

INDIAN TRAIL IMPROVEMENT DISTRICT



EMPLOYEE HANDBOOK

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ABOUT THIS HANDBOOK 1

HISTORY AND FORM OF GOVERNMENT 2

MISSION..... 2

I. EQUAL EMPLOYMENT POLICIES..... 3

 A. Equal Employment Opportunity (EEO) 3

 B. Disability Accommodations 4

 C. Anti-Discrimination and Anti-Harassment 5

 D. Veterans’ Preference 7

II. EMPLOYMENT POLICIES AND PRACTICES..... 8

 A. At-Will Employment 8

 B. Immigration and Employment Eligibility 9

 C. Employee Category Classification10

 D. Creation of New Positions/Elimination of Current Positions11

 E. Job Postings.....12

 F. Organizational Chart.....13

 G. Introductory Period14

 H. Public Employee’s Oath of Loyalty15

 I. Code of Ethics16

 J. Conflict of Interest17

 K. Confidentiality.....18

 L. Background Screening19

 M. Reference Checks20

 N. Search, Theft and Audit.....21

 O. Nepotism, Employment of Relatives and Personal Relationships22

 P. Romantic Relationship Policy24

 Q. Open Door Policy25

 R. Employee Personnel Files26

III. WORKPLACE SAFETY.....27

 A. Drug & Alcohol-Free Workplace27

 1. *Overview of policy*.....27

 2. *Definitions*.....28

 3. *Circumstances When Testing Is Required*30

 4. *Drugs to be Tested*.....31

 5. *Testing Procedures*.....31

 6. *Medications, Which May Alter, Or Affect the Drug Test*.....31

 7. *Confidentiality*32

 8. *Refusal to Submit To A Drug Test*.....32

9.	<i>Challenging Drug Test Results</i>	33
10.	<i>Testing Location and Medical Review Officer</i>	34
11.	<i>Employee Rights</i>	34
12.	<i>Employee Assistance Program</i>	34
13.	<i>Consequences of Policy Violations</i>	35
B.	Workplace Bullying.....	36
C.	Violence in the Workplace.....	37
D.	Firearms or Weapons.....	39
E.	Safety.....	40
F.	Smoke-Free and Tobacco-Free Workplace.....	41
G.	Perceived Violations Policy.....	43
H.	Whistleblower Policy.....	44
IV.	WORKPLACE EXPECTATIONS.....	46
A.	Outside Employment.....	46
B.	Attendance and Punctuality.....	47
C.	Attire and Grooming.....	48
D.	Work Boot Reimbursement Policy.....	50
E.	Electronic Communication and Internet Use.....	51
1.	<i>Computers</i>	51
2.	<i>E-Mail</i>	52
3.	<i>Right to Monitor</i>	53
4.	<i>Telephone Usage</i>	53
5.	<i>Social Media-Acceptable Use</i>	54
F.	Solicitations, Distributions and Posting of Materials.....	55
G.	Bulletin Boards.....	56
H.	Vehicle Use Policy.....	57
I.	Equipment and Tool Use Policy.....	62
J.	Conduct and Discipline.....	63
K.	Reporting Suspicious Activity or Items.....	65
V.	COMPENSATION.....	67
A.	Salary Schedule.....	67
B.	Temporary Assignments in Higher Salary Schedule Level.....	68
C.	Internal Transfer/Promotions.....	69
D.	Demotions.....	70
E.	Performance and Salary Reviews.....	71
F.	Payment of Wages.....	74
G.	Errors in Pay.....	75

H.	Time Reporting.....	76
I.	Safe Harbor.....	79
J.	On-Call Pay.....	80
K.	Employee Travel and Reimbursement.....	81
1.	General Guidelines	81
2.	Travel Classifications	81
3.	Legislative and Conference Travel	82
4.	Use of Private Vehicles for District Travel	82
5.	Non-Reimbursable Expenses.....	83
6.	Procedures.....	83
7.	Payment.....	84
8.	Review and Reconciliation	84
9.	Guidelines for Reasonable Expenditures	84
10.	Consequences for Fraudulent Claims	85
VI.	TIME OFF/LEAVE OF ABSENCE	85
A.	Holiday Pay	85
B.	Paid Vacation Leave.....	87
C.	Paid Sick Leave.....	88
D.	Family and Medical Leave (FML).....	89
E.	Emergency Leave Pool	102
F.	Personal Leave of Absence.....	105
G.	Bereavement Leave	106
H.	Domestic Violence Leave	107
I.	Jury Duty	109
J.	Voting Leave	110
K.	Military Leave of Absence.....	111
L.	Inclement Weather	112
M.	Lactation/Breastfeeding.....	113
VII.	BENEFITS.....	114
A.	General Insurance Coverage Information	114
B.	Medical Coverage	115
C.	Dental Coverage	116
D.	Vision Coverage	117
E.	Life Insurance.....	118
F.	Accidental Death and Dismemberment.....	119
G.	Voluntary Benefits	120
H.	Employee Assistance Program (EAP)	121

I.	Tuition Reimbursement, Continuing Education/Certification Leave, License Reimbursement, and Direct Payment	122
J.	Florida Retirement System (FRS).....	125
K.	Worker’s Compensation	126
L.	Student Volunteer Community Service Program.....	127
M.	Student Summer Internship	129
VIII.	ENDING DISTRICT EMPLOYMENT	131
A.	Separation of Employment	131
B.	Post Termination Name-Clearing Meeting	132
C.	Reductions in Force.....	133
D.	Return of District Property	134
E.	Exit Interview	135
F.	Payments Due at Separation.....	136
G.	Health Insurance Coverage After Separation From Employment.....	137
H.	Rehire.....	138
IX.	RECEIPT AND ACCEPTANCE OF EMPLOYEE HANDBOOK.....	139
X.	OATH OF LOYALTY	140

ABOUT THIS HANDBOOK

This Employee Handbook ("Handbook") is expressly intended for the use of the employees of Indian Trail Improvement District ("District"). This Handbook sets forth basic policies and guidelines for employee conduct and also contains important summary information regarding employee benefits. If District employees have specific questions regarding the benefit plans described, they should refer to the plan documents, summary plan descriptions or contact the Executive Director or Human Resources Manager.

Unless otherwise specified, the benefits described in this Handbook apply only to regular full-time employees of the District. By contrast, the policies outlined in this Handbook apply to all employees — introductory, regular full-time, regular part-time and temporary. In all cases of interpretation of this Handbook, management decisions are final. The District reserves the right to change or delete any part of this Handbook at its sole discretion, without prior notice. This Handbook supersedes and replaces all previously existing District handbooks or personnel policy manuals. Employees should contact the Executive Director or Human Resource Manager with questions concerning the contents of this Handbook.

NOTHING CONTAINED WITHIN THIS HANDBOOK IS INTENDED TO CREATE A CONTRACT FOR EMPLOYMENT, EXPRESS OR IMPLIED, OR A GUARANTEE OF CONTINUED EMPLOYMENT FOR A SPECIFIC DURATION.

EMPLOYMENT AT THE DISTRICT IS AT-WILL. THE DISTRICT EXPRESSLY RESERVES THE RIGHT TO DISCHARGE AN EMPLOYEE AT ANY TIME FOR ANY REASON WHATSOEVER, WITH OR WITHOUT CAUSE, AND WITH OR WITHOUT NOTICE. NOTHING IN THIS HANDBOOK OR THE DISTRICT'S POLICIES, PRACTICES OR PROCEDURES SHALL CONFER UPON THE EMPLOYEE ANY RIGHT TO CONTINUED EMPLOYMENT.

HISTORY AND FORM OF GOVERNMENT

The District was created by the Florida Legislature in 1957. The District currently serves over 40,000 residents. As a "Special District", the District provides its residents with storm water management, roadway maintenance, road grading, road paving, utilities including water and wastewater treatment, recreation programs and fully maintained state-of-the-art neighborhood park system.

Currently, the District is supervised by a popularly elected five (5) member Board of Supervisors that meets monthly. The District's day-to-day operations are supervised by the Executive Director, who is appointed by the Board of Supervisors. The District is divided into several departments, which include Parks, Operations & Maintenance, Stormwater & Aquatics, and Administration.

MISSION

The District Board of Supervisors seeks to serve the needs of its citizens for a safe, secure and healthy environment, and facilitates planned and managed growth and economic development.

I. EQUAL EMPLOYMENT POLICIES

A. Equal Employment Opportunity (EEO)

The District is an equal opportunity employer. The District is committed to the spirit and letter of all applicable federal, state and local laws and regulations pertaining to equal opportunity. To this end, the District does not discriminate against any individual with regard to race, color, religion, sex, pregnancy, national origin, age, disability, genetic information, marital status, veteran status, sexual orientation, gender identity or expression, or other characteristic protected by applicable law. This Policy extends to all terms, conditions and privileges of employment, as well as the use of all District facilities.

No form of unlawful discrimination, including unlawful harassment, will be tolerated.

B. Disability Accommodations

The District will make reasonable accommodations for qualified applicants and individuals with known disabilities unless doing so would result in an undue hardship or cause a direct threat to the health or safety of the individual or others. This policy governs all aspects of employment including application procedures, hiring, advancement, discharge, compensation, training, or other terms, conditions and privileges of employment.

Employees who believe they have been subject to harassing or discriminatory conduct because of a disability must follow the reporting procedures in the Anti-Discrimination and Anti-Harassment Section. Individuals should contact the Human Resources Department with any questions or request(s) for accommodation.

C. Anti-Discrimination and Anti-Harassment

The District endeavors to provide every employee with a work environment free from harassment and discrimination. Harassment or discrimination in the workplace negatively impacts morale, communication, teamwork and productivity. All District employees have a right to work in an environment free from forms of discrimination and conduct which may be considered harassing, coercive or disruptive. Consistent with the District's respect for the rights and dignity of each employee, discrimination or harassment based on race, color, religion, sex, sexual orientation, pregnancy, national origin, age, disability, genetic information, marital status, veteran status, gender identity or expression or any other characteristic protected by applicable law, will not be tolerated.

Under this policy "harassment" means verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of any characteristic protected by law, and that:

- has the purpose or effect of creating an intimidating, hostile or offensive work environment;
- has the purpose or effect of unreasonably interfering with an individual's work performance; or
- otherwise adversely affects an individual's employment.

Harassing conduct includes, but is not limited to:

- epithets, slurs, or negative stereotyping;
- threatening, intimidating or hostile acts;
- written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the employer's premises or circulated in the workplace;
- unwelcome propositions or sexual advances;
- sexual innuendo, derogatory remarks, obscenities or offensive gestures;
- spoken or written abuse related to an employee's protected category; or
- unwelcome nicknames, titles, or references based on a protected category.

Every employee is responsible for assuring that no one is subjected to conduct that constitutes any form of harassment or discrimination based upon any characteristic protected by applicable law.

Reporting Procedure

An individual who believes he or she has been subjected to harassment or discrimination, or other violation of this policy, must **immediately** report the incident to the Department Director, the Human Resources Manager, or the Executive Director. In the event an employee complains of an elected official's conduct, the employee must report the conduct to the Executive Director.

When initially reported to the Department Director, the Department Director must immediately forward a written report of the complaint to the Human Resources Manager for investigation and action. Where the complaint involves the Human Resources Manager, the Department Director shall forward the written complaint to the Executive Director, who will obtain direction and

assistance from the District's legal counsel. In the event of a complaint about an elected official's conduct, the District's legal counsel will be consulted for assistance.

Investigation Procedure

Any reported complaint of harassment or discrimination will be promptly investigated. Confidentiality will be maintained throughout the investigatory process to the extent practical and appropriate under the circumstances, subject to Florida's public records laws. Employees should be aware that the District is obligated to investigate the complaints it receives under this policy. As such, the District cannot entertain requests by the reporting employee, or anyone else, that the information received be ignored, be maintained "off the record", or otherwise fail to act upon the information. Investigations will generally be conducted by the Human Resources Manager, or other appropriate individual designated by the Executive Director.

At the conclusion of an investigation, the complainant and the individual complained of shall be informed of the outcome of the investigation. Where appropriate, the individuals involved may be offered counseling through the District's Employee Assistance Program.

Prohibition Against Retaliation

The District will not retaliate against an individual who makes a report of harassment or discrimination under this policy and strictly prohibits any supervisor or other employee from retaliating against a complainant. Retaliation is a very serious violation of this policy and must also be reported immediately. Any person found to have retaliated against an individual for reporting harassment or discrimination will be subject to appropriate disciplinary procedures, including termination.

Penalties for Violation

Individuals found to have engaged in behavior violating this policy, whether or not such behavior constitutes harassment or discrimination as defined by law, will be disciplined, up to and including immediate termination. The appropriate level of discipline will be determined by the Executive Director to ensure consistency in application of this policy. In the rare occasion where the Executive Director is found to be the violator, the District's legal counsel will consult with the Board of Supervisors in accordance with applicable laws to discuss and determine appropriate action. In addressing incidents of harassment or discrimination, the District may impose: oral or written reprimands; referral to counseling, training or education; withholding of a promotion; reassignment; temporary suspension with or without pay; reduction in compensation; limitation on contact between the harasser and the complainant; termination; any other corrective action necessary to stop the behavior complained of; or, any combination of the above.

D. Veterans' Preference

In accordance with federal and state law, the District provides preferences in employment, retention, and promotion, to eligible veterans and certain family members and spouses of veterans.

II. EMPLOYMENT POLICIES AND PRACTICES

A. At-Will Employment

Employment with the District is “at-will”. This means employees who seek to leave the District to pursue other opportunities may submit the resignation from employment at any time. Similarly, the District may terminate the employment relationship at any time, without prior notice or cause.

B. Immigration and Employment Eligibility

In compliance with the Immigration Reform and Control Act of 1986, the District will hire only those individuals who are authorized to work in the United States. As a condition of employment, each new employee must properly complete, sign, and date the first section of the Immigration and Naturalization Form I-9 at the time the offer of employment is accepted, but no later than the first day of employment. The employee must also provide the supporting documents within three (3) business days of the first day of employment, or as otherwise provided by law. Before commencing work, newly rehired employees must also complete the Form I-9 if the employee did not previously do so, if the prior Form I-9 is more than three years old or if the previous Form I-9 is no longer valid. Rehired employees must also complete the Form I-9 upon acceptance of the position and also have three (3) business days to provide supporting documentation. Any employee whose immigration employment eligibility status changes at any time during employment must notify the Human Resources Manager immediately.

C. Employee Category Classification

All employees are designated as either non-exempt or exempt under state and federal wage and hour laws. The following is intended to help employees understand employment classifications and employees' employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. The right to terminate the employment-at-will relationship at any time is retained by both the employee and the District.

Non-exempt employees are employees whose work is covered by the Fair Labor Standards Act (FLSA). They are NOT exempt from the law's requirements concerning minimum wage and overtime. Non-exempt employees are paid at least the minimum wage and are eligible for overtime pay at one and one-half (1 ½) times the regular rate of pay for each hour worked over 40 hours in any given workweek.

Exempt employees are generally managers or professional, administrative or technical staff who ARE exempt from the minimum wage and overtime provisions of the FLSA. Exempt employees do not earn overtime and are required to work all hours necessary to complete the job in a satisfactory manner. This may include after-hours or weekend work.

The District's work week runs from Saturday to Friday.

The District has established the following categories for both non-exempt and exempt employees:

- Introductory: An employee in his/her first six months of employment.
- Regular Full-Time: An employee whose regular work schedule averages 30 hours or more per week and who is not on introductory status.
- Regular Part-Time: An employee whose regular work schedule averages less than 30 hours per week and who is not on introductory status. A part-time employee is not eligible for benefits, unless specifically provided for in this Handbook, or as deemed eligible pursuant to plan documents or applicable law.
- Temporary: An employee who is hired to work on a specific basis, including during peak or seasonal periods, for specific projects or for a limited period of time, not to exceed six (6) months. A temporary employee may work either full-time or part-time, but is not considered a "regular" employee. A temporary employee is not eligible for benefits, unless specifically provided for in this Handbook, or as deemed eligible pursuant to plan documents or applicable law.

D. Creation of New Positions/Elimination of Current Positions

Through the budget process each year, the Executive Director shall recommend the creation or elimination of positions as appropriate to the needs of the District. Approval of the budget by the Board of Supervisors shall indicate approval of the creation or elimination of positions.

At other appropriate times, the Executive Director may recommend to the Board that certain positions be created or eliminated in accordance with the needs of the District and may request any associated budget amendment if necessary.

Additional staff hired within existing position titles may be approved by the Executive Director provided the additional staffing does not require a budget amendment to fund the additional staff hired into such existing position(s).

E. Job Postings

Qualified employees are encouraged to apply for promotions or transfers to new or vacant positions. Whenever possible, the District may promote from within the organization; however, the District also recruits externally when job openings occur.

Internal job opportunities may be posted on the District's bulletin boards or on the District's web site. Employees should contact Human Resources regarding new or vacant positions. Employees who have completed the introductory period, meet the minimum job requirements and are interested in a particular job opening, should submit the appropriate, timely application materials. All employment changes are at the sole discretion of the District.

F. Organizational Chart

The District maintains an Organizational Chart approved by the Board of Supervisors. The Organizational Chart reflects the various positions throughout the District as well as the reporting relationship of each position.

G. Introductory Period

The first six (6) months of employment is considered an introductory period. The introductory period provides a new employee the opportunity to become familiar with the District. During this time, a new employee's work hours, skills, and general work performance will be informally evaluated.

Successful completion of the introductory period does not give rise to or equate to an employment contract for a specified period of time and does not guarantee continued employment. Employment with the District is at-will.

H. Public Employee's Oath of Loyalty

Florida law requires all employees to take and sign an Oath of Loyalty as a condition of employment. This oath is provided in this Handbook and, once taken and executed, becomes a part of the employee's official personnel file.

I. Code of Ethics

All District employees are required to comply with Florida's Code of Ethics for Public Officers and Employees. As such, District employees may not use their jobs to obtain any special privileges or private gain for themselves or others.

In accordance with Florida law, District employees shall not:

- engage in outside employment, which will interfere with the employee's primary job with the District or create a conflict of interest;
- accept a retainer, commission, consulting fee, or any other fee arrangement or remuneration without full, written disclosure to the Executive Director;
- initiate, either directly or indirectly (including members of the employee's immediate family), to borrow from, lend to, invest in, or engage in any substantial financial transaction with a customer, client or supplier of the District;
- engage in outside employment during the employee's scheduled working hours at the District; or,
- use District facilities, equipment, labor, or supplies to conduct outside activity.

Violations of the Code of Ethics include, but are not limited to:

- soliciting or accepting anything of value, such as a gift, loan, reward, promise of future employment, favor, monetary gift, or service;
- misusing the employee's public position to obtain any special privilege, benefit or exemption; or,
- disclosing or using information, deemed not available to the general public, for the employee's own benefit or the benefit of others.

Any employee who engages in unethical conduct, as specified above or by Florida's Code of Ethics for Public Officers and Employees shall be subject to discipline, up to and including termination of employment. Employees are encouraged to meet with Human Resources to discuss any potential ethical issues prior to engaging in conduct that may result in a violation of this policy.

J. Conflict of Interest

In keeping with the District's Code of Ethics, the basic principle of conflict of interest is that employees should avoid any activity, investment or interest that might reflect unfavorably upon the integrity or good name of the District or in any way damage the business of the District. As such, any employee who wishes to engage in outside professional, business or volunteer activities must be certain that the proposed activity does not:

- interfere with the employee's effective performance of his/her duties;
- make use of any of the District's proprietary or confidential information; or
- require use of District time, resources, facilities, or equipment.

An employee is required to notify the Human Resource department if the employee, his/her spouse, or other member of his/her immediate family is engaged in a business that is similar in nature to the District or that is under contract with the District. Likewise, an employee must notify the Executive Director if a relative is employed by an organization that is under contract with the District.

Whenever there is a possible conflict of interest, it should be discussed with the Human Resources Manager. Violations of this Policy will be considered grounds for termination of employment.

K. Confidentiality

Although the District is subject to Chapter 119 of the Florida Statutes, under no circumstances should any District employee use information that he/she learned in the course of his/her employment with the District for personal gain, personal use or personal business. To that end, disclosing confidential information to persons not entitled to such information and/or assisting others in gaining unauthorized access to District records or information are direct violations of this Policy. Any violation of this Policy could result in discipline, up to and including termination of employment.

This policy is intended to alert employees to the need for discretion at all times and is not intended to inhibit normal business communications.

Employees should direct all requests for interviews and comments from members of the news media to the Executive Director or his/her designee and shall not respond to such inquiries. However, employees responsible for records retention are authorized to promptly respond to public records requests for the news media.

L. Background Screening

To ensure that individuals who join the District are well qualified and to ensure that the District maintains a safe and productive work environment, it is our policy to conduct pre-employment background checks on all applicants who accept an offer of employment. Background checks may include verification of any information on the applicant's resume or application form, criminal history, driving record, or other job-related information.

All offers of employment are conditioned on receipt of a background check report that is acceptable to the District. All background checks are conducted in accordance with applicable laws. Reports are kept confidential and are only viewed by individuals involved in the hiring process. However, some information contained in the background reports may be considered public record and subject to disclosure upon request.

If information obtained in a background check would lead the District to deny employment, a copy of the report will be provided to the applicant, and the applicant will have the opportunity to dispute the report's accuracy. The District fully complies with the Fair Credit Reporting Act when conducting background screening.

The District also reserves the right to conduct a background check for current employees to determine eligibility for promotion or reassignment.

M. Reference Checks

The District may check an applicant's references including all those listed in the employment application prior to making a hiring decision. Similarly, the District may conduct reference checks for current employees regarding eligibility for promotion or reassignment.

All inquiries about current or former employees or requests for verification of employment made by outside entities to the District must be referred to the Human Resources Manager. The District will only provide the employee's length of employment and job title in response to any such request, unless otherwise required by law or regulation or written approval from the employee is obtained.

N. Search, Theft and Audit

Employees should not have any expectation of privacy in their use of any property owned and/or provided by the District. Further, employees should have no expectation of privacy for any property located on the workplace or used in the course of the employee's duties, regardless of ownership.

In order to ensure its ability to conduct business efficiently and effectively and to protect itself against the unauthorized use and removal of District property, the District will from time to time conduct internal investigations, including inspections, searches and audits on District premises.

The District reserves the right to conduct a routine inspection, search or audit at any time for District property or District-related information. The District reserves the right to inspect the following items, including, but not limited to: personal property brought onto or taken from the premises; any work, rest or storage areas; all District vehicles, desks, cabinets, lockers, computers, satchels, etc., that are within the employee's possession or control. All searches of personal property shall be reasonable and tailored to the business necessity prompting the search.

A routine search or inspection may result in the discovery of personal possessions or those of others. Employees are discouraged from bringing into the workplace items of personal property they do not want revealed to management. Under certain circumstances, the District will generally attempt to obtain employee consent before conducting a search or inspection, but may not always be able to do so.

If an employee becomes aware of any theft, misuse or unauthorized removal of District property, he/she is directed to notify the Executive Director immediately. The theft, misuse or unauthorized removal of District property is cause for immediate discipline, up to and including termination of employment.

O. Nepotism, Employment of Relatives and Personal Relationships

For the purpose of this Policy, relative is defined as: husband, wife, domestic partner, father, mother, father-in-law, mother-in-law, son, son-in-law, daughter, daughter-in-law, uncle, aunt, nephew, niece, brother, sister, brother-in-law, sister-in-law, half-siblings, step parent, step children, step siblings, first cousins, romantic relationships, members of the same household or residence, domestic partner relatives and a spouse's relatives. Nepotism is generally defined as favoritism shown to relatives, which can have the potential for creating an adverse impact on supervision, safety, security, morale, or conflicts of interest.

Relatives of District employees may apply and, if qualified, will be considered for employment in accordance with District Policy and Florida law. However, the District is committed to a policy of employment and advancement based on qualifications, experience, and merit that does not favor or oppose employment of relatives where permitted by District Policy and Florida law.

The District will consider the employment, transfer or promotion of relatives only when the following conditions are met:

- Relatives shall not work directly for or be supervised by a relative;
- Relatives shall not occupy a position, temporarily or otherwise, in the same line of authority or chain of command where one relative is ranked higher than the other;
- Relatives shall not be assigned to the same crew;
- Relatives shall not maintain a position where one relative can initiate or participate in decisions involving a direct benefit to the relative including, but not limited to, hiring, retention, transfer, promotion, wages, performance evaluations, and leave requests.

This policy applies to all current employees and candidates for employment.

Specifically, in accordance with Florida Statutes § 112.3135, no public official or employee of the District may appoint, employ, promote or advance, or advocate for the appointment, employment, promotion or advancement, in or to a position in the District, in which the public official or employee is serving or over which the official/employee exercises jurisdiction or control over any individual who is a relative of the public official or employee. Additionally, no individual may be appointed, employed, promoted or advanced in or to a position in the District if such action has been advocated by a District official or employee, serving in or exercising jurisdiction or control over the agency, who is a relative of the individual or if such action is made by the Board of Supervisors of which a relative of the individual is a member.

Procedure

Prior to finalizing an offer of employment, promotion or transfer, candidates and employees must sign a statement certifying that the individual is not a relative as defined above. Failure to submit the statement shall result in delay of the offer until the statement is received, or the District may rescind the offer in its sole discretion.

If employees begin a dating relationship or become relatives, domestic partners or members of the same household or residence during employment, both individuals are required to notify Human Resources of the relationship in writing immediately, but no later than within four (4) calendar days of the beginning of such relationship. In the District's sole discretion, the individuals

involved may be required to transfer or one may be required to separate employment to ensure compliance with this policy. While the District will consider the employees' suggested resolution regarding which individual may be transferred or separated, the resolution of the situation is within the District's sole discretion and requires approval of the Executive Director with input from Human Resources.

Supervisors are responsible for monitoring changes in formal and informal employee reporting relationships to ensure compliance with this policy. All proposed changes that may impact relatives must be reported to Human Resources by the supervisor in writing.

The District reserves the right to apply this policy to situations where there is a conflict or the potential for conflict because of the relationship between employees, even if there is no direct-reporting relationship or authority involved.

P. Romantic Relationship Policy

The District strives to maintain a work environment where employees maintain clear boundaries between personal and business interactions to promote efficiency and productivity in the workplace.

Given the nature of their duties, supervisors, crew leaders, and management employees are discouraged from dating or entering into a romantic relationship, however temporary, with coworkers, members of management or elected officials. Should such a relationship develop, both employees are required to notify Human Resources of the relationship in writing immediately, but no later than within four (4) calendar days of the beginning of such relationship.

Supervisors, crew leaders, and management employees are prohibited from dating or entering into romantic relationships, however temporary, with subordinates within their chain of command. Such relationships can be disruptive to the work environment, create a conflict or appearance of a conflict of interest, and may lead to claims of favoritism.

Where on-duty or off-duty conduct relating to romantic relationships negatively impacts the work environment, the District shall take appropriate action to protect the District's interest in a productive, efficient workplace. Such actions may include discipline up to, and including, termination of the employees involved.

Employees involved in a romantic relationship are prohibited from engaging in romantic behaviors while on duty, during meal or rest breaks, or in work areas.

The provisions of this policy apply regardless of the sexual orientation of the individuals involved.

Q. Open Door Policy

The District wants to ensure its employees' ideas, suggestions and complaints will be heard. It is also the policy of management to attempt to resolve disputes that may arise between or among fellow employees or between employees and their supervisors.

Open communication between employees and their immediate supervisors is encouraged. Employees should feel free to voice ideas, suggestions or complaints without fear of reprisal or retribution. If an employee wishes to remain completely anonymous, he/she can write the idea, suggestion or complaint down on paper and drop it/give it to the Executive Director. Otherwise, if employees have ideas, suggestions or complaints to share, the District directs them to follow these simple steps:

STEP 1

An employee is directed to discuss complaints with his/her immediate supervisor within three (3) working days of the matter causing the complaint. The employee should provide detail and offer possible solutions. Most matters can be resolved at Step 1.

STEP 2

If the employee is not satisfied with the results of a discussion with his/her immediate supervisor, the employee is directed to take the matter to the Human Resources Manager within three (3) working days of meeting with his/her immediate supervisor.

STEP 3

If the employee believes the matter remains unresolved, he/she is directed to present the matter in writing to the Executive Director within three (3) working days of meeting with the Human Resources Manager. The Executive Director shall consider all matters brought to his/her attention and all decisions made by the Executive Director shall be final.

In the event of a complaint involving the Executive Director, the District Attorney or Designee will fulfill the investigatory and decision making role of the Executive Director in this process.

R. Employee Personnel Files

It is the policy of the District that personnel records will be maintained and kept in accordance with Florida Statute, Chapter 119, governing public records. Employee files are maintained by the Human Resource department. Department Directors and supervisors are provided access to personnel file information as needed.

A director or supervisor considering the hire of a former employee or transfer of a current employee may be granted access to the file, or limited parts of it, in accordance with anti-discrimination laws.

Employee personnel files maintained at the District will be considered the official personnel files. It is the responsibility of each employee to assist in keeping all information in the personnel file up to date, current and accurate by notifying the Human Resources department immediately if there is a change in status, including but not limited to the following:

- Name and social security number
- Home address
- Home telephone number
- Number of dependents
- Beneficiary(ies)
- Change in immigration status affecting employment eligibility
- Emergency contact
- Emergency telephone number
- Driver's license status
- Additional education or certification

The District is not responsible when incorrect withholdings, wrong beneficiaries, or loss of employee benefits resulting from the failure of an employee to keep personnel records information current.

Employees are required to report any situation or incident that may affect their employment with the District or may have an impact on the image of the District, including but not limited to any alcohol and/or drug-related criminal charges, whether occurring on or off duty, to the Executive Director within three (3) days of the event.

All personnel records are the property of the District. Employees wishing to review their personnel file may schedule an appointment with the Human Resources department. Employees may request copies of their personnel file in accordance with the District's Public Records Request Policy, located in the Administration Policies 1.9, as amended from time to time.

III. WORKPLACE SAFETY

A. Drug & Alcohol-Free Workplace

The District is committed to creating and maintaining a Drug-Free Workplace Policy pursuant to Fla. Stat. section 440.101 et seq. This Policy applies to applicants for employment and to all employees in all job classifications.

The District is committed to providing a safe work environment and to fostering the well-being and health of its employees. That commitment is jeopardized when an employee illegally uses drugs and alcohol on the job, comes to work under the influence, or possesses, distributes or sells drugs and alcohol in the workplace. The following policy is adopted as set forth by section 440.102 of the Florida Drug-free Workplace Program.

- It is a violation of this policy for any employee to possess, sell, trade, or offer for sale or purchase illegal drugs or otherwise engage in the illegal use of drugs on the job.
- It is a violation of this policy for anyone to report to work under the influence of illegal drugs or alcohol.
- It is a violation of this policy for anyone to use prescription drugs illegally. (However, nothing in this policy precludes the appropriate use of legally prescribed medications provided they do not interfere with workplace safety or performance.)
- It is a violation of this policy to unlawfully manufacture, distribute, dispense, possess, or use controlled substances in the workplace.
- It is a condition of employment to abide by the Drug-Free Workplace Policy.
- Violations of this policy subject all employees to disciplinary action up to and including immediate termination.

The goal of this policy is to balance our respect for individuals with the need to maintain a safe, productive and drug-free environment. The intent of this policy is a drug-free workplace, while sending a clear message that the illegal use of drugs or alcohol, or reporting to work under the influence, is incompatible with employment with the District.

1. *Overview of policy*

All District employees are prohibited from:

- a. Selling any drug, including alcohol or prescription drugs, whether on or off duty, unless the employee is legally entitled to sell the substance in question under the circumstances.
- b. Possessing any alcoholic beverage or unlawful drug while on duty or on ITID's premises at any time.
- c. Using any illegal drug, at any time. ("Illegal drugs" includes prescription drugs prescribed for someone else, or used contrary to prescribed dosages.)

- d. Using any other substance (including legal drugs, prescription drugs, alcohol, or any other substance), which runs an unnecessary risk of adversely affecting job performance. This includes use while on duty and any actual effect on job performance, which occurs or can be demonstrated. It includes the use of any substance which use creates an unnecessary risk of absenteeism, tardiness, or safety hazards.

Employees taking prescribed drugs must ensure that such use does not pose an undue risk to safety or performance. If a drug is prescribed in connection with treatment of a disability, employees are urged to advise the Human Resources Manager of the use so that we can protect workplace safety and consider accommodations, where appropriate.

2. Definitions

As used in this policy, the following definitions will apply:

CONFIRMATION TEST, CONFIRMED TEST, or “CONFIRMED DRUG TEST” - A second analytical procedure used to identify the presence of a specific drug or metabolite in a specimen. The confirmation test must be different in scientific principle from that of the initial test procedure. The confirmation method must be capable of providing requisite specificity, sensitivity, and quantitative accuracy.

DRUG - Alcohol, including distilled spirits, wine, malt beverages, and intoxicating liquors; amphetamines; cannabinoids; cocaine; phencyclidine (PCP); opiates; hallucinogens; methaqualone; barbiturates; benzodiazepines; synthetic narcotics; designer drugs; or a metabolite of any of the substances listed herein.

DRUG TEST or TEST - Any chemical, biological, or physical instrumental analysis administered for the purpose of determining the presence or absence of a drug or its metabolites.

EMPLOYEE - Full-time or part-time employee of the District, whether introductory, regular or temporary.

EMPLOYEE ASSISTANCE PROGRAM - An established program for employee assessment, counseling, and referral to an alcohol and drug rehabilitation program.

FOLLOW-UP DRUG TESTING – Drug testing which occurs as a follow-up to an employee entering an employee assistance program for drug related problems, or an alcohol and drug rehabilitation program. Follow-up testing must be conducted, without prior notice, on a quarterly, semi-annual, or annual basis for two years thereafter.

INITIAL DRUG TEST – A sensitive, rapid, and reliable procedure to identify negative and presumptive positive specimens. All initial tests will use an immunoassay procedure or an

equivalent, or will use a more accurate scientifically accepted method approved by the United States Food and Drug Administration or Agency for Health Care Administration.

JOB APPLICANT – A person who has applied for a mandatory testing position and has been offered employment conditioned upon successfully passing a drug test, and may have begun work pending the results of the drug test.

MANDATORY TESTING POSITION – A position that requires the employee to carry a firearm, perform life-threatening procedures, work with heavy or dangerous machinery, work as a safety inspector, work with children, work with detainees in the correctional system, work with confidential information or documents pertaining to criminal investigators, or work with controlled substances, or a position in which a momentary lapse in attention could result in injury or death to another person.

RANDOM DRUG TESTING – Drug testing based upon a neutral selection process of those employees occupying mandatory testing positions.

REASONABLE SUSPICION DRUG TESTING - Drug testing based on a belief that an employee is using or has used drugs in violation of the District's policy drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience, or as otherwise defined in sec. 440.102 of the Florida Statutes. Reasonable suspicion drug testing must be approved by Human Resources or the Executive Director. Such facts and inferences may be based upon:

- Observable phenomena while at work, such as direct observation of drug use or of the physical symptoms or manifestations of being under the influence of a drug.
- Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
- A report of drug use, provided by a reliable and credible source.
- Evidence that an individual has tampered with a drug test during his or her employment
- Information that an employee has caused, contributed to, or been involved in an accident while at work.
- Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on the employer's premises or while operating the employer's vehicle, machinery, or equipment.

If the District tests an employee for reasonable suspicion of drug or alcohol use, a management employee will transport the employee immediately to a collection site where a sample will be taken. Such employee may be placed on leave until the results of the drug test have been determined. The manager(s) who observed the employee must document the employee's actions, which raised suspicion within 24 hours of the incident or before the release of the test results, whichever is earlier. A copy of this documentation shall be given to Human Resources, and to the employee upon request, and the original documentation shall be kept confidential by the District and shall be retained for at least 1 year.

3. **Circumstances When Testing Is Required**

The District requires employees to submit to tests for the presence of alcohol or illegal drugs under the following circumstances:

a. **Job applicant testing.** Testing required of all job applicants for mandatory testing positions. If an applicant refuses to submit to a drug test or a positive confirmed drug test results, the applicant will not be hired. The District may allow a job applicant to begin work pending the results of the drug test. Any applicant with positive test results will be denied employment at that time, but may initiate another inquiry with the District after six months. Any job applicant who refuses to submit to drug testing, refuses to sign a consent form releasing the District from liability, fails to appear for testing, tampers with the test, or fails to pass the pre-employment drug test will be ineligible for hire.

b. **Reasonable-suspicion testing.** Testing based upon reasonable suspicion is required. Testing may be required after an accident. The District will detail in writing the circumstances which form the basis for such reasonable suspicion. A copy of this document will be given to the employee upon request and the original documentation will be kept confidential and retained for one year.

c. **Follow-up testing.** If the employee in the course of employment enters an employee assistance program for drug-related problems, or an alcohol and drug rehabilitation program, the employee must submit to a drug test as a follow up to such program. Follow-up drug testing must be conducted on a quarterly, semi-annual, or annual basis for two years thereafter. Advance notice of testing shall not be given to the employee.

If an employee who is employed in a mandatory testing position enters an employee assistance program or drug rehabilitation program, the employer must assign the employee to a position other than a mandatory testing position. If a position that is not classified as mandatory testing is not available, the District may place the employee on leave while the employee is participating in the program. However, the employee shall be permitted to use any accumulated vacation or sick leave credits balances before leave may be ordered without pay.

d. **Routine fitness-for-duty drug testing.** Testing conducted as part of a routinely scheduled employee fitness-for-duty medical examination that is part of the District's established policy or that is scheduled routinely for all members of an employment classification group.

e. **Random drug testing.** Drug testing based upon a neutral selection process of those employees occupying mandatory testing positions only. Selection for random testing will be conducted as follows:

(1) Selection of employees for random testing will be a neutral selection process. An independent Drug Free Workplace Specialist whose selections are computer generated conducts selections.

(2) When an employee is selected for random testing, the employee selected will not be notified of the date or time the test is scheduled to occur.

(3) Employees selected for random testing must submit to the testing site within two (2) hours of notification.

f. **Post-accident.** Post-accident drug and/or alcohol testing constitutes reasonable suspicion and will be undertaken on all employees if the employee is involved in an on the job accident. Tests must be done as immediately or as soon as possible after the accident.

4. Drugs to be Tested

The District will test for the following: ALCOHOL, AMPHETAMINES, CANNABINOIDS, COCAINE, PHENCYCLIDINE (PCP), METHAQUALONE, OPIATES, BARBITURATES, METHADONE, PROPOXYPHENE, and BENZODIAZEPINES.

5. Testing Procedures

a. All specimen collection and testing for drugs will be performed in accordance with the procedure as set forth in Section 440.102(5) of the Florida Statutes. Any positive test results that the District later determines have been refuted will have affixed thereto the subsequent refutation. Test results are considered confidential medical records.

b. An employee may confidentially report the legitimate use of prescription or non-prescription medications both before and after being tested to the testing laboratory and Medical Review Officer.

c. Employees have the right to consult the testing laboratory for technical information regarding prescription and non-prescription medication.

6. Medications, Which May Alter, Or Affect the Drug Test

Some common medications may alter or affect a test result. They are listed below for your information. Due to the large number of obscure brand names and the marketing of new products, this list cannot and is not intended to be all-inclusive.

ALCOHOL	All liquid medications containing ethyl alcohol (ethanol). Please read the label for alcohol content. As an example, Vick's Nyquil is 25% (50 proof) ethyl alcohol, Comtrex is 20% (40 proof), Contact Severe Cold Formula Night Strength is 25% (50 proof) and Listerine is 26.9% (54 proof).
AMPHETAMINES	Obetrol, Biphphetamine, Desoxyn, Dexedrine, Didrex, Ionamine, Fastin.
CANNABINOIDS	Marinol (Dronabinol, THC).
COCAINE	Cocaine HCl topical solution (Roxanne).
PHENCYCLIDINE	Not legal by prescription.
METHAQUALONE	Not legal by prescription.
OPIATES	Paregoric, Parepectolin, Donnagel PG, Morphine, Tylenol with Codeine, Empirin with Codeine, APAP with Codeine,

	Aspirin with Codeine, Robitussin AC, Guiatuss AC, Novahistine DH, Novahistine Expectorant, Dilaudid (Hydromorphone), M-S Contin and Roxanol (morphine sulfate), Percodan, Vicodin, Tussi-organidin, etc.
BARBITURATES	Phenobarbital, Tuinal, Amytal, Nembutal, Seconal, Lotusate, Fiorinal, Fioricet, Esgic, Butisol, Mebaral, Butabarbital, Butalbital, Phrenilin, Triad, etc.
BENZODIAZEPINES	tivan, Azene, Clonopin, Dalmane, Diazepam, Librium, Xanax, Serax, Tranxene, Valium, Verstran, Halcion, Paxipam, Restoril, Centrax.
METHADONE	Dolophine, Metadose.
PROPOXYPHENE	Darvocet, Darvon N, Dolene, etc.

7. Confidentiality

All information, interviews, reports, statements, memoranda, and drug test results, written or otherwise, received or produced as a result of a drug testing program are confidential communications and may not be used or received in evidence, obtained in discovery, or disclosed in any public or private proceedings, except in accordance with Chapter 440, F. S., or in determining compensability under the workers' compensation or unemployment benefit laws.

The District, laboratories, medical review officers, employee assistance programs, drug and alcohol rehabilitation programs, and their agents who receive or have access to information concerning drug test results shall keep all information confidential. Release of such information under any other circumstances shall be solely pursuant to a written consent form signed voluntarily by the person tested, unless such release is compelled by a hearing officer or a court of competent jurisdiction pursuant to an appeal, or unless deemed appropriate by a professional or occupational licensing board in a related disciplinary proceeding.

Notwithstanding the foregoing, the District and the laboratory conducting a drug test are permitted to have access to employee drug test information when consulting with legal counsel in connection with actions brought under or related to this section or when the information is relevant to the District's defense in a civil or administrative matter.

8. Refusal to Submit To A Drug Test

Employees who are required by this policy to take a test for the presence of drugs and/or alcohol will sign authorizations releasing the results of such tests to the District. Failure to sign such authorization will subject an employee to immediate termination. Employees who refuse to submit to a drug test shall be discharged. Job Applicants who refuse to test will not be hired. Further, if an injured worker refuses to submit to a test for drugs or alcohol, he or she forfeits his or her eligibility for all medical and indemnity benefits and may be terminated from employment or otherwise disciplined by the employer.

Refuse to submit (to an alcohol or controlled substances test) means that an employee:

- Failed to appear for any test within two hours of being directed to report by the District. This includes the failure of an employee to appear for a test when called by a consortium or third-party administrator;
- Failed to remain at the testing site until the testing process is complete;
- Failed to provide a urine specimen for any drug test, or failed to provide a blood specimen for alcohol testing;
- In the case of a directly observed or monitored collection in a drug test, failed to permit the observation or monitoring of the employee's provision of a specimen;
- Failed to provide a sufficient amount of urine when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure;
- Failed or declined to take a second test that the District or collector has directed the employee to take;
- Failed to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the District;
- Refused to allow collection of specimens for drug and/or alcohol testing by a treating medical facility during the course of treatment following an "accident", or refusal to allow the District access to medical records containing the results of such tests, or any attempt by an employee to block the release of such specimens or medical records;
- Failed to cooperate with any part of the testing process (e.g., refuse to empty pockets when directed by the collector, behave in a confrontational way that disrupts the collection process); or
- Is reported by the MRO as having a submitted or attempted to submit a verified adulterated, diluted, or otherwise altered or substituted specimen.

9. Challenging Drug Test Results

Within five (5) working days after receipt of a positive confirmed test result from the testing laboratory, the District will inform the employee in writing of such positive test results and the consequences of such results. The District shall provide to the employee, upon request, a copy of the test results.

Within five (5) working days after receiving notice of a positive confirmed test result, an employee or job applicant may submit information to the District explaining or contesting the test results, and explaining why the result should not constitute a violation of this policy. If the employee's or job applicant's explanation or challenge is unsatisfactory to the District, the employee will be notified by the District in writing within 15 days of the date the challenge was received and will be subject to discipline under this policy. At that time, the employee will be provided with a copy of the confirmed positive test result and the name and address of the laboratory. Any employee or job applicant may contest the drug test result pursuant to law or to rules adopted by the Agency for Health Care Administration.

All employees or job applicants must notify the laboratory of any administrative or civil action brought pursuant Florida's Drug Free Workplace Act.

Employees are solely responsible for all costs associated with any challenge.

10. Testing Location and Medical Review Officer

Employees or job applicants will be sent for drug testing at:
MD NOW URGENT CARE
Royal Palm Beach
11551 Southern Blvd., Ste. 4
Royal Palm Beach, Fl. 33411
(561) 798-9411

Or any other MD NOW URGENT CARE participating location

The District's Medical Review Officer is:
Dr. Seth Howard Portnay
Total Compliance Network
5440 NW 33rd Avenue, Suite 106
Fort Lauderdale, FL 33309
(954)341-2131

Employees may check with Human Resources as needed for any updated information.

11. Employee Rights

The District will not discharge, discipline or otherwise discriminate against an employee solely because the employee voluntarily sought treatment where the employee had not previously tested positive for drug use, entered an EAP, or entered a drug or alcohol rehabilitation program.

12. Employee Assistance Program

The District maintains an Employee Assistance Program, which provides help to employees who suffer from drug and alcohol abuse. However, it is the responsibility of each employee to seek assistance from the Employee Assistance Program before alcohol and drug problems lead to disciplinary actions. The employee's decision to seek prior assistance from the EAP program will not be used as the basis for disciplinary action and will not be used against the employee in a disciplinary proceeding. Once a violation of this policy occurs, subsequently using the EAP on a voluntary basis will not necessarily lessen disciplinary action and may, in fact, have no bearing on the determination of appropriate disciplinary action, including immediate termination. Employees may obtain the contact information for the District's EAP provider from Human Resources.

Employees may also consult other programs such as:

- Narcotics Anonymous Help-line: 561-848-6262
- Drug Abuse Foundation of Palm Beach County: 561-278-000
- Palm Beach Al-Anon/Al-a-Teen Information Service: 561-882-0308

- Alcoholic Anonymous (Palm Beach County): 561-655-5700
- Comprehensive Alcoholism Rehabilitation Program: 561-844-6400

The District does not promote or recommend any specific program or organization for treatment. Other options for treatment can be located online or through various social service organizations.

13. Consequences of Policy Violations

Any violation of this policy may result in immediate termination of employment.

An employee or job applicant has 180 days after receiving written notification of a positive confirmed test result to have the sample retested at his/her own expense at another licensed or certified laboratory chosen by the employee or job applicant.

B. Workplace Bullying

The District defines bullying as repeated inappropriate behavior, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment.

The purpose of this policy is to communicate to all employees, including department directors and elected officials, that the District will not tolerate bullying behavior. Employees found in violation of this policy will be disciplined up to and including termination.

Bullying may be intentional or unintentional. However, it must be noted that where an allegation of bullying is made, the intention of the alleged bully is irrelevant and will not be given consideration when meting out discipline. The following types of behavior are examples of bullying:

- Verbal bullying: Slandering, ridiculing or maligning a person or his/her family; persistent name calling that is hurtful, insulting or humiliating; using a person as the target of jokes; abusive and offensive remarks.
- Physical bullying: Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault; damage to a person's work area or property.
- Gesture bullying: Nonverbal threatening gestures or glances that convey threatening messages.
- Exclusion: Socially or physically excluding or disregarding a person in work-related activities.

Employees who believe they have been subjected to bullying behavior must report the incident immediately to the Department Director, Human Resources Manager or the Executive Director.

C. Violence in the Workplace

District employees are prohibited from committing any act of workplace violence. All employees, customers, vendors and business associates must be treated with courtesy and respect at all times. Employees are expected to refrain from conduct that may be dangerous or threatening to others.

Conduct that threatens, intimidates or coerces another employee, customer, resident, vendor or business will not be tolerated. District resources shall not be used to threaten, stalk or harass anyone at the workplace or outside the workplace. The District treats threats coming from an abusive personal relationship as it does other forms of violence.

Workplace violence includes, but is not limited to: beating; stabbing, suicide, shooting, rape, attempted suicide, psychological trauma (e.g. threats, obscene phone calls, an intimidating presence, being followed, etc.). Examples of behaviors that are strictly prohibited include, but are not limited to:

- causing physical injury to another person;
- making threatening or intimidating remarks;
- aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;
- intentionally damaging employer property or property of another employee;
- possession of a firearm or weapon in violation of the District's Firearms or Weapons Policy; and
- committing acts motivated by, or related to, harassment or domestic violence.

The workplace includes any location, either permanent or temporary, where an employee performs any work-related duty. This includes, but is not limited to, the buildings and their surrounding perimeters, including the parking lots, field locations, all areas throughout the District and traveling to and from work assignments.

Indirect or direct threats of violence, incidents of actual violence and suspicious individuals or activities must be reported immediately to the Human Resources Manager or Executive Director. In certain instances, the employee may need to call 911 before contacting internal staff. When reporting a threat or incident of violence, the employee should be as specific and detailed as possible. Employees should not place themselves in peril, nor should they attempt to intercede during an incident.

Employees should promptly inform the Human Resource department of any protective or restraining order that they have obtained that lists the workplace as a protected area. Employees are encouraged to report safety concerns with regard to domestic violence. The District will not retaliate against employees making good-faith reports. The District is committed to supporting victims of domestic violence by providing referrals to The District's employee assistance program (EAP).

The District will promptly and thoroughly investigate all reports of threats of violence or incidents of actual violence and of suspicious individuals or activities. The District will not retaliate against employees making good-faith reports of violence, threats or suspicious individuals or activities.

Anyone found responsible for threats of or actual violence or other conduct that is in violation of this policy will be subject to prompt disciplinary action up to and including termination of employment.

The District encourages employees to bring workplace disputes to the attention of their supervisor or Human Resources before the situation escalates. The District will not discipline employees for raising such concerns.

If an employee believes that another District employee or elected official may be acting in violation of this Policy, he/she must immediately report the violation to the Human Resources Manager or the Executive Director. Employees should refer to the District's ***Risk Management Manual*** for additional information and reporting forms.

D. Firearms or Weapons

The District has a “Zero Tolerance” philosophy with regard to the possession by any employee, of any dangerous/deadly weapon on District property or job sites, (including in one’s desk, District vehicle, rented or leased equipment or property, lockers, road, drainage works, or park, etc.). This includes, but is not limited to, any firearm, blunt instrument, brass knuckles, exploding devices, or any other object that can cause bodily injury, serious bodily injury, or death. This includes items such as cutting utensils, screwdrivers, pepper spray, and other tools may be considered deadly weapons when these objects are used in a violent, offensive, or threatening manner. *Employees utilizing tools in the course of their day-to-day job duties will not be subject to this policy, unless the tool is used in a violent, offensive, or threatening manner.*

Persons possessing a “Concealed Weapons Permit” shall not be allowed to bring weapons onto District property, facilities, or worksites, etc. in accordance with Florida law. Employees are prohibited from carrying firearms and ammunition during and in the course of performing their duties. The only exception to this rule applies to law enforcement personnel acting on behalf of the District.

Cooperation from employees may be requested in agreeing to conduct a search of personal property such as briefcases, purses, and packages brought onto a job site or District facility. Unattended, unidentifiable containers or packages may be subject to removal if thought to be of a suspicious nature. Employees may be asked or directed to move personal property, if the employee is unwilling to agree to a search. Refusal to comply may be grounds for disciplinary action.

All illegal items may be taken into custody and be given to law enforcement authorities.

Any violation of District policy or refusal to submit to a lawful inspection for the presence of a weapon on District property may result in disciplinary action up to and including termination.

This policy is interpreted in compliance with the “Preservation and Protection of the Right to Keep and Bear Arms in Motor Vehicles Act of 2008,” Florida Statute Section 790.251, as amended from time to time.

A license to carry a concealed weapon or firearm lawfully issued under Section 790.06, Fla. Statutes, does not authorize any person to openly carry a handgun or carry a concealed weapon or firearm into any meeting of the District’s Board of Supervisors, pursuant to Florida Statute Section 790.06 (12)(a) 7.

E. Safety

The District fully complies with all applicable state and federal regulations with respect to the safety of its workforce, as well as the surrounding environment. The goal of the District is to operate in a safe and efficient manner. To this end, all employees must become familiar with and abide by the District's **Safety Manual**.

F. Smoke-Free and Tobacco-Free Workplace

The District complies with Florida's Clean Indoor Air Act. In compliance with Florida law, no person may smoke in any enclosed indoor area of the District. It is the policy of the District to provide a smoke-free and tobacco free indoor workplace in order to provide and maintain a safe and healthy work environment for all employees. The District prohibits smoking, tobacco product use, and certain related behaviors in any enclosed indoor area of the District.

"Enclosed indoor workplace" means any place where one or more persons engages in work, and which place is predominantly or totally bounded on all sides and above by physical barriers, regardless of whether such barriers consist of or include, without limitation, uncovered openings; screened or otherwise partially covered openings; or open or closed windows, jalousies, doors, or the like. A place is "predominantly" bounded by physical barriers during any time when both of the following conditions exist:

- (a) It is more than 50 percent covered from above by a physical barrier that excludes rain, and
- (b) More than 50 percent of the combined surface area of its sides is covered by closed physical barriers. In calculating the percentage of side surface area covered by closed physical barriers, all solid surfaces that block air flow, except railings, must be considered as closed physical barriers.

"Simulated Smoking Device" includes, but is not limited to, electronic cigarettes, electronic pipes, or other devices intended to resemble or having the appearance of a cigarette, cigar, pipe or other tobacco product.

"Smoking" means inhaling, exhaling, burning, carrying, or possessing any lighted tobacco product, including cigarettes, cigars, pipe tobacco, and any other lighted tobacco product.

"Tobacco products" include, but are not limited to, cigarettes, cigars, chewing tobacco and pipe smoking.

Smoking, use of a simulated smoking device, or use of tobacco products in District-owned or leased enclosed indoor workplaces is NOT permitted by any individual. This applies to all such enclosed indoor workplaces and enclosed parts thereof without regard to whether work is occurring at any given time. Enclosed indoor workplaces include District owned or leased buildings, temporary structures or other facilities that meet the definition of an enclosed indoor workplace.

To ensure a professional appearance, employees are also prohibited from smoking, using tobacco products, or using simulated smoking devices during working hours unless while on break.

Employees who witness individuals smoking, using tobacco or a simulated smoking device in an enclosed indoor workplace must request the individual immediately extinguish or remove the smoking device. If the employee is not comfortable confronting another individual about the

violation, he or she should immediately seek assistance from the immediate supervisor or Human Resources.

Employees who witness individuals smoking, using tobacco products or simulated smoking devices during working hours while not on break must request the individual immediately stop. If the employee is not comfortable confronting another employee about the violation, he or she should immediately seek assistance from the immediate supervisor or Human Resources.

The smoke-free workplace policy applies to:

- All areas of District buildings.
- All district-sponsored off-site conferences and meetings.
- All visitors (elected officials, customer and vendors) to the district premises.
- All contractors and consultants and/or their employees working on the district premises.
- All employees, temporary employees, volunteers, and student interns.

Employees are only permitted to smoke, use tobacco, or use simulated smoking devices in designated areas and on their break or lunch periods only. Employees who smoke outside a District building are responsible for the proper disposal of the waste.

Employees who violate the smoking policy will be subject to disciplinary action up to and including immediate discharge.

G. Perceived Violations Policy

It is the District's policy to comply fully with the spirit and letter of all federal, state and local laws and regulations, which apply to the District and its operations. If an employee believes that any employee of the District may be acting in violation of any such law or regulation -- or in violation of a District policy -- the employee has a duty to report the perceived violation, preferably in writing, to the Executive Director within 24 hours of the observation of such conduct. All inquiries pertaining to perceived violations will be handled in the strictest confidence possible.

Examples of perceived violations of law include violations of child labor laws, wage-hour regulations and unlawful discrimination or harassment.

Examples of violations of District Policy include employee theft or violations of the District's Dress Code Policy.

Compliance with this Policy is a term and condition of continued employment with the District. If employees have any questions with regard to this duty to report perceived violations, they may contact the Executive Director. Under no circumstances will the District retaliate against an employee who reports conduct that the employee perceives to be a violation of law or policy.

H. Whistleblower Policy

The District protects whistleblowers from retaliation where their allegations could legitimately support claims of violations including, but not limited to, False Claims Act violations. The District will comply with all applicable Federal and State laws including, but not limited to, the False Claims Act.

A whistleblower as defined by this policy is an employee of the District who reports an activity that he/she believes to be: (1) a violation of any federal, state, or local law, rule or regulation committed by an employee, agent or independent contractor of the District which creates and presents a substantial and specific danger to the public's health, safety, or welfare; or (2) an act of gross mismanagement, malfeasance, misfeasance, gross waste of public funds, or gross neglect of duty committed by an employee, agent or independent contractor of the District. The whistleblower is protected when he or she reports this activity to one or more of the parties specified in this Policy. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate members of management are charged with these responsibilities. However, the whistleblower is responsible for providing all information, including written information, reports, emails, telephone information, etc. that led to the belief that a violation may have occurred.

Employees are also protected from retaliation where the employee reports activities that violate the False Claims Act including, but not limited to, billing for services not performed or for goods not delivered. If an employee has knowledge of or suspects violations of laws, rules, gross mismanagement, or fraudulent activity, the employee is to contact his/her immediate supervisor, the Human Resources Manager, or the Executive Director. For accusations involving the Executive Director, the employee is to contact the District Attorney. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to discipline up to and including termination.

Whistleblower protections will be provided against retaliation and when possible confidentiality. However the District may disclose a person's identity in order to conduct a thorough investigation and to comply with the law. The District will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes he/she is being retaliated against must contact the Human Resources Manager or Executive Director immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

The Human Resources department, in conjunction with the Executive Director, will determine the required participants to conduct an investigation on a case by case basis.

Employee Responsibilities:

1. Notify the supervisor, Human Resources department, Executive Director, (or District Attorney if the accusation involves the Executive Director) of any actual or suspected violations.
2. Provide all information relating to the actual or suspected violation including, but not limited to, documents, reports, and emails, within 5 business days of the initial notification in Paragraph 1.

Department Directors/Managers/Supervisors Responsibilities:

1. Notify the Human Resources department of any actual or suspected violations.
2. Create a work environment in which ethical concerns can be raised and openly discussed without fear of retaliation.

Human Resources Responsibilities:

1. Review and determine appropriateness of those involved in investigation.
2. Resolve the claim by notifying those involved and/or proper authorities.
3. Assist employees and supervisors in education on this policy.

IV. WORKPLACE EXPECTATIONS

A. Outside Employment

District employees, including part-time and introductory employees are permitted to engage in outside work or to hold other jobs. Employees who have outside employment must advise the Human Resources department in writing. Outside employment is considered performance of any services for an employer other than the District, before, during or after an employee's regular working hours or while the employee is out on approved leave.

Activities and conduct away from the job must not compete with, conflict with or compromise the District's interests or adversely affect job performance and the ability to fulfil all job responsibilities. Employees are prohibited from performing any services for customers/residents on nonworking time that are normally performed by the District. The prohibition also extends to the unauthorized use of any District tools or equipment and the unauthorized use or application of any confidential information. In addition, employees are not to solicit or conduct any outside business during paid working hours.

Employees are cautioned to carefully consider the demands that additional work activity will create before accepting outside employment. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel or refusal to work overtime or different hours. If the District determines that an employee's outside work interferes with performance, the employee may be asked to terminate the outside employment.

Employees who have accepted outside employment may not use paid sick leave to work on the outside job. Fraudulent use of sick leave will result in disciplinary action up to and including termination.

B. Attendance and Punctuality

The District's business hours vary from department to department. Many units of the District operate on a 7-day work week. Attendance and punctuality are important factors for an employee's success within the District.

It is the policy of the District to require all employees to report for work timely as scheduled and to work all scheduled hours including any mandatory overtime. Employees are required to "clock in" and "clock out" within 7 minutes of the start and end of their shift. Irregular "clocking" in or out may result in discipline, up to and including termination of employment.

Tardiness and poor attendance disrupt the flow of work and customer service. When tardiness and poor attendance become excessive it greatly impedes the ability of the District to perform and will not be tolerated.

Employees are responsible for notifying supervisors or Department Director within 15 minutes of the employee's start time or as far in advance as possible whenever they are unable to report to work, know they will be late, or must leave the job early. Notification should include a reason for the absence and an indication of when the employee can be expected to report for work.

Failure to notify the supervisor or Department Director properly of any absence may result in loss of compensation during the absence and may be grounds for disciplinary action.

Failure of an employee to report to work, or make timely notification to the immediate supervisor to obtain approval for leave will be grounds for denial of Paid Leave and possible disciplinary action up to and including termination.

Employees who fail to report to work or fail to call in for three (3) consecutive workdays shall be considered to have voluntarily resigned without notice. Employees must report to their supervisor after being late or absent, give an explanation of the circumstances surrounding the tardiness or absence, and may be required to certify that they are fit to return to work. When appropriate, the supervisor should counsel the employee on the importance of good attendance and warn that excessive tardiness or absences, regardless of the case, will lead to disciplinary action up to and including termination.

C. Attire and Grooming

Personal appearance plays an important role in the public's perception of an Indian Trail Improvement District employee as an individual as well as a professional within an organization. Courtesy, appearance, body language and manner are all important in projecting a positive professional image. Employees are expected to dress and groom in a neat, clean and businesslike manner consistent with the position and work location to demonstrate pride in his or her career. Employees who come to work dressed in a manner that is inconsistent with the following Policy will be sent home to change. Any time missed will be considered an unexcused absence. Employees should first consult their supervisor then, if necessary, the Human Resources Department for any questions on proper attire for their position. Failure to adhere to this Policy may result in discipline, up to and including termination of employment.

1. FIELD STAFF GUIDELINES:

Field Personnel should consult their supervisors for information on their specific uniform requirements and/or any safety equipment that may be required for their particular position. Field staff are required to wear appropriate work boots described in the Work Boot Reimbursement Policy.

The District provides field personnel with nine (9) sets of uniforms, as well as necessary safety equipment. It is the responsibility of each field employee to ensure uniforms are free of tears and in proper working condition. Uniforms that are worn out, torn or heavily stained should be replaced. Uniforms are to be worn in its totality, including shirts, regardless of weather conditions. The employee is required to wear District approved uniforms at all times during the scheduled work day with shirts buttoned and no undergarments showing. Employees shall not wear their District uniforms after or before work hours with the exception of commuting to and from home and work.

Upon separation from the District, employees must return all uniforms to the District. A deduction from the employee's final pay in accordance with the Fair Labor Standards Act (FLSA) may be administered for the cost of replacing any uniforms that are not returned. Employees should contact his or her supervisor for further information regarding replacement or return of uniforms. Any attire purchased on behalf of the employee beyond the required, mandatory uniforms, requires written approval of the Executive Director and will be reported as taxable income and is subject to withholding.

2. ADMINISTRATIVE STAFF GUIDELINES:

Employees in administrative or managerial positions are required to dress professionally. Select District administrative staff members are required to wear "Career Apparel," including apparel with District approved logos. The Executive Director and Assistant Executive Director are required to wear District approved logo apparel but will be based on the appropriateness of meetings and schedules as each deems necessary to represent the District in an executive role. The other administrative staff members include but are not limited to the Director of Operation &

Maintenance, Director of Parks, Director of Stormwater and Aquatics, and all Administration Building Personnel not mentioned specifically within this policy. The administrative staff members are issued up to five (5) dress, polo, or a combination of both upon hire to be worn during working hours or at District events or meetings that may fall outside of normal working hours. The administrative staff will be eligible for five (5) District approved logo apparel items annually if requested. Any attire purchased by the District on behalf of the employee beyond the five (5) items requires written approval of the Executive Director and will be reported as taxable income and is subject to withholding.

Certain exceptions to the uniform and dress attire guidelines may be made as deemed appropriate for specified departments, or at the discretion of the Executive Director.

Professional staff, not required to wear District approved logo apparel are required to dress professionally and appropriately. The following are general guidelines:

- Clothing should be worn and fit in such a manner that it does not expose the abdomen, chest, armpit or buttocks areas.
- Clothing should be free of sexually related references, foul language, or suggest or promote the use of drugs, alcohol or cigarettes.
- Clothing, to include jewelry and hair, should not be loose or dangle in such a way that it creates a safety hazard.
- Closed toed shoes are to be worn at all times.

Reasonable accommodation may be made for employees' religious beliefs and disabilities, consistent with the business necessity to present a professional appearance to the public. Questions or complaints that cannot be handled to an employee's satisfaction by his or her supervisor or manager should be taken to the Human Resources Department.

Any employee whose appearance does not meet these standards will be counseled by his/her supervisor or manager. If the appearance is unduly distracting or the clothing is unsafe, the employee may be sent home to correct the problem. Disregard for this policy may result in disciplinary action up to and including termination of employment.

3. BOARD OF SUPERVISOR GUIDELINES:

A Board Supervisor is eligible to request up to seven (7) dress, polo, or a combination of logo apparel items upon taking office. The same quantities are eligible for replacement annually upon request. Any attire purchased on behalf of the Board Supervisor beyond these requirements, upon approval of a majority of the Board of Supervisors, will be reported as taxable income and is subject to withholding.

D. Work Boot Reimbursement Policy

The purpose of this Policy is to ensure the safety of our employees by providing a reimbursement policy for employees to purchase quality protective footwear. The District requires that the purchased footwear meet or exceed current OSHA standards, specifically Safety Toe Standard ANSI Z41.1-1967, to be eligible for reimbursement even though such standards are not specifically applicable to local government entities.

Indian Trail Improvement District will reimburse each employee up to \$125.00 upon hire once the receipt for purchase of such footwear is provided to Finance within thirty (30) days of hire on the applicable form. Additionally, the District will provide reimbursement for annual replacement of safety boots made within fourteen (14) days of their anniversary date.

New hires or employees who fail to submit the reimbursement request with receipts for protective footwear within thirty (30) days of hire or fourteen (14) days of the anniversary date may not be reimbursed. The Executive Director may require an employee to replace his or her footwear prior to the next anniversary date if the Executive Director, on his or her own initiative or upon report of a supervisor or director, determines the protective footwear no longer meets the District's safety standard.

Employees are responsible to complete the ***Work Boot Reimbursement Form*** with receipts.

E. Electronic Communication and Internet Use

The District provides computers, printers and other electronic devices to many of its employees to perform their job functions. These devices are to be used for District business only. Only computer programs that are authorized by the District are to be used or installed on District computers. Outside computer services such as the Internet, e-mail, etc. are to be accessed and used only for District business. All e-mail messages and Internet information transmitted through District property is considered to be public record, unless otherwise exempted by law.

Please note that this policy shall be construed in a manner consistent with applicable federal and state laws relating to employee communications. This policy should not be construed in a manner to prohibit or interfere with employees communicating with one another regarding the terms and conditions of employment.

The following guidelines have been established for using the Internet, District-provide cell phones and e-mail in an appropriate, ethical and professional manner:

- Internet, District-provided equipment (e.g., cell phone, laptops, computers, iPads, hotspots) and services may not be used for transmitting, retrieving or storing any communications of a defamatory, discriminatory, harassing or pornographic nature.
- The following actions are forbidden: using disparaging, abusive, profane or offensive language; creating, viewing or displaying materials that might adversely or negatively reflect upon the District or be contrary to the District's best interests; and engaging in any illegal activities, including piracy, cracking, extortion, blackmail, copyright infringement, and unauthorized access of any computers and District-provided equipment such as cell phones, laptops, iPads, or hotspots.
- Employees may not copy, retrieve, modify or forward copyrighted materials, except with permission or as a single copy to reference only.
- Employees must not use the system in a way that disrupts its use by others. Employees must not send or receive large files that could be saved/transferred via thumb drives. Employees are prohibited from sending or receiving files that are not related to work.

1. **Computers**

- The computers at the District are for District business only. At no time may any computer be used for other business; however, limited and incidental personal use may be permitted during breaks and provided the employee complies with all other District policies.
- Computer information systems and software on District computers is the property of the District; no unauthorized copies will be made or distributed.
- No additional software will be installed on District computers without specific written authorization. Software from home is not permitted to be installed onto District computers at any time.
- All data contained within District computers belongs to the District and cannot be altered without specific written authorization.

- No data stored on District computers is to be released to any person or outside organization without specific written authorization. This includes release through data transfer, in magnetic form, on printed reports or any other media or electronic transmission as well as databases, without the specific written authorization of the Executive Director. However this shall not be construed to prevent or limit the dissemination of information in response to a public records request.
- The computer passwords and security codes assigned to employees are not to be communicated to any other employee unless specifically authorized. No passwords, security codes or computer access telephone numbers are to be communicated to any persons or outside organization without specific written authorization.
- Employees who use computers at home for District business are to virus check any diskettes/CD's or USB drives before using them on District computers.
- No person is to disclose the names of software, databases, or systems used by the District to persons outside the District unless in response to a public records request.

2. E-Mail

The District has established a policy with regard to access and disclosure of electronic mail messages created, sent or received by District employees using the District's electronic mail system. The District reserves the right to change the policies set forth below at any time, as may be required by the circumstances:

- The District maintains an e-mail system. The system is provided by the District to assist in conducting District business only.
- The e-mail system is District property. Additionally, all messages composed, sent or received on the e-mail system are and remain the property of the District. They are not the private property of any employee.
- The use of the e-mail system is reserved solely for the conducting of business at the District. It may not be used for personal business.
- The e-mail system may not be used to solicit for commercial ventures, religious or political causes, outside organizations or other non-job-related solicitations.
- The e-mail system is not to be used to create any offensive or disruptive messages. Among those which are considered offensive are any messages which contain sexual implications, racial slurs, gender-specific comments or any other comment that offensively addresses someone's age, sexual orientation, religious or political beliefs, pregnancy, national origin, disability, or other category protected by applicable law.
- The e-mail system shall not be used to send (upload) or receive (download) copyrighted materials, trade secrets, proprietary financial information, obscene materials, or other similar materials without prior authorization.

- The District reserves the right to review, audit, intercept, access and disclose all messages created, received or sent over the District's e-mail system for any purpose. The contents of e-mail properly obtained for legitimate business purposes may be disclosed within the District without the permission of the employee.
- The confidentiality of any message should not be assumed. Even when a message is erased, it does not guarantee confidentiality. Further, the use of passwords for security does not guarantee confidentiality.
- All passwords must be disclosed to the District or they are invalid and cannot be used.
- Notwithstanding the District's right to retrieve and read any e-mail messages, such messages should be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorized to retrieve or read any e-mail messages that are not sent to them. Any exception to this Policy must receive the prior approval of the Executive Director.
- Employees shall not use a password, access a file or retrieve any stored information, unless authorized to do so. Employees should not attempt to gain access to another employee's messages without the latter's permission. All computer passwords must be provided to supervisors. No password may be used that is unknown to the District.
- Employees are prohibited from sending global messages of a personal nature and/or chain letters on District computers, without exception.

Employees should contact the Record Management Officer for information on the District's retention schedule of e-mails. Employees may use the District's email system to discuss terms and conditions of employment or to address work-related grievances. Any employee who violates this Policy or uses the e-mail system for improper purposes shall be subject to discipline, up to and including termination of employment.

3. *Right to Monitor*

All District supplied technology and District related work records belong to the District and not the employee. The District routinely monitors use of District-supplied technology. Inappropriate or illegal use or communications may be subject to disciplinary action up to and including termination of employment.

4. *Telephone Usage*

District telephones and voice message systems are to be used for District business only. Personal telephone and radio calls during business hours are to be confined to those which are absolutely necessary and be kept to a minimum. Employees should not use the District's telephones, including cell phones, for personal long distance calls. Employees who are hosting or attending meetings with the Board of Supervisors, clients, vendors, or employees from another company are restricted from answering non-emergency personal cell phones. Any employee caught in the process of answering a non-emergency personal cell phone call or sending/receiving text messages during a professional business meeting while representing the District will be subject to disciplinary action up to and including termination.

District employees are required to answer all business telephone calls promptly and courteously; voice mail is not intended to act as a substitute. Employees are required to return all missed business calls promptly.

Field staff is restricted from the use of cell phones while operating heavy equipment or motor vehicles to emergency situations and District business only. Operations, Emergency, Maintenance, and Park staff shall allow cellular telephone calls to go to voicemail. Said messages shall be retrieved and returned only after scheduled duties are complete or while the employee is on an authorized break.

Texting while driving on duty or for District purposes is strictly prohibited. Employees are also prohibited from texting while operating District equipment.

5. Social Media-Acceptable Use

Below are guidelines for social media use.

- Employees shall not make statements on behalf of the District, without proper authorization, or make statements that could be construed as establishing the District's official position or policy on any particular issue.
- Employees may not post financial, confidential, sensitive or proprietary information about the District, citizens, vendors, employees or elected officials.
- Employees may not post discriminating remarks, harassment, bullying, or threats of violence. Behavior that is not tolerated in the workplace will not be tolerated in social media.

Employees are permitted to discuss terms and conditions of employment but, when posting such information on social media sites, employees must use the following disclaimer when discussing job-related matters, "The opinions expressed on this site are my own and do not necessarily represent the views of the District."

The District may monitor or review content on the Internet available for public consumption. Policy violations may result in discipline up to and including termination of employment.

F. Solicitations, Distributions and Posting of Materials

The District prohibits the solicitation, distribution and posting of materials on or at District's property by any employee or nonemployee, except as may be permitted by this policy. The sole exceptions to this policy are charitable and community activities supported by the District management and District-sponsored programs.

Provisions:

- Nonemployees may not solicit employees or distribute literature of any kind on District premises at any time.
- Employees may only admit nonemployees to work areas with management approval or as part of a District-sponsored program. These visits should not disrupt workflow. An employee must accompany the nonemployee at all times. Former employees are not permitted onto District property except for official District business.
- Employees may not solicit other employees during work times, except in connection with a District-approved or sponsored event.
- Employees may not distribute literature of any kind during work times or in any work area at any time, except in connection with a District-sponsored event.
- The posting of materials or electronic announcements are permitted with approval from the Executive Director.

Violations of this policy should be reported to Human Resources.

G. Bulletin Boards

Official District information such as internal job postings, meeting notices and other information of general interest will be posted on the District's central bulletin board. The unauthorized removal or posting of unapproved material by an employee may subject the employee to discipline, up to and including termination. All notices must be pre-approved by the Executive Director prior to being posted.

H. Vehicle Use Policy

Employees who are issued a District vehicle must review and abide by any and all policies set forth by the District regarding Vehicle Use, as amended from time to time, which includes the Safety Manual.

In addition to the foregoing, employees are specifically prohibited from using District-assigned vehicles for personal purposes including, but not limited to, transporting contraband, illegal materials, or lawful items not directly related to the employee's work at the District. Employees are prohibited from transporting non-District employees or making personal stops while in route on District business. Employees are prohibited from using District vehicles for any purpose other than performing assigned tasks or as otherwise permitted by the Vehicle Use Policy.

1.0 DEFINITIONS: The following terms shall have the following meanings:

1.1 "Emergency Preparedness and Response Take Home Vehicle" means a District vehicle which is used by a District employee for District Work related to Emergency Preparedness and Response that will be used temporarily during the pre-determined time frame for commuting to and from the employee's home and work station.

1.2 "Assigned Vehicle" means a District vehicle assigned to a department or District employee for District Work to be used during work time, but not for employees commuting to and from the employee's home and work station.

1.3 "Work Trip Mileage" means the daily mileage driven by an employee from the regular work station and back or from the first work site to the last work site or from a designated District parking area and back.

1.4 "Commute Trip Mileage" means the mileage from an employee's home to the regular place of work and back, or the actual daily mileage from home to the first work site and from the last work site to home.

1.5 "Designated Parking Area" means a District parking facility or lot which has been identified by an employee's department director as an acceptable overnight location for parking the employee's Assigned District Vehicle.

1.6 "Emergency Preparedness and Response" means an employee has primary responsibility for preparation and immediate response, to protect life and property, or the action taken by an employee who has primary District-wide custodial control of resources used during emergency response.

1.7 "Special Equipment Vehicles" mean vehicles manufactured for special applications or vehicles equipped with tools or devices for specific job applications.

1.8 "Work Station" means the office or site a District employee reports to perform normally scheduled work.

2.0 POLICIES:

2.1 It is the intent of the District to restrict the number of District-owned vehicles being used by employees to commute to and from work. Employees shall only be assigned a

take-home vehicle for a pre-determined time frame for the purpose of Emergency Preparedness or Response.

2.2 Assignment of a District vehicle, whether take-home or otherwise, is not a privilege, right, prerequisite, nor benefit of any District employee and is subject to change without advance notice.

2.3 Assignment of a District vehicle shall not be made based on employee merit, longevity, or employee status.

2.4 The need for communication access (car radio, telephone, etc.) shall not normally be considered adequate justification for a District vehicle assignment.

2.5 Take-home District vehicle assignments must be authorized and approved by the Executive Director based on the criteria set forth in this policy. Any personnel declining an Emergency Preparedness or Response Take Home Vehicle as set forth by the policy must submit a letter of request of exemption to the Executive Director for approval.

2.6 Any employee provided an Emergency Preparedness or Response Take Home Vehicle as set forth by the policy shall not take the vehicle outside of a 50 mile radius from District Headquarters except for official business. In general, District Vehicles may not be taken out of District boundaries for anything other than work related business, i.e. meetings.

2.7 Emergency Preparedness and Response: Take-home vehicles may be temporarily assigned to District employees for a pre-determined time frame in order to properly stage the District's response to a storm event and to respond to such event where:

2.7.1 The employee has been assigned the primary responsibility to respond to emergencies which require immediate response to protect District property; and

2.7.2 The employee cannot reasonably use alternative forms of transportation to prepare for or respond to emergencies; and

2.7.3 The employee cannot pick up District vehicles at designated sites without impacting the employee's ability to prepare for or respond to emergencies, which require immediate response to protect life or property.

2.7.4 Emergency Preparedness and Response assignments should be supported by the District's storm response plan. There must be a reasonable explanation as to why an employee cannot use alternative forms of transportation to respond to the emergencies or pick up District vehicles at designated District parking areas.

2.12 Special Equipment Vehicles: Take-home Special Equipment Vehicles may be assigned if an employee needs specialized equipment or a special vehicle to perform District work outside of an employee's normally scheduled workday for a pre-determined time frame.

2.12.1 Communication access shall not normally be considered a valid justification for a specially equipped take-home vehicle.

2.12.2 Employees must be assigned primary responsibility to respond to emergencies.



2.12.2.1 Special Equipment Vehicle take-home assignments shall be supported by information describing the special equipment needed to perform the District work that cannot otherwise be provided by the District on a regular basis from the Maintenance building.

2.13 Re-authorization of Emergency Preparedness or Response Take-Home Vehicles: Eligibility to be assigned an Emergency Preparedness or Response Take-Home Vehicle shall be evaluated prior to such assignment to confirm that the individuals continue to maintain a valid Florida Drivers' license and have not developed an unsatisfactory driving record.

3.0 USAGE:

3.1. Authorized use of a District Vehicle includes, in addition to official business and transportation during working periods:

- transportation to and from work/home during lunch period, as long as the residence is within the District boundaries
- short stops (for restroom break and meal requirements) during the working period within District boundaries with the exception of the Westlake Community/ Seminole Improvement District, as it is embedded within the Indian Trail Improvement District. Exceptions can be made by department supervisors on a case-by-case basis if it is closer to the job site to leave District boundaries for lunch periods.

3.2. Unauthorized use is any personal use not authorized by this policy or use otherwise prohibited by law. Some examples of unauthorized use include, but are not limited to: transporting relatives, friends or hitchhikers; transporting other District employees for non-business related purposes (except for meal break, machinery parked on job site and no other transportation is available), unsafe operation of the vehicle, operation of the vehicle in a manner that does not comply with posted speed limits and other rules of the road, driving while ill, disabled or lethargic, and driving after any consumption of alcoholic beverages or use of illegal substances. Also refer to Policy "Reporting Suspicious Activity or Items" Employee Handbook Workplace Expectations J.

3.3. In accordance with this policy, accidents involving unauthorized use of District vehicles may warrant disciplinary action in accordance with District policies.

3.4. Smoking is not allowed in District vehicles.

3.5 Texting and personal cell phone use while driving is strictly prohibited.

4.0 LIABILITY:

4.1. Accidents occurring during any unauthorized use of District vehicles will not be covered by the District's insurance program and will result in employee liability for any property damage/ personal injuries.

5.0 RESPONSIBILITIES

5.1 Executive Director Responsibilities:

5.1.1 Notify the Human Resources and Finance Departments each time a new

vehicle assignment is authorized.

5.1.2 Review and authorize or deny Emergency Preparedness or Response Take Home Vehicle Authorization requests submitted by department directors or their designees in accordance with this policy.

5.1.3 Ensure that the Finance Department has obtained the Fair Market Value of vehicles driven by District employees for auto fringe benefit calculation and comply with all IRS regulations relating to take-home vehicle use as described in this policy.

5.2 Human Resources Responsibilities:

5.2.1 Recordkeeping: The Human Resources Director shall maintain central records of all vehicle assignments, ensuring that the Finance Department is fully informed of any and all changes.

5.2.2 Obtain a photo copy of any employee's driver's license and obtain any employee's driving record from the Florida Department of Motor Vehicles and Highway Safety, at least annually.

5.3 Finance Director Responsibilities:

5.3.1. Obtain the Fair Market Value of vehicles driven by District employees for auto fringe benefit calculation.

5.3.2. Follow IRS regulation and communicate annual auto fringe benefit calculation to HR and Executive Director; process payroll in accordance with such regulations and fringe benefit calculations

5.4 Employee Responsibilities:

5.4.1. Comply with the provisions of this policy, and follow all vehicle safety rules and regulations as set forth by the District.

5.4.2. Follow all instructions as outlined by supervision and accurately complete information for driver's record.

5.4.3. Report all vehicle accidents and /or incidents affecting the Driving History (i.e. Speeding Tickets, DUI, Expired Insurance, suspended license etc.) to the Human Resources Director immediately.

5.4.4 Operate all vehicles, trucks, and equipment in a safe manner.

5.4.5. Check and report vehicle condition as required, completing all required vehicle inspection sheets

5.4.6. Display safe driving habits and courtesy which will reflect favorably on ITID and its employees.

5.4.7. Maintain the required logs/records specified herein and submit them to their department.

5.4.8. Obey all traffic rules/regulations.

5.4.9 Ensure to pick up and drop off their assigned vehicles at designated District parking areas when appropriate.

5.4.10 Ensure any assigned vehicle, whether take home or otherwise, is parked in a safe and secure location when not in active operation.

5.4.11 Ensure any assigned vehicle is not taken outside a 50 mile radius from District Headquarters except for official business.

6.0 IRS REGULATIONS:

6.1 “Employer-Provided Vehicle” If an employer provides a vehicle which is used exclusively for business purposes (except for allowable de minimis use, discussed later) there are no tax consequences or reporting. Business use does not include commuting (except as discussed later). Records should be maintained to substantiate that all vehicle use was for business.

6.2 “Employer Vehicle Used for Both Business and Personal Use” If an employer-provided vehicle is used for both business and personal purposes, substantiated (see Substantiation Requirements, below) business use is not taxable to the employee. Personal use is taxable to the employee as wages. The employer can opt to include all use as wages; however, the employee can pay the employer for personal use rather than having it treated as wages. *Reg. § 1.61-21(c)*

6.2.1 “Examples of De Minimis Nontaxable Personal Use” Small personal detour while on business, such as driving to lunch while out of the office on business. Infrequent (not more than one day per month) commuting in employer vehicle. This does not mean that an employee can receive excludable reimbursements for commuting 12 days a year. The rule is available to cover infrequent, occasional situations. *Reg. § 1.132-6(d)(3)*

6.3 “What is Personal Use?” The following are examples of taxable personal use of an employer-provided vehicle: Commuting between residence and work station. Vacation, weekend use, or use by spouse or dependents. The employee goes into his office on the weekend. This is personal commuting, regardless of whether it is required by the employer. *Reg. §1.162-2(e)*

6.4 “Substantiation Requirements” Separate records for business and personal mileage are required. *IRC 274(d)*

6.5 “Valuing Personal Use of Employer-Provided Vehicle” Personal use of an employer’s vehicle is taxable wages to the employee

I. Equipment and Tool Use Policy

Employees are required to use District owned or leased equipment and tools in a safe manner consistent with the intended use and operating instructions of the equipment/tool. Employees must also review and abide by the District's Safety Manual relating to the proper and safe use of equipment and tools, as amended from time to time. Prior to the initial use of any piece of equipment or tool each day, the employee shall inspect the equipment/tool for damage, inoperable parts, under-inflated tires, or any other condition which may create an unsafe situation. Any deficiency shall be reported to the supervisor immediately and the supervisor shall ensure appropriate action is taken to correct the problem before the equipment/tool is used.

Employees are specifically prohibited from using District owned or leased equipment and tools for personal purposes including, but not limited to: borrowing items for use off-site; lending items to residents or other members of the public; using items for non-District work or personal pursuits. Employees are prohibited from using District equipment and tools for any purpose other than performing assigned tasks. Employees are prohibited from taking District owned or leased equipment and tools away from District property except for authorized repair work to the equipment or tool or where such item is regularly kept in a District-assigned take-home vehicle.

J. Conduct and Discipline

Every employee has the duty and the responsibility to be aware of and abide by existing rules and policies. Employees also have the responsibility to perform their duties to the best of their ability and to the standards as set forth in the job description or as otherwise established.

The District supports the use of progressive discipline to address employee conduct and performance issues. However, the District retains the right to initiate disciplinary action at any level to improve and prevent a recurrence of undesirable behavior and/or performance issues.

Violations of any of these policies and procedures are considered misconduct and appropriate disciplinary procedures will be initiated. Disciplinary action may include, but is not limited to: verbal warnings, written warnings, suspensions with or without pay, and termination. Disciplinary actions are noted in the employee's personnel file.

Serious misconduct may result in immediate suspension and/or immediate termination, without notice. The appropriate disciplinary action will be determined by the Executive Director. There is no guarantee that one form of disciplinary action will necessarily precede another. The following is a partial list of examples of misconduct that may constitute cause for disciplinary action, up to and including termination of employment:

- Violation of the District's Equal Opportunity or Anti-Discrimination and Anti-Harassment policies;
- Disclosure of confidential District or employee information to unauthorized parties;
- Behavior resulting in resident, customer, vendor or employee complaints;
- Supplying false or misleading information or falsifying any District record;
- Possession or use of weapons on or off premises while performing duties for the District;
- Immoral or indecent conduct; soliciting persons for immoral purposes;
- Engaging in physical contact or conduct of a sexual or romantic nature, whether or not consensual, on District premises regardless of whether such conduct occurs on or off duty, including rest and meal breaks;
- Failure to timely report romantic relationships or relative relationships;
- Wasting valuable work time such as talking about the private affairs of others in a malicious manner, spreading gossip, and other unproductive behavior;
- Insubordination, including but not limited to, failing to perform job duties, refusing to obey an order or directive of a department supervisor or Executive Director;
- Disruptive conduct, including but not limited to: gambling; fighting; horseplay; coercion; intimidation or threats against District employees or residents; vulgarity; or abusive treatment to the public or fellow employees;
- Theft or unauthorized possession or removal of property or money belonging to the District, employees or a third party;
- Making or publishing false, vicious or malicious statements concerning a resident, customer, employee, supervisor, or other District official or District services;
- Destruction or misuse of property;
- Failure to work overtime when requested;

- Failure to remain and work at employee's designated District workstation unless required to step away from the designated workstation in order to perform District related business; or,
- Any other conduct which violates a District policy or which is not in the best interest of the District.

Outlined below are the steps of the District's discipline procedure. The District reserves the right to combine or skip steps in this process depending on the facts of each situation and the nature of the offense. The level of disciplinary intervention may also vary. Some of the factors that will be considered are whether the offense is repeated despite coaching, counseling and/or training; the employee's work record; and the impact the conduct and performance issues have on our organization.

The following outlines the District's discipline steps:

- **Verbal warning:** A supervisor verbally counsels an employee about an issue of concern, and a written record of the discussion is placed in the employee's file for future reference.
- **Written warning:** Written warnings are used for behavior or violations that a supervisor considers serious or in situations when a verbal warning has not helped change unacceptable behavior. Written warnings are placed in an employee's personnel file. Employees should recognize the grave nature of the written warning.
- **Performance improvement plan:** Whenever an employee has been involved in a disciplinary situation that has not been readily resolved or when he/she has demonstrated an inability to perform assigned work responsibilities efficiently, the employee may be given a final warning or placed on a performance improvement plan (PIP). PIP status will last for a predetermined amount of time not to exceed 90 days. Within this time period, the employee must demonstrate a willingness and ability to meet and maintain the conduct and/or work requirements as specified by the supervisor and the organization. At the end of the performance improvement period, the performance improvement plan may be closed or, if established goals are not met, dismissal may occur.
- **Suspension with or without pay:** an employee may be temporarily relieved of duties as final disciplinary action or while review of an employee's conduct or performance is pending final disciplinary action.
- **Termination:** an employee may be separated from employment at any time, without prior notice or cause.

K. Reporting Suspicious Activity or Items

The primary duty of any District employee is to satisfactorily carry out the duties of his or her position as outlined in the job description or related duties as otherwise assigned by the supervisor or manager. However, during the course and scope of employment during work hours, employees may come across suspicious activity or items. This policy is designed to assist employees in understanding their obligations in these circumstances.

Employees who identify suspicious activity or items during the course of the workday that they reasonably believe constitute an emergency should call “911” immediately and follow the instructions of the dispatch operator. Upon conclusion of the call, the employee should then immediately contact the Human Resources Department to report the incident and the basis for the 911 call. Human Resources shall document the incident based on the information from the employee and, to the extent requested by Palm Beach County Sheriff’s Office (“PBSO”), facilitate any further necessary communications with PBSO and the reporting employee.

In the absence of a Human Resources representative, the employee shall report all required information to the Finance Director who will assume the Human Resources responsibilities under this policy until Human Resources is available.

Employees who identify items during the course of the workday that they suspect to be contraband or otherwise illegal, but that do not constitute an emergency, must contact PBSO’s Road Patrol Division at 561-688-3400 and describe the item (e.g. “recovered marijuana”, “refuse marijuana”, “grow house waste”, etc.).

1. If it appears safe to do so, and the items are located within the District and are not located within a District-owned canal, employees should remain with the suspicious items and wait for PBSO to arrive but should not move, handle or touch the items. Employees must then contact the Human Resources Department to advise that they have contacted PBSO and are awaiting their response. Employees must obtain a Property Receipt or copy of an Information Report from PBSO before leaving the scene and provide same to Human Resources before returning to the job site. Human Resources will then notify the appropriate supervisors and managers regarding the employee’s location and expected return to the job site. Human Resources will document the incident and maintain a copy of the PBSO documentation.
 - Employees are prohibited from placing any suspicious items in a District vehicle, whether on or off duty.
 - Employees are prohibited from transporting any suspicious items during working hours.
 - Employees are prohibited from tampering with any suspicious items in any manner whatsoever.

If suspicious items are located in a District-owned canal, employees must follow the above procedures but shall remove the suspicious items from the canal and place them on the nearby canal bank while awaiting PBSO Road Patrol.

2. In cases where the suspicious items appear dangerous or the location of the item appears to be dangerous if the employee were to remain on scene, employees should advise PBSO that they will not remain on scene, but should provide PBSO Road Patrol the exact location of the items and offer a safe location to meet the assigned Deputy. If requested, the employee should also provide a description of

the items. Employees must then contact the Human Resources Department to advise that they have contacted PBSO but are not remaining on scene and provide the location of any agreed-upon meeting place. Human Resources will document the incident. The employee must obtain a copy of any PBSO documentation, including a Property Receipt of Information Report, relating to the call and submit same to Human Resources before returning to the job site.

3. Please note that PBSO does not have the authority to direct any employee to transport, handle or dispose of contraband or illegal materials. If the unlikely event that an employee receives such a directive from PBSO, the employee must immediately notify Human Resources who will contact the appropriate PBSO Lieutenant or Captain to rectify the situation.

Employees who identify suspicious activity they suspect to be unlawful (that does not constitute an emergency) must immediately contact the Palm Beach County Sheriff's Office ("PBSO") Road Patrol Division at 561-688-3400 and await further instruction. Employees who provide information to PBSO Employees must then immediately contact the Human Resources Department to document the incident. If PBSO takes a report or a sworn statement from the employee, the employee must provide a copy to Human Resources for the incident file before returning to the job site.

V. COMPENSATION

A. Salary Schedule

All positions shall be placed into the appropriate level of the Salary Schedule. The Executive Director shall maintain the Salary Schedule approved by the Board. In general, the Salary Schedule shall be submitted by staff and approved each fiscal year. Each position within the Salary Schedule shall be assigned a minimum and maximum pay range.

Employees shall generally be hired under the mid-point of the range for the position. Where an employee is hired at a rate above the mid-point, the Executive Director shall notify the Board within ten (10) calendar days by providing a written summary of the position title, the reason for the starting pay rate above the mid-point.

Employee pay shall not exceed the maximum rate for the respective position within the Salary Schedule. Where a cost of living or proposed merit increase would bring an employee's salary above the maximum rate for the position, the employee's salary shall only be brought to the maximum of the range. Should the Executive Director seek to exceed the pay range, Board approval for an exception to this policy must be received before implementing a salary increase above the maximum.

Titles for each position shall be descriptive of the general duties attached thereto and shall be the same for positions requiring the same kind of service, regardless of the location of employment.

B. Temporary Assignments in Higher Salary Schedule Level

Employees assigned temporarily to a vacant position at a higher classification with the written approval of the Executive Director shall receive a 5% temporary pay increase provided the temporary assignment is expected to last more than thirty (30) days. The temporary 5% increase shall be removed on the date the employee is returned to the regular duty position. In no event shall the temporary increase continue past the date the position in the higher classification is filled.

C. Internal Transfer/Promotions

Employees with more than six (6) months of service may request consideration to transfer to other jobs as vacancies become available and will be considered along with other applicants. At the same time, the District may initiate transfers of employees between departments and facilities to meet specified work requirements and reassignment of work.

The District offers employees promotions to higher-level positions when appropriate. Management prefers to promote from within and may first consider current employees with the necessary qualifications and skills to fill vacancies above the entry level, unless outside recruitment is considered to be in the District' best interest.

To be considered, employees must have held their current position for at least six (6) months, have a satisfactory performance record and have no disciplinary actions or performance improvement plans during the last six (6) months. Management retains the discretion to make exceptions to the policy.

Employees promoted to a position with a higher maximum salary shall receive the minimum of the salary range in the new position or a 5% increase, whichever is higher. The increase shall take effect on the effective date of the promotion. No retroactive increases will be authorized.

Promoted employees who are unable to meet the standards of the higher-level position during the probationary period, may be terminated, demoted, or placed on a performance improvement plan with an extended probationary period. If demoted to the most recently held position, the employee shall be placed in the position at the wage/salary he she last earned in that position.

D. Demotions

Employees may be assigned to positions of a lower level within the Salary Schedule having a lower maximum salary and status than the position from which the employee was originally assigned. Employees demoted as a result of discipline, performance, lack of work, restructuring or other reasons may experience a reduction in pay. Where the employee's current pay rate is within the salary range of the new position, the employee will not experience a reduction in pay. However, where the employee's current pay exceeds the maximum of the new position, the employee's pay will be reduced to the maximum of the new pay range.

E. Performance and Salary Reviews

Performance reviews provide employees with an opportunity to talk about their job, their performance on the job, and their job goals, as well as to discuss any suggestions, questions or complaints.

Employees will be reviewed annually each fiscal year. Performance reviews are an evaluation and planning tool for both supervisors and employees and do not necessarily result in pay increases. Generally, raises will be granted on the basis of merit. The amount of any raise is discretionary and depends on several factors, including but not limited to, the employee's performance review and the Board's decision to budget funds for such purpose. Employees who are (at the time of the evaluation) within their introductory period, who have worked for the District for less than one calendar year, or who are on probation shall not be eligible for any wage increase contemplated by the evaluation process, whether described as across-the-board, merit, cost of living or otherwise.

From time to time, the Board of Supervisors may authorize an across the board wage increase, which may or may not be based on merit or other factors as determined by the Board in its sole discretion.

Beginning October 1, 2019, the District is implementing a new evaluation system with a 10-point scale. The scale is as follows:

1	Unacceptable: Employee does not demonstrate basic skill or interest in developing skill.
2	Unsatisfactory: Employee does not demonstrate basic skill.
3	Poor: Employee does not demonstrate basic skill, but seeks opportunities to learn skill.
4	Needs Improvement: Employee occasionally demonstrates basic skill and continues to seek opportunities to refine skill.
5	Satisfactory: Employee regularly demonstrates basic skill.
6	Commendable: Employee regularly demonstrates basic skill and occasionally exceeds standards.
7	Exceeds Standards: Employee regularly exceeds standards in demonstrating basic skill and continues to improve skill.
8	Superb: Employee always exceeds standards in demonstrating basic skill and occasionally demonstrates expert skill.
9	Excellent: Employee always exceed standards in demonstrating basic skill and regularly demonstrates expert skill.
10	Exceptional: Employee always exceeds standards in demonstrating basic skill and always demonstrates expert skill.

On or before October 1, 2019, employees will be provided a self-evaluation and a baseline evaluation conducted by their supervisor and reviewed/approved in advance by the Department Director, Human Resources and the Executive Director. On or before April 1, 2020, employees will be provided another self-evaluation and a mid-term evaluation conducted by their supervisor and reviewed/approved in advance by the Department Director, Human Resources and the Executive Director. On or before October 1, 2020, employees will be provided another self-evaluation and a Final Annual evaluation conducted by their supervisor and reviewed/approved in advance by the Department Director, Human Resources and the Executive Director. Beginning Fiscal Year 2020/2021, baseline evaluations are no longer necessary as the prior year's Final Annual evaluation will serve as the baseline. Employees may be reviewed more frequently on an informal or formal basis if deemed necessary by the employees' supervisor or management. Employees who have not been employed by the District for six (6) months at the time reviews are conducted, will be reviewed at the completion of their first six (6) months of employment and then on the next scheduled evaluation date.

The self-evaluations, baseline evaluations or mid-term evaluations shall not result in a wage increase. These are tools designed to help employees better understand their strengths and weaknesses before the Final Annual Evaluation on which a pay increase may be based, if authorized and budgeted.

During the budget process for the budget beginning October 1, 2020, if the Board budgets amounts for wage increases for the following fiscal year, eligible employees shall be awarded the merit increases in base pay as follows:

Final Annual Evaluation Score	Merit Increase Calculation
Less than 5	No Merit Increase
5 or more, less than 6	50% of the designated percentage increase
6 or more, less than 7	60% of the designated percentage increase
7 or more, less than 8	70% of the designated percentage increase
8 or more, less than 9	80% of the designated percentage increase
9 or more, less than 10	90% of the designated percentage increase
10	100% of the designated percentage increase

All scores shall be rounded to 2 decimal points (e.g. 7.75 does not get rounded to 8; 4.99 does not get rounded to 5). For example, if the Board were to budget a maximum merit increase of 3% and an eligible employee earned a 5.95 on the Final Evaluation, the employee would receive a 1.5% increase in base pay.

Employees who are close to or at the maximum of the approved pay range for their position shall not be eligible for the portion of the increase that brings their base pay above the maximum pay for the position.

All scores shall be rounded to 2 decimal points (e.g. 7.75 does not get rounded to 8; 4.99 does not get rounded to 5). For example, if the Board were to budget a maximum merit increase of 3%

and an eligible employee earned a 5.95 on the Final Evaluation, the employee would receive a 1.5% increase in base pay.

Employees who are close to or at the maximum of the approved pay range for their position shall not be eligible for the portion of the increase that brings their base pay above the maximum pay for the position.

It is expected that wage increases not resulting from a promotion or demotion shall only be granted as a result of either the annual performance evaluation process or specific authorization by the Board of Supervisors. Wage increases outside of the annual process are prohibited unless specifically authorized by the Board of Supervisors. However, where an employee's offer letter issued at the time of hire provides that the employee may receive an increase in base pay to a specific amount after successful completion of the six-month introductory period, such increase is not considered a violation of this policy.

Employees who receive less than a 5 in any area within the Final Annual performance evaluation, even if the total average score is a 5 or higher, shall be placed on a Performance Improvement Plan and must achieve improvement to at least a 5 in that area within the designated time period, or any extension granted by management. Employees who receive less than a 5 as a total average score on the Final Annual performance evaluation may be offered a Performance Improvement Plan and may be subject to discipline up to, and including termination.

Employees who disagree with the Final Annual performance evaluation may submit a written rebuttal to be included in their personnel file within ten (10) calendar days of receiving the evaluation.

F. Payment of Wages

The District's work week begins on Saturday and ends on Friday. Employees are paid every two weeks on Thursday. The District encourages Direct Deposit for all of its employees. Any changes due to holidays or other events that may interfere with this pay schedule will be announced in advance by the Director of Finance.

If an employee is absent on payday and is not enrolled in direct deposit, the Finance Department will hold the employee's check or, if the employee is on extended leave, make arrangements with the employee to facilitate timely delivery of the paycheck. Employees must report to the Finance Department immediately if they lose their paycheck.

The District is required by law to make mandatory deductions from earnings. Amounts withheld may vary according to how much the employee earns, marital status, government employment regulations, and other factors. Mandatory withholdings include Medicare and social security, and any other taxes or deductions required to be withheld by state and/or federal law.

In addition to mandatory payroll deductions, the District is required by law to comply with certain court orders, liens, or wage assignments and to make payroll deductions pursuant to those orders.

G. Errors in Pay

Precautions are taken to ensure that employees are paid correctly. If an error does occur in timekeeping, overtime, pay deductions or any other compensation issue, the employee must notify the Human Resources Manager in writing immediately, but no later than five (5) business days from receipt of the payment in question, to make appropriate pay adjustments on the forthcoming payroll. The HR Manager will respond to the employee within five (5) business days of receipt of the employee's notification to advise of the outcome or of the need for additional time to further research the issue and provide the outcome.

H. Time Reporting

1. Lunch and Break Periods

A half-hour lunch period away from the workstation for which non-exempt Administrative Personnel are not paid will be scheduled by the immediate supervisor to assure uninterrupted coverage of the department. Everyone is required to take a half-hour lunch period, unless as otherwise approved by the Executive Director and lunchtime may not be accumulated and used to make up for an absence from work.

A one-half hour lunch period away from work for which non-exempt Field Operations Personnel are not paid will be scheduled by your immediate supervisor.

Salaried employees, as they are paid a weekly salary regardless of whether they break for lunch, may choose to take breaks as needed.

Non-exempt employees are permitted a 15-minute rest break in the morning and in the afternoon. Non-exempt employees are not required to clock in and clock out for these short 15-minute breaks because this time is considered “time worked” and is compensable. Break(s) may not be used to account for an employee’s late arrival or early departure or to cover time off for other purposes, e.g. rest breaks may not be accumulated to extend a meal period, and rest breaks may not be combined to allow one half-hour long breaks.

The District does not provide for, and employees are not entitled to, any break periods other than the lunch periods as set forth above.

2. Days and Hours of Work (Four Day Work Week)

The District operates on a 40-hour work week for all full time, non-exempt employees. All employees may be required to work additional hours as needed and exempt employee schedules may regularly exceed 40 hours depending on the work of the District. The District operates on a four-day workweek as described below.

The Administration office is open from 7:00 a.m. to 6:00 p.m., Monday through Thursday and 9:00 a.m. to 5:00 p.m. on Fridays.

The Maintenance & Operations Department operates with a full staff from 7:00 am-5:30 pm Monday through Thursday and with designated staff on-call Friday, Saturday, Sunday and Holidays.

The Storm Water Operations Department operates with a full staff from 7:00 am-5:30 pm Monday through Thursday and is on call as needed Friday through Sunday and Holidays. Two Staff members alternate the responsibility of continuously monitoring weather and the telemetry system Friday, Saturday, Sunday and Holidays. In addition, the telemetry system operates 24/7 providing alerts and notifications directly to assigned staff phones and computers. Operation of pumps or water control gates requires approval of the Storm Water Operations Director or the Executive Director.

Customer Service and Administration operates with full staff from 7:30 am-5:30 pm, Monday through Thursday. Some staff are scheduled to arrive at 7:00 a.m., while others are scheduled to depart at 6:00 p.m. At least one staff member works in the Administration building from 9:00 a.m. - 5:00 p.m. on Fridays.

The Parks Department operates with a full staff 7:00 a.m. - 5:30 p.m. on Monday through Thursday and with partial staff during all remaining days each week as needed.

Details of the on-call weekend and holiday work schedules:

- The Maintenance and Operations Department has two Maintenance Zone Supervisors as well as the Maintenance Superintendent available for emergency and non-emergency call responses and repairs on call each weekend and holiday. The on-call duty is rotated among the Zone Supervisors. Specific staff members are called in as appropriate depending on the specific type of emergency.
- The Storm Water Operations Department utilizes the telemetry system, which operates 24/7 providing alerts and notifications directly to staff phones & computers in accordance with its programming. There are two Staff members who regularly alternate monitoring the telemetry system Friday through Sunday and Holidays observing weather conditions and watching for any system irregularities. In the event of an emergency, Staff members are scheduled as needed up to 7 days a week to perform work before and after the all-clear is determined. Storm Water Management Staff work throughout the storm, observing safety protocols. Both Maintenance and Parks Staff are re-assigned to assist with the work required during an emergency (maintaining temporary pumps, removing debris, repairing damage, etc).

3. Overtime Policy

Occasionally, employees may be required to work overtime. Overtime pay depends on an employee's status as "non-exempt" or "exempt," as follows:

Non-Exempt Employees: Non-exempt hourly employees are compensated based upon the number of hours worked each work week. Non-exempt hourly employees that work more than 40 hours in one work week will receive overtime compensation at one and one-half times their regular rate of pay. Only actual time worked is included in the overtime computation; an employee's vacation, holiday or other leave time is not considered actual time worked and is not included in overtime computations. Non-exempt employees are required to work during hours as directed by their supervisor or manager.

Exempt Employees: Exempt employees do not receive overtime compensation or compensatory time. Exempt employees are required to work at least 40 hours per week unless otherwise directed by the Executive Director in accordance with the Days and Hours of Work Section.

Employees are not permitted to work overtime unless they receive advance authorization from their Department Director and Executive Director. Employees should document all hours worked, including overtime that is worked, on the timesheet by utilizing the appropriate time clock and submit to Payroll on a timely basis. The failure to work overtime when requested or working unauthorized overtime may lead to discipline, up to and including termination of employment.

Exempt Employee Emergency Compensation

Eligible exempt employees may be eligible for Emergency Compensation when a state of emergency has been declared by the Executive Director in accordance with Resolution 2009-09, as amended from time to time. Please consult with Human Resources for additional details.

4. Time Clock Procedures

All non-exempt employees are required to clock in when they begin working. It is expected that employees will not begin working more than five (5) minutes prior to the start of the assigned shift. Employees who clock in and begin working more than five (5) minutes prior to the start of the assigned shift may be subject to disciplinary action up to, and including, termination.

All non-exempt employees are required to clock out for lunch breaks and must clock in at the end of the lunch break. All lunch breaks must be thirty (30) minutes, without exception. During the lunch break, employees are not permitted to perform any work. Field employees without access to a time clock during lunch periods must report to the supervisor at the end of the day if they did not received the full lunch break. The supervisor and employee must report this on the time card before submitting to payroll.

All non-exempt employees are required to clock out at the end of the workday. Employees are not permitted to continue working after the employee clocks out. If additional work is required, the employee must get permission from the supervisor to continue working and must clock in to ensure the time records reflect actual time worked.

Employees unable to clock in or out, for any reason, must contact the supervisor immediately. Employees who fail to clock in and out to properly reflect all hours worked shall be subject to disciplinary action up to, and including, termination.

I. Safe Harbor

It is our policy and practice to accurately compensate employees in compliance with all applicable State and Federal laws. To ensure that all employees are paid properly for all time worked and that no improper deductions are made, employees must record all time worked and review their paychecks promptly to identify and report any errors to the Human Resources Manager in writing.

If an employee is classified as exempt, the employee will receive a salary intended to compensate for all hours worked. This salary is established at the time of hire and is subject to change at any time during the term of employment in accordance with District policies and practices. The salary is a predetermined amount that is not subject to deductions for variations in the quantity or quality of work performed, subject to certain statutory exceptions.

J. On-Call Pay

Non-exempt employees who work in a position that requires them to remain "on-call" (subject to work in case of emergency), will receive compensation only when they are required to report to a work site or perform work-related duties. If the employee is not required to report in to work or perform work-related duties while on-call, the employee does not receive compensation.

K. Employee Travel and Reimbursement

This policy establishes guidelines for allowable expenses and the procedure for accurate and timely reconciliation of travel and training expenses relating to official business in accordance with Florida Statute Section 112.061. To the extent this policy does not address an issue, the District shall follow Florida Statute Section 112.061.

The Executive Director shall interpret this policy consistent with Florida Statute Section 112.061 as it relates to employee travel; the Board President shall interpret this policy consistent with Florida Statute Section 112.061 as it relates to the Board of Supervisors except that the Vice President or Board Treasurer shall make such interpretations with respect to the travel of the Board President. Where the Finance Director requires an interpretation to process the Executive Director's travel and training expenses, the Board Treasurer and Legal shall be consulted.

1. General Guidelines

Per Diem is defined as the total daily cost allowance that includes lodging and meal allowance. When actual expenses for lodging and meals exceed the District's Per Diem Rate as set by Resolution, the Traveler is permitted the meal allowances plus actual expenses for lodging at a single-occupancy rate.

Subsistence is defined as the allowance for meals per day based upon travel classification and are referred within as "Meal Allowance."

Vicinity mileage is defined as travel to multiple locations for official business purposes within one trip.

A Travel Period is defined as the period of time between the time of departure and the time of return.

All travel must be by a usually traveled route or one that is planned through an automobile or online navigation program or module such as MapQuest, Waze, Google Maps, etc. The pre-determined route must accompany both the "E-1 Travel Approval and Advance Forms 1-2" and "E-2 Travel Reimbursement and Requisition Forms 1 and 2" for approval of any mileage reimbursement. The Traveler must consider the following guidelines when proposing the method of travel:

- The most efficient and economical means of travel (considering the time of the Traveler, impact on the productivity of the Traveler, cost of transportation, lodging and meal allowance required);
- The number of District Employees participating in the travel and the amount of equipment or material to be transported (if any).

2. Travel Classifications

Classification A Travel ("Class A")

Class A Travel is continuous travel of 24-hours or more away from where the Traveler normally reports which will be either the Administration or Maintenance Building (Building). The Travel Day for Class A Travel is a calendar day (midnight to midnight). Class A Travel shall include any assignment on official business outside of regular office hours and away from regular places of employment when it is considered reasonable and necessary to stay overnight and for which travel expenses are approved. Overnight lodging the night before official business is considered

reasonable and necessary when the Traveler would be required to leave either Building before 7:30 a.m. on the day official business is conducted in order to arrive at the appointed start time of the official business. Overnight lodging the night on which the official business concludes is considered reasonable and necessary when the Traveler would not return to the Administration or Maintenance Building by 10:00 p.m.

Classification B Travel (“Class B”)

Class B Travel is continuous travel of less than 24-hours which involves an overnight absence from the Administration or Maintenance Building. The Travel Day for Class B Travel shall begin at midnight regardless of the time of departure. The Traveler shall be reimbursed at the rates contained within the E-1 Forms. Class B Travel shall include any assignment on official business outside of regular office hours and away from regular places of employment when it is considered reasonable and necessary to stay overnight and for which travel expenses are approved. Overnight lodging the night before official business is considered reasonable and necessary when the Traveler would be required to leave Administration or Maintenance Building before 7:30 a.m. on the day official business is conducted in order to arrive at the appointed start time of the official business. Overnight lodging the night on which the official business concludes is considered reasonable and necessary when the Traveler would not return to Administration or Maintenance Building by 10:00 p.m.

Classification C Travel (“Class C”)

Class C Travel is travel on short or day trips where the Traveler is not away from the Administration or Maintenance Building overnight. Travelers are not eligible for “*Advancement*” but shall be eligible for Meal Allowance based on the schedule as outlined on the E-1 Travel Approval & Advance Form 2. No “*Meal Allowance*” shall be made for meals when travel is confined to within 20 miles of the Administration or Maintenance Building. The Executive Director may make exceptions if the travel or training includes any meal as part of the registration or if there are unusual circumstances in which a “*Meal Allowance*” should be granted by the Executive Director.

3. Legislative and Conference Travel

No one shall be reimbursed for any meal or lodging included in a convention or conference registration fee paid by the District or provided gratuitously through other means *in compliance with any applicable State Statutes and/or applicable State and District Ethical Rules*. However, in exceptional circumstances where provided meals are missed due to official business that was not previously scheduled or anticipated will be permitted reimbursement as set forth with the Meal Allowance rate.

Attendance at the Florida Association of Special District (FASD) meetings and conferences as well as Palm Beach County Days (PBC Days) is considered to meet the standard of official business for the Board of Supervisors and the Executive Director or selected staff. Class A or Class B Travel for elected officials, other than FASD or PBC Days, must be approved by the Board of Supervisors in advance of committing any expenditures unless expressly approved through the budgetary process. Class A or Class B Travel for employees shall be determined by the Executive Director in advance of committing any expenditures. The Executive Director or select staff may also attend other conferences, seminars or workshops that are pertinent to the job function as is approved through the budgetary process.

4. Use of Private Vehicles for District Travel

Mileage reimbursement is not authorized for mileage incurred in travel from the Traveler’s residence to the Administration or Maintenance Building. Mileage reimbursement is only authorized for official business away from the Administration or Maintenance Building and is

calculated from the point of origin to the point of destination when such travel expense is also the most economical mode of travel as determined by the Department Director or Executive Director or his/her designee.

The mileage rate established by the District is the then current United States Internal Revenue Service (IRS) rate at the time the travel took place.

Vicinity mileage necessary for the conduct of official business is allowable, but must be shown as a separate item when reporting mileage for the travel.

No Traveler shall be allowed either mileage or transportation expense when gratuitously transported by another person or when transported by another traveler who is entitled to mileage or transportation expense either through the District or other organization.

5. Non-Reimbursable Expenses

Non-Reimbursable Expenses are defined as those generated by activities and events that do not serve a direct public purpose to the District. Such expenses include the following:

Laundry/Dry Cleaning	Suites/Villas	Excessive Gratuities
Alcoholic Beverages	Entertainment	Personal Phone Calls
Room Service	Movie Rentals	Cribs
Flight Insurance	Parking/Toll/Traffic Violation	Leisure Services

6. Procedures

Class A Travel and Class B Travel

District Employees who are required to travel for official business away from the Administration or Maintenance Building overnight must prepare a cost estimate, with the assistance of their Department Director (if applicable), using the E-1 Travel Approval and Advance Forms 1 and 2, then submit to the Finance Department in advance of the travel. The Department Director (or Executive Director or designee on behalf of a Board Member) must explain the purpose of the travel and certify that it is for official business of the District.

After the travel is complete, the “E-2 Travel Reimbursement and Reconciliation Forms 1 and 2” must be completed with all pertinent receipts attached and submitted to the Finance Department within ten (10) business days upon return from the approved travel. All travel expenses shall reflect correct and complete expenditures (registration fees, lodging, meals, transportation, etc.) that were incurred by the Traveler.

Class C Travel

Mileage must be completed on a monthly basis and submitted within ten (10) days of the last day of each month. Detail of points of origin and destination are required for each trip, including the date and mileage; estimates are not permitted.

Multiple Travelers

No reimbursement shall be allowed for costs incurred and accounted for by another District Employee or by an employee of another governmental jurisdiction or organization who is being reimbursed by his or her employer (i.e., two persons traveling in one vehicle cannot claim duplicate vehicular mileage costs).

No reimbursement shall be allowed for the spouse or any other traveling companion of a District Employee.

7. Payment

Travel expenses are paid through “*Accounts Payable*” in the Finance Department. They are not paid through “*Petty Cash*” or “*Payroll*”.

“*Travel Advances*” are not allowed for Class C Travel. For Class A and Class B Travel, “*Travel Advances*” are authorized. If a “*Travel Advance*” is approved, a check request must be submitted to the Finance Department at least ten (10) business days prior to the date required. Support for estimated expenses must be provided to substantiate the requested advance. Travelers who are overpaid, who resign or are discharged from District service prior to engaging in the travel for which the advance applied, or who fail to travel as estimated, shall reimburse the District for any excess travel advance funds received within ten (10) calendar days of notification by the District. The District may recoup the funds through deductions from the Traveler’s paycheck(s) and/or through such other collection means as the District elects to use in accordance with applicable law.

If a trip is cancelled or modified, the Traveler is required to report it to his/her Director and the Finance Department in writing immediately so reconciliation can be performed to determine if the Traveler must issue a refund to the District.

8. Review and Reconciliation

Travelers must submit original receipts attached to the “E-2 Travel Reimbursement and Reconciliation Forms 1 and 2” within ten (10) business days of returning; however, meal receipts for elected officials are not required where a meal allowance was provided and utilized. For mileage, a printout of the trip from an online website is acceptable. Receipts for fuel purchases for District vehicles must be attached; for approved rental car expenses, a copy of the lease agreement must be provided. Receipts must be provided for taxi/limousine service/ride sharing services, tolls and parking charges.

A photocopy of the program or agenda for the conference, seminar, training or meeting itemizing meals, lodging or fees must be attached to the “E-2 Travel Reimbursement and Reconciliation Forms 1 and 2” and the “E-1 Travel Approval and Advance Forms 1 and 2” when available. Gratuitously received meals must be self-reported.

The Finance Department will verify receipts and expenses for eligibility per District guidelines and then will file the form with the original travel request in Accounts Payable.

9. Guidelines for Reasonable Expenditures

When possible, the District should be billed directly for travel expenses (i.e. airfare, lodging, registration). A copy of the “Certificate of Tax Exemption” must be submitted with the reservation, thus entitling the District to sales tax exemption.

Hotel or Lodging

Actual hotel invoices must be submitted (not credit card slips). Reimbursements for payments made directly by a Traveler disallow the sales tax exemption.

Gratuities

Tips on food will be reimbursed on a reasonable and appropriate basis (i.e., no more than 20%).

Form Submittal Timeline

All “E-2 Travel Reimbursement and Reconciliation Forms 1 and 2” must be submitted to the Finance Department within ten (10) business days upon returning from the approved travel. Any Traveler delinquent in submitting his or her travel forms within the ten (10) business day limit may be denied reimbursement or subject to disciplinary action unless it is reasonably excused by his

or her Director in advance of the ten (10) business day expiration period.

10. Consequences for Fraudulent Claims

Any person who willfully makes any claim which he or she does not believe to be true and correct as to every material matter, or who willfully aids or assists in, or procures, counsels, or advises the preparation or presentation of a claim which is fraudulent or false as to any material matter, whether or not such falsity or fraud is with the knowledge or consent of the person authorized or required to present such claim, will be subject to disciplinary action up to, and including, termination, and may be subject to criminal penalties as set forth in Florida Statute Section 112.061(10). Any person who receives an allowance or reimbursement by means of a false claim may also be liable for the amount of the overpayment for the reimbursement of the public fund from which the claim was paid.

VI. TIME OFF/LEAVE OF ABSENCE

A. Holiday Pay

The District observes the following twelve (12) paid holidays:

- New Year's Day
- Martin Luther King's Birthday
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving and the following Friday
- Christmas Eve
- Christmas Day
- One Floating Holiday

If the holiday falls on a scheduled day off (e.g. a Friday for an employee normally scheduled to work only Monday through Thursday; or a Saturday for an employee normally scheduled to work Monday through Friday), the employee shall be provided with either a designated date to observe the holiday or a Floating Holiday that must be used by the end of the fiscal year in which it was granted, as determined by the Board of Supervisors with the approval of each fiscal year's holiday schedule.

Regular full-time and part-time employees are eligible for paid holidays immediately upon hire. Regular part-time employees receive holiday pay in proportion to the number of hours they normally would be scheduled to work.

Regular full-time employees receive one floating holiday each fiscal year (October 1st to September 30th) that they are eligible to use after the completion of their first six (6) months of continuous work with the District. Floating holidays may be used at the employee's discretion, with the prior approval of the employee's supervisor and Executive Director. A floating holiday must be taken within the same fiscal year (October 1st to September 30th) that it is earned or it is forfeited. Floating holidays do not accumulate from one year to another and are not paid out upon separation from employment.

Holidays are valued at the number of hours the employee is normally scheduled to work. Employees working on a holiday will be paid the equivalent of 1½ times the employee's regular hourly rate for hours worked.

To receive holiday pay, the scheduled workday before and the scheduled workday after the holiday must also be a paid day for the employee. This means that the employee must work the day before and the day after the holiday OR be on a pre-approved vacation OR be out on authorized sick leave to receive holiday pay.

The holiday schedule is subject to change based upon the Board of Supervisors' approval each fiscal year.

B. Paid Vacation Leave

Regular full-time employees of the District are eligible for paid vacation leave. Vacation leave is calculated according to the fiscal year (October 1st to September 30th). During the initial year of employment, eligible employees accrue vacation leave on a prorated basis. All regular, full-time District employees begin to accrue vacation leave immediately upon hire, but may only use vacation leave after successfully completing the 6-month introductory period.

Vacation leave for regular full-time employees accrues while an employee is on paid status as follows:

<u>Completed Years of Service</u>	<u>Accrual Rate</u>
Less than 5 years	80 hours
5 or more years, but less than 10 years	120 hours
Over 10 years	160 hours

Accruals do not continue during any unpaid absence.

Vacation leave may be taken in hourly increments. Vacation leave must be totally accrued, scheduled in advance and approved before it may be taken. Requests for vacation leave should be submitted on an *Employee Leave Form* at least two (2) weeks in advance to the Human Resources Manager and employee's supervisor or Department Director (in the absence of the employee's supervisor). Vacations must be scheduled with and approved by the employee's supervisor. When possible, vacation leave will be approved on a first come, first serve basis. Length of service will be considered in scheduling vacation time where there are conflicting requests. Any paid vacation may be cancelled and the employee called back to work in the event of a District emergency.

Employees are prohibited from using sick leave on the scheduled workday before and after approved vacation leave. Employees who claim to be out sick must provide prior notice and obtain approval or must submit a physician's report indicating the employee was unfit to work on that day and releasing the employee back to duty. Failure to present the physician's report may result in the sick and or vacation leave being unpaid.

Eligible employees may carry over accrued, but unused vacation leave from year to year up to a maximum of seven (7) weeks (280 hours) of vacation. At the end of the fiscal year, any unused vacation leave in excess of seven (7) weeks or 280 hours is forfeited.

C. Paid Sick Leave

All regular full-time employees of the District are eligible for paid sick leave. Sick Leave is calculated according to the fiscal year and each regular full-time employee accrues sick leave at a rate of 96 hours each fiscal year while an employee is on paid status. Accruals do not continue during any unpaid absence. Sick leave begins to accrue upon the employee's first date of employment. Regular full-time employees cannot take paid sick leave until the completion of their introductory period.

Sick leave may be taken in hourly increments and used for time out of the office for personal or family illness, or to attend medical or dental appointments. Absences for sick leave of three (3) or more consecutive work days require a physician's note in order for the employee to be paid for the absence and be allowed to return to work.

At the end of the fiscal year, sick leave may be rolled over into the following year. District employees shall retain any sick leave balance as of August 14, 2009, as further described below. Accrued but unused sick leave will not be payable upon separation of employment from the District.

Any employee hired before August 15, 2004 shall have two sick leave accounts, a Sick Leave Payable Account and Regular Sick Leave Account. Any sick leave hours used by these employees prior to separation from the District will first be withdrawn from the Sick Leave Payable Account until such Payable Account is depleted. Upon depletion of the Sick Leave Payable Account, such employees may begin using leave from the Regular Sick Leave Account accrued post August 14, 2009.

For these employees, the Sick Leave Payable Account shall include all accrued but unused leave through August 14, 2009. After five years of continuous employment, such employees may cash out his/her Sick Leave Payable Account ("Payable Account") at 10% of the value of the Account upon resignation in good standing. After 15 years of continuous employment, these employees may cash out 25% of the value of the Account upon resignation in good standing. The second account, Regular Sick Leave Account ("Regular Account") will begin accruing leave beginning August 15, 2009, that is not payable upon separation from employment.

Employees hired or re-hired on or after August 15, 2004, shall continue to accrue sick leave in the Regular Sick Leave Account where no payout is made for accrued, unused leave upon separation from employment.

D. Family and Medical Leave (FML)

Employees of the District are eligible for Family Medical Leave as contemplated in the Act.

1. What is Family Medical Leave ("FML")?

Eligible employees will be granted up to 12 weeks of unpaid family, medical, or exigency leave during a 12-month period in accordance with the Family and Medical Leave Act (FMLA). Eligible employees will be granted up to 26 workweeks of unpaid leave to care for a member of the Armed Forces, including a member of the National Guard or Reserves, who is a family member or next of kin, during a single 12-month period in accordance with the FMLA as amended from time to time.

During this leave, an eligible employee is entitled to continued group health plan coverage as if the Employee had continued to work, however the employee will not accrue vacation/sick time during unpaid FML. At the conclusion of the leave, subject to some exceptions, an employee generally has a right to return to the same or an equivalent position.

2. Notice

Employees must provide the Human Resources Department with no less than thirty (30) days written notice of their intent to take FML when the leave is foreseeable. If such leave is unforeseeable, the employee shall provide notice to the Human Resources Department as soon as possible after the employee learns of the need for the leave. Employees on approved family leave, medical leave, exigency leave, or service member leave under this policy, with or without pay, must make at least monthly contact with the Human Resources Department during their absence. Family Medical Leave under this policy runs concurrently with all other paid or unpaid leaves of absence.

3. Eligibility

To be eligible for family leave, medical leave, exigency leave, or service member leave, an employee must have been employed by the District for at least twelve (12) months and must have worked for at least 1250 hours during the previous twelve (12)-month period. Employees must also work at a site with 50 or more District employees or where 50 or more District employees are located within 75 miles of the worksite.

In addition to the foregoing eligibility requirements, the employee must also show that the reason for the leave falls into one of the following categories:

- a. For the birth of a son or daughter, and to care for the newborn child;
- b. For the placement of a child with the employee for adoption or foster care, and to care for the newly placed child;
- c. To care for an immediate family member (spouse, child, or parent) with a serious health condition;
- d. When the employee is unable to work because of a serious health condition;

e. To care for an injured or ill covered service member or covered veteran. The employee must be the family member or the next of kin (nearest blood relative) of the covered service member or veteran.

(1) A covered service member is a member of the Armed Forces, including the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for an injury or illness incurred or aggravated in the line of duty on covered active duty in the Armed Forces that may render the service member medically unfit to perform the duties of the service member's office, grade, rank or rating.

(2) A covered veteran is an individual who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FML to care for the covered veteran.

f. To address any qualifying exigency arising out of the fact that a spouse, child, or parent who is also a military member in the National Guard or Reserves or of a regular component of the Armed Forces when the military member is on covered active duty or called to covered active duty status and deployed to a foreign country.

4. Types of Leave

1. Leave due to Birth, Adoption or Foster Care of a Child.

An eligible employee can take up to twelve (12) weeks of leave during a twelve (12)-month period measured backward from the first date FML is used. This applies equally to mothers and fathers. However, if both the mother and father are employed by the District, the aggregate number of workweeks of leave that both can receive is limited to twelve (12) work weeks during any twelve (12)-month period.

The entitlement to leave expires at the end of the twelve (12)-month period beginning on the date of the birth, or placement of the child.

Employees meeting the requirements of the Sick Leave policy are required to use their applicable sick leave and then the accrued vacation leave concurrently with FML before the leave becomes unpaid. Employees not meeting the requirements of the Sick Leave policy must use vacation leave concurrently with FML leave before the leave becomes unpaid. After any accrued vacation leave is exhausted, employees may request to use their remaining accrued sick leave if they did not meet the requirements of the Sick Leave Policy, or only met the requirements for a portion of the absence, before the leave becomes unpaid leave. To request to use the accrued sick leave, Employees must submit the form "Employee Request to Apply Sick Leave to Unpaid FML Leave Based upon Birth or Placement of a Child" to the Human Resources Department. All paid leaves of absence shall run concurrently with the FMLA leave.

This type of leave shall not be taken intermittently or on a reduced work schedule.

2. Leave due to the serious health condition of the employee or to care for a family member having a serious health condition.

For purposes of this section, family member is defined as a spouse, parent, or child. Please refer to the Helpful Definition section for the detailed definition of spouse, parent and child.

An eligible employee can take up to twelve (12) weeks of leave during a 12-month period measured backward from the first date leave is used.

Serious health condition is defined as an illness, injury, impairment, or physical condition that involves:

1. Any period of incapacity or subsequent treatment connected with inpatient (overnight) care in a hospital, hospice, or residential medical care facility;
2. A period of incapacity requiring an absence of more than three (3) consecutive, full calendar days from work, school, or other regular daily activities and any subsequent treatment or period of incapacity relating to the same condition that also involves:
 - (a) Treatment two (2) or more times within thirty (30) days of incapacity, unless extenuating circumstances exist, by (or under supervision of) a health care provider; or
 - (b) Treatment by a health care provider on at least one (1) occasion that results in a regimen of continuing treatment under supervision of a health care provider.
 - (c) The first, or only, treatment visit under Subsections (a) or (b) must take place in person within seven (7) days of the first day of incapacity.
3. Any period of incapacity due to pregnancy, or for prenatal care;
4. Any period of incapacity (or treatment therefore) due to a chronic serious health condition, which is defined as:
 - (a) A condition that requires visits at least two (2) times per year for treatment by (or under the supervision of) a health care provider;
 - (b) Continues over an extended period of time, including episodes of a single underlying condition; and
 - (c) May cause episodic rather than a continuing period of incapacity such as asthma, diabetes and epilepsy.
5. A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective such as Alzheimer's, stroke, or terminal diseases; or

6. Any absences for restorative surgery after an accident or injury or to receive multiple treatments (including any period of recovery there from) by, or on referral by, a health care provider for a condition that likely would result in incapacity of more than three (3) consecutive days if left untreated, such as chemotherapy, physical therapy, or dialysis.

Employees using FML for a serious health condition are required to exhaust their sick leave then their accrued vacation leave balance before FML becomes unpaid. All paid leaves of absence shall run concurrently with the FML.

Leave for the employee's own or a family member's serious health condition may be taken intermittently or on a reduced leave schedule when medically necessary. The employee must try to schedule the intermittent leave to avoid undue disruption of the District's operations. The District may elect to transfer the employee to an alternative position for which the employee is qualified that has equivalent pay and benefits, which better accommodates the intermittent leave schedule.

3. *Leave due to care for the serious injury or illness of a family member or next of kin who is a covered service member or covered veteran.*

For purposes of this section, family member is defined as a spouse, parent, or child. Please refer to the Helpful Definition section for the detailed definition of spouse, parent and child. Next of kin is the nearest blood relative of the service member (other than the spouse, parent, or child of the covered service member) in the following order of priority: blood relative who has been granted legal custody of the covered service member by court decree or statute; brothers and sisters; grandparents; aunts and uncles; and first cousins; unless the covered service member has specifically designated in writing another blood relative as the nearest blood relative for purposes of military caregiver leave under the FMLA.

An eligible employee can take up to twenty-six (26) weeks of leave during a single twelve (12)-month period, measured forward from the first date an employee uses FML, to care for a covered service member or covered veteran, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for an injury or illness incurred in the line of duty on active duty (or existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty) that may render the service member medically unfit to perform the duties of the service member's office, grade, rank or rating. Outpatient status means the service member is presently assigned to a military treatment facility as an outpatient or is assigned to a unit established for the purpose of providing command and control of service members receiving medical care as outpatients.

During the single twelve (12)-month period, eligible employees are entitled to a combined total of twenty-six (26) workweeks of leave for all types of FML.

If both a husband and wife are employed by the District, the aggregate number of workweeks of leave that both can receive is limited to twenty-six (26) workweeks during the single twelve (12)-month period for service member leave or a combination of service member leave and the other types of FML available.

If an eligible employee does not take all of his or her twenty-six (26) workweeks of leave entitlement under this section during the single twelve (12)-month period, the remaining part of the twenty-six (26) workweeks of leave entitlement is forfeited. However, the leave entitlement is applied on a per-covered-service member/veteran, per-injury basis such that an eligible employee may be entitled to take more than one (1) period of twenty-six (26) workweeks of leave if the leave is to care for a different covered service member/veteran or to care for the same service member/veteran with a subsequent serious injury or illness, except that no more than twenty-six (26) workweeks of leave may be taken within any single twelve (12)-month period. When the eligible employee takes leave to care for more than one covered service member/veteran or for a subsequent serious injury or illness of the same covered service member/veteran, and the single twelve (12)-month periods corresponding to the different military caregiver leave entitlements overlap, the employee is limited to taking no more than twenty-six (26) workweeks of leave in each single twelve (12)-month period.

Where leave qualifies as both leave to care for a covered service member/veteran and leave to care for a family member with a serious health condition during the single twelve (12)-month period, the District must designate such leave as leave to care for a covered service member/veteran in the first instance. This leave must not be designated and counted as both leave to care for a covered service member/veteran and leave to care for a family member with a serious health condition.

Service member leave may be taken intermittently or on a reduced leave schedule when medically necessary. The employee must try to schedule the intermittent leave to avoid undue disruption of the District's operations. The District may elect to transfer the employee to an alternative position for which he or she is qualified that has equivalent pay and benefits which better accommodates the intermittent leave schedule.

Employees using FML for service member leave are required to exhaust their sick leave then their accrued vacation leave balance before FML becomes unpaid. All paid leaves of absence shall run concurrently with the FML.

- 4. Leave due to a qualifying exigency arising out of the fact that a spouse, child or parent, who is also a National Guard or Reserve or a service member of a regular component of the Armed Forces, is on covered active duty or called to covered active duty status.**

For purposes of this policy, a qualifying exigency is one that is related to, or necessitated by, the covered active duty or call to covered active duty status of a covered military member. Covered active duty, in the case of a member of a regular component of the Armed Forces, means duty during the deployment of the member with the Armed Forces to a foreign country. With respect to a member of a reserve component of the Armed Forces, covered active duty means duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty.

An eligible employee can take up to twelve (12) weeks of leave during a 12-month period measured backward from the first date leave is used.

The exigency must also include one of the following:

1. Short-notice deployment;
 - (a) Leave for this purpose may be used for seven (7) calendar days beginning on the date the covered military member is notified of an impending call or order to covered active duty.
 - (b) Leave for this purpose is used to address issues that may arise from the fact that a covered military member is notified of an impending call or order to covered active duty seven (7) or less calendar days prior to the date of deployment.
2. Military events and related activities;
 - (a) To attend any official ceremony, program, or event sponsored by the military; and
 - (b) To attend family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross.
3. Childcare and school activities;
 - (a) To arrange for alternative childcare when the active duty or call to covered active duty status of a covered military member necessitates a change in the existing childcare arrangement for a child of a covered military member at the time FML is to commence;
 - (b) To provide childcare on an urgent, immediate need basis (but not on a routine, regular, or everyday basis);
 - (c) To enroll in or transfer to a new school or day care facility a child of the covered military member when enrollment or transfer is necessitated by the active duty or call to covered active duty status of a covered military member.

(d) To attend meetings with staff at a school or a daycare facility, such as meetings with school officials regarding disciplinary measures, parent-teacher conferences, or meetings with school counselors, for a child of the covered military member.

4. Financial and legal arrangements;

(a) To make or update financial or legal arrangements to address the covered military member's absence while on covered active duty or call to covered active duty status, such as preparing and executing financial and healthcare powers of attorney, transferring bank account signature authority, enrolling in the Defense Enrollment Eligibility Reporting System (DEERS), obtaining military identification cards, or preparing or updating a will or living trust.

(b) To act as the covered military member's representative before a federal, state, or local agency for purposes of arranging or appealing military service benefits while the covered military member is on covered active duty or call to covered active duty status, and for a period of ninety (90) days following the termination of the covered military member's covered active duty status.

5. Counseling;

(a) To attend counseling provided by someone other than a healthcare provider for:

- i. The employee;
- ii. The covered military member; or
- iii. The child of the covered military member.

6. Rest and recuperation;

(a) Leave may be taken for up to fifteen (15) days for each instance of rest and recuperation.

(b) To spend time with a covered military member who is on short-term, temporary, rest and recuperation leave during the period of deployment.

7. Post-deployment activities;

(a) To attend arrival ceremonies, reintegration briefings and events, and any other official ceremony or program sponsored by the military for a period of ninety (90) days following the termination of the covered military member's covered active duty status; and

(b) To address issues that arise from the death of a covered military member while on covered active duty status, such as meeting and recovering the body of the covered military member and making funeral arrangements.

8. Additional activities too address other events provided that the employer and employee agree that such leave shall qualify as an exigency, and agree to both the timing and duration of such leave.

Leave taken due to a qualifying exigency may be taken on an intermittent or reduced leave schedule basis. The employee must try to schedule the intermittent leave to avoid undue disruption of the District's operations. The District may elect to transfer the employee to an alternative position for which he or she is qualified that has equivalent pay and benefits which better accommodates the intermittent leave schedule.

Employees meeting the requirements of the Sick Leave policy are required to use their applicable sick leave and then the accrued vacation leave concurrently with FML before the leave becomes unpaid. After any accrued vacation leave is exhausted, employees may request to use their remaining accrued sick leave if they did not meet the requirements of the Sick Leave Policy, or only met the requirements for a portion of the absence, before the leave becomes unpaid leave. All paid leaves of absence shall run concurrently with the FML.

5. Helpful Definitions

For purposes of the District's FML policy, the following definitions apply:

- a. a child is anyone under 18 years who is an employee's biological, adopted, or foster child, stepchild, legal ward. This may also include a child under the age of 18 for whom the employee has day-to-day responsibility. A child also includes children 18 years of age or older who are incapable of self-care because of a mental or physical disability.
- b. a parent is a biological, foster or adoptive parent, stepparent, legal guardian, or someone who plays or has played the role of parent, but does not include parents-in-law.
- c. a spouse is anyone recognized as a spouse through a legal marital relationship. Effective March 27, 2015, a spouse includes an individual married to an eligible employee in a legal same-sex marriage, including a common law marriage, where such marriage is recognized in the state or country where the marriage took place.

6. Intermittent or Reduced Work Week FML

Leave can be taken intermittently or on a reduced work schedule when medically necessary for a serious health condition or as a result of a qualifying exigency. The taking of the leave intermittently or on a reduced work schedule shall not reduce the total amount of leave to which the employee is entitled. However, the employee must provide a certification from the health care provider stating that the employee's reduced work schedule is medically necessary and the expected duration and schedule of the intermittent leave or reduced work schedule when intermittent leave is medically necessary. Such certification must also include the information listed under the foregoing "Medical Certification" section and shall also be signed by the health care provider responsible for providing such services and not by a staff member employed by the health care provider.

If an employee requests intermittent leave or leave on a reduced work schedule that is foreseeable based on a planned medical treatment, the employee:

- a. May be required to transfer temporarily to an available alternative position (for which he or she is qualified) which has an equivalent pay and benefits and which better accommodates recurring periods of leave than the regular position of the employee.
- b. Must make reasonable efforts to schedule the treatment so as not to unduly disrupt operations.

If an employee was absent from work due to a FML reason that was unforeseeable, the employee is required to follow the District's Sick Leave Policy's unforeseeable use of sick leave procedures to notify the District of the need for leave, and explicitly state that the need for leave is related to the previously approved FML condition. Upon returning to work, the employee must complete and submit to the Human Resources Department an Intermittent Leave of Absence Under FML Request Form within 5 business days of the employee's return to work for the time to be designated as FML. In the absence of such timely notification by the employee, the employee may not subsequently assert FML protections for the absence.

7. How to request FML

To request FML, an employee must complete and submit a FML request form. The FML request form must be submitted to the Human Resources thirty (30) days prior to the commencement date, except where medical conditions make such notice impracticable. The FML request form is available from the Human Resources department.

When the leave is to care for a child, parent or spouse's serious health condition, or the employee's own serious health condition the requesting employee must submit a Certification of Health Care Provider. Certifications must also be provided for service member and exigency leave.

The employee shall provide the Human Resources Department with complete and sufficient certification of the need for leave from the health care provider of the employee, family member, or covered service or military member within fifteen (15) days of notification of the need for leave.

The certification form must be completed in its entirety and shall state:

- Health care provider contact information;
- The date on which the qualifying condition began;
- The probable duration of the condition;
- The appropriate medical or other facts of the condition;
- If the patient is the employee, information sufficient to establish the employee cannot perform the essential functions of the job, any other work restrictions, and the duration of the inability;
- For family leave or service member leave, a statement that the employee is needed to care for the family member and an estimate of the amount of time that such care is needed;
- The medical necessity of any intermittent leave request and estimate of the frequency and duration of episodes of incapacity; and
- Any additional information requested on the certification form.

The Human Resources Department shall provide the appropriate certification form to be used for all employees requesting FML, including those requesting service member or exigency leave. When the certification is returned incomplete or insufficient, the Human Resources Department will notify the employee in writing what additional information is necessary. A certification is not sufficient if it is complete, but the information provided is vague, ambiguous, or non-responsive. The Human Resources Department will give the employee seven (7) calendar days to correct an incomplete or insufficient certification.

The certification shall be signed by the health care provider responsible for providing such services and not by a staff member employed by the health care provider.

The employee will be required to submit a recertification if any of the following occurs:

a. Every thirty (30) days in connection with the employee's absence, but if the minimum duration of the condition is more than 30 days, the District will not request a recertification until after the initial duration of the condition expires or when one of the situations below occurs, whichever occurs first.

b. The District may require recertification within thirty (30) days if:

1. The employee's own, their immediate family member's or covered service member's medical condition or duration or frequency of absences changes significantly;
2. The District receives information that casts doubt upon the stated reason for the absence or the continuing validity of the certification; or
3. The employee's need for leave extends beyond the time their own, their immediate family member's or covered service member's health care provider indicates on the most recent medical certification.

c. After six (6) months of the date the most recent medical certification that was completed by the attending physician, in connection with an absence by the employee (regardless of the duration of the condition);

d. A qualifying exigency arises out of a different covered active duty or call to covered active duty status of the same or different covered military member; or,

e. The employee's need for leave due to the employee's own serious health condition, or the serious health condition of a covered family member, lasts beyond a single leave year.

Employees bear the entire cost of obtaining certifications required by the District.

The District may require, at its own expense, that the employee obtain the opinion of a second health care provider designated or approved by the District, however, the health care provider cannot be employed on a regular basis by the District.

Employees failing to provide complete and sufficient certifications as required, and after any opportunity to correct, may be denied the taking of FML. Failure to provide any certification may result in denial of leave under the FML policy. Employees who fail to provide requested documentation of the reason for an absence from work may be subject to disciplinary action up to, and including, termination.

8. Substitution of Paid Leave

When the District requires, or the employee requests, to substitute accrued paid leave under the Vacation or Sick Leave policies, the payments under such paid leave policies running concurrently with the FML are subject to the Employee satisfying any and all procedural requirements of such policies. Failure of the Employee to follow the policy of the applicable paid leave may result in the FML becoming unpaid, even though the employee has an accrued balance of leave remaining.

9. Return from FML

Employees returning from FML are required to submit a fitness for duty certification from their healthcare provider prior to returning to work demonstrating the employee can perform the essential functions of the job. Failure to provide that certification may delay the employee's reinstatement.

Employees returning from leave will be restored to the same position held prior to the leave or to an equivalent position with equivalent pay, benefits, and other terms and conditions of employment.

After the beginning of the leave an employee may discover that circumstances have changed and the amount of leave time originally anticipated is either reduced or needs to be extended. In foreseeable circumstances where it is necessary to change leave time the employee is required to give the District notice within two (2) business days.

An employee who accepts other employment during FML, or who fails to return to work on the next regularly scheduled work day following the expiration of the leave, or who does not accept a position offered by the District when returning from leave, will be separated from their employment. Employees are prohibited from performing any work during FML, for the District or any other entity or individual, and may be terminated immediately upon discovery of same.

Employees who give notice to the District that they do not intend to return to work will be considered to have voluntarily resigned.

10. No Interference or Retaliation

The District will not interfere with, restrain, or deny the exercise of any rights provided under the FMLA. Further, District employees are prohibited from retaliating against or discriminating against any employee for opposing any practice made unlawful by the FMLA or for involvement in any proceedings under or relating to FMLA.

11. Responsibilities

a. EMPLOYEE RESPONSIBILITIES

- (1) Notify Human Resources in writing that he or she needs leave for a condition the employee believes qualifies for FML.
- (2) Notification must occur 30 days prior to the need for leave in foreseeable circumstances and as soon as possible under unforeseen circumstances.
- (3) Timely return all certification and recertification, or other paperwork, to Human Resources.
- (4) Abide by all procedural requirements of the Vacation and Sick Leave Policies when such leave is used concurrently with FML. Failure to do so may result in FML being unpaid.
- (5) When utilizing intermittent leave, make reasonable efforts to schedule absences so as not to unduly disrupt operations.
- (6) Submit Intermittent Leave of Absence Request Form to HR within five (5) business days of employee's return to work from an intermittent absence. Failure to advise Human Resources that the absence was for a previously approved FML condition within five (5) business days may result in denial of FML for the absence.
- (7) Submit Employee Request to Apply Sick Leave to Unpaid FML Based on Birth or Placement of a Child, when applicable and desired.
- (8) Make timely medical insurance premium payments, if applicable, to the Human Resources Department to avoid any lapse in coverage.

b. SUPERVISOR RESPONSIBILITIES

- (1) Allow employees reasonable time to meet or speak with Human Resources to obtain information, explanation and guidance on the FML policy, as needed.
- (2) Notify Human Resources within 24 hours if an employee makes you aware, whether verbally or in writing, of any condition or situation that may qualify for FML.

(3) Notify Human Resources within 24 hours if you become aware of any employee who is absent due to their own or a family member's illness or injury for more than three (3) days, or if you become aware of an employee or his or her family member being hospitalized overnight.

(4) Do not make any comments or determinations about whether an employee's request for FML is valid or will qualify. This determination is made by Human Resources only after the appropriate certifications are received and reviewed.

(5) Direct employees to Human Resources for any and all questions related to FML.

c. HUMAN RESOURCES RESPONSIBILITIES

(1) Assist employees and supervisors in understanding their responsibilities under the FML policy.

(2) Provide all necessary forms to the employee within five (5) business days of supervisor or Human Resources learning of an employee's need for leave that may qualify for FML.

(3) Upon receipt of complete and sufficient certifications, advise employee in writing of the determination as to whether the leave qualifies as FML.

(4) Communicate with employee's department regarding dates and times of employee's expected FML, if approved, without disclosing medical facts or conditions, unless necessary to ensure safety or discuss restrictions upon the employee's return to work.

E. Emergency Leave Pool

A voluntary emergency leave pool is available to full-time, regular status District Employees who have been in continuous employment for one year, are employees in good standing, and have exhausted their paid leave due to a life altering/threatening illness or natural disaster as defined by FEMA. The pool donates hours to the employee to be used as emergency leave through the term of the illness, disaster recovery, FMLA requirements, or available pool hours whichever comes first.

1. Policy

- a. The emergency leave pool is a voluntary program designed to benefit those employees who have exhausted all paid leave due to extreme health or emergency disaster circumstances based on FMLA and FEMA definitions. District employees may participate in the program when both the criteria for contribution or participation are met.
- b. The program benefits will utilize FMLA guidelines and FEMA definitions for eligibility and length of benefit. This provision may be waived by the Executive Director for a period up to but not exceeding 6 months or 960 hours.
- c. Employees who wish to apply for emergency leave pool benefits must:
 - Submit a request in writing to the Human Resources Manager and provide written documentation providing a status of the employee's condition of illness or disaster recovery and anticipated return to work
 - Be continuously employed for one year on paid status immediately preceding the request for leave under the pool
 - Be without disciplinary action (based on leave time) within the past year.
 - Shall only be eligible to receive emergency leave pool donations after review and approval of Human Resources and the Executive Director, based on FMLA guidelines and FEMA definitions.
- d. This policy can be discontinued at any time by Board action.
- e. Pool time is available for employee illness covered by FMLA and disasters defined by FEMA only.
- f. Final decisions and actions based on this policy must be made by the Executive Director, whose decisions are final.

2. Eligible Donations

- a. Employees will be eligible to contribute sick and vacation hours based on the requested number of hours set by the Executive Director or by his/her designee.

- b. Donations of time cannot take an employee below the minimum balances.
- c. Employees will be notified of their leave balances on the Donations Form.

3. Eligible Participation

- a. Contribution in past or future Emergency Leave Pools is not required to participate in this program.
- b. An employee can invoke the program after they have been placed on FMLA leave and exhausted all their (paid) leave time, or following a natural disaster after exhausting all paid leave time. The employee must be full-time, regular status without disciplinary action for abuse of leave in the past year.
- c. Participation in the program is contingent upon the attending Physician providing periodic status reports as requested on the condition of the illness and anticipated return to work, in a timely manner so as to be included with each payroll period.
- d. Participation in the program will begin on the first day in which leave time has been exhausted, but not less than two weeks after the application is submitted. It is the sole responsibility of the employee to apply for participation in the program in a timely manner. Donated leave will not be applied retroactively.

4. Process for Application and Continuance

- a. Employees in need of utilizing this program must complete the “Emergency Leave Pool” application. Applications for the program can be obtained from the Human Resources Department.
- b. The employee’s Department Director will route the completed application to the Human Resources Manager for approval.
- c. Continuance in the program is based on the availability of hours in the pool and continued documentation of the illness or disaster as requested.
- d. The program will not pay more hours than what was contributed, thus there is no guarantee that the applicant will receive a certain amount of time. Time will be paid to the employee at their hourly rate, not the rate of the person who contributed it.

5. Process for Establishing the Emergency Leave Pool

- a. The Human Resources Manager will distribute the “Emergency Leave Pool Donation Form within 24 hours of approving a valid application.

- b. Employees that wish to contribute must meet the criteria for donation and complete the donation form.
- c. The time donated will be subtracted from the contributing employees balance as directed by the donation form. Only time actually used/needed will be deducted from the contributing employee. No time will be “stored or stockpiled”.
- d. The Finance Department will administer the allocation of time.
- e. Once the pool is depleted and an employee remains eligible, the Human Resources Manager will distribute the contribution forms again.

F. Personal Leave of Absence

Employees who require time off in addition to vacation may request a personal leave of absence without pay for up to a maximum of 30 days. An extension may be approved in limited circumstances.

All regular employees employed for a minimum of 90 days are eligible to apply for an unpaid personal leave of absence. Job performance, absenteeism and departmental requirements will all be taken into consideration before request is approved.

Please contact Human Resources for more information on request procedures.

The employee must return to work on the scheduled return date or be considered to have voluntarily resigned from employment. Extensions of leave will only be considered on a case-by-case basis.

G. Bereavement Leave

The District offers bereavement leave to provide a time for mourning after the loss of an immediate family member. The employee's immediate supervisor authorizes the use of bereavement leave. Each fiscal year, an eligible employee may take up to 40 hours per year (not to exceed four days of paid leave) for a death in the immediate family. For the death of an extended family member, an eligible employee may use sick leave, or vacation leave if sick leave is exhausted.

Immediate family includes: spouse, domestic partner, child, mother, father, sister, brother, mother and father-in-law, brother and sister-in-law, grandparent and grandparent-in-law. Extended family includes aunts, uncle, nieces and nephews. If additional time is needed, vacation or unpaid personal leave may be taken with supervisory approval.

The Executive Director has authority to change, modify or approve exceptions to this policy at any time with or without notice.

1. Procedure

Full-time and part-time regular employees are eligible for bereavement leave. An employee's immediate supervisor authorizes the use of this leave.

2. Responsibility

Employee: Notify supervisor before or within two hours of regular starting time of the need to use bereavement leave. The employee may be required to provide verification of need (obituary, death certificate, etc.).

Supervisor: Annotate leave usage on the employee's time card and turn in the time card along with the verification document to Payroll.

Payroll: Administer the related accounting process.

H. Domestic Violence Leave

Eligible employees will be granted up to three (3) days of unpaid Domestic Violence Leave in any twelve (12) month period, measured forward from the first date domestic violence leave is used, according to Section 741.313, Florida Statutes, as amended from time to time. The District shall not discriminate against an employee for exercising rights under this policy.

Domestic Violence means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member. Domestic violence shall also include any crime the underlying factual basis of which has been found by a court to include an act of domestic violence.

Family or Household Member means spouses, former spouses, persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as a family, and persons who are parents of a child in common regardless of whether they have been married. Except for persons who have a child in common, the family or household members must be currently residing or have in the past resided together in the same dwelling unit.

Employees may be permitted to use the leave for:

1. Seeking an injunction for protection against domestic, repeat, dating or sexual violence;
2. Obtaining medical care or mental health counseling for the employee and/or family/household member to address physical or psychological injuries resulting from the domestic violence;
3. Obtaining services from a victim-services organization as a result of the act of domestic violence;
4. Making the employee's home secure from the perpetrator of domestic violence, or to seek new housing to escape the perpetrator;
5. Seeking legal assistance or to attend and prepare for court-related proceedings arising from the act of domestic violence.

Notice

Except in cases of imminent danger to the health or safety of the employee, or to the health or safety of a family household member, an employee shall provide notice to the Human Resources Manager as soon as possible after the employee learns of the need for the leave. If the leave is foreseeable, such as court dates, the employee must provide thirty (30) days' notice. The request for leave must be accompanied with sufficient documentation of the act of domestic violence, if applicable.

Eligibility

To be eligible for Domestic Violence Leave, an employee must have been employed by the District

for three (3) or more months. Domestic Violence Leave shall be granted if the employee or a family or household member of the employee is the victim of domestic violence and provides sufficient notice and documentation regarding same.

An employee seeking leave under this section must, before receiving the leave, exhaust all vacation and sick leave available.

I. Jury Duty

Non-exempt full-time employees who are summoned for jury duty will be paid their normal rate of pay for a period of up to two (2) weeks. Should an employee be required to serve more than two (2) weeks on jury duty, the employee may use paid leave (e.g., sick leave, vacation leave) or unpaid time off.

Employees should make arrangements with their supervisors as soon as a summons is received. A copy of the summons and proof of jury service, including dates and times, should be provided to the Executive Director as soon as possible.

Employees are expected to return to work if excused from jury duty during regular working hours.

J. Voting Leave

Voting Time

All employees should be able to vote either before or after regularly assigned work hours. However, when this is not possible due to work schedules, employees will receive up to three hours during the work day to vote. Time off for voting should be reported and coded appropriately on timekeeping records.

Election Leave

Employees who are chosen to serve as election officials at polling sites will be permitted to take required time off to serve in this capacity. It is incumbent on employees who are to act as election officials to notify their supervisor a minimum of seven days in advance of their need for time off in order to accommodate the necessary rescheduling of work periods. Time engaged as an election official should be reported and coded appropriately on timekeeping records.

K. Military Leave of Absence

The District is committed to protecting the job rights of employees absent on military leave. In accordance with federal and state law it is the District's policy that no employee or prospective employee will be subjected to any form of discrimination on the basis of that person's membership. Employees who serve in any branch of the Armed Forces of the United States or the State of Florida or are engaged in military reserve service will be provided time off or other benefits in accordance with any and all applicable federal and state laws.

L. Inclement Weather

Employees should consult their supervisors when weather prohibits them from adequately performing their job.

When planned projects/assignments cannot take place due to inclement weather, employees may be asked to either wait for the weather to clear up or to use their vacation leave and go home.

M. Lactation/Breastfeeding

For up to one year after a child's birth, any employee who is breastfeeding her child will be provided reasonable break times as needed to express breast milk for her baby. The District will designate an appropriate room for this purpose. A small section in the refrigerator will be reserved for the specific storage of breast milk. Any breast milk stored in the refrigerator must be labeled with the name of the employee and the date of expressing the breast milk. Any nonconforming products stored in the refrigerator may be disposed of. Employees storing milk in the refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage or refrigeration and tampering. Nursing mothers wishing to use this room must request/reserve the room by contacting the Human Resources department. Additional rules for use of the room and refrigerator storage will be provided by Human Resources. Employees who work off-site or in other locations will be accommodated with a private area.

VII. BENEFITS

A. General Insurance Coverage Information

The District provides certain benefits for all regular full-time employees, including:

- Medical Coverage
- Dental Coverage
- Vision Coverage
- Life Insurance
- Accidental Death and Dismemberment

The following summary descriptions of the District's employee benefits are included for illustration purposes only and are not meant to give the specific details of the benefit plans. In each case, specific provisions are set forth in the official policy or plan description. If there is any conflict between the descriptions contained in this or any other publication of the District and the official policy or plan description, the language of the official policy or plan description controls. Employees are directed to read their plan documents or consult the Human Resources Manager for detailed information.

The District may modify or terminate any of the current insurance policies and/or contribution requirements at any time.

B. Medical Coverage

The District offers medical coverage for all regular full-time employees. The insurance coverage becomes effective on the first day of the month following the employee's first 60 days of employment. At the present time, the District pays 100% of the employee's premium for the employee-only level of HMO coverage. For employees choosing the PPO plan, the District pays the equivalent dollar amount for 100% of the HMO premium for the employee only level of coverage and the remaining amount is deducted from the employee's pay.

Dependent medical insurance is also available and coverage information will be provided to each employee at the time of enrollment. Employees pay 100% of premiums relating to dependent coverage.

C. Dental Coverage

The District offers dental coverage for all regular full-time employees. The insurance coverage becomes effective on the first day of the month following the employee's first 60 days of employment. At the present time, the District pays 100% of the premium for the employee only level of coverage.

Dependent dental insurance is also available and coverage information will be provided to each employee at the time of enrollment. Employees pay 100% of premiums relating to dependent coverage.

D. Vision Coverage

The District offers vision coverage for all regular full-time employees. The insurance coverage becomes effective on the first day of the month following the employee's first 60 days of employment. At the present time, the District pays 100% of the employee's premium for the employee-only level of coverage. Additional information will be provided to the employee at the time of enrollment.

E. Life Insurance

The District offers life insurance for all regular full-time employees in an amount up to two times the employee's annual salary, subject to certain maximum limits. The insurance becomes effective on the first day of the month following the employee's first 60 days of employment.

At the present time, the District pays 100% of all life insurance premiums. Additional information will be provided to the employee at the time of enrollment.

F. Accidental Death and Dismemberment

The District offers accidental death and dismemberment coverage for all regular full-time employees in an amount up to twice the employee's annual salary, subject to certain maximum limits. The coverage becomes effective on the first day of the month following the employee's first 60 days of employment.

At the present time, the District pays 100% of the employee's accidental death and dismemberment premiums. Additional information will be provided to the employee at the time of enrollment.

G. Voluntary Benefits

The District offers additional voluntary group benefits for all regular full-time employees, which may include a Deferred Compensation Savings Plan, Disability Insurance, a Cafeteria Plan and Banking Services.

Information will be provided at the time of enrollment. Employees may consult the Human Resources Manager or refer to the Plan documents for additional information on each voluntary benefit. The terms and conditions of the Plan documents control in every case.

H. Employee Assistance Program (EAP)

The District is aware that personal or health problems may occasionally interfere with an employee's ability to perform on the job. The District's Employee Assistance Program ("EAP") offers regular full-time employees the opportunity to attend a period of confidential counseling sessions for services such as stress management, chemical dependency, and family/ marital and legal services. Detailed information on this program is available in the Human Resources Department.

Employees may utilize EAP on their own or may be referred through disciplinary or corrective measures. If it is determined that an employee has violated District policies, suffered from diminishing performance or is otherwise in need of assistance, the employee may be involuntarily referred to EAP for counseling. Failure to attend mandatory EAP sessions is grounds for disciplinary action up to, and including termination.

I. Tuition Reimbursement, Continuing Education/Certification Leave, License Reimbursement, and Direct Payment

Eligibility

- The employee must be a regular, full-time employee for one full calendar year.
- The employee must have had no disciplinary actions or performance improvement plans within 6 months prior to date of request for reimbursement, direct payment, or leave.

Pre-Qualification Criteria

- The course must be pre-approved by the Department Director, the Human Resources Manager and Executive Director*.
- The Executive Director may grant a waiver of certain obligations at his/her discretion.
- The Department Director should include any anticipated reimbursement or direct funding with their annual fiscal budget requests.

Course Work or Licensure

- The program or license must directly apply to the employee's job description or for career redirection or advancement at the District.
- Scheduling/attendance of class or training time must not impede work duties and responsibilities or affect the performance of the individual or work team. The employee shall be held accountable for his/her regular workload and assignments.

1. Tuition Reimbursement

The District may reimburse regular full-time employees for paid tuition for educational and vocational courses from an accredited college or university. Employees are eligible for reimbursement after they have successfully completed one year of employment.

Tuition reimbursement is only available for educational and vocational courses that are directly related to the employee's current position or applicable to the employee's advancement within the District. Employees must receive prior approval from their Department Director, Executive Director and Human Resources Manager in order to qualify for reimbursement.

a. Reimbursement Amount

- The District will reimburse employees for paid tuition for educational and vocational courses from an accredited university or college that directly apply to

the employee's job description, or for career redirection or advancement, at a limit of one class per term, up to three (3) terms per fiscal year, at the prevailing rate for a Graduate or Undergraduate course at Florida Atlantic University (FAU).

- Tuition will be paid at 100% upon receipt of fee statements and grades of "B" or better or "Pass" if the course is taken on pass/fail basis. If a grading system is not used for a course, the Director of Human Resources will determine if reimbursement is warranted.
- Books and miscellaneous lab or activity fees are not covered under the Tuition Reimbursement Program.
- All receipts and the official grade report or certification must be submitted with the request for reimbursement. The grade report or certification will be added to the employee's personnel file.

b. Employee Obligation

- The employee must remain actively employed by the District for a minimum of one year following the time of satisfactory course completion.
- Employees who are overpaid or who are separated from the District for any reason (whether resignation, termination or otherwise) prior to the expiration of the required obligation period will reimburse the District for any tuition reimbursement received. The District may recoup the funds through payroll deductions and/or through other such collection means the District elects to use in accordance with applicable wage and hour laws.

c. Procedure

- Complete the top portion of the Tuition Reimbursement Application and submit official course description.
- Obtain approval signatures from the Department Director, the Human Resources Manager, and the Executive Director.
- Upon approval by Department Director, the Human Resources Manager, and the Executive Director, you will receive a photocopy of the approved application.
- Reimbursement requests must be submitted to the Human Resources Manager within 30 days of receipt of minimum grade requirement.
- Upon completion of the course, submit a copy of your approved application, with attached evidence of successful completion of the course, along with an itemized list of reimbursable expenses and receipts to Human Resources.
- The Human Resources Manager will then complete the portion of the application titled "Human Resources Only" and will submit a check request to Finance.

2. Continuing Education/Certification Leave

- a. Eligible employees may request up to 40 hours leave per fiscal year of Continuing

Education or Certification Leave for the purpose of meeting continuing education and/or certification credit requirements for certifications or licenses **required** by the employee's job description. If a certification or license is identified in the job description as "preferred," such leave is not available.

- b. This leave may be used on-site to complete web-based programs or off-site to attend conferences or educational seminars designed to provide the required continuing education and/or certification credits.

3. *License Reimbursement*

- a. Employees required to maintain a license to hold or maintain their position with the District shall be permitted to submit for reimbursement of such license renewal within thirty (30) days of renewing such license. For example, District employees required to maintain a State of Florida issued CDL license for their position may be reimbursed for the cost of the renewal, but will not be provided paid leave to obtain the renewal. Failure to submit for reimbursement within thirty (30) days of renewing the license shall result in forfeiture of the reimbursement.
- b. The employee must remain actively employed by the District for a minimum of one year following the time of reimbursement for the license.
- c. Employees who are overpaid or who are separated from the District for any reason (whether resignation, termination or otherwise) prior to the expiration of the required obligation period will reimburse the District for reimbursement received. The District may recoup the funds through payroll deductions and/or through other such collection means the District elects to use in accordance with applicable wage and hour laws.

4. *Direct Payment*

- a. MOT and Hazardous Materials Training and CPR Certifications/Licenses: The District may require certain employees to attend on-site training funded by the District.
- b. The Executive Director may require certain employees on an as-needed basis to attend various training, licensure or certification courses and exams at the District's expense so long as the training, licensure or certification is designed to enhance the employee's skills as to the current position or for advancement within the District. Such approval is subject to budget and any related purchasing requirements. Should an employee fail to successfully complete the training, licensure or certification, the District shall not make further payment toward such training, licensure or certification on behalf of the employee.

J. Florida Retirement System (FRS)

All regular, full-time and part-time employees of the District are enrolled in the Florida Retirement System ("FRS") upon hire. In accordance with established law, the District makes all contributions based upon the employee's earnings. The FRS pay-out of balances is subject to FRS program restrictions and may be periodically revised.

A Summary Plan Description is furnished periodically by the FRS and employees may contact the FRS directly at 850-488-6491 with additional questions. The terms and conditions of the Plan documents control in every case.

K. Worker's Compensation

Workers' compensation is provided in accordance with Florida law. Work-related accidents and injuries, no matter how small or insignificant they may seem, must be reported to the employee's supervisor immediately. Following a work-related injury, an employee is required to return to work as soon as possible. Failure to follow the District's well-established reporting procedures will result in disciplinary action. Employees should consult their supervisors for detailed information on the District's workers' compensation coverage and reporting procedures.

Where an employee requires time off from work due to a work-related accident or injury, and the situation also qualifies as a serious health condition under the Family Medical Leave policy (FML), the workers' compensation leave shall run concurrently with FML.

The employee must follow the return-to-work procedures for workers' compensation and FML (if applicable) and must provide evidence from the health care provider as to the fitness to return to duty based upon the essential functions and physical requirements outlined in the employee's job description. Any request for modified job duties shall be reviewed by Human Resources and the Executive Director.

Procedure

Once an incident occurs it is the employee's responsibility to immediately inform the immediate supervisor, calling 911 first if the situation constitutes an emergency. The supervisor shall immediately notify Human Resources. Timely reporting ensures the best recall of the facts and the prompt delivery of benefits to the employee. The employee must follow the instructions of the supervisor, Human Resources, and any emergency personnel called to the scene.

The employee involved in the job accident will be required to undertake a post-accident drug test immediately or as soon as possible after the accident. If a post-accident alcohol test is not administered within 8 hours following the accident, or if a controlled substance test is not administered within 32 hours following the accident, the District will cease attempts to administer that test. In both cases Human Resources must prepare a record stating the reason(s) the test(s) were not promptly administered and maintain the record. Human Resources or the designee will provide the employee with the proper Authorization Form and arrange for transportation to the testing location. The employee is also required to complete the Employee Report of Injury or Occupational Illness with as much attention to detail as possible.

Immediately after ensuring the employee is receiving appropriate medical treatment and drug testing, the supervisor will complete the Supervisor Incident Investigation Report and the Supervisor portion of the Employee Report of Injury or Occupational Illness fully and with as much detail as possible, including obtaining the Employee's statement and signature. The supervisor will also obtain pictures of the accident site at this time and ensure that the employee was wearing all necessary safety equipment (i.e. appropriate shoes, safety vest, safety glasses etc.). Human Resources, with the supervisor's assistance (if necessary) will also gather witness statements for the Employee Report of Injury or Occupational Illness.

L. Student Volunteer Community Service Program

Student Volunteer Community Service for the District provides important benefits to our local residents and local community. Many local students are required to work a certain number of school-required community service hours each year. The District currently encompasses 110 square miles, 37 of which are considered “active” and maintained by District Staff. Our staff works hard to ensure that our roads, parks, canals and swales are maintained in a pristine condition, but assistance is always appreciated. In the spirit of community service, support and interest, the District thankfully offers a Community Service Program to local students.

1. Policy

This program will be managed by the Human Resources Manager in conjunction with all Department Directors. This policy is not designed to replace current staff or eliminate necessary functions of paid employees, but is designed to supplement and complement existing staff. Availability of volunteer opportunities is not guaranteed, but will be provided as appropriate. Volunteers must be local residents, within the boundaries of the District, the children of local residents, or the children of District employees. School identification must be provided in order to prove student status. No more than 20 hours of community volunteer service may be worked by a volunteer during an established work week (Saturday- Friday).

2. Procedure

Interested volunteers must submit a completed Application for Student Volunteer Community Service to the Human Resources Department. Applications can be obtained at the Administration Office or on the web at www.indiantrail.com. The Human Resources Department will screen all applications and forward to the appropriate Department Heads to determine if there are any appropriate volunteer opportunities available. Human Resources will then contact the selected candidates to notify them of the available opportunity. All volunteers and a parent or guardian will be required to sign a notarized Student Volunteer Community Service Release Form and track all hours volunteered on a Student Volunteer Community Service Time Sheet Report.

3. Examples of volunteer opportunities

- Pick up debris and clean in and around shop areas, office buildings, parks, roadways, canals and parking lots using shovels, pitchforks and other hand tools.
- Park Maintenance, including planting, watering, repair of irrigation systems, cleaning of buildings and park structures.
- Light landscaping assistance along swales and canals using rakes, shovels, small hand-tools.
- Performs facility and custodial maintenance as needed including trash collection and removal.
- Special events assistance, set-up and tear down equipment.

- Cleaning of District Equipment.
- Other work may be assigned as required including light general repairs, work under adverse conditions, maintaining grounds and structures at various locations or other assignments required by the District.
- All assignments for volunteers shall comply with applicable child labor regulations.

4. Physical Requirements

The physical demands described here are representative of those that must be met by a volunteer to successfully perform the essential functions of the volunteer opportunities. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. While performing the duties, the volunteer may be required to engage in the following activities: sitting, standing, walking, climbing, crouching, crawling, stooping, kneeling or balancing; reaching with arms; using hands and fingers to handle, feel, or operate objects, tools or controls; talking, hearing and smelling. The volunteer must occasionally lift and/or move up to 80 pounds. Specific vision abilities required include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus.

5. Environment

While performing volunteer duties, the volunteer works in outdoor conditions, and may work near and on machinery, or in high precarious places subject to any applicable child labor regulations. The volunteer will likely be exposed to hot/dry/wet/ humid/cold conditions. The volunteer will occasionally be exposed to fumes, airborne particles, chemicals, vibration and other potential hazards associated with the maintenance and/or construction of roads and drainage works and other types of construction. Manual dexterity is necessary in order to manipulate machinery and tools. The noise level in the work environment is quiet to moderate, but can be high under certain circumstances. Hand-to-eye coordination is necessary to operate various tools and equipment.

6. At-Will

This program has been created and formulated specifically for local student volunteers. All volunteers are considered at-will voluntary workers. All volunteer hours performed will be worked strictly on an unpaid basis, with no exceptions. The District expressly reserves the right to discharge any volunteers for any reason, with or without cause, and without notice. Nothing in this policy confers the right to any volunteer to continue with this program. Participation in this program does not constitute employee status for any volunteer.

M. Student Summer Internship

The District's Summer Internship Program provides local students the opportunity to gain valuable professional work experience, exposure to the business environment and references and network contacts during the summer months.

1. Policy

This program will be managed by the Human Resources Manager in conjunction with the Department Directors. This policy is not designed to replace current staff or eliminate necessary functions of paid employees, but is designed to supplement and complement existing staff. Availability of opportunities is not guaranteed, but will be provided as appropriate. Interns must be the children of District employees. School identification must be provided in order to prove student status. Summer Internships will last for 8 weeks, commencing from June through August.

Student Interns must be between the ages of 15 and 17. Interns will not be employed, permitted to work before 7 a.m. or after 9 p.m., for more than 8 hours in any one day, or for more than 25 hours in any one week.

2. Procedure

Interested Intern Candidates must submit a completed Application for Student Internship to the Human Resources Department. Applications can be obtained at the Administration Office. The Human Resources Department will screen all applications and contact potential interns for a qualifying interview. Human Resources will then contact the selected candidates to notify them of the available opportunity. All Interns and a parent or guardian will be required to sign a notarized Student Internship Release Form and track all hours worked on a District Timesheet. Interns will adhere to the work hours, policies, procedures and rules governing professional staff behavior. Student Internship positions are temporary hourly positions compensated at a rate of \$10.00 per hour, and are not benefit-eligible positions.

3. Examples of Opportunities

- Pick up debris and clean in and around shop areas, office buildings, parks, roadways, canals and parking lots using shovels, pitchforks and other hand tools.
- Park Maintenance, including planting, watering, repair of irrigation systems, cleaning of buildings and park structures.
- Light landscaping assistance along swales and canals using rakes, shovels, small hand-tools.
- Performs facility and custodial maintenance as needed including trash collection and removal.
- Special events assistance, set-up and tear down equipment.
- Cleaning of District Equipment.
- Other work may be assigned as required including light general repairs, work

under adverse conditions, maintaining grounds and structures at various locations or other assignments required by the District.

- Light clerical and office administrative duties.

4. Physical Requirements

The physical demands described here are representative of those that must be met by an Intern to successfully perform the essential functions of the opportunities. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. While performing the duties, the Intern may be required to engage in the following activities: sitting, standing, walking, climbing, crouching, crawling, stooping, kneeling or balancing; reaching with arms; using hands and fingers to handle, feel, or operate objects, tools or controls; talking, hearing and smelling. The Intern must occasionally lift and/or move up to 80 pounds. Specific vision abilities required include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus.

5. Environment

While performing internship duties, the Intern may work in outdoor conditions, and may work near and on machinery, or in high precarious places subject to any applicable child labor regulations. The Intern will likely be exposed to hot/dry/wet/ humid/cold conditions. The Intern will occasionally be exposed to fumes, airborne particles, chemicals, vibration and other potential hazards associated with the maintenance and/or construction of roads and drainage works and other types of construction. Manual dexterity is necessary in order to manipulate machinery and tools. The noise level in the work environment is quiet to moderate, but can be high under certain circumstances. Hand-to-eye coordination is necessary to operate various tools and equipment.

6. Temporary At-Will Employment

This program has been created and formulated specifically for the children of District employees. All Interns are considered at-will temporary workers. The District expressly reserves the right to discharge any Intern for any reason, with or without cause, and without notice. Nothing in this policy confers the right to any Intern to continue with this program. All assignments shall comply with applicable child labor regulations. Student Internship should in no way be construed as a promise of future employment with the District.

VIII. ENDING DISTRICT EMPLOYMENT

A. Separation of Employment

Separation of employment within an organization can occur for several different reasons.

1. **Resignation:** Although we hope your employment with us will be a mutually rewarding experience, we understand that varying circumstances cause employees to voluntarily resign employment. Resigning employees are encouraged to provide two weeks' notice, preferably in writing, to facilitate a smooth transition out of the organization. Management reserves the right to relieve an employee of all duties prior to the end of the notice period. In this situation an employee will be paid through the last day actually worked. If an employee provides less notice than requested, the employer may deem the individual to be ineligible for rehire depending on the circumstances regarding the notice given.
2. **Retirement:** Employees who wish to retire are required to notify their department director and the Human Resources department in writing at least (1) month before planned retirement date.
3. **Job abandonment:** Employees who fail to report to work or contact their supervisor for three (3) consecutive workdays shall be considered to have abandoned the job without notice, effective at the end of their normal shift on the third day. The supervisor shall notify the Human Resources department at the expiration of the third workday and initiate the paperwork to separate the employee. Employees who are separated due to job abandonment are ineligible to receive accrued benefits and are ineligible for rehire.
4. **Death:** In the event of the death of an employee, the last date of employment shall be the date of death. Any wages or travel expenses due through the date of death shall be payable to the wife or husband of the employee. If there is no spouse, then such amounts are paid to the child or children, provided the child or children are over the age of 18 years. If there is no child or children, then such amounts are payable to the father or mother. If there is no father or mother, such amounts shall be payable to the estate of the employee. For purposes of calculating the payment of wages due, the District shall also make payment on any accrued and unused vacation (and sick leave if applicable) in accordance with those policies in effect on the date of death.
5. **Termination:** Employees of the District are employed on an at-will basis, and the District retains the right to terminate an employee at any time.

B. Post Termination Name-Clearing Meeting

All employees are entitled to a name-clearing meeting when false and stigmatizing information is placed in files, subject to the public records laws, attending their termination. Employees wishing to avail themselves of this procedure must submit a request for name-clearing meeting in writing to the Human Resources Manager within 10 calendar days of the date of termination. Within 10 calendar days of receipt of same, the District will schedule a name-clearing meeting. Presiding at said meeting will be the Human Resources Manager or designee chosen by the Executive Director and one Department Head chosen by the Executive Director. At the meeting, the terminated employee shall be permitted to present information relative to the falsity of the stigmatizing information. The District will also be permitted to present information relative to the veracity of the stigmatizing information.

In lieu of attending a name-clearing meeting, the employee may instead choose to submit a written statement regarding the falsity of the stigmatizing information that will be included in the employee's personnel file.

The name clearing meeting is not an appeal of the termination decision and former employees will generally not be reinstated. The process is designed to allow the employee to present information in the public record regarding the information forming the basis of the termination.

C. Reductions in Force

If it is necessary for the District to undergo a reduction in force, employment decisions regarding layoffs, demotions, etc., will be based upon the business needs of the District in its sole discretion.

D. Return of District Property

The separating employee must return all District property at the time of separation, including uniforms, cell phones, keys, PC and identification cards. The Human Resources Manager or designee shall document the return of all property. Failure to return some items may result in deductions from the final paycheck in accordance with applicable wage and hour laws. An employee will be required to sign the Wage Deduction Authorization Agreement to deduct the costs of such items from the final paycheck.

E. Exit Interview

Employees resigning or retiring from employment shall contact the Human Resource department as soon as notice is given to schedule an exit interview. The interview will be on the employee's last day of work or another day, as mutually agreed upon.

F. Payments Due at Separation

Employees will be paid all hours worked through the last day of employment. Accrued and unused vacation leave will be paid in the last paycheck up to a maximum of 280 hours. Sick leave may be paid, if at all, in accordance with the policy in effect on the date of separation.

G. Health Insurance Coverage After Separation From Employment

Health insurance terminates that last day of the month of employment, unless an employee requests immediate termination of benefits. Information for Consolidated Omnibus Budget Reconciliation Act (COBRA) continued health coverage will be provided. Employees will be required to pay their share of the dependent health and dental premiums through the end of the final month of employment.

H. Rehire

Former employees who left the District in good standing and were classified as eligible for rehire may be considered for reemployment. An application must be submitted to the Human Resource department, and the applicant must meet all minimum qualifications and requirements of the vacant position, including any qualifying exam, when required.

Supervisors must obtain approval from the Human Resources Manager or designee prior to rehiring a former employee. Rehired employees begin benefits just as any other new employee. Previous tenure will not be considered in calculating longevity, leave accruals or any other benefits.

An applicant or employee who is terminated for violating policy or who resigned in lieu of termination from employment due to a policy violation is generally ineligible for rehire.

IX. RECEIPT AND ACCEPTANCE OF EMPLOYEE HANDBOOK

I have this day received a copy of the District's Employee Handbook, and I understand that I am responsible for reading the policies and practices described within it.

I AGREE TO ABIDE BY THE POLICIES AND PROCEDURES CONTAINED IN THIS EMPLOYEE HANDBOOK. I UNDERSTAND THAT THE POLICIES, PROCEDURES AND BENEFITS CONTAINED IN THIS HANDBOOK MAY BE ADDED TO, DELETED OR CHANGED BY THE DISTRICT AT ANY TIME. I UNDERSTAND THAT NEITHER THIS HANDBOOK NOR ANY OTHER WRITTEN OR VERBAL COMMUNICATION BY ANY EXECUTIVE DIRECTOR OR OTHER DISTRICT OFFICIAL IS INTENDED TO IN ANY WAY CREATE A CONTRACT OF EMPLOYMENT.

I UNDERSTAND THAT MY EMPLOYMENT IS AT-WILL, WHICH PERMITS THE DISTRICT TO TERMINATE THE EMPLOYMENT RELATIONSHIP AT ANY TIME, FOR ANY REASON, WITH OR WITHOUT NOTICE. NOTHING IN THIS HANDBOOK IS INTENDED TO GUARANTEE EMPLOYMENT FOR A SPECIFIC DURATION.

If I have any questions regarding the content or interpretation of this Handbook, I will bring them to the immediate attention of the Executive Director or Human Resources.

NAME _____

DATE _____

EMPLOYEE

SIGNATURE _____

X. OATH OF LOYALTY

STATE OF FLORIDA
COUNTY OF _____

I, _____, a citizen or authorized non-citizen of the State of Florida and of the United States of America, and being employed by or an officer of the Indian Trail Improvement District and a recipient of public funds as such employee or officer, do hereby solemnly swear and affirm that I will support the Constitutions of the United States of America and the State of Florida.

Signature

Sworn to and subscribed before me this ____ day of _____ 20____. Personally known _____ or produced identification: Type of Identification Produced _____

NOTARY
(SEAL)

Please sign and return this acknowledgement to the Human Resources Department.