVE

At times, employees absent due to illness will be required to provide to their Department Director a physician's statement of the need for the employee's absence and estimated duration of the absence. This will be required:

- A. When an employee is absent in excess of five (5) consecutive days, and/or
- B. When required by a Department Director due to concerns of possible abuse of sick leave.

5. ILLNESS IN FAMILY

- A. Employees having adequate available sick leave may leave their positions in order to take care of family members who are ill, and are permitted to use up to forty (40) hours of sick leave per calendar year, except in extenuating circumstances as approved by the

Department Director and the City Manager.

- B. Family members are defined as the following relatives of the employee or the employee's spouse: mother, father, brother, sister, children, grandchildren or grandparents. This shall apply to step family, as well.

6. ABUSE OF SICK LEAVE

- A. Sick leave shall apply only to health conditions. Sick leave shall not be used for vacation or personal time off, and such abuse may result in grounds for discharge.
- B. Use of sick leave which establishes a pattern that is substantially different from use by most employees will be considered as abuse.
- C. Employees out on paid sick leave are required to remain at their residence during the employee's regular work hours, unless leaving to see a doctor or to obtain medication.
- D. The City will utilize the standard of substantial evidence to determine proof of abuse of sick leave. Substantial evidence is defined as "what a reasonable mind might accept as adequate to support a conclusion".
- E. Continued abuse of sick leave shall be grounds for discharge.

7. ACCUMULATED SICK LEAVE

- A. Sick Leave accumulation shall be limited to a maximum of 3200 hours.
- B. If an employee accumulates more than 1600 hours of available sick leave, the employee may elect to convert not more than twenty-four (24) hours of sick leave to personal days. This time must be taken in not less than eight- (8-) hour increments, and will require that not less than 1600 hours of sick leave be available at all times. This personal leave will be considered to be the same as vacation time and shall be limited to 24 hours per calendar year and may not be carried forward from year to year. This shall require approval in writing by the City Manager, following a written request submitted by the eligible employee.

8. PAYMENT FOR SICK LEAVE

- A. Upon termination of the employee for any reason, excepting discharge for cause, accumulated sick leave will be paid at the employee's current rate of pay for fifty percent (50%) of available sick leave, or according to labor contract provisions, whichever is applicable.
- B. No sick leave will be paid any employee upon separation from the City if said employee has been employed less than one (1) continuous year, or if employee fails to give at least one (1) week notice (unless waived by the City).
- C. Terminating or retiring employees whose available sick leave extends beyond 500 hours are subject to the option of the City to pay for the hours extending beyond 500, at the employee's rate of pay at retirement or termination, over a 36-month period. Or, at the choice of the terminating or retiring employee, said employee may opt to leave all or a portion of the benefit (defined in Section 8.A) with the City and designate same to cover health care insurance costs selected by the employee.

9. USE OF SICK LEAVE FOR MEDICAL APPOINTMENTS

Employees should attempt to schedule medical and dental appointments on off-duty hours; however, sick leave may be used for necessary appointments during working hours. Employees needing time away from their employment for medical/dental appointments will be charged sick leave in accordance with the following:

- A. Employees away from work for less than one (1) hour will not be charged for any sick time.
- B. Beyond one (1) hour, fractional time will be charged at fifteen- (15-)minute intervals and will include the first hour.
- C. For payment, employees must present certification of a doctor's appointment, if required by the Department Director.
- D. Employees attending medical/dental appointments who are away from work for more than one (1) hour must utilize available sick leave in order to take advantage of the privilege set forth in Subsection A of this section. Under no circumstances may employees use other available leave categories (i.e. vacation, compensatory time, etc.) in combination with available sick leave to accommodate medical/dental appointment absences.

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SECTION 10
MILITARY LEAVE

1. GENERAL POLICY

All employees who are military reservists shall be granted annual military leave on all days in which they may be engaged in a field exercise or other training ordered under the provision of the United States Military regulations in any one annual period. (This shall be consistent with State and Federal statutory requirements and shall be without loss of vacation leave, pay, time, or seniority.)

2. NOTICE OF MILITARY LEAVE

The City Manager should be notified by the Department Director two weeks prior to the employee going on military leave, and stating the period of time off. This requirement may be waived under emergency situations.

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SECTION 11
ABSENCES AND OTHER LEAVES

1. GENERAL POLICY

- A. All absences, sick and other leaves, vacation and other time off, whether authorized or unauthorized, must be recorded on the Attendance Record submitted by the Department Director for payroll purposes.
- B. Habitual or unjustified absenteeism shall be sufficient cause for discharge, as provided in Section 6.
- C. Recognizing that Department Director staff is required to work beyond normal hours on frequent occasions, the City Manager shall have the authority to grant additional hours for time off as requested by the Department Director.

2. EXCUSED ABSENCE WITHOUT PAY

- A. An employee may be granted an excused absence without pay for up to five (5) working days for a valid reason. Such recommendation is required in writing from the Department Director and must be approved in advance by the City Manager, a copy of which shall be forwarded to the Human Resource Coordinator for inclusion in the employee's personnel record file.
- B. Department Director absences for personal business are with the approval of the City Manager.

3. BEREAVEMENT LEAVE

- A. Upon notification to the Department Director or designee, an employee may be granted time off with pay due to a death in the employee's immediate family or step-family, or the spouse's immediate family or step-family (mother, father, brother, sister, children, grandchildren, grandparents). If leave is requested, it must begin within seven (7) days following the date of death, using the following criteria:
 - 1. In-state: Up to three (3) consecutive working days (not to exceed five (5) calendar days)
 - 2. Out-of-state: Up to five (5) consecutive working days (not to exceed seven (7) calendar days)
- B. An employee may request to use sick leave for additional days off related to a family death; however, it shall require approval from the City Manager or designee.
- C. Bereavement leave shall not be deducted from any other form of leave unless approved by the City Manager or designee.
- D. To be eligible for pay, a newspaper clipping, funeral memorial card, certification of the obituary or death certificate may be submitted for verification.
- E. In extenuating circumstances, the City Manager shall be authorized to modify the bereavement leave policy.

4. JURY DUTY ABSENCE

- A. Any City employee called for jury duty during regular scheduled working hours will be paid the difference between their pay for jury duty and their straight-time pay for all days they are required to serve on jury duty.
- B. The Department Director will record the jury duty time on the attendance record for payroll purposes.

5. WITNESS ATTENDANCE ABSENCE

Employees who receive witness fees for job-related witness appearance during regular scheduled working hours shall endorse and submit the witness fee check to the City of Rockledge through their Department Director. Those attending off-duty have the choice of accepting the fee given or receive compensation provided in bargaining unit contracts.

6. LEAVE OF ABSENCE WITHOUT PAY

- A. An employee may be granted a leave of absence without pay up to sixty (60) days for a valid reason. Such recommendation is required in writing from the Department Director and must be approved in advance by the City Manager.
- B. No employee shall be granted a personal leave of absence (except military) prior to the completion of twelve (12) months of continuous service with the City.
- C. Employees returning from leave of absence in excess of thirty (30) days may be required to report for physical re-examination and drug screen testing to ascertain their fitness to continue their employment.
- D. Employees granted a leave of absence without pay shall retain seniority status during such leave, but shall accrue no other employee benefits (i.e. sick leave, vacation, and retirement).
- E. During a leave of absence granted for a period of thirty (30) days or more, the employee must pay to the City the amount required to fully cover all applicable insurance costs. These costs will include all portions which the City may provide as a benefit during the normal course of employment.

7. EMERGENCY DISMISSING

- A. Due to an Act of God or a National Emergency, hurricane, tornado or Emergency Management alert or attack warning, the City Manager may grant pay for those employees authorized to leave.
- B. Some employees may be requested to remain for Emergency Management duties and other emergency support as required by their departmental operations.

8. MATERNITY LEAVE

The City shall adhere to the provisions of Title VII of the Civil Rights Act of 1964 (Pregnancy Discrimination Act of 1978) as it relates to pregnant employees and maternity leave.

9. FAMILY AND MEDICAL LEAVE ACT OF 1993

Those employees desiring to use this provision of the law, and meeting eligibility requirements, shall contact the Human Resource Coordinator in order to ascertain eligibility.

SECTION 12
PERSONNEL RECORDS

1. GENERAL POLICY

Personnel file records on each employee will be kept in the custody of the Human Resource Coordinator. The records are public information and accessible through an official request, subject to limitations of the law.

2. CHANGE OF STATUS

A. The Department Director shall require all supervisors to notify all employees of the importance of keeping their personnel record current. The employee should submit a change of status form to the Department Staff Assistant listing any status changes as follows:

1. Change of address, even if temporary
2. Change of telephone number or nearest telephone number
3. Change of life insurance/retirement beneficiary(ies)
4. Number of dependents
5. Change in marital status
6. Any change of status not previously reported that was originally given at time of employment
7. Change in employment classification.

The Department Staff Assistant shall immediately forward the Change of Status form to the Human Resource Coordinator.

B. Reporting changes of status is a responsibility of the employee and failure to keep personnel records up to date may result in incorrect federal income tax withheld, incorrect life insurance and retirement beneficiary(ies), and loss of other employee benefits.

C. The City requires current telephone numbers and addresses in cases of required work call-outs, and national or weather emergency call-outs.

3. TRAINING

The office of the Human Resource Coordinator should be advised by the employee of any special training courses completed by the employee. Copies of diplomas or certificates should be forwarded to become a permanent addition to the employee's personnel file.

4. DISCIPLINARY ACTION

Department Directors shall forward a signed copy of all disciplinary actions to the Human Resource Coordinator. All disciplinary actions will become a permanent record in the employee's personnel file, except when overturned by due process.

5. DEPARTMENT PERSONNEL RECORDS

A. Daily attendance records shall be maintained by each department office and are the

responsibility of the Department Director. The original signed copy shall be forwarded to the Finance Division as authorization for the payroll preparation record.

- B. Pay period records for vacation, sick time, overtime, compensatory time, and other leaves shall be the responsibility of the Department Directors; these records shall be transferred to the Finance Division for payroll purposes. Cumulative records shall be the responsibility of the Human Resource Coordinator and Finance Division.
- C. Letters requesting time off for all personal leaves, emergency leaves, military leaves, leaves without pay, will be forwarded by the Department Director to the Human Resource Coordinator for inclusion in the employee's personnel file. All authorized time shall be recorded on the Department Attendance Record form submitted for payroll purposes.

6. EMPLOYEE AUTHORIZATION OF INFORMATION

An employee may make a request in writing for the City to make information available to a bank, mortgage company, insurance company or any other institution to help secure a loan for purchase of a home, automobile, insurance or any other purposes the employee specifically authorizes.

7. EMPLOYEE DEBTS

- A. All City employees should endeavor to maintain a good credit rating by prompt payments of all debts. A poor payment record or non-payment by a few City employees can reflect upon all City employees as a group.
- B. Telephone calls or correspondence from loan companies, credit bureaus, detective agencies, or business firms complaining about City employees' abuse of credit should be referred to the City Manager, who will contact the employee's Department Director.

SECTION 13
USE OF CITY PROPERTY

1. GENERAL POLICY

- A. The City attempts to provide each employee with adequate tools, equipment and vehicles for the job being performed, and expects each employee to observe safe work practices and safe and courteous operation of vehicles and equipment in compliance with all municipal, county and state vehicular regulations.
- B. Failure to comply with the provisions hereinafter made a part of this section shall result in disciplinary action in accordance with Section 6.

2. VALID DRIVER LICENSE

- A. All operators of City vehicles and equipment are required to have a valid State of Florida driver license required for their position and to keep supervisors informed of any change of status in their license.
- B. Suspension or revocation of the driver license of an employee who is assigned as a vehicle or equipment operator may result in a demotion or discharge.

3. USE OF TOOLS, EQUIPMENT, PROPERTY AND VEHICLES

- A. Employees who are assigned tools or equipment or vehicles by their department are responsible for them and their proper use.
- B. No personal use of any City property, materials, supplies, tools, equipment (including computers and related peripherals) or vehicles shall be permitted, except as authorized by union contract or the City Manager. Violations may result in discharge and possible prosecution.
- C. Department Directors are assigned vehicles and may use the vehicles for personal use, in Brevard County only, to accommodate their on-call status.

As an alternative, with the approval of the City Manager, the Department Director may receive a monthly automobile allowance in an amount that is 90% of the allowance afforded to the City Manager by contract or \$400.00, whichever is greater. In addition, with the approval of the City Manager, the Department Director may revert to the use of a city-owned automobile. All City-related travel will be included in the car allowance unless it is outside Central Brevard County, for which reimbursement shall be at the state-approved rate per mile.

- D. Any employee under the influence of either a prescription or non-prescription drug that may cause impairment shall not operate City equipment, tools, and/or vehicles.
- E. Any use of a cellular phone while operating a City vehicle is prohibited unless it is an operational necessity or an emergency. This will be strictly enforced.

4. SAFETY MEETINGS

- A. Safety Manuals are provided to each employee of the City and it is the responsibility of the employee to familiarize himself with the contents of said manual.
- B. Each Department Director shall arrange and conduct safety meetings that will be

beneficial to his departmental operations and reduce worker, equipment and vehicle accidents.

- C. The City has designated a Safety Committee consisting of employee representatives from each department. This committee shall meet at least quarterly and make a written report to the City Manager. Pursuant to Florida Statutes, the City Manager will respond concerning specific actions to be taken with regard to Committee recommendations.

5. REPORTING OF ACCIDENTS

- A. Any employee operating City equipment or vehicles must report immediately all vehicular accidents and property damage or liability claims to his Department Director or immediate Supervisor.
- B. All vehicular accidents shall be reported to the Police Department, Florida Highway Patrol, or Sheriff's Office as the particular case may require, so an official accident report can be filed.
- C. The Police Department shall forward a copy of all accident reports, including photos, involving City equipment and vehicles to the Finance Division as soon as possible.
- D. Employees involved in equipment or vehicle accidents shall not leave the scene of the accident prior to release by a law enforcement officer or City Supervisor.

SECTION 14
EMPLOYEE EDUCATION

1. GENERAL POLICY

The City encourages City employees to attend educational conferences and take self-improvement and job-improvement courses, which are related to their work. Additional educational training will be one measure used in making recommendations for advancement and promotion.

2. EDUCATIONAL CONFERENCES

- A. An employee may be granted leave with pay to attend an educational conference as approved by the Department Director.
- B. Qualified educational conferences specifically related to a City department and its operations may be conducted by colleges, universities, technical schools, manufacturers (as an operation or service clinic), or state and national associations.

3. SELF-IMPROVEMENT COURSES

- A. Self-improvement courses are defined as those taken by an employee that will lead to personal upgrading, but which have no bearing on his present position assignment.
- B. Any self-improvement courses attended shall not conflict with the employee's departmental work schedule.

4. JOB IMPROVEMENT COURSES

- A. Job-improvement courses are defined as those that have a direct bearing on the employee's present position by increasing skills and knowledge.
- B. Any job-improvement courses attended shall not conflict with the employee's departmental work schedule.

5. REIMBURSEMENT FOR JOB IMPROVEMENT COURSES

Reimbursement of tuition/registration for all job-improvement educational courses shall be approved in advance of the employee starting the course of study and will depend on the employee receiving a grade of "C" or better, or "pass" in a pass/fail class. Approval of the reimbursement shall be by the City Manager.

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SECTION 15
TRANSFERS

1. GENERAL POLICY

It is City policy to promote within the organization whenever possible, provided the individual employee meets the education and work experience requirements. The City Council, in establishing this policy, provides opportunities for advancement or more responsible positions on the basis of demonstrated performance, attitude, general ability, education, seniority, and other particular qualifications that may be required.

2. EMPLOYEE TRANSFERS

- A. Transfers of employees between sections or departments of the City are to be encouraged if they will effect better utilization of an employee's capabilities, better opportunities for an employee to advance, more efficient utilization of manpower within the City, or retention of an employee who would otherwise be terminated because of reduction in force.
- B. Transfers of employees, except for reduction in force or reorganization, must have the concurrence of the employee, the receiving department, and the City Manager.
 - 1. To effect a transfer of an employee, the receiving department will submit an employee transfer form or memorandum to the Human Resource Coordinator.
 - 2. The department from which the employee is transferring shall submit a CHANGE IN EMPLOYMENT STATUS or memorandum to the Human Resource Coordinator, outlining the change as a transfer.

3. ACCRUED BENEFITS

Accrued sick leave, vacation and compensatory time will be transferred with the employee in any promotion, demotion, or transfer in all City departments. City seniority will be transferred, but not departmental seniority.

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SECTION 16
TERMINATIONS

1. GENERAL POLICY

The City of Rockledge recognizes that all employees will terminate their employment at some point. No termination made through this section shall take effect without the prior approval of the City Manager or his designee. The following sections outline the several ways through which the separation may be accomplished.

2. RESIGNATION

- A. Resignation is defined as a written announcement by the employee of his intention to voluntarily terminate his services with the City.
- B. Employees shall be required to submit not less than a one- (1-) week notice of intent to resign, in writing, to their Department Director, who will forward same to the Human Resource Coordinator for processing.
- C. Accrued vacation will be paid upon resignation after completion of at least six (6) months of employment.
- D. Accumulated sick leave will be paid at fifty percent (50%) of unused accumulated sick leave. However, this section does not apply in the presence of a contract provision stating otherwise, will not apply in the absence of compliance with Subsection B above, and in all cases, if due, will be paid in accordance with Section 9.8.B of this Manual.
- E. Accumulated employee contributions to the Retirement Fund, plus applicable interest, shall be paid to the employee upon termination. However, the amount provided shall, in all cases, be consistent with the provisions of the Retirement Plan as they exist at the time of resignation.
- F. The costs for any City-issued property not returned to the City by the terminating employee shall be deducted from the employee's last payroll check and/or retirement funds.

3. RETIREMENT

- A. Retirement is defined as an involuntary procedure on the part of the employee, if the retirement is for disability.
- B. Normal retirement is a voluntary procedure upon reaching stipulated retirement age. Employee benefits will be based upon the applicable retirement plan.
- C. Accrued vacation pay will be paid upon retirement.
- D. Accumulated sick leave will be paid at fifty percent (50%) of the unused accumulated sick leave. However, this section does not apply in the absence of notice of retirement in a manner consistent with that indicated in Section 16.2.B, and in all cases, if due, will be paid in accordance with Section 9 of this Manual.
- E. The costs for any City-issued property not returned to the City by the terminating employee shall be deducted from the employee's last payroll check and/or retirement funds.

4. DISCHARGE FOR CAUSE

- A. Discharge for cause is defined as action taken by the City to terminate an employee's services because of violation of employment conditions and policies, for lack of qualifications or failure to perform work satisfactorily.
- B. An employee discharged for cause will receive no separation pay, except as indicated in Sections C, D, and E below. However, the employee must be given the reason(s) for discharge in writing, and must be given the opportunity to defend himself during a pre-determination hearing with the City Manager, the Human Resource Coordinator, and the Department Director or respective designee(s).
- C. Accrued vacation pay will be paid upon discharge for cause after completion of at least six (6) months of employment, not to exceed eligible vacation.
- D. Accumulated sick leave shall not be paid.
- E. Accumulated contributions toward the Retirement Plan, plus applicable interest, will be paid.
- F. The costs for any City-issued property not returned to the City by the terminating employee shall be deducted from the employee's last payroll check and/or retirement funds.

5. REDUCTION IN FORCE

- A. If it becomes necessary for the City to abolish a position or reduce the number of employees, severance pay will be granted as per the following:
 - 1 through 5 years service - 80 hours severance pay
 - 6 through 10 years service - 160 hours severance pay
 - 11 through 25 years service - 240 hours severance pay
 - over 26 years service - 320 hours severance pay
- B. Accrued vacation pay will be paid due to reduction in force, not to exceed eligible vacation.
- C. Accumulated sick leave will be paid at fifty percent (50%) of unused accumulated sick leave. However, this section does not apply in the presence of a contract provision stating otherwise, and in all cases will be paid in accordance with Section 9 of this Manual.
- D. Accumulated contributions toward the Retirement Plan, plus interest, will be paid.
- E. The costs for any City-issued property not returned to the City by the terminating employee shall be deducted from the employee's last payroll check and/or retirement funds.

6. DEATH OF EMPLOYEE

- A. Should an employee's services terminate by reason of his death, his beneficiary(ies) will be eligible to receive the following in accordance with State and Federal Law:
 - 1. Accrued vacation pay, in accordance with Section 8 of this Manual.
 - 2. Fifty percent (50%) of unused accumulated sick leave, in accordance with Section 9

of this Manual.

3. Retirement benefit(s) calculated in accordance with the provisions of the Retirement Plan existing at the time of death.
4. Benefits from the life insurance policy issued by the City.

7. CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT (COBRA)

The Combined Omnibus Budget Reconciliation Act (COBRA) of 1985 was approved by the U.S. Congress to assure employees and their covered dependents an opportunity to continue their health/dental/vision coverage **at their own expense**. Employees covered under the City's health plan have a legal right to choose continuation of COBRA coverage if that coverage will be lost through reduction in working hours or termination of employment. This section may be amended as dictated by federal law.

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SECTION 17
COMPUTER AND SOCIAL MEDIA POLICY

1. DISCUSSION

Computers serve to assist all departments and divisions of the City of Rockledge through the standardization of reports, the sharing and dissemination of information, and a multitude of other computer-related services.

2. PURPOSE

The purpose of this Policy is to establish the procedures for a successful computing environment within City departments and divisions, and to ensure that all computer hardware and software assigned to City personnel is properly used and maintained.

3. POLICY

The City of Rockledge regulates the use of all computer hardware and software owned, purchased, or leased by the City of Rockledge and used by City employees. City employees should have no expectation of privacy in any computer-related activities on City computers and other devices while acting as a representative of the City.

4. DEFINITIONS

The following words and phrases when used in this Policy shall have the meanings given to them in this section:

Computer – Any data terminal issued to a City employee (i.e., personal computer, laptop, tablet, and/or smart phone, where applicable).

Email system – Software that permits the sending and receiving of electronic correspondence (email) and contains folders for email storage.

Hardware – All electronic components of a computer system including peripherals, circuit boards, and input and output devices. Personal computers, tablets, laptops, smart phones, or similar devices are considered hardware and must comply with this Policy.

Information Technology Personnel (IT) – Personnel who are responsible for the care and maintenance of City computer hardware and software.

Login – The unique identifier that is assigned to each user account.

Password – A string of characters, either alpha and/or numeric, created by the account user. A password is required, along with a Login, in order to access a user account.

Software – A computer program; a set of instructions written in a specific language for the computer to perform various operations on data contained in the program or supplied by the user.

Station terminals – Personal computers or laptops that are assigned to City personnel that remain at their specified location in the City.

Virus control software – Software that is placed on City computers, laptops or other devices to prevent unwanted or malicious programs from infecting City computers and networks.

5. PROCEDURES

A. Access restrictions and authorized usage

1. Login, Accounts and Passwords.

- a. Logins and passwords are for personal use only. Sharing of logins and passwords is strictly prohibited. Sharing passwords may give access to services that other individuals may not be authorized to use. Conversely, using someone else's password to access services or data is a violation of this Policy, regardless of how the password was obtained. No City employee shall use anyone else's login, password, account, or email.
 - 1) If an employee believes his/her password may have been compromised, he/she shall notify his/her immediate supervisor, as well as City of Rockledge IT Division.
 - 2) To prevent unauthorized use of personal passwords, avoid using commonly used passwords.
 - 3) If passwords are written down, keep them secured at all times.

2. Access restrictions and authorized usage is determined by user settings. These settings are managed by the City's IT Division. No employee shall attempt to access restricted files or programs.

B. Email

1. The City of Rockledge provides electronic mail service (email) to City employees that require such service. Email is provided for the primary purpose of conducting City-related business.
 - a. Employees shall check their email accounts for messages and reply to any emails received in a timely manner.
 - b. The City Manager, or designee, reserves the right to review, audit, intercept, retrieve and disclose all messages created, received or sent over the electronic mail system.
 - c. Florida has a broad public records law. As a result, any written communication created or received by City of Rockledge officials and employees will be made available to the public and media, upon request, unless otherwise exempt. Under Florida law, email addresses are public records.
 - d. Each employee is responsible for the content of all text, audio or images that they place, send, forward or receive over the Internet.
 - e. Fraudulent, harassing, or obscene messages are prohibited. All email communications email should have the employee's name attached. No messages will be transmitted under an assumed or false name.
 - f. Employees who receive inappropriate messages from inside of or outside of the City have the responsibility to bring the message(s) to the attention of their supervisor.

2. Harassment of any kind is strictly prohibited. No messages that, in the sole discretion of the City, contain derogatory or inflammatory remarks about an individual's or group's race, religion, national origin, creed, sex, sexual preference, disability, physical attributes, or that are considered to be bullying or harassing, will not be tolerated.
3. Employees are expected to demonstrate courtesy and good judgment in messages they transmit via email.
4. Employees are expected to maintain the confidentiality of City information when transmitting messages/email to the extent permitted or required by law.
5. Security of electronic messages cannot be guaranteed. Employees should be aware that marking a message as "confidential" or "private" in the computer system must be done with the expectation that others **will be able to access all messages to include those messages marked "private" and "confidential."** Thus, in certain instances, email may not be the preferred method of communication. Employees are expected to use discretion when communicating sensitive information, and should consult with their supervisor, or his/her designee, prior to sending these types of messages if the content is sensitive or confidential.
6. Employees shall follow the basic guidelines established for records management by the State of Florida. All electronic communications may be considered to be public records unless specifically exempt from disclosure under F.S. 112 (Public Officers and Employees: General Provisions), F.S. 119 (Public Records), or determined by the Court not subject to the Sunshine Law.

***The above list of examples shall not be construed as being all-inclusive and other conduct that is deemed inappropriate may result in disciplinary action up to and including termination.*

C. Internet access

1. The City of Rockledge provides access to the Internet in order to facilitate the work of City employees.
 - a. Access to the Internet during working hours shall be limited to business purposes only. Personal email accounts and other personal business, within reason, can be conducted during an employee's lunch hour or break.
 - b. City employees should exercise common sense and good judgment in websites that are visited during working hours.
 - c. The Internet shall be used in an effective, ethical and lawful manner.
 - d. Deliberately accessing or transmitting materials (other than that required for official City business) that involves the use of obscene language, images or jokes; contains sexually explicit materials; disparages any person, group or classification of individuals; or, would otherwise reflect negatively upon the City, is expressly prohibited.
 - e. Internet access shall not be used for personal gain or advancement of personal views.

- f. Use of the Internet must not disrupt the operation of City business, nor cause an employee to neglect or be inattentive to duty.

D. Station terminals

1. When applicable, City employees will be assigned to, or have access to, computers that are located in their respective department or division.
 - a. All station computers should be checked periodically for any damage or malfunctions. If damage or malfunction is observed, personnel shall immediately notify their supervisor, as well as the City's IT Division.

E. Installation of computer software and or hardware.

1. Additional software programs shall not be loaded onto assigned computers, laptops, smart phones, or tablets unless authorized by a department director or his/her designee.
2. No employee shall add to or remove hardware from any computer, laptop, smart phone, or tablet unless authorized by his/her department director, or his/her designee. Approved hardware items will be removed or added by designated personnel only.
3. Only designated personnel may alter, modify, or delete existing configurations, files, systems and like contents in the computer, laptop, smart phone or tablet.
4. City of Rockledge files and programs take precedence over an employee's personal files, and an employee's personal files should be deleted as necessary to free up space.
5. Employees are prohibited from hiding or password-protecting files, unless authorized to do so by their department director, or his/her designee.

F. Virus infection control measures.

1. All computers, laptops, smart phones and tablets will be equipped with virus-control measures that are managed by the City's IT Division.
2. All City employees shall use caution when utilizing City computers to access email and while navigating the Internet.
3. If a City employee suspects or receives notification that the computer that he or she is using is or has been infected, he or she shall immediately notify his or her immediate supervisor, as well as the IT Division.
4. In order to safeguard the City's network, no City employee shall disable or remove any virus-infection control measures, or attempt to work around firewalls already in place.

G. Social Media

1. Definition

Any Internet website used for social networking, including but not limited to: interactive networks, such as MySpace, Facebook, Twitter, LinkedIn, dating websites, video webcams, personal websites or chat rooms; content communities,

such as YouTube, Pandora, Flickr or Photo Bucket; blogs; Skype and/or video/text messaging; and, any future website, or social networking site marketed towards general public medium. This list is not all-inclusive and the term also includes any other platform that could be utilized for dissemination of social media or social networking.

2. Public Medium for Private Use

- a. This Policy does not prevent City employees from interacting on a public medium, social media platform, website, or the Internet while they are not at work and acting as private citizens.
- b. Employees may post their own information; however, the employee should realize that once the information is uploaded to the Internet, it cannot be removed.
- c. Employees should understand that a third party could download the pictures or postings and save them for later use, prior to the employee deleting them from their own public medium or social media platform.
- d. Employees shall seek the guidance of supervisors regarding any posting that may adversely affect either the City or the City employee.
- e. Employees are not afforded protection from the public records law exemptions, F.S.S. 119.011, when uploading a photograph or making a statement.
- f. Anytime an employee posts a photograph, personal opinion, or other information on the Internet, it is possible for attorneys or reporters to access that information and use it against the employee.
- g. Employees should consider the possible adverse consequences of Internet postings, such as:
 - 1) Future employment.
 - 2) Public embarrassment.
- h. Public records laws do not change when the employee is online. All employees are cautioned when interacting with the general public in any capacity online.
- i. Employees' photographs and statements that have been posted are exceptions to the hearsay exemption and could be used against an employee during a civil or criminal trial. Therefore, employees shall remove any questionable content which they have uploaded. Questionable content is any photograph or statement which viewed by itself could suggest or portray the employee in a negative or compromising manner. This includes but is not limited to "party pictures" or "suggestive pictures."

3. Posting of Work-Related Photographs, Statements or Other Information on Public Medium

- a. All City employees shall obtain permission from their department director, or his/her designee, before posting any work-related statements or reference to their employment that may be considered sensitive, including but not limited

to:

- 1) Financial matters.
- 2) Business ethics.
- 3) Demotions.
- 4) Remarks or comments about the budget.
- 5) Remarks or comments about a person's or business's financial status or practice.
- 6) Any current or past employee's physical health status.
- 7) Any current or past employee's mental health status.

- b. All City employees shall exercise caution, sound judgment and discretion if posting statements about or referencing sensitive news items.

4. Compromising Information

- a. City employees shall not depict themselves or other City employees through any public medium, social media platform or on the Internet in a way that identifies the employee as being employed or affiliated with the City and that contains any content that tends to compromise the integrity of the employee or the City, including but not limited to any photographs, comments or remarks which are:
 - 1) Unethical;
 - 2) Slanderous;
 - 3) Derogatory; or
 - 4) Likely to adversely affect the discipline, good order or reputation of the City.

5. Official Public Web Site

- a. The City of Rockledge website is primarily utilized for:
 - 1) Official news;
 - 2) Press releases;
 - 3) Event notifications; and
 - 4) Emergency notifications.
- b. The website is used to provide a more streamlined release of public information to the citizens.
- c. Authorized access to the website is controlled by the designated website administrators.

6. Employees' Right to Privacy

- a. City employees should understand that, as an employee of the City, they have no right or expectation of privacy on any public or social media platform.
- b. The City Manager, or his or her designee, may request the respective employee's activity, as it pertains to his/her employment with the City, from any public or social media platform at any time for review without the consent or knowledge of the employee.

7. All City employees are prohibited from utilizing any City computer for any social media or social networking activities unless he or she is authorized as an administrator on a social media or social networking website.
8. All employees are prohibited from utilizing any social media or social networking platform during working hours, unless he or she is authorized as an administrator on a social media or social networking website. Employees can, however, access such platforms or websites during their lunch hours or breaks from their own personal smartphones, laptops or tablets
9. Employees shall not use social media platforms, social networking websites, or the Internet in any manner to disparage or harass another City employee or any other person or business.

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APPENDIX A
DRUG FREE WORKPLACE POLICY

Overview

The City of Rockledge is committed to providing its employees with a safe workplace and an atmosphere that allows them to protect inventory and other assets placed in their care. City of Rockledge employees should not be subjected to any safety threats from fellow employees. Safety is and always will be the City's number one priority. It is imperative that City of Rockledge policies support and reinforce this position.

The City of Rockledge drug and alcohol policy is intended to identify substance abuse within the employee population and to discourage future drug abuse and alcohol misuse. The procedures mandated by this policy will help improve employee safety, performance and morale, thereby preventing accidents, injuries, and production losses.

Drug and Alcohol Policy

The City of Rockledge will comply fully with all regulations on drug abuse and alcohol misuse. The City will maintain programs that hold all covered employees accountable to clear personal and professional standards. The City of Rockledge also reserves the right to modify its policy at any time without prior notice. In the event the State of Florida regulations are amended, this policy and the applicable term(s), condition(s) and or requirement(s) of this policy shall be deemed to have been amended automatically at that time, without need for redrafting, in order to reflect and be consistent with the Florida State regulations. In such case, the City of Rockledge reserves the right to apply the amended requirements immediately, and without giving prior notice to employees, unless such notice is required by the State of Florida.

Policy Summary

- Employees who violate the City of Rockledge drug and alcohol policy are subject to immediate termination.
- Employees or applicants regulated by the State of Florida and Sections 440.101 - 102, Florida Statutes (1999), Florida Administrative Code Chapter 58A-24, are subject to drug and alcohol testing.
- Employees who use, are in possession of, or are involved in the sale or purchase of any substances covered under the Federal Controlled Substances Act, while on City of Rockledge property, City of Rockledge business engaged as an employee of the City of Rockledge working on a contracted job-site or operating City of Rockledge equipment, including vehicles contracted to or leased to the City of Rockledge are considered to be in violation of the drug and alcohol policy. (Including lunch and break times.)
- Employee use of any prescribed or over-the-counter medication that is legally obtained but not used as prescribed is prohibited. Prohibited conduct also includes an employee's use of medications prescribed for individuals other than the employee.
- The City of Rockledge is not required to provide rehabilitative services to any employee group. However, employees will be made aware of such services if required.

- The City of Rockledge reserves the right to conduct unannounced searches for controlled substances or alcohol anywhere on City of Rockledge property, or contracted job-site or in vehicles owned or operated by or under contract to or leased to the City of Rockledge.
- The City of Rockledge drug and alcohol policy also applies to independent contractors, contract personnel and leased drivers.
- The City of Rockledge will comply fully with terms of the Drug Free Workplace Act of 1988. This act requires employees convicted of any violation of criminal drug statutes that occur on City property (including vehicles), to notify their supervisors within five (5) days of that conviction.

Employees Affected

Included in this group are laborers, mechanics, warehouse workers, factory workers, office workers, sales, store workers, supervisors and executives.

The City of Rockledge will be included and made part of drug and alcohol testing procedures mandated by the Drug Free Workplace Act. All employees of the City of Rockledge are expected, as a condition of employment, to comply with the provisions of this policy.

Controlled Substances

At present, City of Rockledge drug testing procedures are primarily intended to test for the presence of marijuana, cocaine, opiates, amphetamines, and phencyclidine (PCP); in accordance with the Federal Controlled Substances Act. These substances are illegal for consumption or sale. This term also applies to over-the-counter or prescription medications that are legally obtained but are not used as specifically prescribed. In addition, any over-the-counter or prescribed medications that cause an individual to be impaired are considered a controlled substance.

Prohibited Conduct

Employees covered by the City of Rockledge drug and alcohol policy SHALL NOT:

- Refuse to take a required drug or alcohol test.
- Use a controlled substance without medical authorization.
- Be on duty or operate equipment while possessing alcohol.
- Report for or remain on duty performing a safety-sensitive or non-safety-sensitive function while having any breath alcohol concentration.
- Perform safety-sensitive or non-safety sensitive functions within EIGHT (8) hours of using alcohol.
- Use alcohol while performing safety-sensitive or non-safety sensitive functions.
- Use alcohol for eight (8) hours following an accident unless the employee has been given a Post-Accident test.

Testing

- Pre-employment testing for drugs for final candidates in any safety-sensitive or non-safety-sensitive position within the City of Rockledge, or for an employee who transfers from a non-safety-sensitive position to a safety-sensitive position, is required prior to the

individual assuming his or her new position. This test must be negative for the prospective employee to be considered for employment in a safety-sensitive position.

- Post-accident drug tests – When an employee is involved in an accident that causes injury to himself or to any other person or damage to any property, he or she will be subject to post-accident testing. The presence of illegal drugs or alcohol in the employee’s body at the time of the accident may result in immediate termination. Refusal to agree to this release will also result in immediate termination. If necessary, an alcohol breath test will be performed within two (2) hours following the accident. If this time frame cannot be met, a test must be done within eight (8) hours following the accident. It will be considered a refusal to test if the employee fails to disclose to a supervisor the issuance of a citation for a moving violation.

Diluted Samples

All negative diluted samples will be handled accordingly:

- Negative Dilute – donor may be required to submit to an unannounced direct observed retest, or the City of Rockledge reserves the right to terminate or refuse employment to donor.

Loss of Workers Compensation Benefits – Drug Rule Statement

Employees who are injured on the job will be drug tested within thirty-two (32) hours of the accident and alcohol tested within eight (8) hours of the accident. (If these designated time frames are not achieved, it must be documented and signed by employee and supervisor of the City of Rockledge.)

- If an employee is injured in the scope of his or her employment and drug or alcohol testing indicates the presence of drugs or alcohol in the employee's body at the time of the accident, the employee may be required to forfeit any medical or indemnity benefits available under the Florida Workers Compensation Statute 440.101(2), Florida Statutes. (1999). If an employee is injured in the scope of his or her employment and refuses to submit to a test for illegal drugs or alcohol, the employee is deemed to have tested positive and may be required to forfeit any medical or indemnity benefits available under the Florida Workers Compensation Statute. This penalty is in addition to any other that might apply either under this policy or under applicable law.

Loss of Unemployment Benefits

If an employee's drug test comes back positive, the City of Rockledge has the right to deny any benefits under Florida’s Violation of Employer’s Drug Free Workplace Policy, Manual #6394 and Florida Workers Compensation Statute. 440.101(2), Florida. Statutes. (1999).

- Return-to-Duty alcohol and/or drug testing will be administered following a violation of the City of Rockledge drug and alcohol policy and before an employee can return to a duty of performing a safety-sensitive function. The employee is responsible for the cost of this testing.
- Return-to-work alcohol and drug testing is required following any type of leave of ninety (90) days or more including but not limited to leave for pregnancy, serving in the military, personal reasons, or workers compensation.

- Follow-up drug and alcohol testing is required as determined by a substance abuse professional (SAP).
- Reasonable suspicion drug and/or alcohol testing is required based on exhibited behavior, speech, appearance and body odor as observed by a trained supervisor.

NOTE: While supervisors will receive training to recognize the symptoms of drug abuse and alcohol misuse, they will not personally conduct tests. All tests will be conducted and processed by Klepfer Consulting, Inc. and its designated laboratory, both authorized collectors and testing facilities.

- Adulterated drug testing in any fashion will be considered a refusal to test and the employee who performed the adulteration will be subject to immediate termination. Also, anyone involved in the falsification of identity or identification of an employee will result in the immediate termination of all employees involved in the falsification attempt.
- Diluted drug test – employee will be subject to an unannounced direct observation test

Positive Drug Tests

- If an employee's drug test comes back positive, the employee will be notified by a medical review officer (MRO) - A licensed physician designated by Klepfer Consulting, Inc. who has knowledge and training to interpret and evaluate confirmed positive test results. This medical review officer will review the positive test results with the employee in order to determine whether or not there is an alternative explanation medically for the positive test results, such as use of a prescription medication that an employee might be taking at the time of the test. All employees MUST notify the City of Rockledge Human Resources of ANY prescription medication prescribed by their physician. Notification must include prescription name and date prescribed. A copy will be kept in the "confidential" employee files.
- Once the medical review officer has made a final determination of a positive test, the MRO will notify Klepfer Consulting, who in turn will notify Human Resources. The employee will be referred to a substance abuse professional (SAP), a licensed physician, licensed or certified psychologist, master in social work (MSO), or certified addiction counselor; all of whom must be knowledgeable of and clinically experienced in the diagnoses and treatment of controlled substances related disorders. Employee must successfully complete a certified Employee Assistance Program and then may be considered for re-employment.
- Employees who test positive will be allowed seventy-two (72) hours following notification of their drug test results to request a re-testing of the original test sample by a testing facility approved by the Department of Health and Human Services (DHHS). Any re-testing will be at the employee's expense. The employee will be suspended without pay. If re-testing results are negative, the initial test results will be canceled. The employee will be fully reinstated with back-pay. However, in the event the re-testing is positive, or if re-testing is not requested within the designated seventy-two (72) hour time period, the employee will be subject to immediate termination.

Positive Alcohol Tests

ANY employee who tests positive for ANY alcohol concentration level will be suspended for a minimum of two (2) work days. An investigation will be conducted by the City of Rockledge and

Klepfer Consulting, Inc. The employee will also be subject to disciplinary action up to and including termination. The employee will be given the name and phone number of a substance abuse professional (SAP). The employee will be subject to immediate suspension without pay and will be subject to immediate termination. The employee must successfully complete a certified Employee Assistance Program to be considered for future employment.

Consequences

- Employees who violate or refuse to cooperate with the implementation of the City of Rockledge drug and alcohol policy will be subject to immediate termination.
- Employees who test positive or refuse to submit to alcohol and/or drug testing will be subject to immediate termination.
- Where reasonable suspicion exists, contract and supplier personnel will be escorted from City of Rockledge property or contracted job-site and denied further access to the property and equipment.
- In accordance with the Drug Free Workplace Act of 1988, disciplinary action will be taken against employees convicted of violations of criminal drug statutes that occur on City property. The City of Rockledge will suspend any employee that violates this law, followed by termination within thirty (30) days of that notification.

Confidentiality

All tests will be conducted in accordance with State of Florida regulations that ensure reliability, accuracy, employee privacy, discretion, and confidentiality. Release of test results to anyone other than the employee, the MRO, the TPA (Third Party Administrator) and the employer is prohibited unless the employee signs a written release.

Getting Help

Symptoms and signs of an alcohol or drug problem

- Some of the symptoms and signs of alcohol misuse are: the odor of alcohol, the slurring of speech, tremors, vomiting, disoriented behavior, staggering, leaning against walls or doorways, using the arms for balance, swaying while attempting to maintain balance.
- Some of the symptoms and signs of drug abuse are: constricted pupils, slurred speech, drowsiness, loss of appetite, watery eyes, chills and sweating, runny nose, excitement, depression, disoriented behavior, poor perception of time and distance, and the use of drug paraphernalia.
- Abuse involving multiple substances will be especially dangerous because of the way different substances interact with each other and create unexpected effects. People who abuse more than one substance are at a more increased risk of becoming tolerant and dependent on other controlled substances.

Effects of alcohol and drugs on work, health and personal life

- The threats and hazards of alcohol misuse and drug abuse go far beyond the individual abuser. People who are impaired are endangering fellow workers, family members, and fellow motorists, as well as themselves.

- Abusers of alcohol and drugs increase the costs associated with the loss of productivity, accidents, absenteeism, and theft and deterrence programs. Also, medical costs are higher and this increase is passed on to the employer in the form of higher health insurance rates, and then ultimately passed on to all workers!
- Alcohol at any level can and will impair judgment and coordination required for driving motor vehicles or performing any daily job. High doses can cause respiratory failure and even death. If low doses are combined with other "depressant" drugs, this too can cause respiratory failure and death.

ALCOHOL IS THE MOST WIDELY ABUSED DRUG IN THE UNITED STATES !!

Intervention

- Alcohol and drug problems are serious and complex problems calling for special care and treatment.
 - DON'T enable fellow workers to continue the alcohol or drug problem.
 - DON'T do their work, and don't cover for them.
 - DON'T make excuses for them, if you think they have a problem.
 - DO leave counseling and treatment of people with an alcohol and/or drug problem to professional counselors.
- State of Florida regulations do not require and City of Rockledge will not provide rehabilitation benefits for employees with alcohol and drug abuse problems. The City of Rockledge is also not required to and will not keep an employee's job available or to pay an employee's salary while an employee undergoes treatment for alcohol misuse and/or drug abuse.
- These procedures are combined rules and regulations set forth by the State of Florida and the City of Rockledge and in no way are intended to alter the relationship between the City and employee.
- Employees can consult Human Resources regarding the City of Rockledge drug and alcohol policy, or Patty Klepfer with Klepfer Consulting, Inc. at 321-537-1643.

End of Appendix A