TOWN OF LAKE PLACID
PERSONNEL POLICY

MISSION STATEMENT

The Town of Lake Placid's governmental mission is to ensure the highest possible quality of life for our residents, businesses, and visitors through a safe, healthy environment and efficient, effective, open government.

EFFECTIVE 09/0616
WHEN PUBLISHED

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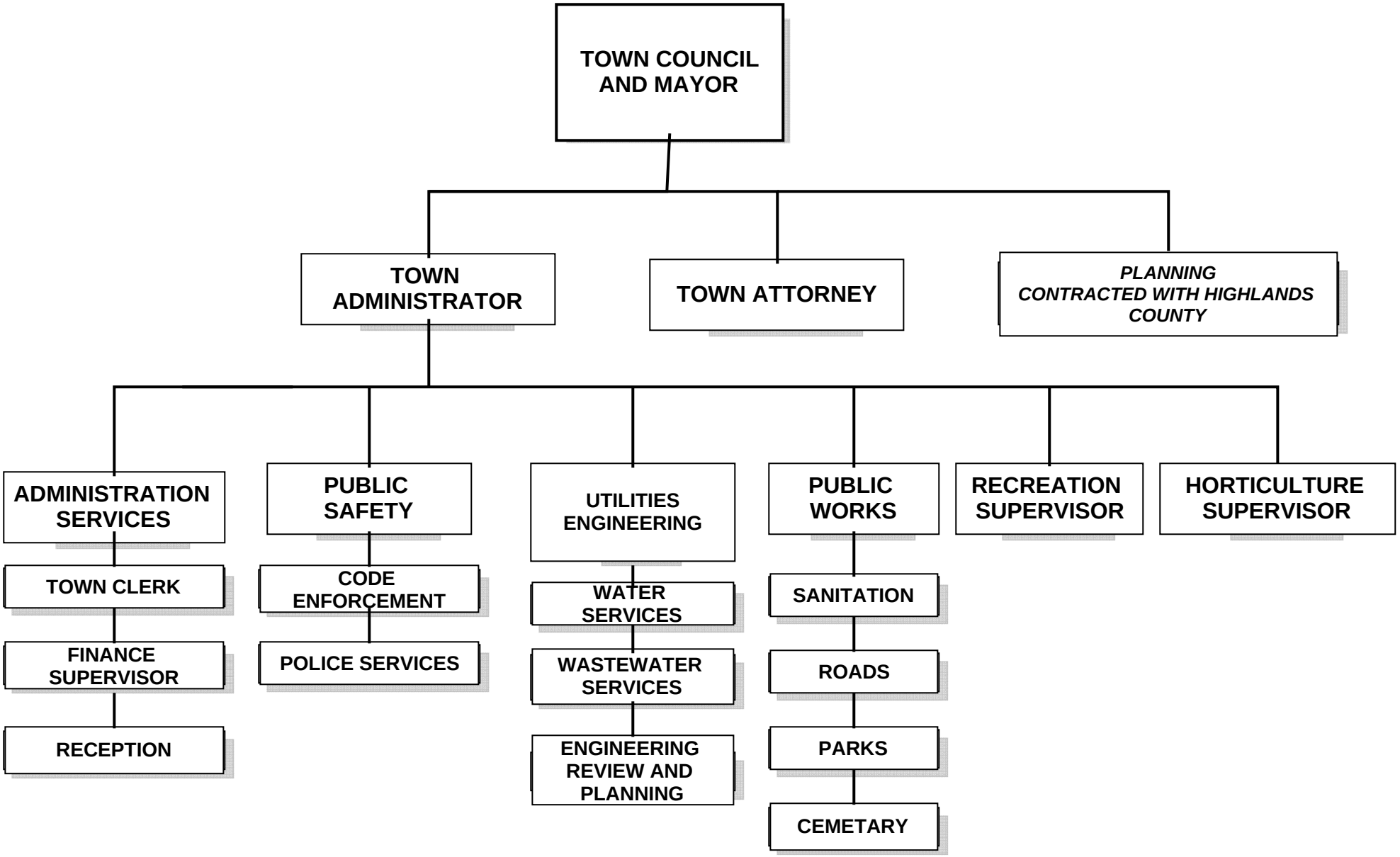
TOWN OF LAKE PLACID
ORGANIZATION CHART
June 2016



PURPOSE OF THIS POLICY

The purpose of this this policy is to establish policy for training where the Town of Lake Placid offers in-service trainings and outside educational opportunities that help improve and maintain the level of an employees work product. The Town encourages all employees to take advantage of all available opportunities, which pertain to their positions. The goals of training are to improve, update job skills, re-certify employees in various skills, and train personnel in new skills to raise the overall effectiveness of the Town's resources.

22.01 DEFINITIONS: Unless otherwise required by context, the following words and phrases in this section shall construe to mean as follows:

a. The term "Training" shall include all conferences, educational endeavors, testing's, credits earned attendances and other related.
b. Training Coordinator is the Town Administrator for employees directly supervised by the Administrator and the Department Director for employees supervised by the Director
c. Mandatory Training is that training that requires attendance of all employees named
d. Recommended Training is that training that will benefit the employee and the police department but is not mandatory
e. Optional Training is that training obtained on the employee's own time that will enhance merit raises and promotional potential when feasible
f. Non-Mandatory Training is that training which will benefit the employee and the agency but is not mandatory
g. Required Certification Training is that training required to either obtain or maintain a license or certification required for continued employment by the Town of Lake Placid.

22.02 Training coordinators are required to in writing, track all training activities pertaining to Town employees and prepare a generalized annual Departmental training report of same addressed to Town Council in February of each year. Tracking shall include:

a. Requests from employees for training
b. Requests from training coordinators for employee attendance at mandatory, recommended, optional, and non-mandatory training
c. A general description of the training received including evidence that the employee attended course (in cases where no certificate is given, a conference or such, a signed letter from the employee asserting attendance will suffice)
d. A description of training given regarding safety policies on equipment and hazardous work areas
e. A description as required for demonstrating employee orientation. (See Town of Lake Placid Personnel Policy regarding Employee Orientation at P8)
f. A training attendance log regarding employee attendance at Town sponsored training events.
g. Copies of Training Request Form in completed format

22.03 Training coordinators are required to uphold a standard for skill levels within their department. Training coordinators shall determine training needs and establish plans for such training as needed. Training coordinators shall hold employees under their scope of supervision accountable to meet the standards required of various skill sets. Training coordinators shall hold employees accountable to maintain all levels of certifications required to perform the job for which each employee is assigned to do.

22.04 Employees shall have the opportunity to remedial training; however, in no case is the Town obligated to continue employing an employee who fails to maintain the educational certification or skill level required for the job the employee was hired to do. An employee failing to meet such standard may be transferred to a position requiring lesser skills at the discretion of the Mayor or his designee. There shall exist no obligation on the Town's behalf to enter such a relationship with any employee.

EMPLOYEE RESPONSIBILITY FOR TRAINING REQUESTS

22.05 Employees are encouraged to prefer training that cost the least but affords the same quality as more expensive training for purposes of budgetarily affording other members more opportunities for training.

22.06 Employees are responsible for the following accounting process when arranging any training where employee will be requesting any Town financial support or use of a Town vehicle for transportation.

- Employee shall gather all costs of the training event such as tuition cost, conference cost, hotel room, books, parking, etc. related to the event. Where such is cannot be determined employee shall obtain the best estimate possible.
- Employee shall within two weeks of the event, submit a training request to their Training Coordinator.
- The training request shall include a completed copy of the Training Accounting Form P22 and shall include sufficient flyers and materials so as to allow the Training Coordinator to evaluate whether the training event will benefit the Town.
- Training Accounting Form P22 Sections 1 through 3 shall be completed for a Training Coordinator to give Level 1 approval on the form based on the estimate of the training costs.

While attending the training employees shall track all costs and save receipts on every expenditure the employee expects to be paid by the Town. At the end of the training, Training Accounting Form P22 shall be turned in to the Training Coordinator again with all receipts attached and Section 4 of the Training Accounting Form P22 completed showing the actual cost of the event. The training Coordinators will provide Level 2 final approval.
The Training coordinators shall arrange payment on the event by the Town and shall immediately submit any credit card charges so as same can be paid before penalties. Any item capable of having a receipt that does not have a receipt shall be paid for by the employee.

22.07 Employees receiving training at the Town's expense shall agree to the terms provided in "PART 3: Employee pre-event agreement" of the Training Accounting Form P22 as stated below. There shall be no training payments provided otherwise.

I the undersigned employee agree to abide by all terms stated within this agreement and all cost projections stated within Part 2 of this requests with the exceptions of the conditions described above in return for the town's funding of this event. I hereby agree that deductions can be made from any benefits owed to me so the town can recover losses where I have failed to follow this agreement.
I agree to reimburse the Town of Lake Placid all costs associated with this event with the exception of fuel costs and wage benefits if I of my own accord leave the employment of the town of Lake Placid within one year of the last day of the event.

22.07 Non Discrimination Policy - Training opportunities shall be afforded equally to all employees with consideration to the needs of the Town.

22.08 Employees required to attend training that is designated “Mandatory” by the Training Coordinator shall be paid in full for hours in attendance, even in cases where such training results in overtime payment. Mandatory training will be paid for in full by the Town. Mandatory training shall not require agreement with PART 3 of the Training Accounting Form P22. All other forms of training shall require PART 3 of the Training Accounting Form P22.

22.08 Employees reimbursements if requested by the employee in PART 2 of the Training Accounting Form P22 shall be based upon the IRS rates for mileage per diem and meal allowance.

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1. Mandatory Training - the employee’s job or license requires periodic training or testing and the Department Director approve of the training.

2. Optional Training - the employee volunteers for the training or the Department Director recommends or suggests the training without approval.

22.05 All programs must be approved in advance using the Pre-Authorized Travel forms.

22.06 Hours worked or scheduled outside of regular work hours do not constitute compensable hours of work, such as:

1. Overnight stay

2. After hour traveling

14.01.27 Wages Paid
A training announcement from the Chief that any training is “Mandatory” shall result in the attending

employees being paid for all hours as though the employee were working normally. If the training causes
the employee to exceed the overtime threshold within the work period as designated by the Fair Labor
Standards Act, the employee shall be paid at the employee's overtime rate.
Training that is required for minimum certification to perform the job the employee is currently performing
shall be reimbursed as though the training is "Mandatory." The Chief shall have the option of affording
other training which affords highly desired certifications the classification of being "Mandatory."
Examples would be Code Enforcement Level I for the code enforcement officer, crossing guard training for
crossing guards, and crossing guard instructor training for crossing guard instructors.
A training announcement from the Chief that any training is "Recommended" or "Non-Mandatory," or
available affords the employee the option of attending the training for the employee's own benefit.
Likewise any request from an employee to attend classes shall be deemed to be for the employee's
benefit at the employee's request to attend the class.
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2 Overtime is afforded based on requirements of the Fair Labor Standards Act which in brief states
that Sworn Law Enforcement employees must actually work 86 hours in a two week period prior to
receiving overtime. Non sworn employees must work 40 hours in a one week period prior to receiving
overtime.
Flexibility shall be afforded to the employee at the discretion of the Chief to attend such training. The
employee shall receive payment for their normal periodic work hours minus any classroom hours that
would be overtime. 2
EXAMPLE 1 SWORN OFFICER EXAMPLE 2 SWORN OFFICER
Week 1 = 2 shifts worked = 24 hrs Week 1 = 5 shifts worked = 60 hrs
Week 2 = Non Mandatary Training Week 2 = Non Mandatory Training
Total hours = 84 hours Total hours = 84 hours
EXAMPLE 3 SWORN OFFICER
Week 1 = 2 shifts worked + 6 hours overtime during the week
Week 2 = Non Mandatary Training
Total hours paid = 86 hours at regular rate + 4 hours at overtime rate
EXAMPLE 4 NON SWORN BASED on 40 HOUR WORK WEEK
DAYS - 1= 8 hours, 2 = 8 hours, 3 = Vacation, 4 = 12 hrs, 5 = Non Mandatory Training
Total hours = 44 hours at regular rate.
14.01.28 College Classes
The department will help pay one half of the tuition of regular college classes required for a two year
degree related to criminal justice up to two classes per semester. Employees shall file Training Form

(update 0406) at the end of the training with receipts and proof that the employee scored at least a grade
of “C” or better in the class to be reimbursed for the class. Payment of college cost is contingent upon
fund availability through the department’s budget.
Members may also use their department vehicles for transportation to classes within Highlands County.
Use of department vehicles for transportation to classes outside of Highlands county must be approved by
the Chief.
14.01.29 Non Discrimination Policy
Training opportunities shall be afforded equally to all employees with consideration to the needs of the
department.

PURPOSE OF THIS POLICY

Political activity

1. No employee, official, or other person shall solicit, orally or by letter, contributions or services for any political party or candidate from any employee during his/her hours of duty, service, or work with the city.
2. Nothing herein contained shall be construed to restrict the right of the employee to hold membership in and support a political party, to vote as he/she chooses, to express opinions on all political subjects and candidates, to maintain political neutrality, to attend political meetings after working hours, or to campaign actively during off-duty hours in all areas of political activity.
3. Any employee who is elected or appointed to any political office shall immediately notify the city. Any employee so elected or appointed may be required to resign his/her employment with the city, depending upon the position he/she is elected or appointed to as adopted by the City Commission.

History: Council approved June 9, 2003 – Amended and TC Passed April, 26, 2016

47.1. Employees of the Town of Lake Placid are entitled to a work environment that is productive but not coercive - friendly, yet at the same time professional. The Town's policy concerning unlawful harassment is in keeping with this philosophy viewing such behavior as unproductive, coercive in nature, unfriendly, and decidedly unprofessional. The serious nature of unlawful harassment is reflected by the fact that termination on first offense is a practicable disciplinary action in such cases.

47.2. Policy - Unlawful harassment negatively affects morale, motivation, and work performance as well as increasing absenteeism and turnover. The Town does not tolerate any form of discrimination or harassment on the basis of race, color, sex, age, marital status, national origin, religion, creed, disability, political opinions or affiliations, or other status prohibited by law.

47.3 Definitions - Harassment on the basis of race, color, sex, age, marital status, national origin, religion, creed, disability, political opinions or affiliations, or other status prohibited by law, is illegal. Verbal or physical conduct may constitute unlawful harassment when:

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

a. Making sexual advances or seeking sexual favors or actions from an employee in exchange for better working conditions, or a promotion, raise, or other improvement of job condition.

b. Asking for sexual favors.

c. Making sexual comments or jokes.

d. Unwanted physical contact.

e. This is not a complete list of sexual harassment. If an employee feels that they are put in an uncomfortable position because of their sex, this could be considered harassment. The key to determining whether someone is being harassed is whether the conduct is unwelcome.

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

- Negative or offensive comments, jokes, or suggestions about another employee's gender or sexuality.
- Obscene or lewd sexual comments, jokes, suggestions, or innuendos.
- Slang names or labels that others find offensive, i.e., honey, sweetie, boy, girl, etc.
- Making negative comments about or calling attention to, an employee's body or sexual characteristics.
- Laughing at, ignoring, or minimizing the complaints of an employee who experiences sexual harassment.
- Continuing certain behavior after a co-worker has objected to that behavior.
- Displaying nude or sexual pictures, cartoons, etc. on town property or in conjunction with

work activities.

47.5 Employee Obligation to Report - The Town of Lake Placid will take an affirmative role in protecting its employees from unlawful harassment. For purposes of reporting harassment all "chains of command" via a Town organization chart are nullified. Accordingly an employee may report harassment to any person of authority or supervisory position affiliated with the Town government including from any Town Councilperson to any supervisory person.

47.6 If an employee feels they are being sexually harassed, or harassed, or in any work environment that is uncomfortable, for any reason, the Town asks that in addition to reporting the activity to an appropriate supervisor you take the following steps:

- If the employee feels comfortable in doing so, they may ask the person to stop bothering them and make them aware of the fact that their conduct is unwelcome or makes them feel uncomfortable;
- If the employee is not comfortable speaking to the harassing person or if the harassment does not stop, the employee should notify a supervisor or any party described above immediately;

47.7 Complaints of unlawful harassment brought to the attention of any person of authority within the Town the Town of Lake Placid will be caused to be promptly investigated and documented. In no case shall any person receiving such information allow the alleged condition to continue unaddressed. In no case shall any person hearing of such a complaint tell any employee that the employee:

- Should not report such events
- Should wait before revealing such events
- Enter into any agreement that the events will not be investigated
- Retaliate against any employee or recommend same

47.8 Action - Due to the sensitive and potentially damaging nature of an allegation of unlawful or sexual harassment, investigation by management must be, prompt and discreet. Should the investigation show that the accused did indeed engage in unlawful and sexual harassment, management will take measured and appropriate disciplinary action, up to and including discharge due to misconduct.

47.9 The Town of Lake Placid will not tolerate retaliation, coercion, intimidation, interference, discrimination or harassment, of or against any employee, for making a good-faith complaint of discrimination or harassment or for providing information related to such a complaint. An employee who believes he or she has been retaliated against, as the result of making a complaint or for providing information related to such a complaint, should report this matter immediately to the a supervisor or person of authority in Town government. Any individual who engages in retaliatory actions will be subject to discipline, up to and including immediate termination.

47.10 As an employee, it is your responsibility to behave in a manner that will minimize the possibility that someone else will regard your conduct as discrimination or harassment. The Town of Lake Placid trusts that all employees will act respectfully and responsibly in maintaining a pleasant working environment, free of discrimination and harassment. Also, remember that the very nature of harassment and discrimination makes it virtually impossible to detect unless a complaint is made. Do not assume that a Director is aware. It is your responsibility to bring this information to the attention of authorized personnel, so that the issue can be promptly investigated and resolved.

GENERAL PROVISIONS INTRODUCTION SECTION P1

This Town of Lake Placid Personnel Policy Manual implements the Town's personnel management system and conforms to the policies established by the Town Council, the Mayor and the Town Administrator. This manual shall govern Human Resources related matters of the Town unless superseded by other specific regulations established in the Town Charter or Code, or Florida Statutes.

The purpose of this manual is to establish various policies, rules and regulations, fringe benefits and services provided to full-time employees, and where applicable part-time employees . Employees are responsible to read and follow direction of the information contained in this booklet.

A proper and efficient Human Resources system is indispensable and necessary to properly administer the business affairs of the Town. Further, we insist upon a fair, equitable, and uniform system of public employment in order to attract the excellent caliber of employees our citizens demand and deserve. Department Directors are responsible to the Town Administrator for administration of the Human Resources Policies set forth herein within their departments.

The policies contained in this manual supersede any prior personnel policies of the Town. They are provided to employees for information only and are subject to change at any time without advance notice. Where there is a conflict between the policies in this manual and any policy or order established by any Director, the policies in this manual shall prevail.

Nothing in this manual constitutes or establishes a contract of employment of any particular duration or any other legal obligation granting continued employment. The Town of Lake Placid hereby establishes an "At Will Employment" Policy. The Town employs only to provide services. When and if that situation changes the Town will also make changes.

PURPOSE OF THIS POLICY

The Town is committed to complying fully with the Americans with Disabilities Act (ADA) and the Florida Civil Rights Act (FCRA) and ensuring equal opportunity in employment for qualified persons with disabilities and/or handicaps. It is the Town's policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training, or other terms, conditions, and privileges of employment. The Town will also follow any state or local law that provides individuals with disabilities greater protection than the ADA.

Definitions

2.01 In implementing this policy, the Town will be guided by the then-applicable definitions stated in the ADA or in case law construing the ADA, and applicable state and local law. In the event of any conflict between the definitions in the ADA and the definitions in this policy, the legal definitions will control. The following discussion is provided for general guidance of employees and applicants in understanding the policy of The Town:

- "Disability" refers to a physical or mental impairment that substantially limits one or more of the major life activities of an individual. An individual who has such an impairment, has a record of such an impairment is also deemed a "disabled individual". An individual may also be deemed "disabled" if that person is regarded as having such impairment. However, in the "regarded as" instance, the situation is more complicated. Under amendments to the ADA in 2008, if the condition is transitory and minor, defined as having an actual or expected duration of 6 months or less, then the condition does not qualify as a disability.

- Generally, ameliorative measures such as medications and medical devices will not be considered in making a disability determination, although ordinary eyeglasses may be taken into consideration. So, for example, the mere fact that a person wears ordinary eyeglasses will not qualify that person as "disabled." On the other hand, the fact that a person has a hearing aid or takes medications to address the impairment will not disqualify that person as being "disabled" if the person otherwise meets the definition of "disabled."

- "Major life activity" may include things such as caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating or working. A "major life activity" may also include bodily functions such as functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive systems.

- "Direct threat to safety" refers to a significant risk to the health or safety of others that cannot be eliminated by reasonable accommodation.

- A “qualified individual with a disability” refers to an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the employment position that the individual holds or has applied for.

- “Reasonable accommodation” refers to making existing facilities readily accessible to and usable by individuals with disabilities, including but not limited to; job restructuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, adjustment or modification of examinations, adjustment or modification of training materials, adjustment or modification of policies, and similar activities.

- “Undue hardship” refers to an action requiring significant difficulty or expense by the employer. The factors to be considered in determining an undue hardship include: (1) the nature and cost of the accommodation; (2) the overall financial resources of the facility at which the reasonable accommodation is to be made; (3) the number of persons employed at that facility; (4) the effect on expenses and resources or other impact upon that facility; (5) the overall financial resources of the Town; (6) the overall number of employees and facilities; (7) the operations of the particular facility as well as the entire the Town; and (8) the relationship of the particular facility to the Town. These are not all of the factors but merely examples.

- “Essential job functions” refers to those activities of a job that are the core to performing the job in question.

2.02 Hiring procedures are designed to provide persons with disabilities and/or handicaps meaningful employment opportunities. Pre-employment inquiries are made only regarding an applicant's ability to perform the duties of the position.

2.03 Reasonable accommodations for qualified individuals with known disabilities and/or handicaps will be made unless to do so would be an undue hardship. All employment decisions are based on the merits of the situation in accordance with defined criteria, not the disability and/or handicaps of the individual.

2.04 Qualified individuals with disabilities and/or handicaps are entitled to equal pay and other forms of compensation (or changes in compensation) as well as in job assignments, classifications, organizational structures, position descriptions, lines of progression and seniority lists. Leave of all types will be available to all employees on an equal basis.

2.05 All employees are required to comply with safety standards. Applicants who pose a direct threat to the health or safety of other individuals in the workplace, which threat cannot be eliminated by reasonable accommodation, will not be hired. Current employees who pose a direct threat to the health of safety of the other individuals in the workplace will be placed on appropriate leave until an organizational decision has been made in regard to the employee’s immediate employment situation.

2.06 It is the employee’s responsibility to inform the Town Administrator in writing of a disability and a need for an accommodation.

2.06 The Town Administrator is responsible for implementing this policy, including resolution of reasonable accommodation, safety, and undue hardship issues.

PURPOSE OF THIS POLICY

2.01 The Town Administrator by authority of resolution adopted February 13, 2013 , administers the Town's personnel policies and communicates same to personnel employed by the Town. The Mayor and Town Council by authority of Charter hereby approve of the authority of the Town Administrator. The Town Administrator hereby authorizes these personnel policies to establish policy for the Town of Lake Placid.

2.02 The Town Administrator shall ensure that:

- all positions to be filled have been authorized and budgeted
- all employment openings are posted
- all employees are properly hired and introduced to the Town's safety and personnel policies
- legal employment practices are followed in all employment practices of the Town
- employees receive fair and equitable benefits as approved by Town Council in the budget process
- a dependable and consistent administration of employee benefits is maintained so that employees can depend on payrolls, insurance, and other benefits
- all changes in employee status are approved and in compliance with employment law and the Town's policies

2.03 Directors' shall ensure that:

- the Town's payroll administrative staff are advised of all changes affecting town personnel
- ensuring that the Town Administrator is advised of all personnel hires, discharges and position vacancies,
- ensuring that the Town Administrator is advised of all disciplines and risk management concerns
- ensuring that their departments are within the approved budget
- ensuring that all town personnel policies are complied with
- ensuring that all job assignments in their departments have been evaluated and are administered with adequate quality
- a safe working environment exist within their departments
- developing and maintaining evidence of employee training in safety procedures and employee orientation on new hires and equipment use

2.04 All employees shall respect the authority of the organizational flow chart.

2.05 Each Department Director shall create standard operating department procedures to further the efficiency of their respective departments and to provide quality public service.

2.06 In no case shall a personnel policy established by Directors supersede these official personnel policies.

PURPOSE OF THIS POLICY

3.01 It is the policy of our Town to provide equal employment opportunities for all applicants and employees.

DEFINITION

3.02 The Town of Lake Placid does not discriminate on basis of sex, race, color, religion, national origin, age, disability, veteran status, pregnancy, generic information, political opinions or affiliations, or any other status protected by federal or state law. This policy applies to all terms, conditions and privileges of employment, including hiring, training, promotions, compensation and benefits. The Town also makes reasonable accommodations for disabled employees and religious needs.

POLICY

3.03 To deny a qualified person the chance to contribute to our effort because he or she is a member of a minority group is an injustice, not only to the individual, but to our Town and Nation as well. It is the intent and desire of our Town to provide equal opportunities in employment, promotion, wages, benefits and all other privileges, terms and conditions of employment.

3.04 The official Equal Employment Opportunity designee will be the Town Administrator. Upon receiving a complaint for Equal Employment Opportunity, the Town Administrator will investigate the situation and submit his or her findings to the necessary authorities.

PURPOSE OF THIS POLICY

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

4.01 All employees must complete Section 1 of the I-9 form on day one of their employment. All employees must complete the I-9 form within three (3) business days of the date employment begins by providing appropriate documentation. Any employee who fails to complete the I-9 within the three (3) day time period cannot continue to work.

4.02 The Town Administrator shall insure registration of designated personnel in the online E-Verify system that are certified to run E-Verify checks.

4.03 The Town Administrator shall insure that all requirements of E-Verify are followed.

4.04 To maintain compliance, the Town Administrator or designee must also certify Section 2 of Form I-9 AND prepare the E-Verify report within three (3) business days of the date of employment.

4.05 Re-verifications & Re-hires. Federal regulations require an update and/or re-verify the I-9 form when one of the following occurs:

1. An employee is terminated and then re-hired -The original I-9 is valid only when the employee is re-hired within three (3) years of the original hire date. Otherwise, a new I-9 form and E-Verify report must be completed. A new E-Verify report must be completed for all re-hires.

2. An employee's work authorization is about to expire and a new or extended status has been approved, or, the employee's status has cha11ged to another non-immigrant or to immigrant status. No new E-Verify report is required for work authorization re-verifications.

4.06 I-9 Retention. The Town shall retain a valid I-9 in accordance with the State of Florida General Records Schedule GS1-SL.

4.07 Final appointment to the position is contingent on successful completion of all required elements of the investigation. Rejection of a candidate at this step will be based on a reason that is job-related and consistent with business necessity.

Employment Eligibility Verification

Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-9
OMB No. 1615-0047
Expires 03/31/2016

▶START HERE. Read instructions carefully before completing this form. The instructions must be available during completion of this form.
ANTI-DISCRIMINATION NOTICE: It is illegal to discriminate against work-authorized individuals. Employers **CANNOT** specify which document(s) they will accept from an employee. The refusal to hire an individual because the documentation presented has a future expiration date may also constitute illegal discrimination.

Section 1. Employee Information and Attestation *(Employees must complete and sign Section 1 of Form I-9 no later than the **first day of employment**, but not before accepting a job offer.)*

Last Name *(Family Name)*	First Name *(Given Name)*	Middle Initial	Other Names Used *(if any)*

Address *(Street Number and Name)*	Apt. Number	City or Town	State	Zip Code

Date of Birth *(mm/dd/yyyy)*	U.S. Social Security Number	E-mail Address	Telephone Number
	- -		

I am aware that federal law provides for imprisonment and/or fines for false statements or use of false documents in connection with the completion of this form.

I attest, under penalty of perjury, that I am (check one of the following):

☐ A citizen of the United States

☐ A noncitizen national of the United States *(See instructions)*

☐ A lawful permanent resident (Alien Registration Number/USCIS Number): _____

☐ An alien authorized to work until (expiration date, if applicable, mm/dd/yyyy) _____. Some aliens may write "N/A" in this field. *(See instructions)*

*For aliens authorized to work, provide your Alien Registration Number/USCIS Number **OR** Form I-94 Admission Number:*

1. Alien Registration Number/USCIS Number: _____

OR

2. Form I-94 Admission Number: _____

If you obtained your admission number from CBP in connection with your arrival in the United States, include the following:

Foreign Passport Number: _____

Country of Issuance: _____

Some aliens may write "N/A" on the Foreign Passport Number and Country of Issuance fields. (*See instructions*)

3-D Barcode
Do Not Write in This Space

Signature of Employee:	Date *(mm/dd/yyyy)*:

Preparer and/or Translator Certification *(To be completed and signed if Section 1 is prepared by a person other than the employee.)*

I attest, under penalty of perjury, that I have assisted in the completion of this form and that to the best of my knowledge the information is true and correct.

Signature of Preparer or Translator:			Date *(mm/dd/yyyy)*:
Last Name *(Family Name)*	First Name *(Given Name)*		
Address *(Street Number and Name)*	City or Town	State	Zip Code

STOP **Employer Completes Next Page** STOP

Section 2. Employer or Authorized Representative Review and Verification

(Employers or their authorized representative must complete and sign Section 2 within 3 business days of the employee's first day of employment. You must physically examine one document from List A OR examine a combination of one document from List B and one document from List C as listed on the "Lists of Acceptable Documents" on the next page of this form. For each document you review, record the following information: document title, issuing authority, document number, and expiration date, if any.)

Employee Last Name, First Name and Middle Initial from Section 1:

List A Identity and Employment Authorization	OR	List B Identity	AND	List C Employment Authorization
Document Title:		Document Title:		Document Title:
Issuing Authority:		Issuing Authority:		Issuing Authority:
Document Number:		Document Number:		Document Number:
Expiration Date *(if any)(mm/dd/yyyy)*:		Expiration Date *(if any)(mm/dd/yyyy)*:		Expiration Date *(if any)(mm/dd/yyyy)*:
Document Title:				
Issuing Authority:				
Document Number:				
Expiration Date *(if any)(mm/dd/yyyy)*:				
Document Title:				
Issuing Authority:				
Document Number:				
Expiration Date *(if any)(mm/dd/yyyy)*:				

3-D Barcode
Do Not Write in This Space

Certification

I attest, under penalty of perjury, that (1) I have examined the document(s) presented by the above-named employee, (2) the above-listed document(s) appear to be genuine and to relate to the employee named, and (3) to the best of my knowledge the employee is authorized to work in the United States.

The employee's first day of employment *(mm/dd/yyyy)*: _____ (*See instructions for exemptions.*)

Signature of Employer or Authorized Representative	Date *(mm/dd/yyyy)*	Title of Employer or Authorized Representative	
Last Name *(Family Name)*	First Name *(Given Name)*	Employer's Business or Organization Name	
Employer's Business or Organization Address *(Street Number and Name)*	City or Town	State	Zip Code

Section 3. Reverification and Rehires *(To be completed and signed by employer or authorized representative.)*

A. New Name *(if applicable)* Last Name *(Family Name)*	First Name *(Given Name)*	Middle Initial	**B.** Date of Rehire *(if applicable) (mm/dd/yyyy)*:

C. If employee's previous grant of employment authorization has expired, provide the information for the document from List A or List C the employee presented that establishes current employment authorization in the space provided below.

Document Title:	Document Number:	Expiration Date *(if any)(mm/dd/yyyy)*:

I attest, under penalty of perjury, that to the best of my knowledge, this employee is authorized to work in the United States, and if the employee presented document(s), the document(s) I have examined appear to be genuine and to relate to the individual.

Signature of Employer or Authorized Representative:	Date *(mm/dd/yyyy)*:	Print Name of Employer or Authorized Representative:

LISTS OF ACCEPTABLE DOCUMENTS
All documents must be UNEXPIRED

Employees may present one selection from List A
or a combination of one selection from List B and one selection from List C.

LIST A Documents that Establish Both Identity and Employment Authorization	OR	LIST B Documents that Establish Identity	AND	LIST C Documents that Establish Employment Authorization
1. U.S. Passport or U.S. Passport Card		**1.** Driver's license or ID card issued by a State or outlying possession of the United States provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address		**1.** A Social Security Account Number card, unless the card includes one of the following restrictions: (1) NOT VALID FOR EMPLOYMENT (2) VALID FOR WORK ONLY WITH INS AUTHORIZATION (3) VALID FOR WORK ONLY WITH DHS AUTHORIZATION
2. Permanent Resident Card or Alien Registration Receipt Card (Form I-551)		**2.** ID card issued by federal, state or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address		**2.** Certification of Birth Abroad issued by the Department of State (Form FS-545)
3. Foreign passport that contains a temporary I-551 stamp or temporary I-551 printed notation on a machine-readable immigrant visa		**3.** School ID card with a photograph		**3.** Certification of Report of Birth issued by the Department of State (Form DS-1350)
4. Employment Authorization Document that contains a photograph (Form I-766)		**4.** Voter's registration card		**4.** Original or certified copy of birth certificate issued by a State, county, municipal authority, or territory of the United States bearing an official seal
5. For a nonimmigrant alien authorized to work for a specific employer because of his or her status: **a.** Foreign passport; and **b.** Form I-94 or Form I-94A that has the following: (1) The same name as the passport; and (2) An endorsement of the alien's nonimmigrant status as long as that period of endorsement has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the form.		**5.** U.S. Military card or draft record		**5.** Native American tribal document
		6. Military dependent's ID card		**6.** U.S. Citizen ID Card (Form I-197)
		7. U.S. Coast Guard Merchant Mariner Card		**7.** Identification Card for Use of Resident Citizen in the United States (Form I-179)
		8. Native American tribal document		**8.** Employment authorization document issued by the Department of Homeland Security
		9. Driver's license issued by a Canadian government authority		
6. Passport from the Federated States of Micronesia (FSM) or the Republic of the Marshall Islands (RMI) with Form I-94 or Form I-94A indicating nonimmigrant admission under the Compact of Free Association Between the United States and the FSM or RMI		**For persons under age 18 who are unable to present a document listed above:**		
		10. School record or report card		
		11. Clinic, doctor, or hospital record		
		12. Day-care or nursery school record		

Illustrations of many of these documents appear in Part 8 of the Handbook for Employers (M-274).

Refer to Section 2 of the instructions, titled "Employer or Authorized Representative Review and Verification," for more information about acceptable receipts.

This Organization Participates in E-Verify

This employer will provide the Social Security Administration (SSA) and, if necessary, the Department of Homeland Security (DHS), with information from each new employee's Form I-9 to confirm work authorization.

IMPORTANT: If the Government cannot confirm that you are authorized to work, this employer is required to give you written instructions and an opportunity to contact DHS and/or the SSA before taking adverse action against you, including terminating your employment.

Employers may not use E-Verify to pre-screen job applicants and may not limit or influence the choice of documents you present for use on the Form I-9.

To determine whether Form I-9 documentation is valid, this employer uses E-Verify's photo matching tool to match the photograph appearing on some permanent resident cards, employment authorization cards, and U.S. passports with the official U.S. government photograph. E-Verify also checks data from driver's licenses and identification cards issued by some states.

If you believe that your employer has violated its responsibilities under this program or has discriminated against you during the employment eligibility verification process based upon your national origin or citizenship status, please call the Office of Special Counsel at 800-255-7688, 800-237-2515 (TDD) or at www.justice.gov/crt/osc.

E-Verify Works for Everyone

For more information on E-Verify, please contact DHS:

888-897-7781

www.dhs.gov/E-Verify

NOTICE:
Federal law requires all employers to verify the identity and employment eligibility of all persons hired to work in the United States.

E-VERIFY IS A SERVICE OF DHS AND SSA

The E-Verify logo and mark are registered trademarks of Department of Homeland Security. Commercial sale of this poster is strictly prohibited.

Esta organización participa en E-Verify

Este empleador proporcionará a la Administración del Seguro Social (SSA, por sus siglas en inglés) y, de ser necesario, al Departamento de Seguridad Nacional (DHS, por sus siglas en inglés) la información incluida en el Formulario I-9 de todo empleado nuevo con el propósito de confirmar su autorización de trabajo.

IMPORTANTE: Si el gobierno no puede confirmar que usted tiene autorización para trabajar, el empleador debe suministrarle las instrucciones por escrito y darle la oportunidad de ponerse en contacto con DHS o SSA antes de sancionarlo de cualquier forma o finalizar la relación laboral.

Los empleadores no pueden utilizar E-Verify para realizar preselecciones de solicitantes y no pueden limitar ni influenciar la selección de los documentos que usted presente para su inclusión en el Formulario I-9.

Para determinar si los documentos incluidos en el Formulario I-9 son válidos, este empleador utiliza la técnica de comparación fotográfica para comparar la fotografía que aparece en las Tarjetas de Residente Permanente, Tarjetas de Autorización de Empleo y pasaportes de los EE. UU. con la fotografía oficial del gobierno de los EE. UU. Asimismo, E-Verify verifica los datos incluidos en licencias de conducir y tarjetas de identificación emitidas por algunos estados.

Si considera que su empleador ha infringido sus responsabilidades en virtud de este programa o lo ha discriminado durante el proceso de verificación de la elegibilidad de empleo por su origen nacional o estatus de ciudadanía, comuníquese con la Oficina del Consejero Especial llamando al 800-255-7688, 800-237-2515 (para personas con impedimentos auditivos) o visitando www.justice.gov/crt/osc.

E-Verify funciona para todos

Para obtener más información sobre E-Verify, comuníquese con DHS al:

888-897-7781

www.dhs.gov/E-Verify

AVISO:
La ley federal exige a todos los empleadores que verifiquen la identidad y la elegibilidad de empleo de todas las personas contratadas en los Estados Unidos.

E-VERIFY IS A SERVICE OF DHS AND SSA

El logotipo y la marca de E-Verify son marcas registradas del Departamento de Seguridad Nacional. Queda estrictamente prohibida la venta comercial de este afiche.

PURPOSE OF THIS POLICY

5.01 Proof of age is required for all employees.

5.02 This requirement must be met prior to actually beginning work and could be obtained through the county courthouse.

5.03 The Town will not employ any person under the age of eighteen (18) on a full-time basis, or in a part-time position other than office related.

PURPOSE OF THIS POLICY

6.01 This policy is intended to establish the Town's policy regarding physicals.

6.02 A physical examination may be required, prior to employment. If employment is dependent upon a satisfactory physical examination, the Town will pay the full cost of physical examinations for full-time employees.

6.03 This section does not apply to interns, part-time employees, reserve officers, volunteers and employees employed through a temp agency, so long as the Department wherein the employee will work has the budget to afford hiring the part-time person. Directors shall budget the costs of physical examinations and other required examinations.

6.04 Directors shall require a Physician clearance for any employee who is returning to work after an injury <u>or other physical impairment.</u>

6.05 Directors with acknowledgement from the Town Administrator may require a physical examination of any employee where evidence arises that an employee may not be able to meet the basic physical requirements needed to perform the job the employee is assigned to perform.

6.06 Directors with acknowledgement from the Town Administrator may require a physical examination separate from the employee's physician at any time an employee is returning to work from an injury.

PURPOSE OF THIS POLICY

The Town is committed to complying fully with the Americans with Disabilities Act (ADA) and the Florida Civil Rights Act (FCRA) and ensuring equal opportunity in employment for qualified persons with disabilities and/or handicaps. It is the Town's policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training, or other terms, conditions, and privileges of employment. The Town will also follow any state or local law that provides individuals with disabilities greater protection than the ADA.

Definitions

7.01 In implementing this policy, the Town will be guided by the then-applicable definitions stated in the ADA or in case law construing the ADA, and applicable state and local law. In the event of any conflict between the definitions in the ADA and the definitions in this policy, the legal definitions will control. The following discussion is provided for general guidance of employees and applicants in understanding the policy of The Town:

- Under the ADA, an individual is considered to have a "Disability "if he or she has a physical or mental impairment that substantially limits one or more of the individual's major life activities, has a record of such an impairment, or is regarded as having such an impairment.

- Generally, ameliorative measures such as medications and medical devices will not be considered in making a disability determination, although the use of ordinary eyeglasses and contact lenses may be taken into consideration. So, for example, the mere fact that a person wears ordinary eyeglasses will not qualify that person as "disabled." On the other hand, the fact that a person has a hearing aid or takes medications to address the impairment will not disqualify that person as being "disabled" if the person otherwise meets the definition of "disabled."

- "Major life activity" may include, for example, things such as caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating or working. A "major life activity" may also include bodily functions such as functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive systems.

- "Direct threat to health or safety" refers to a significant risk to the health or safety of others that cannot be eliminated by reasonable accommodation.

- A "qualified individual with a disability" refers to an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the employment position that the individual holds or has applied for.

- "Reasonable accommodation" refers to making existing facilities readily accessible to and usable by individuals with disabilities, including but not limited to; job

restructuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, adjustment or modification of examinations, adjustment or modification of training materials, adjustment or modification of policies, and similar activities.

- "Undue hardship" refers to an action requiring significant difficulty or expense by the employer. The factors to be considered in determining an undue hardship include: (1) the nature and cost of the accommodation; (2) the overall financial resources of the facility at which the reasonable accommodation is to be made; (3) the number of persons employed at that facility; (4) the effect on expenses and resources or other impact upon that facility; (5) the overall financial resources of the Town; (6) the overall number of employees and facilities; (7) the operations of the particular facility as well as the entire the Town; and (8) the relationship of the particular facility to the Town. These are not all of the factors but merely examples.

- "Essential job functions" refers to those activities of a job that are the core to performing the job in question.

7.02 Hiring procedures are designed to provide persons with disabilities and/or handicaps meaningful employment opportunities. Pre-employment medical inquiries may not be made before a conditional offer of employment has been made. However, pre-offer inquiries regarding an applicant's ability to perform the essential functions of the position may be made.

7.03 It is the policy of the Town to administer all of its employment decisions and actions without regard to an otherwise qualified individual's disability. Accordingly, all employment decisions are based on the merits of the situation in accordance with defined criteria, not the disability of the individual. Qualified individuals with disabilities and/or handicaps are entitled to equal pay and other forms of compensation (or changes in compensation) as well as in job assignments, classifications, organizational structures, position descriptions, lines of progression and seniority lists, and leaves of absence.

7.04 To the extent required by applicable law, upon request reasonable accommodations for qualified individuals with a disability will be made by the Town unless doing so would be an undue hardship or a direct threat to health or safety. Individuals who believe they need a reasonable accommodation should submit a written request to the Town Administrator. It is the employee's responsibility to inform the Town Administrator in writing of the need for an accommodation. Where necessary, the Town reserves the right to request relevant medical or other supporting documentation as permitted by applicable law.

7.05 All employees are required to comply with safety standards. Applicants who pose a direct threat to the health or safety of other individuals in the workplace, which threat cannot be eliminated by reasonable accommodation, will not be hired. Current employees who pose a direct threat to the health of safety of themselves or other individuals in the workplace will be placed on appropriate leave until an organizational decision can be made in regard to the employee's immediate and continued employment.

7.06 The Town Administrator is responsible for implementing this policy, including resolution of reasonable accommodation, safety, and undue hardship issues.

PURPOSE OF THIS POLICY

8.01 In an effort to assist employees in becoming acquainted with policies, functions and operations, of the Town, a specific program or orientation, for getting acquainted with Town operation, may be suggested.

Written Orientation Plan Required

8.02 Department Directors shall design an orientation plan for each employee. The plan shall record in writing the specific areas each employee was introduced to and trained in and shall record the Director's opinion that the employee understood each area. At a minimum the orientation plan shall include:

- an introduction to the Town's personnel manual
- an introduction to the department policies
- where the manuals can be found at any time by an employee
- a specific instruction to each employee on workplace harassment and a signed receipt of understanding of same
- a safety review of all hazardous workplaces and equipment the employee will be using
- introduction to all supervising personnel in the Chain of Command and to other employees the employee will interact with, both in the Department and in Town Hall
- an attendance of at least one town council meeting

8.03 Department Directors will be designated as the official tour guide for his or her department. The initial tour must be presented by the Director or his or her designee.

PURPOSE
To avoid misunderstandings and conflicts of interest that could arise, employees of the Town will adhere to the following policy. This policy is in accordance with F.S. Chap.112, entitled "Code of Ethics For Public Officers and Employees."

9.01 No Town employee shall solicit or accept any gifts, including Christmas gifts, favors or services that might reasonably tend improperly to influence them in the discharge of their official duties.

9.02 No Town employee shall use or attempt to use, their position to secure special privileges or exemptions for themselves or others, except as may be provided by policy and/or law.

9.03 No Town employee shall disclose confidential information gained by reason of their official position, nor shall they otherwise use such information for their personal gain or benefit. This is subject to the requirements of F.S. Chap.119.07.

9.04 No officer or employee of the Town shall have or hold any employment or contractual relationship with any business entity or any agency which is subject to the regulation of, or is doing business with, an agency of which he/she is an officer or employee; nor shall an officer or employee of an agency have or hold any employment or contractual relationship that will create a continuing or frequently recurring conflict between his/her private interests and the performance of his/her public duties or that would impede the full and faithful discharge of his/her public duties.

9.05 If an employee of the Town is an officer, director, agent, or member of, or owns material interest in any corporation, firm partnership, or other business entity which is subject to the regulations of or which has substantial business commitments with the Town, they shall file a sworn statement to this effect, with the circuit court of the county in which the employee is principally employed.

9.06 No Town employee shall transact any business in their official capacity with any business entity of which he or she is an officer, director, agent or member, or in which he or she or their spouse or child owns a material interest.

9.08 No Town employee shall have personal investments in any enterprise that will create a substantial conflict between their [Town employee's] private interests and the public interest.

9.09 No Town employee shall violate any provision of F.S. Chap. 112, as amended from time to time, and as more particularly set forth therein.

9.10 Any violation of the provisions of this policy shall be subject to review and appropriate corrective action.

9.11 When an employee of the Town has any doubt as to the application of this policy, they [the employee] should discuss the possible violation with the department head or,

where a department head is concerned, they should discuss the possible violation with the Mayor or Town Administrator.

PURPOSE OF THIS POLICY

All employees of the Town of Lake Placid are members of a team working together with a primary objective of productively accomplishing the Town's governmental responsibilities. Employees shall be retained based on their good conduct as employees and their productivity level meeting the Town's needs. This policy hereby establishes Standards of Conduct which all Town of Lake Placid employees shall follow.

DEFINITIONS

Supervisor/Supervision – As used in any part of Town of Lake Placid Policy, a Supervisor is any person having direct Supervisory assignments over specific personnel. The term includes the Town Administrator, Directors, and all personnel assigned in any capacity by the Mayor, Town Administrator or Director to supervise a specific group of employees.

POLICY

10.01 The Town of Lake Placid hereby provides specific Standards of Conduct. Employees shall be required to adhere to policies and directives established herein and by supervisors, both written and verbal. Each supervisory position shall be responsible for following policy themselves and for insuring that subordinates follow policy and are productive.

A violation(s) of a standard of conduct can result in disciplinary action or in accordance with individual department discipline procedures. In all cases where this policy conflicts with and departmental policies established this policy established at the Town Administrator level shall prevail except in cases where law requires that the policy established at the department level prevail. In all cases there will be opportunities for review as provided by law and as provided by Town policy.

10.02 Violation of areas of this policy may include discipline up to and including termination. Supervision reserves the right to consider mitigating circumstances and lesser forms of discipline when appropriate.

Citizen Complaints

10.03 Town of Lake Placid personnel shall courteously and promptly direct any citizen, who wishes to complain, or provide comments which could result in discipline, to the Department Director or Town Administrator. Complaints and comments which could lead to discipline shall be courteously taken in an objective manner. It is preferred that the complainant's name and contact information be obtained, however it shall be the policy of the town to receive anonymous complaints and comments and weight same accordingly when determining an outcome.

Classification of Offenses
10.04 Violation of rules and or procedures shall be classified according to general categories as follows:

1. Insubordination, Disrespect Offenses & Misconduct
2. Neglect of Duty Offenses
3. Unbecoming Conduct Offenses Insubordination, Disrespect Offenses & Misconduct Abusiveness
4. Unlawful Conduct Offenses

INSUBORDINATION, DISRESPECT OFFENSE AND MISCONDUCT

Respectful Behavior

10.05 Personnel shall not use abusive language or gestures toward any Supervisor, Department Director, Town government officials or co-worker.

10.06 While on duty and in the employment of the town; or while wearing any clothing or driving any vehicle identifying an employee as employed by the Town of Lake Placid; or when conducting any business wherein an employee has identified themselves as employed by the Town of Lake Placid; no employee shall use abusive language, gestures or language defined as “cursing,” in the presence of any citizen.

10.07 While on duty and in the employment of the town; or while off duty wearing any clothing or driving any vehicle identifying an employee as employed by the Town of Lake Placid; or when conducting any business wherein an employee has identified themselves as employed by the Town of Lake Placid; town employees shall treat any person interacting with the town courteously and respectfully. All complaints of alleged discourteous behavior shall be recorded and logged in writing by the Town Administrator, or Director, depending on who is responsible for the employee. The Mayor shall be advised of alleged discourteous behavior by the Town Administrator or Director.

Criticism of Orders or Policies

10.08 Town of Lake Placid personnel shall support the policies, orders and procedures and shall not criticize or ridicule policies, orders, or personnel by speech, writing, or other expression where such expression interferes with the maintenance of discipline or otherwise undermines the effectiveness of the Town of Lake Placid where such expression is not constitutionally protected.

Prompt Compliance with Supervisory Instructions and Department Policies

10.09 Personnel shall promptly comply with lawful orders, policies, or instructions of Supervisors.

CONCERTED JOB ACTIONS

10.10 Personnel shall not engage in concerted job actions, such as curtailment or restriction of work output, or interfere with work in or about other stations including, but not limited to the following:

1. Instigating, leading or participating in any walk-out, strike, sit-down, stand-in, slow-down,

2. Refusal to return to duty at the scheduled time,
3. Instigate, lead, or contribute to job actions which undermine supervisory authority and which seriously affect discipline, morale, or organizational effectiveness,

10.11 Employees will strive to adhere to the Town of Lake Placid mission statement.

NEGLECT OF DUTY OFFENSES

Abuse of Rest Periods

10.12 Personnel shall take only the amount of time, for meal or rest periods, as established by rules and regulations, or supervisory instruction.

Failure to Come to Work or excessive Tardiness

10.13 Personnel shall promptly report to their assigned work shift and be properly prepared for, the time and place required by Town policy, shift schedules, or supervisory instructions.

Absence from Duty (Sick Leave, Emergency Leave Notification)

10.14 Personnel shall report for duty in accordance with their assigned work schedules and shall not be absent from duty without authorization or having made proper notification by reporting verbally to the Town Administrator, or Director at least 30 minutes <u>before the scheduled start work time.</u> An accepted report of proper notification includes a telephone call and "voice contact" with the Town Administrator or Director depending on which is the immediate supervisor. Directors will be accessible 24/7 by cellular telephone for this purpose. Email, texts, notification of absence via an unauthorized recipient or voice mail at an office telephone is not an acceptable form of notification of absence. Circumstances can be articulated demonstrating a valid inability to make such contact in extreme cases.

Failure to Report for Duty Due to Improper Conduct

10.15 Personnel reporting for duty who are unfit to perform those duties may be dismissed for a specified work period until the afflicting problem is eliminated and the employee may be disciplined if warranted. If the employee is unable to perform due to circumstances that are within the employee's scope of control then discipline may be taken.

Misuse of Sick Benefits

10.16 Personnel shall not falsely report themselves ill or injured or otherwise deceive any Supervisor, as to the condition of their health for purposes of avoiding normal duties through use of accumulated sick leave. Other income producing or recreational activities while on sick leave shall be evidence of sick leave abuse. Evidence of activities consistent with similar activities that would be performed at work shall be evidence of sick leave abuse.

10.17 Personnel are expected to remain at their place of residence or a medical facility, while on sick leave, or notify their Director with a location at which they may be reached.

Personnel may leave the place of residence for short durations, as necessary, for obtaining medical aids or assistance, food or substance, or performing necessary domestic errands, or exercise of civil rights to vote, travel, or engage in religious pursuits.

Fictitious Illness or Injury Report to Commit Fraud

10.18 Personnel shall not fake illness or injury or falsely report themselves ill or injured or otherwise deceive or attempt to deceive any Supervisor as to the condition of their health for purposes of making a fraudulent claim for insurance, workers compensation, or disability retirement.

Work Reports

10.19 Town of Lake Placid personnel shall complete and submit all reports and documents required in the execution of their job assignments and personnel duties.

10.20 Personnel shall be attentive to job duties and shall avoid any appearance of loafing or neglecting work while on duty. Personnel shall adhere to standard operating procedures, policies, and directives, and shall faithfully execute all of the duties and responsibilities of their work assignments.

UNBECOMING CONDUCT, INSUBORDINATION, DISREPESCT OFFENSES

10.22 Personnel shall not willfully ignore or violate official directives, policies, procedures, orders, or supervisory instructions, or knowingly fail to properly execute the duties and responsibilities of their assigned position.

Horseplay or Distraction of Others

10.23 Personnel shall perform their duties in a conscientious manner, and shall not engage in horseplay, during the time he or she is scheduled to work, and shall not distract others who are performing their assigned duties.

Leaving an Assigned Work Area

10.24 Personnel shall remain at or in assigned work areas during working hours unless otherwise authorized by their Department Director or Supervisor.

UNBECOMING CONDUCT OFFENSES

10.25 Personnel, while during the employee's work shift, must behave in a respectful and courteous manner to any person requesting such identification. Name of the employee must be given upon request.

Statements of Responsibility

10.26 Regardless who is at fault, personnel who becomes involved in a personal injury or property damage accident, while on duty or while operating a Town vehicle, employees shall avoid statements of liability, and shall not make statements concerning the responsibility for such accidents, or inform parties that the Town of Lake Placid or

the employee will pay for damages. A Director, or the Town Administrator, shall be notified immediately. A Director will advise the employee of the plan of action to be taken.

Gossip

10.27 Personnel shall not engage in or convey gossip detrimental to other personnel.

10.28 Employees shall not use Town letterhead, stationery and envelopes for private or personal correspondence.

Testimonials

10.29 Town of Lake Placid personnel shall obtain the approval of their Department Director before authorizing use of their names, photos, or official titles which identify them as an employee of the Town of Lake Placid in testimonials, ads for any commodity, commercial enterprises, or political endorsement.

Off-Duty Employment

10.30 Personnel shall give notice before engaging in other employment, occupation, profession, or commercial enterprise.

Use of Prescribed Drugs during Regular Work Shift

10.31 Personnel shall comprehend the likely effect of prescribed drugs, from the prescribing physician, before reporting for duty. Personnel shall obtain the approval of their Department Director, or Town Administrator, before reporting for duty while taking lawfully prescribed medications likely to impair normal physical and mental faculties.

Use or Odor of Alcoholic Beverages While on Duty

10.32 Personnel shall not report for duty, or be on-duty, with the odor of alcoholic beverages upon their breath or while under the influence of alcohol or other drugs or when blood-alcohol content exceeds 0.0001%. Personnel shall not consume any alcoholic beverage while working other than a known mediational substance as approved by a Supervisor.

Reporting for Duty (or being on duty) while intoxicated

10.33 Personnel shall not report for duty, or be on-duty, while under the influence of intoxicating liquors or drugs or alcoholic beverages.

Alcoholic Beverages in Town of Lake Placid Facilities

10.34 No employee shall house, possess, or transport any alcoholic beverage in any vehicle owned, leased or associated with the Town of Lake Placid. No employee shall store, transport, or otherwise keep any alcoholic beverage in or around any Town work area. For purposes of this paragraph a work area may include any geographic area of the Town where Town employees may establish a temporary property possession to accomplish a task associated with the Town's work site. Town personnel shall not enter

any Town building, vehicles or operate any Town of Lake Placid equipment, after consuming any alcoholic beverages.

Entering or Frequenting Liquor Establishments or Establishments of Ill Repute

10.35 Personnel, while wearing any uniform or clothing which associate the employee with the Town, shall not enter places established primarily for sale, storage, or consumption of alcoholic beverages, or for sale or display of pornographic pictures, and materials. Employees, whether on or off duty, will not purchase any alcoholic beverages, while wearing the Town of Lake Placid uniform or any part thereof or while operating a vehicle, which is associated with the Town of Lake Placid.

Intentional Abuse of Town Equipment or Vehicles

10.36 Personnel shall utilize Town equipment for its intended purpose, in accordance with established procedures, and shall not intentionally abuse, misuse, or damage Town equipment or vehicles.

Safety Equipment

10.37 Personnel shall utilize safety equipment to make their job safer. Employees shall immediately notify their Supervisor, in writing, when any safety equipment is known to be inoperable or in a non- functioning state.

Careless Handling or Unintentional Abuse of Equipment or Vehicles

10.38 Personnel shall utilize Town equipment for its intended purpose, in accordance with established procedures, and shall not subject such equipment to loss or damage through careless handling.

Defacing or Marring Facilities

10.39 Personnel shall not mark, mar, alter or deface surfaces or properties of Town of Lake Placid.

Prejudicial Conduct

10.40 Employees shall not engage in any conduct prejudicial to the reputation, good order or discipline of the Town of Lake Placid.

Handling Monies, Property, and Valuables Acquired on Work Time

10.41 Money or other property coming into the possession of Town of Lake Placid personnel on behalf of the Town shall be handled in accordance with the Town's Financial Accounting Manual. Money or other property coming into the possession of Town of Lake Placid personnel as found, or turned in as found, shall delivered to the Departments Director and a report and a receipt shall be made of the transaction. The Director will forward the funds for storage to Finance Supervisor or to a secure storage area designated by the Town Administrator. The Town will follow lawful dispositions of all property coming into its possession.

Derogatory Ethnic Remarks

10.42 Personnel shall not make derogatory remarks concerning race, sex, religion, age, or national origin of any person, while associated with the Town of Lake Placid government in anyway.

Political Activity

10.43 Personnel shall not use their official Town government position when engaged in political activities.

Falsification of Official Documents

10.44 Personnel shall not knowingly falsify or knowingly cause another person to falsify any official record, report, or document.

Unlawful Compensation, Bribery

10.45 Personnel shall not corruptibly request, solicit, accept, or agree to accept, any pecuniary or other personal benefit not authorized by law for past, present, future performance, non-performance, or for any act or omission believed to have been either within the official discretion of Town of Lake Placid personnel or in violation of Florida law.

Untruthfulness

10.46 Personnel shall not make false statements to any Supervisor or to any official in the course of doing Town business.

Sexual Conduct

10.47 Except for police undercover operations, authorized by the Chief of Police, which may at times require sexual overtones. Personnel shall not engage in any sexual conduct, while the employee is working for the Town of Lake Placid or while conducting any duty associated with Town activities.

Job Knowledge and Performance

10.48 Personnel are required to maintain job knowledge and skills required, for the performance of official duties. Personnel shall maintain and demonstrate required proficiencies as required by law end policy.

Knowledge of Rules and Regulations and Procedures

10.49 Repetitious violation of rules and regulations or official standing operating procedures shall be indicative of carelessness and disregard.

GENERAL PROFFICIENCY

10.50 Nothing contained within this manual prohibits discipline or a charge against an employee merely because the alleged act or omission does not appear in departmental general orders, policy, ordinances or law.

Arrests

10.51 Employees shall immediately report any incident of a formal arrest involving the employee to their Department Director or to the Town Administrator.

Accidental Injury

10.52 Employees injured during a work shift must immediately (within 10 minutes of the event) report the incident, to their Department Director or to the Town Administrator.

Motor Vehicle Accident

10.53 Personnel shall immediately report motor vehicle accidents they are involved in while working for the Town no matter how minor. Personnel shall first notify emergency medical personnel where needed for injured persons involved in an motor vehicle accident then the employees Department Director and in the absence of the Department Director the Town Administrator.

Report Loss of Equipment, Badge, or ID Card

10.54 Personnel shall immediately report the loss of badge, ID card, Town keys, or other Town of Lake Placid equipment to their Department Director.

Address and Telephone Number

10.55 Personnel shall keep their Department Director informed of their correct residential address and telephone number.

Unlawful Conduct Offenses

10.56 Disciplinary measures, resulting from unlawful conduct, may be imposed independently of, and concurrent with, civil and criminal prosecutions, or internal disciplinary measures may be waived pending civil or criminal disposition. The administration of internal disciplinary measures from unlawful conduct must necessarily depend upon individual case circumstances, and will be determined by the Department Director.

Violations of the Law

10.57 Whether chargeable or not, personnel shall adhere to all federal, state, and local laws and ordinances, including those punishable by no other penalty than a fine, forfeiture, or other civil penalty. A violation includes, but is not limited to: traffic infractions, non-criminal violations, misdemeanors, and commission of a felony.

History: Council approved June 9, 2003 – Amended and TC Passed April, 26, 2016

11.01 Purpose - The purpose of this policy is to establish grievance and decision review procedures for all Town of Lake Placid employees. Grievances arise regarding disciplines, pay disputes, or other employee differences. The purpose of a grievance policy is to provide employees with an established process for redress of issues.

11.02 Definition. A grievance is defined as the filing of an official action when an employee thinks or feels that a condition or decision that affects the employee is unjust, inequitable, or is a hindrance to the employee's effective job performance.

11.03 Procedure. The Town has established the following procedures to allow any employee, who is not on "initial probation status," to bring grievances concerning their employment to the attention of administration.

The employee's Department Director or the Town Administrator, shall coordinate the grievance process and shall cause to be made for the grievance file, a report which logs all activities associated with the grievance. The report shall include the date the grievance was received, from whom the grievance was received, and the subsequent dates and reviews regarding the grievance if the grievance should proceed past step one.

Such action will trigger specific reactions to such grievances within allotted time periods. The town's written procedures for handling grievances are as follows:

11.04 Step One. The employee orally communicates the grievance or complaint to their immediate supervisor. Obviously not all problems warrant going into the formal grievance process. Hopefully, the rapport between supervisor and employee is such that most problems can be worked out informally and satisfactorily at this level. It is recommended, however, that the supervisor document the conversation and any conclusions that were reached.

11.05 Step Two. If the employee is dissatisfied with the immediate supervisor's solution to the problem or complaint, the issue is to be committed to writing by the employee and delivered to the employee's supervisor within five days after the supervisory delivers to the employee the decision in Step 1. The request shall state that the employee is requesting initiation of grievance procedures outlined in this policy. It is then submitted to the supervisor's Department Director or if the aggrieved employee is a Department Director then the material shall be submitted to the Mayor or Town Administrator. The employee must not only specify the problem, but also how they would like to see the problem resolved, i.e., "What does the person want or need?" Upon receipt of the Grievance Report, the Department Director or administrative position above the Director has 5 working days from the date of receipt of the grievance to either reach resolution or conclude that a solution is not possible at this level.

1. If the Department Director is able to resolve the problem, he must respond to the grievant in writing, spelling out what is being done to redress the perceived problem. In turn, the grievant must endorse the Grievance Report indicating acceptance of the solution. At this point the Mayor and Town Administrator should be made aware of the solution via written document. Email is acceptable.

2. If the Department Director, or Mayor if the grievant is a Department Director, is unable to

resolve the grievance to the satisfaction of the employee, this will be stated by either the Department Director or an administrative position above the Director on the Grievance Report, or in a written attachment to the Grievance Report.

11.06 Step Three. Upon failure to agree upon a resolution after step two the grievant shall request in writing within five days of notification of the step two findings, review of the grievance under step three of this policy. This step provides for a board of three persons to review the grievance. Only the written materials shall be reviewed although the board may require testimony at its discretion. The board shall consist of three persons, one member appointed by the Mayor, one member chosen by the aggrieved party, and the other member chosen by the first two members. In the event the two board members reach an impasse regarding the third member the Mayor shall appoint the third member. The board shall convene within five days and shall review all written materials on the matter. The board may elect to hear verbal testimony at their discretion. After reviewing the available material the board shall present a written conclusion or a resolution to the grievant within ten days. The committee's resolution shall be presented to the grievant who shall then state in writing whether the resolution is acceptable of unacceptable.

The purpose of the Board is to recommend new actions or agree with actions as were taken. In no case shall any Board supersede the authority granted to the Town Mayor in the Town Charter.

If the grievant is a police officer and the officer has been provided a discipline board under police discipline policy and F.S.S. 112.532 (2), there shall be no further review afforded under this policy regarding the discipline. The officer may choose review under the provisions granted in this policy or in the police discipline policy; however, both reviews shall not be afforded.

11.07 Step Four. The employee may opt to either skip Step 2 and request under Step Four that the Mayor or his designee review the matter, or the employee may request consideration under this step after all other steps have been exhausted. In such cases the Mayor or his designee will take into consideration the findings forwarded in any previous steps and shall strive to balance a resolution which agrees with the board's conclusions.

11.08 In cases of termination, the employee will have the right to all steps in the process; however, the board findings shall be considered advisory in nature and shall not be binding upon the town of Lake Placid.

11.09 Mayoral Decision Upon rendering a final decision, the Mayor will make this finding known in writing to all parties within 30 working days. Such findings could alter, or even possibly reverse the decision of the grievance committee. The final decision rendered by the Administrator in situations involving termination of employment will be final and binding on all parties.

11.10 Timely Resolution The time frames set for each step of the grievance process are for the purpose of achieving a resolution of the problem in a timely manner, thereby reducing collateral damage to organizational morale. Should the decision maker at any step be unavailable (sickness, vacation, etc.), the time frame for that specific step shall commence upon the person's return.

11.11 Limitations Pay reductions, transfers, lay-offs, and demotions are administrative actions that could warrant the filing of a grievance. Exceptions that would preclude an employee's right to file a grievance include:

1. Standing. Only employees who are not on the initial probation period status may file a grievance. Any employee who is part-time, reserve, volunteer, auxiliary, may not file a grievance. Such employees may place written responses to any entry in their personnel file deemed derogatory.

2. Performance Evaluation. A performance evaluation may not be grieved unless the employee shows reasonable cause that the evaluation is based on factors other than performance.

3. Demotion Prior to Attaining New Regular Status. An employee who is promoted and subsequently demoted prior to attaining regular status in the higher class will not have the right to appeal the demotion unless such demotion is to a class that is lower than the one in which the person was serving prior to promotion.

4. Voluntary Pay Reduction/Demotion. An employee who accepts a reduction in pay or a demotion and signs a written statement that the action is voluntary waives all rights to grieve such action.

5. Demotion Due to Reclassification. An employee whose position is reclassified to a lower class may not file a grievance regarding the demotion that results from such action.

11.12 Grievance Action Limitations. Disciplinary actions, such as suspension or dismissal, may not always be justification for the filing of a grievance. Circumstances which could preclude an employee's right to file include:

1. If the employee's personnel file contains clearly documented progressive disciplinary action and counseling related to the offense in question. Such documentation should include:
   a) A clear progression from verbal counseling to verbal warning, to written reprimand, to suspension, and so on.
   b) Warnings must clearly state the offense committed by the employee, the disciplinary actions taken, and the subsequent discipline that may follow further infractions of the type stated in the warning.
   c) Warnings must include the employee's signature showing agreement or disagreement with the statement of offense. If the employee refuses to sign the warning, a witness must state, "Employee refused to sign" and affix their signature and date the form.

2. If an employee is terminated for a flagrant or gross commission of a Group II Offense as defined in the town's discipline policy Section 50 and/or the Standards of Conduct in Section 50A, and the evidence or testimony of witnesses is such that no question of guilt remains, the employee shall be precluded from filing a grievance based on dismissal. The Mayor shall make such determination.

11.13 Mayor's Review Because suspension and dismissal are severe actions, the limiting of organizational due process afforded by the grievance procedure outlined in this policy must only be done when the filing of a grievance is deemed to be clearly frivolous or retaliatory if the Mayor or his designee, after evaluation and consultation, judges the grievance to be such, he must respond in writing, to the employee within five working days of reaching a decision. This response must contain a clear, concise report of the Mayor's, or his designee's, findings and rationale and justification for the decision to refuse access to the grievance process.

11.14 The Mayor may designate any party to substitute and act in the Mayor's place during any section of this policy. Should this occur the Mayor shall issue a written assignment of same and state therein the reasons for the reassignment.

11.15 Review by Town Council - All town employees have the right to a "name clearing hearing" in regards to any disciplinary action taken against any employee. Any employee who wishes to bring a presentation before the town council during regular town council sessions will have the issue placed on the town agenda prior to the meeting in the same manner as all citizens wishing to address town council. The employee shall be provided time to present the issue in the same manner as other citizens wishing to address council. Town council is under no obligation to act or respond to the issue and shall not have any abilities to change or alter disciplinary issues such as suspensions, discharges, and terminations beyond that granted by the Town Charter Town council may with other grievance issues offer suggestions if they choose to do so, or council may simply provide an audience without comment. Town council is only obligated to provide the employee with the same audience provided to any citizen who wishes to address council.

11.16 The accumulated written materials regarding the grievance, which shall include the report of the Department Director, shall be placed in the employee's personnel file at town hall.

PURPOSE OF THIS POLICY

13.01 The Town is required by law to make certain payroll deductions from paychecks. In addition, the employee may authorize in writing other payroll deductions.

13.02 Wage garnishments petition by the Courts, IRS or any other state or federal agency is mandatory and will be executed.

13.03 In some instances, where a clause is written in the petition, the Town may charge a fee for wage garnishments to offset Town administrative costs.

PURPOSE
The Town is accountable to see that all communications forms which represent the Town's government are conducted appropriately in professional representation of the Town.

Communication systems are all forms of communication representing the government business of the Town of Lake Placid. For the purposes of this policy focus will be on two areas - written (hard copy) and electronic.

This policy establishes policy for all avenues of communication for Town of Lake Placid addressed herein.

Definitions

Written communications using or representing the Town by use of the town logo or expressing as that the source of the idea being conveyed is from the Town of Lake Placid or any department therein.

Electronic Communications incudes electronically transmitted communications such as telephone communication, E-mail, Facebook, texting, website or posting on any available bulletin board.

14.01 All employees shall conduct Town communications in good representation of the Town at all times and Supervisors shall insure that employees are in compliance. The Mayor shall where appropriate, address Town Council members on their uses of recognized Town communication systems.

14.02 Electronic devices owned by the Town such as telephones, cellular phones, voice mail systems, fax machines, and computers, including electronic mail and texting systems (e-mail) and Internet that are provided for Town business use.

14.03 Personal use of Town furnished electronic devices, Email systems, Town logos or letterheads are prohibited where expressly stated otherwise.

14.04 The Town is accountable to see that all communications forms which represent the Town's government are conducted appropriately. Accordingly employees shall conduct such communications in good representation of the Town at all times and Supervisors shall insure that employees are in compliance. The Mayor shall where appropriate, address Town Council members on their uses of recognized Town communication systems.

14.05 Town communication systems shall not be used to transmit or receive inappropriate messages, to access inappropriate information, or to harass or annoy another party for purposes not connected to town business. Inappropriate messages and information include, but are not limited to, those that are for personal benefit and those involving discriminatory, hostile, suggestive, obscene, or otherwise unsuitable language and content or messages representing personal views of any member in such a way as to not be associated with any town government purpose.

14.06 No Right of Privacy:
Town employees shall have no right of personal privacy in any material created, stored in, received, or sent over any device owned by the Town. Use of personal devices to conduct Town business is discouraged. The Town has an obligation, where stated by law, to obtain data or information the Town may be required to produce pursuant to any number of Florida laws. Such information shall be obtained in a legal manner from any device, private or as owned by the Town, in a manner which aggressively seeks to comply with the Town's legal obligations.

14.07 The Town reserves and may exercise the obligation, at any time and without prior notice or permission, to intercept, monitor, access, search, retrieve, record, copy, inspect, review, block, delete, and/or disclose any material created stored in, received or sent over the Town's e-mail system or any email where a Town Department Head has specified the account to be for official use only, for the purpose of protecting the system from unauthorized or improper use, criminal activity or in compliance with any legal obligation the Town has.

14.08 Communications through electronic usage or any device furnished to an employee by the Town is subject to monitoring or examination by a Supervising member of the Town. Town furnished electronic devices are subject to inspection and analysis by the Town Administrator or Department Director at all times. Town owned electronic devices may be seized and retained by Supervision without notice and without explanation.

CELLULAR TELEPHONES ELECTRONIC DEVICES AND TOWN FURNISHED COMPUTERS

14.09 The Town shall furnish cellular telephones and electronic devices to employees on an as needed basis.

14.10 The Town shall be responsible for paying regular monthly charges relating to such electronic devices as budgeted annually.

14.11 The Town shall inform employees of limitations on cellular usage and of limitations in any cellular usage plan the Town may have. Employees who are furnished cellular devices are responsible for remaining within these limitations.

14.12 Employees shall not use cellular telephone to call any overseas party without the approval of the Town Administrator or Department Director to which the employee reports.

14.13 Employees who are furnished cellular telephones shall be on call at all times (24/7) with the device furnished by the Town. Cellular on call status means that the cellular telephone is kept charged, kept in the "On" mode, kept in close enough proximity to be heard or sensed if in the vibratory mode, and checked often for voicemail when having the telephone close is not practical.

14.14 Employees are allowed to use cellular devices for personal use so long as other provisions of this policy are met. Employees are not allowed to use the provided cellular device to conduct for profit business outside of Town business. No Town furnished cellular number shall be published relating to any personal businesses.

14.15 Town furnished devices shall not be used to access, relay, or store any pornography, unethical, or illegal materials.

14.16 Town furnished electronic devices including cellular devices, computers, data reading devices such as water meter data devices, are subject to inspection and analysis by the Town Administrator or Department Director at all times. Electronic devices may be seized and retained by Supervision without notice and without explanation.

14.17 Messages commonly known as "text messages" are public record. The Town does not restrict text messaging; however, such messages regarding town business are Public Record pursuant to FSS 119. Employees shall not use text messaging as a means of communication if a system of saving the message for record demands does not exist.

14.18 Members shall not furnish cellular telephone numbers to the public without permission from the member who is assigned the number unless approved by a Supervisor or as requested by public record. It is not the intent of Town policy to provide an avenue for harassment of town employees who are off duty. When cellular numbers of members are given, even as a result of a record's request pursuant to Florida Law, an email will be sent to all member's whose email address has been released.

14.19 Members may carry and a use personal cellular phones as long as same does not cause a disruption of work. Personal cellular phone shall be used to <u>make and take</u> calls from family members only <u>and for medical reasons related to an employee of family member.</u> Personal cellular phones shall not be used to access social accounts, personal email accounts, or non-family texts while employee is working for the Town.

14.20 The Town shall follow Florida State Law concerning <u>the</u> use of cellular devices while operating a vehicle while employed.

EMAIL

14.21 Related Law:
1. Chapters 119, 257, and 282, Florida Statutes;
2. Rules 1B-24 and 60DD-2, Florida Administrative Code.

14.22 All Email, whether with a personal email address or a Town furnished Email address, which is created or received by a Town employee in connection with the transaction of official business of the Town is considered a public record and is subject to inspection and/or copying in accordance with Chapter 119, Florida Statutes, and is subject to applicable state retention laws and regulations, unless expressly exempted by law.

14.23 The Town will follow all applicable laws relating to Email and other electronic forms of communication.

14.24 The Town's e-mail system is to be used to conduct official Town business and is not to be used for any other purpose unless expressly approved by Supervisors.

14.25 Incidental, personal use of the e-mail system is permitted, described as an unintentional receiving of an email on a personal matter from a citizen not recognizing same as a problem; however, the personal use must be brief, must not interfere with the employee's work or the work of others, must not subject the Town to any additional costs, and must not be prohibited by this policy or any federal, state, or local law, statute, ordinance, rule, or regulation.

14.26 It is the responsibility of each Town employee and Supervisors to ensure that e-mail and other public records in their custody are maintained as required by state law. Although the Town routinely backs up its servers, each back-up is maintained only briefly for disaster recovery purposes and therefore cannot be regarded as a tool for meeting public records retention requirements.

14.27 Prohibited Uses of E-Mail:
The Town's e-mail system shall not be used for any unauthorized purpose including, but not limited to:

- Sending solicitations including, but not limited to, advertising the sale of goods or services or other commercial activities, which have not been approved by the Town.
- Sending copies of documents in violation of copyright laws or licensing agreements.
- Sending information or material prohibited or restricted by government security laws or regulations.
- Sending information or material which may reflect unfavorably on the Town or adversely affect the Town's ability to carry out its mission.
- Sending information or material which may be perceived as representing the Town's official position on any matter when authority to disseminate such information has not been expressly granted.
- Sending confidential or proprietary information or data to persons not authorized to receive such information, either within or outside the Town.
- Sending messages or requesting information or material that is fraudulent, harassing, obscene, offensive, discriminatory, lewd, sexually suggestive, sexually explicit, pornographic, intimidating, defamatory, derogatory, violent, or which contains profanity or vulgarity, regardless of intent. Among those which are considered offensive include, but are not limited to, messages containing jokes, slurs, epithets, pictures, caricatures, or other material demonstrative animosity, hatred, disdain, or contempt for a person or group of people because of race, color, age, national origin, gender, religious or political beliefs, marital status, disability, sexual orientation or any other classification protected by law.
- Sending messages or requesting information reflecting or containing chain letters or any illegal activity, including, but not limited to gambling.
- Sending or requesting information or material that proselytizes or promotes a religious or political view, cause, position, or action.

COMMUNICATIONS COURTESY

14.28 Any electronic device which by its nature represents the Town of Lake Placid requires courteous behavior by town users.

Examples of contacts representing the town by their natures are calls received on any telephone which is published as a town contact number, or any communication where a electronic device represents the town. Appropriate telephone skills are critical to ensure every caller gains a positive experience and impression of our Town.

14.29 Likewise, discourtesy can be displayed by failing to return calls from callers regarding town business without reason.

WRITTEN COMMUNICATIONS USE OF LOGOS

14.30 The Town recognizes the need to protect the Town of Lake Placid's name and logos. This requirement applies to all Town signs, vehicles, uniforms, and merchandise.

14.31 The Town of Lake Placid logo shall represent all departments and in no case shall any department adopt a logo which individually represents any department. It is recognized that the police department uses the police badge as a form of Town of Lake Placid Police Department logo header.

14.32 The Town of Lake Placid logo shall at all times be used in a manner that reflects professionalism upon the town. The logo may not be screened, recreated, or modified.

14.33 The Town of Lake Placid logos shall be used only for official town purposes. Furnishing town logos to any party other than a Town of Lake Placid unit shall be approved by the Town Administrator or Mayor.

14.34 The official town logo for the Town of Lake Placid shall be as follows:

SOCIAL NETWORKING

14.35 Personal blogs of employees should have clear disclaimers that the views expressed by the author in the blog is the author's alone and do not represent the views of the Town. Be clear and write in first person. Make your writing clear that you are speaking for yourself and not on behalf of the Town.

14.36 Information published on blog(s) should comply with the Town's confidentiality and disclosure of proprietary data policies. This also applies to comments posted on other blogs, forums, and social networking sites.

14.37 Be respectful to the Town, other employees, customers, partners, and competitors.

14.38 Social media activities should not interfere with work commitments.

14.39 Employee's online presence reflects the Town's professionalism. Employee's who report themselves to be employed by the Town by text or by associated pictures, acquire upon their online communications the need to professionally reflect the Town.

14.40 Social media either as an official Town communication or as a private employee shall not reference or site Town clients, partners, or customers without their express consent. In all cases, there shall be no publishing any information regarding a client during an unofficial personal social media transaction.

INTERNET ACCESS

14.41 For the purpose of this policy "Internet Access," is defined as the transfer and receipt of information digitally over Town purchased systems that communicate digitally with the web or with a database in the service of the town.

14.42 Users who have Internet Access by way of any digital system furnished by the Town shall use same only for Town purposes.

14.43 Digital information transferred over Town owned systems is cot confidential and the Town has the right to retrieve and examine same at will.

14.44 Users are required to:
1. Limit use of the Town's Internet access to legitimate Town business purposes.
2. Learn and observe the permissible and prohibited uses of this policy.
3. Users are cautioned that the Internet is not a secure environment; therefore, users should not reveal personal, private or proprietary information to anyone over the Internet. They should not transmit over the Internet any unlicensed or illegal software, or any Town owned software.
4. Department Directors are required to oversee that their department's Internet users conform to Town policy described in this and all other related documents.

14.45 Permissible Uses:
1. The Town provides Internet access to employees solely for business purposes.
2. Internet access is intended to provide employees with ready access to information and communication available through the World Wide Web, when necessary for research, review and retrieval in the conduct of Town business.
3. All material retrieved is the property of the Town, as is any electronic mail created, sent or received through Town supplied Internet access.
4. Electronic mail may be used on the Internet to conduct Town business.

14.46 Prohibited Uses:
1. The Town's Internet access may not be used for any purpose that is unlawful or unethical.
2. Usage of Internet access may not compromise the integrity or business of the Town in any manner.
3. No proprietary, personal, or sensitive information shall be transmitted to another party through the Internet for any purpose. This includes information relating to the conduct of the Town's business, legal or financial affairs, or personal matters unless authorized by the Department Director.
4. Employees may not access the Internet from a computer outside the Town, including home computers, using the Town's internet accounts unless in the conduct of Town business with prior approval of the Town Administrator.
5. Employees may not use the Town's Internet access to view, access, retrieve, or review any material, which is obscene, sexually oriented, offensive, abusive, harassing, threatening, or which violates Federal, State or local laws or ordinances.
6. The Town's Internet access may not be used to conduct personal business or for any personal gain. This prohibition includes the use of the Town's Internet access to "surf the Net" for any purpose which is not directly related to Town business. This prohibition includes use of any individual component the Town's Internet access.
7. Employees may not access or subscribe to any Internet news group or web page, which is not directly and specifically related to the Town's business. In no case shall the Town incur any additional charges for any subscription, business related or not without prior written approval of the Town Administrator.
8. Purchases of any goods, materials or services made by Internet access shall conform to the Town's purchasing policy. Any employee who violates this provision shall be individually financially liable for the full amount of all purchase, no exceptions shall be made.
9. Downloads of files and email attachments acquired through the Internet may not be used without prior screening for viruses in a manner approved by the Town Administrator.
a. For security reasons, persons not employed by the Town, including former employees may not use the Town's Internet access.
b. Employees may not reveal assigned passwords, log-on procedures or any other specific information to any other person. Employees may not share passwords with other employees.

14.47 Monitoring:
1. The Town reserves the right to monitor any or all Internet access when it considers that is a legitimate reason for doing so.
2. Monitoring may include on-line monitoring of Internet access, tracking websites visited, amount or time spent on-line, access of data storage media and virtual private network usage.
3. The Town will follow all federal rules and regulations of the Electronic Communications Privacy Act of 1986.

WEB PAGE

14.48 The Town maintains a web page presence for the purpose of introducing Town government to the public and as a means of communication with the public on various levels. Webpage communications are an important means of mass communications and publishing's of public announcements. Because webpage operations do not

involve personnel specifically webpage maintenance shall be addressed in general policy.

PURPOSE OF THIS POLICY
The purpose of this policy is to establish Town policy regarding retirement benefits and definitions for retirement. Each full-time member and some part-time members receive retirement benefits.

Definitions
Retirement as defined for all areas of policy for the Town of Lake Placid, is defined as a member who has vested time in the Florida Retirement system announcing formally by letter to a Supervisor the employees intent to retire. As defined for purposes of Town policy retirement means the action or fact of leaving one's job and ceasing to work at another job for a period of at least one year.

17.01 The Town of Lake Placid participates in the Florida State Retirement (FRS) Program.

17.02 As of July 1, 2011, employees will have a mandatory 3% contribution deducted from their gross wages or salary.

17.03 Florida State law Chapter 121 and State Rulemaking impacts retirement contributions and occasionally retirement benefits. The Town is subject to these changes as they occur. As a member of the FRS retirement system the Town has agreed to abide by all laws concerning FRS retirement.

17.04 The Town considers the following members qualified for retirement benefits:

- Full time employees
- Crossing Guards
- Town Council Members
- Members approved by Town Council

PURPOSE OF THIS POLICY

The purpose of this this policy is to establish policy for training where the Town of Lake Placid offers in-service trainings and outside educational opportunities that help improve and maintain the level of an employees work product. The Town encourages all employees to take advantage of all available opportunities, which pertain to their positions. The goals of training are to improve, update job skills, re-certify employees in various skills, and train personnel in new skills to raise the overall effectiveness of the Town's resources.

22.01 DEFINITIONS: Unless otherwise required by context, the following words and phrases in this section shall construe to mean as follows:

a. The term "Training" shall include all conferences, educational endeavors, testing's, credits earned attendances and other related.
b. Training Coordinator is the Town Administrator for employees directly supervised by the Administrator and the Department Director for employees supervised by the Director
c. Mandatory Training is that training that requires attendance of all employees named and has been specifically designated as "Mandatory" by a Training Coordinator
d. Recommended Training is that training that will benefit the employee and the Town but is not mandatory
e. Optional Training is that training obtained on the employee's own time that will enhance merit raises and promotional potential when feasible
f. Non-Mandatory Training is that training which will benefit the employee and the agency but is not mandatory
g. Required Certification Training is that training required to either obtain or maintain a license or certification required for continued employment by the Town of Lake Placid.

22.02 Training coordinators are required to in writing, track all training activities pertaining to Town employees and prepare a generalized annual Departmental training report of same addressed to Town Council in February of each year. Tracking shall include:

a. Requests from employees for training
b. Requests from training coordinators for employee attendance at mandatory, recommended, optional, and non-mandatory training
c. A general description of the training received including evidence that the employee attended course (in cases where no certificate is given, a conference or such, a signed letter from the employee asserting attendance will suffice)
d. A description of training given regarding safety policies on equipment and hazardous work areas
e. A description as required for demonstrating employee orientation. (See Town of Lake Placid Personnel Policy regarding Employee Orientation at P8)
f. A training attendance log regarding employee attendance at Town sponsored training events.

g. Copies of Training Request Form in completed format

22.03 Training coordinators are required to uphold a standard for skill levels within their department. Training coordinators shall determine training needs and establish plans for such training as needed. Training coordinators shall hold employees under their scope of supervision accountable to meet the standards required of various skill sets. Training coordinators shall hold employees accountable to maintain all levels of certifications required to perform the job for which each employee is assigned to do.

22.04 Employees shall have the opportunity to remedial training; however, in no case is the Town obligated to continue employing an employee who fails to maintain the educational certification or skill level required for the job the employee was hired to do. Examples: If a police officer loses his/her law enforcement standards the Town will not continue employment. If a meter reader loses their driver's license the Town will not continue employment.

EMPLOYEE RESPONSIBILITY FOR TRAINING REQUESTS

22.05 Employees are encouraged to prefer training that cost the least but affords the same quality as more expensive training for purposes of budgetarily affording other members more opportunities for training.

Training funds are limited and a training event often has methods of saving funds. Those saved funds can be reinvested into other employee training.

22.06 Employees are responsible for the following accounting process when arranging any training where employee will be requesting any Town financial support for the event or using a Town vehicle for transportation.

- Employee shall gather costs of the training event such as tuition cost, conference cost, hotel room, books, parking, and mileage if applying for reimbursement, etc. related to the event. Where such is cannot be determined employee shall obtain the best estimate possible.
- Employee shall within two weeks of the event, submit a training request to their Training Coordinator.
- The training request shall include a completed copy of the Training Accounting Form P22 and shall include sufficient flyers and materials so as to allow the Training Coordinator to evaluate whether the training event will benefit the Town.
- Training Accounting Form P22 Sections 1 through 3 shall be completed for a Training Coordinator to give Level 1 approval on the form based on the estimate of the training costs.

While attending the training employees shall track all costs and save receipts on all expenditures the employee expects to be paid by the Town. At the end of the training, Training Accounting Form P22 shall be turned in to the Training Coordinator again with all receipts attached and Section 4 of the Training Accounting Form P22 completed showing the actual cost of the event. The training Coordinators will provide final approval as provided on Form22.

The Training coordinators or designee shall arrange payment on the event by the Town and shall immediately submit any credit card charges so as same can be paid before penalties.

Any item capable of having a receipt that does not have a receipt shall be paid for by the employee.

22.07 Employees receiving training at the Town's expense that has not been designated as "Mandatory" shall agree to the terms provided in "PART 3: Employee pre-event agreement" of the Training Accounting Form P22 as stated below. There shall be no training payments provided otherwise.

I the undersigned employee agree to abide by all terms stated within this agreement and all cost projections stated within Part 2 of this requests with the exceptions of the conditions described above in return for the town's funding of this event. I hereby agree that deductions can be made from any benefits owed to me so the town can recover losses where I have failed to follow this agreement.

I agree to reimburse the Town of Lake Placid all costs associated with this event with the exception of fuel costs and wage benefits if I of my own accord leave the employment of the town of Lake Placid within one year of the last day of the event.

22.08 Non Discrimination Policy - Training opportunities shall be afforded equally to all employees with consideration to the needs of the Town.

22.09 Employees reimbursements, commonly called per diem and travel expense, if requested by the employee in PART 2 of the Training Accounting Form P22 shall be based upon the Florida State Law Statute 112.061 with definitions and rules established by that statute.

22.10 Any educational or travel event an employee expects reimbursement for shall be declared in full on Form22 prior to attending the event and shall be approved by the appropriate Training Coordinator prior to the event. Where Training Coordinator was pre-notified by Form22 pre-training or travel disclosure of cost the Town is under no obligation to pay that part of any event which was not declared at the time the pre-training/travel was approved.

22.11 Employees attending training related to the Town's as if they were working a regular 40 (or 82 two week period for police officers) while the employee is in training, if the event is associated with Town business and has been pre-approved on Form 22. Employees that attend job related training that requires overnight stays out of town shall be paid as though the employee worked a regular hour schedule. Employees will not be reimbursed on any overtime scale for attendance at an out of town class.

Example: An employee whose class ends at 5 PM shall not be reimbursed on an overtime scale for hours after 5PM because the employee is away from home due to Town related business.

22.12 Training Coordinators shall advise employees when announcing a training event whether who are inspiring their employees to attend training shall announce same as, "Mandatory, Optional, Non-mandatory or Recommended."

Employees shall be compensated for time spent attending training announced as Mandatory and the Town will pay all costs associated with same.

Examples of Mandatory Training would be the CPR and First Aid Class for Town Employees, Code Enforcement Level 1, and most in service training.

Other training designations are generally for employee improvement and an employee would not be paid to attend.

Example: A training event that has been designated by a Training Coordinator as "Recommended," with the class being a work related Supervisory Class at the South Florida Community College and the Town would at the Town's option, pay for the class and allow the employee to use a Town vehicle for travel; however, employee would not receive overtime for the class and requirements for working regular hours would be at the Town's discretion.

22.13 Employees required to attend training that is designated "Mandatory" by the Training Coordinator shall be paid in full for hours in attendance, even in cases where such training results in overtime payment. Mandatory training will be paid for in full by the Town. Mandatory training shall not require agreement with PART 3 of the Training Accounting Form P22. All other forms of training shall require PART 3 of the Training Accounting Form P22.

22.14 Required certification training was generally a condition of employment at start. As such employees are expected to maintain same in the same manner as it was acquired; however, the Town in most cases will pay the cost of maintaining same.

22.15 Employees attending classes or conferences where meals are furnished, as is often the case, are on the employee's honor, requested to waive receiving per diem for those meals.

TOWN OF LAKE PLACID

Form22 Travel/Training/Conference Approval

PURCHASE ORDER NUMBER FOR EVENT _____

READ CAREFULLY THIS REQUEST IS A BINDING CONTRACT

This form is designed to accommodate all aspects of a single training event, travel event, or any assistance from the town where any certification procured by any employee is funded by the Town of Lake Placid. The form has five parts. **Part 1** - Request to participate in training, events, or certifications / **Part 2:** Pre-event cost projections / **Part 3:** Employee pre-event agreement to abide by town, department, and supervisor procedures to receive payment for training or other event / **Part 4:** Final costs after training / **Part 5:** Management notes accounting. Any employee who requests training or town financial support for any certification or event will be expected to stay employed with the department for a period of one year after the training or the employee will be requested to reimburse the Town of Lake Placid for the full cost of the event minus wages. Employee's shall not be paid overtime or travel time for attendance at any event unless the employee is specifically told by a **Training Coordinator** that the event is mandatory. Expectations of pay that are extra ordinary shall be included in Part 2 at the time the event is presented to the **Training Coordinator** for approval. Terms are also subject to all published procedures and verbal procedures given by town department heads in the Town of Lake Placid. Once **level two Training Coordinator** approval is received the employee is responsible for making all reservations and obtaining checks for the event.

IT IS IMPORTANT THAT THE EMPLOYEE KEEP A COPY OF THIS FORM AND USE THE SAME FORM TO ENTER ALL FINAL ACCOUNTING RELATING TO THE EVENT.

Costs projected in Part 2 shall not be exceeded with the exception of unforeseen mechanical problems, explainable unforeseen price changes, gasoline costs, or emergencies. Employees are expected to plan close approximations of rooming costs for **Part 2** of this form. Employees shall make their own hotel reservations and class reservations. Employees shall obtain level one approval from the **Training Coordinator** with **Part 2.** **Level two Training Coordinator** approval shall be obtained with the completion of **Part 4** after the event. **Level two final Training Coordinator** approval shall include a presentation of this form with **Part 4** completed by the employee within five working days of the event's completion together with **ALL final receipts** for the event attached thereto. Employees shall in all cases obtain a copy of the town's tax exempt form and shall deliver same to the hotel at the time of check in to avoid tax charges where possible. Employees shall save all receipts related to gas purchases, hotel costs, tolls, license costs and any other costs the event costs the town. A town credit card may be furnished where travel is necessary. Where a receipt is not returned with this packet after training attendance the employee will be responsible for the amount of the credit card charge. Employees are subject to all stipulations and procedures provided by their **Training Coordinator** regarding wages during time granted for accomplishing training or other events funded by the town. The employee's signature herein acknowledges and agrees to these stipulations and procedures.

PART 1: Date request submitted: _____ Type of event: ☐ Training ☐ License ☐ Conference ☐ Other (Describe) _____

EMPLOYEE _____ Date(s) of class session 2: Begin _____ End _____ Total Class Hours ___

Name of Class: _____ Institution: _____ Where Class Will Be Held: City: _____

Hotel/ Street: _____ Purpose of funding this event: _____

Attach course flyer to this requests when submitting same to ***Training Coordinator*** *NOTES:* _____

PART 3: Employee pre-event agreement

I the undersigned employee agree to abide by all terms stated within this agreement and all cost projections stated within Part 2 of this requests with the exceptions of the conditions described above in return for the town's funding of this event. I hereby agree that deductions can be made from any benefits owed to me so the town can recover losses where I have failed to follow this agreement. **I agree to reimburse the Town of Lake Placid all costs associated with this event with the exception of fuel costs and wage benefits if I of my own accord leave the employment of the town of Lake Placid within one year of the last day of the event.**

EMPLOYEE AGREEMENT SIGNATURE: _____

APPROVAL SIGNATURE AND DATE FOR PART 2 OF FORM

_____

APPROVAL SIGNATURE AND DATE

FINAL APPROVAL SIGNATURE AND DATE FOR PART 4 OF FORM

_____

APPROVAL SIGNATURE AND DATE

PART 2: Trainee should fill out this form part completely and include all costs the trainee anticipates the Town to pay. Failure of this section to closely match Part 4 may result in non-payment

Tuition or cost of class		Include in this section any requests for funding beyond chart at left.
Room / Hotel!		
Per diem !		
Other _____		
Other _____		
Other _____		
If any item is waived write WAIVED Total		

Employee Initial _____

PART 4: Final cost of event

	2. Amount Paid by Town	3. Paid By Check/Cash/ Credit Card	4. Amount Paid by Employee
Tuition			
Room / Hotel			
Per Diem			
Other			
Other			
Total			

Employee Initial _____

At Total in Column 4 Enter Amount Owed to You

PART 5: To be completed by Training Coordinator who approved the training

PURPOSE OF THIS POLICY
To establish policy regarding employee political activity while working for the Town of Lake Placid.

23.01 No employee, official, or other person shall solicit, orally or by letter, contributions or services for any political party or candidate from any employee during his/her hours of duty, service, or work with the Town.

23.02 Nothing herein contained shall be construed to restrict the right of the employee to hold membership in and support a political party, to vote as he/she chooses, to express opinions on all political subjects and candidates, to maintain political neutrality, to attend political meetings after working hours, or to campaign actively during off-duty hours in all areas of political activity.

23.03 Any employee who is elected or appointed to any political office shall immediately notify the city. Any employee so elected or appointed may be required to resign his/her employment with the Town, depending upon the position he/she is elected or appointed to as adopted by the Town Council.

PURPOSE OF THIS POLICY
The purpose of this policy is to establish probation periods, probation review processes, and dismissal procedures for Town employees.

DEFINITION
Probationary employee: A regular status employee serving a probationary period prior to final appointment in that position. An employee serving a probationary period as a new or rehire employee of the city is subject to and receives such benefits and rights as provided by the rules and regulations, except for the right to file a grievance or employment review. A probation period is set to reject any newly hired or promoted employee who fails to adapt and successfully meet the work requirements of his position.

26.01 The normal probation period for all newly hired employees is one year from the date of hire.

26.02 The probation period set within this policy is specifically to access new employee performance over time. The one year probation period is not intended to establish policy in other areas of employment benefits. Probation periods required by other benefits and laws relevant to employment may be different.

26.03 For purposes of unemployment benefits F.S.S. 443.131 (3) (a) (2) Reemployment Assistance (Unemployment) the probation period is as stated in law, 90 days, stated in F.S.S. 443.131 as follows:

If an individual is discharged by the employer for unsatisfactory performance during an initial employment probationary period, benefits subsequently paid to the individual based on wages paid during the probationary period by the employer before the separation may not be charged to the employer's employment record. As used in this subparagraph, the term "initial employment probationary period" means an established probationary plan that applies to all employees or a specific group of employees and that does not exceed 90 calendar days following the first day a new employee begins work. The employee must be informed of the probationary period within the first 7 days of work. The employer must demonstrate by conclusive evidence that the individual was separated because of unsatisfactory work performance and not because of lack of work due to temporary, seasonal, casual, or other similar employment that is not of a regular, permanent, and year-round nature.

26.04 For purposes of Health and Life Insurance implementation the probation period shall be 90 days. (See Section 18)

26.05 New employees shall receive written reviews conducted by the Department Director or Town Administrator at 80 days of completed employment, six months of competed employment and within one week of the employees one year anniversary.

26.06 Only employees having regular employee status will have the right to use the decision review process. (See Section 54)

26.07 Special probation periods may be instituted by notification to the employee in writing. A Special Probation period is attached to a Director or Supervisor desire for an employee to improve, either in performance or attached to a disciplinary situation. As long as the employee is classified as having attained regular employee status, under the definitions within this policy, implementation of a special probation does not alter nor limit a regular employee right to a decision review.

26.08 Once fully vested with a completed one year probation period an employee shall not in any case lose the privileges of a fully vested employee.

26.09 An employee who is rehired by the town after any period of time wherein the employee's employment was terminated must complete a new one year probation period as though the employee were a new hire.

26.10 In no case will any employee's probation period be reduced.

26.11 During the probationary period the Department Director or Town Administrator may dismiss an employee who is unable or unwilling to perform the duties of the position that he is assigned, or whose habits and dependability do not merit continuance in the position. The Department Director shall consult the Town Administrator and Mayor prior to dismissing an employee. The Notice of Dismissal must be received at least three (3) working days prior to the expiration of the probationary period to allow the Town Administrator sufficient time to review the request.

26.12 An employee who is terminated <u>during</u> the probation period shall be terminated in writing with the terminating supervisor stating <u>general</u> unsatisfactory work performance reasons.

PURPOSE OF THIS POLICY

The Town shall provide all eligible employees with the rights and benefits they are entitled to under the Family and Medical Leave Act (FMLA). As required by the FMLA section 109 (29 U.S.C. § 2619) the Town will post the mandatory FMLA Notice and incorporate the required notification into the Town's Policy and Procedures to provide to all employees [state the specific location within the Town where the official notice is posted]. The Town also posts the DOL supplementary information concerning Military Family Leave at the same
location. Where applicable, the Town will include Town-specific information. The text of the federal notification will appear in regular text; Town specific
information will appear in italics.

If you have any questions, concerns, or disputes with this policy, you must contact your Department Director in writing.

30.1 EMPLOYEE RIGHTS AND RESPONSIBILITIES
UNDER THE FAMILY AND MEDICAL LEAVE ACT

I. Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job- protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

30.2 The Town measures the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. The Town will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks (or 26 weeks for
the care of an injured or ill service member) of available leave, with the balance remaining being the amount the employee is entitled to take at that time.

30.3 All sick leave taken in the twelve month rolling period, if taken for a reason relating to an FMLA-qualifying reason, counts towards the amount of FMLA leave entitlement.

30.4 If an employee and his or her spouse both work for the Town, they are both eligible for leave. The employee and employee spouse may be limited to a combined total of 12 weeks of FMLA leave in a 12-month period if the leave is taken for:

- The birth, adoption, or foster placement of a child;
- To care for and bond with such child who does not suffer from a serious health condition
- To care for a parent with a serious health condition; or
- A combination of the above

30.5 For military caregiver leave, the employee and employee spouse may be limited to a combined total of 26 weeks of leave in a 12-month period, including the types of leave listed above in this paragraph.

30.6 Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent, who is a regular, retired, or reservist member of the military on active duty deployed to a foreign country, or has been notified of an impending call or order to such active duty in a foreign country, may use their 12-week leave entitlement to address certain
qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post- deployment reintegration briefings.

30.7 FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave during a single 12-month period to care for a covered service member who is the employee's spouse, child (of any age), parent, or next of kin and who is either:

(1) A military service member (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, or who is in outpatient status, or who is otherwise on the temporary disability retired list, for a serious injury or illness; or,

(2) A veteran military service member who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a military service member (including a member of the National Guard or Reserves) at any time during the period of five years preceding the date on which the veteran undergoes medical treatment, recuperation, or therapy.

For purposes of this section, "serious injury or illness" means, in the case of a member of the Armed Forces, an injury or illness incurred or aggravated in the line of duty, while on active duty, that may render the member medically unfit to perform the duties of his or her office, grade, rank or rating. In the case of a veteran who was a member of the Armed Forces at any time during the five years preceding the date on which the veteran

undergoes medical treatment, recuperation, or therapy, a “serious injury or illness” means an injury or illness incurred or aggravated in the line of duty, while on active duty, in the Armed Forces and that manifested itself before or after the member became a veteran.

For purposes of this section, “next of kin” of a military servicemember means the nearest blood relative other than the servicemember’s spouse, parent or child, in the following order of priority (unless the servicemember has specifically designated in writing another blood relative as his nearest blood relative for purposes of military caregiver): (1) blood relatives who have been granted legal custody of the servicemember, (2) brothers and sisters, (3) grandparents, (4) aunts and uncles and (5) first cousins.

Benefits and Protections

30.8 During FMLA leave, the Town must maintain the employee’s health coverage under any “group health plan” on the same terms as if the employee had continued to work.

30.9 Employees will remain eligible for group health insurance benefits under Town’s group health plan during leave taken under this Policy under the same conditions as coverage would have been provided if the employee had been actively employed during the entire leave. However, employees have the option of choosing not to retain such coverage during family or medical leave.

30.10 Entitlement to benefits other than group health benefits during a period of family or medical leave is determined by the Town’s policy regarding provision of such benefits when an employee is on other forms of leave.

30.11 Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. The Town may choose to exempt certain key employees from this requirement and not return them to the same or similar position.

30.12 Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee’s leave.

Eligibility Requirements

30.13 Employees are eligible to take FMLA leave if they have worked for the Town for at least one year, worked at least 1,250 hours during the 12-month period immediately before the date when the leave is requested to commence, and if at least 50 employees are employed by the Town within 75 miles of the employee’s assigned worksite.

30.14 The required one year of service need not be continuous. However, service that is more than 7 years old will not be counted unless the break in service was due to certain military service.

Definition of Serious Health Condition

30.15 A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either inpatient care at a hospital, hospice or residential medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

30.16 For purposes of this policy, "continuing treatment" by a health care provider means any one of the following:

1. **Incapacity and treatment**. A period of incapacity of more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition that also involves:
    a. Treatment two or more times, within 30 days of the first day of incapacity, unless extenuating circumstances exist, by a health care provider, by a nurse under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders of, or on referral by, a health care provider;
    b. Treatment by a health care provider on at least one occasion, which results in a regimen of continuing treatment under the supervision of the health care provider; or

2. **Pregnancy or prenatal care**. Any period of incapacity due to pregnancy, or for prenatal care.

3. **Chronic conditions**. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition. A chronic serious health condition is one which:
    a. Requires periodic visits (defined at least twice a year) for treatment by a health care provider, or by a nurse under direct supervision of a health care provider;
    b. Continues over an extended period of time (including recurring episodes of a single underlying condition); and
    c. May cause episodic rather than a continuing period of incapacity (e.g. asthma, diabetes, epilepsy, etc.).

4. **Permanent or long-term conditions**. A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's, a severe stroke, or the terminal stages of a disease.

5. **Conditions requiring multiple treatments**. Any period of absence to receive multiple treatments (including any period of recovery) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, for:
    a. Restorative surgery after an accident or other injury; or
    b. A condition that would likely result in a period of incapacity of more than three consecutive, full calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), or kidney disease (dialysis).

Use of Leave

30.17 For leave taken due to a serious health condition, a military servicemember's serious injury or illness, or a qualifying exigency associated with a military servicemember, an employee does not need to use this leave entitlement in one block. Rather, leave can be taken intermittently or on a reduced leave schedule when the employee can demonstrate that it is medically necessary to do so. However, for intermittent and reduced schedule leaves, employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the Town's operations.

30.18 The Town may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances of when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth, or placement for adoption or foster care.

30.19 Intermittent leave to care for a healthy newborn child or the placement of a a healthy child for adoption or foster care is only permissible if the Town voluntarily agrees to permit such intermittent leave. Where permitted, , the Town and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced hour schedule. Additionally, whether taken intermittently or in weekly blocks, leave for birth, adoption or foster care of a child must be taken within one year of the birth or placement of the child.

30.20 The Town will track leave used in periods of .15 hours or greater in accordance with the rounding rules used by our timekeeping and payroll system.

Substitution of Paid Leave for Unpaid Leave

30.21 Generally, leave taken under this Policy is unpaid. However, for leaves governed exclusively by federal law, an employee must concurrently use the following leaves provided by Town of Lake Placid, if eligible:

(1) Paid Time Off (PTO) l leave for any family or medical leave;

(2) Accrued Paid Time Off (PTO) leave to care for a seriously ill family member, or for the employee's own serious health condition.

In order to use paid leave for FMLA leave, employees must comply with the Town's normal paid leave policies.

30.22 For leaves governed exclusively by federal law, the Town of Lake Placid reserves the right to require an employee to use accrued Paid Time Off (PTO) d leave for leave that would otherwise be unpaid FMLA leave taken under this Policy. However, Paid Time Off (PTO) may not be substituted for leave taken under this Policy in any situation where the Town would not normally provide such paid leave.

30.23 For leaves which are also governed by state law (such as where the leave is required under the Florida Workers' Compensation Law), an employee may choose to use accrued paid leave for any portion of the leave which is unpaid. The Town of Lake Placid reserves the right to deny substitutions as permitted by law.

Employee Responsibilities

30.24 Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable.

30.25 If the leave was foreseeable and the employee does not provide 30 days advance notice, the Town may require an explanation as to why 30 days' advance notice was not given. If timely notice is not given, the start of the FMLA leave may be delayed or the period of delay may count as a non-FMLA absence.

30.26 When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an Town's normal call-in procedures to the extent practicable under the circumstances.

The Town Calling-in Procedures

30.27 When 30 days' notice is not possible, or for employees who are reporting an absence for previously approved intermittent FMLA leave, calling-in procedures are the same as those for employees calling-in for any other type of unscheduled absence.

Periodic reports of status and intent to return to work.

30.28 The Town requires that employees provide periodic reports of status and intent to return to work. Reports should be made by telephone or e-mail to the staff member who issued the Notice of Eligibility and Rights & Responsibilities form or as otherwise directed.

Periodic reports of status and intent to return to work should follow the following schedule:

30.29 For employees on intermittent leave or on continuous leave of less than one week: Not required; however, employee must follow above calling-in procedures.
For employees on continuous leaves of between one and six weeks:
Weekly, and when circumstances change
For employees on continuous leave of more than six weeks: Bi-weekly, and when circumstances change.

If appropriate, employees may be issued other schedules for making status reports.

30.30 Employees must provide sufficient information for the Town to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions; the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also
must inform the Town if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

30.31 As detailed below, the Town will normally require employees to provide medical certification from a health care provider and possibly recertification of need when an employee requests leave for a personal health condition; the health condition of a family member; or injury or illness of a service member. The Town may also require a certification for qualifying exigency leave. The Town may also require documentation to support requests for leave due to caring for a child after birth or adoption.

Recertifications, where requested, will not be required more often than every 30 days and will only be requested in connection with an absence by the employee. If the prior medical certification includes a minimum duration for the health condition, the Town will not request a recertification until after expiration of the minimum duration, except that the Town may request a recertification every six months regardless of the certification's minimum duration.

30.32 In the event that certification is not returned or is inadequate or incomplete, The Town may deny the request for FMLA leave if not timely corrected or completed in accordance with applicable regulations.

30.33 In the case of absences due to a serious health condition that makes the employee unable to perform the employee's job, The Town will normally require the employee to provide a fitness for duty certification from the health care provider before or upon returning to work. If required, employees will not be permitted to return to work until certification is provided, and any resulting absences from work may be considered as unapproved. In the case of intermittent leave, certifications will only be required if reasonable safety concerns exist.

30.34 Certification for the Employee's Serious Health Condition - The Town will require certification for the employee's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the DOL Certification of Health Care Provider for Employee's Serious Health Condition.

Where permitted by applicable regulatiosn, the Town may directly contact the employee's health care provider for verification or clarification purposes using a health care professional, an HR professional, leave administrator or management official. The Town will not use the employee's direct supervisor for this contact.
Before The Town makes this direct contact with the health care provider, the employee will be a given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, the Town will obtain the employee's permission for clarification of individually identifiable health information.

30.35 The Town has the right to ask for a second opinion if it has reason to doubt the medical certification. The Town will pay for the employee to get a certification from a second doctor, which The Town will select. The Town may deny FMLA leave to an employee who refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, the Town will require the opinion of a third doctor. The Town and the employee will mutually select the third doctor, and the Town will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

30.36 Certification for the Family Member's Serious Health Condition - The Town will require certification for the family member's serious health condition. The employee must respond to such a request within 15 days of the request or

provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the DOL Certification of Health Care Provider for Family Member's Serious Health Condition.

30.37 The Town may directly contact the employee's family member's health care provider for verification or clarification purposes using a health care professional, an HR professional, leave administrator or management official. The Town will not use the employee's direct supervisor for this contact. Before the Town makes this direct contact with the health care provider, the employee will be a given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, the Town will obtain the employee's family member's permission for clarification of individually identifiable health information.

30.38 The Town has the right to ask for a second opinion if it has reason to doubt the certification. The Town will pay for the employee's family member to get a certification from a second doctor, which the Town will select. The Town may deny FMLA leave to an employee whose family member refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, the Town will require the opinion of a third doctor. The Town and the employee will mutually select the third doctor, and the Town will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

30.39 Certification of Qualifying Exigency for Military Family Leave - The Town will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification of Qualifying Exigency for Military Family Leave.

30.40 Certification for Serious Injury or Illness of Covered Service member for Military Family Leave - The Town will require certification for the serious injury or illness of the covered service member. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification for Serious Injury or Illness of Covered Service member.

Employer Responsibilities

30.41 The Town will, within five business days after the employee has provided notice for FMLA leave, inform employees requesting leave whether they are an

eligible employee under FMLA (contingent on receiving any required certification establishing that the reason for the leave is an FMLA-qualifying reason). If they are eligible, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the Town will provide a reason for the ineligibility.

30.42 The Town will inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the Town determines that the leave is not FMLA-protected, the Town will notify the employee.

Unlawful Acts by Employers

30.43 FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

TOWN OF LAKE PLACID **PERSONNEL POLICY**
EMPLOYEE ASSISTANCE PROGRAM **SECTION P33**

PURPOSE OF THIS POLICY

33.01 The Town of Lake Placid as budgeted each year, furnishes health insurance to each employee. The purpose of this policy is to direct employees requiring assistance to the correct area where help can be obtained.

SCOPE

33.02 This policy is directed to all town employees.

33.03 The Town maintains an Employee Assistance Program (EAP) that provides help to employees and their families who suffer from various difficulties including alcohol or drug abuse. It is the responsibility of each employee to seek assistance before drugs and alcohol lead to disciplinary problems.

33.04 The Town Administrator shall appoint a designee for employees to confidentially consult regarding assistance. The designee shall keep all discussions with all employees confidential.

33.04 Once a violation of this policy occurs, subsequent use of the employee assistance program, on a voluntary basis, will not affect the determination of appropriate disciplinary action.

33.05 An employee's decision to seek assistance from the Employee Assistance Program on a voluntary basis prior to any incident warranting disciplinary action will not be used as the basis for disciplinary action or in any disciplinary proceeding.

33.06 On the other hand, using the EAP will not be a defense to the imposition of disciplinary action where facts providing violation of this policy are obtained outside of the EAP. Accordingly, the purpose and practices of this policy and the EAP are not in conflict but are distinctly separate in their applications.

33.07 If you need to seek assistance please contact any supervisor for the designated consultant per #33.04, or employees may consult the designee directly if the employee knows who the designee is.

PURPOSE OF THIS POLICY

34.01 As a part of its commitment to safeguard the health of its employees, to provide a safe place for its employees to work and to promote a drug-free community, the Town of Lake Placid has established this policy on the use or abuse of alcohol and drugs by its employees. Substance abuse, while at work or otherwise, seriously endangers the safety of employees, as well as the general public, and creates a variety of workplace problems including increased injuries on the job, increased absenteeism, increased health care and benefit costs, decreased morale, decreased productivity and a decline in the quality of services provided. We are implementing this policy pursuant to the Drug-Free Workplace Program under Florida Workers' Compensation Act (Section 440.102, Florida Statutes). This policy represents the Town's current position on dealing with the serious problem of drug and alcohol abuse in the workplace and is subject to change at the Town's sole discretion.

SCOPE

34.02 All current employees and job candidates are covered by this policy and, as a condition of employment, are required to abide by the terms of this policy. Because of state or federal laws and regulations, certain employees may be subject to additional requirements (e.g. DOT).

DEFINITIONS

34.03 The definition and rules set forth in the Florida Worker's Compensation Drug Testing Rule will apply to this policy.

ALCOHOL USE PROHIBITIONS

34.04 Employees of the City are prohibited from using or possessing alcohol while on duty; while on Town premises; while driving a Town vehicle; while operating a piece of Town equipment; or while being transported in Town vehicles at any time. In addition, employees are prohibited from reporting to work under the influence of alcohol and from otherwise using alcohol in a manner at any time which adversely affects or might adversely affect the interests or operations of the Town.

34.05 Off-duty abuse of alcohol which adversely affects an employee's job performance, or which can be expected to cause harm to the Town's image or relationship with other employees or the public, is prohibited.

34.06 For the purpose of this policy, an employee is presumed to be impaired, intoxicated or under the influence of alcohol if a blood test or other scientifically acceptable testing procedure shows that the employee has a level of at least 0.01 percent blood alcohol in his/her system at the time of testing.

34.07 An employee who is perceived to be under the influence of alcohol will be removed immediately from the workplace and may be evaluated by medical personnel, if reasonably available or by testing of police department breath test equipment. The

Town will take further action based on medical information, work history and other relevant factors. The determination of what action is appropriate in each case rests solely with the Town.

34.08 It is not relevant to establish a “preponderance of evidence” standard that an employee is under the influence of alcohol, that alcohol testing devices meet the standards required for a criminal case standard.

34.09 Employees arrested for an alcohol-related incident must immediately notify their supervisor if the incident occurs:

- During scheduled working hours.
- While operating a Town’s vehicle on Town or personal business.
- While operating a personal vehicle on Town business.

34.10 Employees must notify their supervisor of alcohol-related incidents, on duty or off duty, if they drive a Town vehicle at work or work in a capacity that requires the maintenance of a valid Driver’s License. Failure to notify an appropriate Town official as described above may result in disciplinary action, up to and including termination.

DRUG USE PROHIBITIONS

34.11 All Town employees shall abide by all State, Federal, County and Town laws and ordinances while on duty with the town

34.12 All Town employees are prohibited from manufacturing, distributing, dispensing, possessing or using illegal drugs or other unauthorized or mind-altering or intoxicating substances while on Town property (including parking areas and grounds) or while otherwise performing Town duties away from the Town. Included within this prohibition are lawful controlled substances which have been illegally or improperly obtained. Employees are also prohibited from reporting to work or working with the presence of any such illegal or unauthorized controlled substances or excessive amounts of otherwise lawful controlled substances in their systems.

34.13 For the purpose of this policy, an employee is presumed to be impaired by drugs if the result of a urine test or any other accepted testing procedure is positive for the presence of one or more of the illegal substances for which the Town will test.

34.14 The proper use of medication prescribed by your physician or over the counter is not prohibited; however, the town does prohibit the misuse of prescribed medications. Prescription drugs may also affect the safety of the employee, fellow employees or members of the public. Therefore, any employee who is taking any prescription drug which might impair safety, performance or any motor functions must advise his/her supervisor before reporting to work under such medication. Failure to do so may result in disciplinary action. It is the employee's responsibility to determine from his/her physician whether a prescribed drug may impair job performance.

34.15 If the Town determines that use of prescription medication or non-prescription medication does not pose a safety risk, the employee will be permitted to work. If such use impairs the employee's ability to safely or effectively perform his or her job the Town may, at its sole discretion, temporarily reassign the employee or grant a leave of absence during the period of treatment. Improper use of "prescription drugs" is

prohibited and may result in disciplinary action, up to and including discharge. Prescription medication must be kept in its original container if such medication is taken during working hours or on Town property.

34.16 It shall be the responsibility of each employee who observes or has knowledge of another employee in a condition which impairs the employee to perform his/her job duties, or who presents a hazard to the safety and welfare of others or is otherwise in violation of this policy, to promptly report that fact to his/her immediate supervisor.

TESTING

34.17 The Town shall conduct drug tests in the following circumstances.

A. Applicant Testing where jobs assignments requires the employee to:
1. Carry a firearm;
2. Work closely with an employee who carries a firearm;
3. Perform life-threatening procedures;
4. Work with heavy or dangerous machinery;
5. Work as a safety inspector;
6. Work with children;
7. Work with detainees in the correctional system;
8. Work with confidential information or documents pertaining to criminal investigations;
9. Work with controlled substances;
10. Undergo an employee security background check pursuant to section 110.1127 of the Florida Statutes;
11. Perform job assignments in which a momentary lapse in attention could result in injury or death to another person; or,
12. Perform safety-sensitive job duties and responsibilities.

B. Special Risk Position. Special risk position shall mean a position that is required to be filled by a person who is certified under:
1. Chapter 633 of the Florida Statutes (Fire Prevention and Control); or,
2. Chapter 943 of the Florida Statutes (Law Enforcement).

C. Routine fitness for duty where medical fitness for duty examinations are required.

D. Reasonable Suspicion

E. Follow-up testing where employees have entered into an employee assistance program or similar rehabilitation program. Follow up testing may be conducted without advanced notice for a period of two years at least once per year after the final date of program completion.

34.18 Any job candidate who refuses to submit to drug testing, refuses to sign a consent form, fails to appear for testing, tampers with the test, or fails to pass the pre-employment drug test will be ineligible for hire. Such an individual may not reapply for employment with the Town for at least one (1) year from the date of the drug test.

REASONABLE SUSPICION TESTING

34.19 Employees must submit to a drug test if the Town has reasonable suspicion that they have violated any of the rules set forth in this policy. "Reasonable suspicion" may arise from, among other factors:

34.20 Direct observation of drug use or of the physical symptoms or manifestations of being under the influence of a drug such as deterioration in work performance.

34.21 Reasonable Suspicion Drug Testing means drug testing based on the belief that an employee is using drugs or alcohol in violation of the Town policy, determined from specific and articulate facts and reasonable inferences drawn from those facts. It is an opinion, which a reasonable person would form, based upon observation and/or testimony from credible sources. Observation includes but is not limited to, sensory facts (what a person saw, heard, smelled, tasted or touched). Reasonable suspicion must be based upon the observation of two corroborating witnesses whenever reasonably possible and reported in writing to the Department head or his/her designated agent. A copy of this documentation shall be given to the employee prior to testing. The written document shall include the circumstances, which formed the basis of the determination that reasonable suspicion existed to warrant testing.

34.22 Information that an individual has caused, contributed to, or been involved in a workplace or vehicular/equipment accident. An accident is defined as any incident in which either property was damaged or an injury was sustained by a Town employee or a third party. If, however, the employee was not at fault, did not in any way contribute to an incident or if an incident occurred while in the line of duty resulting in a non-injury vehicular/equipment accident , the employee will not be required to submit to a drug test, unless required by driver license certification.

34.23 Evidence that an employee has used, possessed, sold, solicited or transferred drugs while working or while on Town premises or while operating Town vehicles, machinery or equipment.

RANDOM TESTING

34.24 Employees described in policy section 34.17 (A) and (B) positions are subject to drug and alcohol testing on either a random or a suspicionless basis

34.25 Selection of employees for random testing will be conducted through the use of a neutral selection process. A computerized system will randomly select employees for random testing.

34.26 When a covered employee is selected for random testing, both the employee and the employee's supervisor will be notified on the day the test is scheduled to occur.

34.27 Testing may be postponed only when the covered employee's supervisor agrees that there is a compelling need for deferral In the event that an employee is absent, another employee will be selected from the alternate list.

34.28 An employee whose random drug test is deferred may be subject to an unannounced test within sixty (60) days.

ADDITIONAL TESTING

34.29 Other Lawful Testing. The City reserves the right to conduct any other type of lawful drug or alcohol testing.

CONDUCT OF TESTING

34.30 The Company may test for any or all of the following drugs, to include but not limited to:

Alcohol (booze, drink, distilled spirit, wine, malt beverage, intoxicating liquor, etc.)
Amphetamines (Desoxyn, Dexedrine)
Cannabinoids (marijuana, hashish, hash, hash oil, pot, joint, roach, spliff, grass, weed, reefer)
Cocaine (coke, blow, nose candy, snow, flake, crack)
Phencyclidine (PCP, angel dust, hog)
Methaqualone
Opiates (opium, dover's powder, paregoric, parepectolin)
Barbiturates (Phenobarbital, Tuinal, Amytal)
Benzodiazepines (Ativan, Azene, Clonopin, Dalmane, Diazepam, Halcion, Librium, Restoril, Serax, Tranxene, Valium, Vertron, Xanax)
Methadone (Dolophine, Methadose)
Propoxyphene (Darvocet, Darvon N, Dolene)
Anabolic Steroids
Metabolites of any substances listed above

34.31 Job candidates and employees are required to submit to drug and alcohol testing, and must sign a consent agreement and release of liability prior to testing.

34.32 Because of the potential adverse consequences of positive test results on employees, the Town will employ a very accurate testing program. All samples will be analyzed by a highly qualified independent laboratory, which has been selected by the Town.

34.33 Job Candidates and employees will be given an opportunity prior to and after testing, to provide any information to the Medical Review Officer which they consider relevant to the test including listing all drugs they have taken recently, including prescribed drugs, and to explain the circumstances of the use of those drugs. This medical information is confidential and should be given only to the Medical Review Officer. Job candidates and employees will also be provided with a notice of the most common medications by brand name, as well as the chemical name, which may alter or affect a drug test. Finally, job candidates will receive a summary of this policy and a list of employee assistance programs and local drug rehabilitation programs.

34.34 An employee injured at the workplace and required to be tested will be taken to a medical facility for immediate treatment of injuries. If the injured employee is not at a designated collection site, the employee will be transported to one as soon as it is medically feasible and specimens will be obtained. If it is not medically feasible to move

the injured employee, specimens will be obtained at the treating facility and transported to an approved testing laboratory.

34.35 No specimens will be taken prior to the administration of emergency medical care. Once this condition has been satisfied, an injured employee must release to the employer the results of any tests conducted for the purpose of showing the presence of alcohol or drugs in his/her system.

34.36 Urine will be used for the initial test for all drugs except alcohol and for the confirmation of all drugs except alcohol. Blood will be used as the initial and confirmation test for alcohol.

34.37 The Town will pay the cost of initial and confirmation drug tests which it requires of employees and job candidates.

PROCEDURES

Employee Protection

34.38 The drug-testing laboratory will not disclose any information concerning the health or mental condition of the tested employee. At the time of testing the employee shall notify the MRO of any use of prescription drugs. The MRO will keep the use of prescription drugs confidential.

34.39 The Town will not discharge, discipline, or discriminate against an employee solely upon the employee's voluntarily seeking treatment for a drug related problem, or entering an employee assistance program for drug-related problems.

34.40 The Town shall promptly detail in writing the circumstances which formed the basis of a determination of reasonable suspicion and shall provide documentation as provided by Florida Public Records Act.

DISCIPLINARY ACTIONS

34.41 In the case of a first-time violation of the Town's policy, including a positive drug or alcohol test result, the employee will be subject to discipline, up to and including discharge. Refusal to submit to testing under this policy will result in forfeiture of eligibility for all medical and indemnity benefits and probable termination or other disciplinary action.

34.42The Town may, at its sole discretion, suspend employees without pay under this policy pending the results of a drug test or investigation. If illegal controlled substances are found on the premises, law enforcement will be called immediately. (E.g. lockers, desks etc.)

34.43. If the test is negative, there shall be no loss of pay or benefits. Where appropriate a Doctor's signed release may be required by the Town before the employee is returned to work. Time lost due to an actual illness will be charged as sick leave.

34.44 If the test is positive, discipline may be recommended by the Town Administrator or Department Supervisor, up to and including termination. Circumstances that would

warrant an immediate termination would include, but not be limited to, incidents where the employee's impairment resulted in loss of life, serious injury to self or others, the serious loss or damage of property, or an incident of parallel magnitude.

34.45 In the case where immediate termination is not warranted, the employee will be placed on leave without pay until it is determined, through evaluation by the Town's Medical Review Officer that the employee is able to return to full duty. The employee shall be evaluated by the MRO, and appropriate treatment shall be arranged. Once the in-patient part of the program has been completed, the employee may return to work with a written release from the MRO and the Town Manager. An employee who returns to work as provided for under this procedure, who fails to comply with any of the terms of an agreement upon treatment and/or return to work agreement, may be subject to the full range of disciplinary action, including termination.

34.46 An employee who is the subject of an investigation related to substance abuse may have a representative or another employee present during the investigation procedure outlined above. Disciplinary action taken by the Town under this procedure shall be subject to the Grievance Procedure of the Town.

34.47 An employee who received a positive confirmed drug test result may contest the result to the Town within five (5) working days after written notification of the positive test results. If the Town Administrator or Mayor finds the explanation unsatisfactory, the City shall within ten (10) working days of the receipt of the challenge provide a written response to the job applicant or employee.

EMPLOYEE ASSISTANCE

34.48 Employee's desiring assistance with drug problems may consult personnel policy #33 EMPLOYEE ASSISTANCE PROGRAM

CONFIDENTIALITY

34.49 All information received by the Town through drug testing is confidential to the extent of the law under Florida Statute 440.102.

PURPOSE OF THIS POLICY

The purpose of this policy is to establish policy regarding tobacco use and to promote the healthiest environment possible for employees and visitors while providing proactive leadership in tobacco avoidance. Reducing tobacco use increases productivity in the workplace, decreases absenteeism, and may reduce medical expenditures and costs associated with tobacco use. The Town of Lake Placid is dedicated to providing a healthy and safe workplace which promotes health and well-being of its employees and citizens. The Town of Lake Placid adheres to the requirements of the Florida Indoor Clean Air Act as set forth in Chapter 386, Florida Statutes. Accordingly, the use of tobacco products is expressly prohibited in Town owned buildings and facilities and Town owned vehicles. Tobacco products shall not be used by any person in or on Town owned property.

DEFINITIONS

35.05 For the purpose of this policy:

Applicant is defined as any individual applying for any position with the Town of Lake Placid.

Employee is defined as any individual in employment with the Town of Lake Placid.

Town owned property means real property and tangible personal property that is operated by, owned by, rented to or leased to the Town of Lake Placid including, but not limited to, buildings, portions of buildings, land, equipment, machinery, and motor vehicles that are operated by, owned by, leased to or rented to the Town of Lake Placid, other than road rights-of-way and boat ramps.

Tobacco-any lighted or unlighted cigarette, cigar, pipe, clove cigarette, or any other smoking product, and any smokeless tobacco product such as spit tobacco, dip, chew or snuff in any form.

Tobacco use- the consumption, ignition, inhalation or other use of tobacco in any manner, however, mere possession without additional use shall not constitute tobacco use under this policy.

PROHIBITED

35.08 Tobacco use is prohibited on Town owned property. (voluntary compliance is requested in public parking lots, boat ramps, parks and Sports complex)

a. Tobacco products may not be sold or dispensed on Town owned property.

b. This policy applies to each and every person on Town owned property.

c. Signs will be prominently and visibly posted at the entrance to each Town building and other facility that advise employees, visitors, and other persons of this policy.

DISCLOSURE

35.10 Directors and office staff shall: (a) inform all applicants for employment of this policy, (b) provide a copy of this policy to those applicants, and (c) obtain an acknowledgment of receipt of that information and a copy of this policy from all applicants prior to employment. The Town Clerk shall inform all new employees of this tobacco-free policy during employee orientation. However, any failure to inform a candidate or employee of the tobacco-free policy shall not be deemed a waiver of the employee's obligation to follow the tobacco-free policy.

ENFORCEMENT

35.11 The enforcement of the tobacco-free policy is the responsibility of all Town employees. Employees are required to exercise common courtesy and to respect the needs and sensitivities of co- workers and other persons with respect to the application and enforcement of the policy.

VIOLATIONS AND COMPLAINTS

35.15 A violation of this tobacco-free policy shall constitute grounds for discipline in the same manner as other employee policy violations.

35.16 Any other complaints regarding tobacco use on Town owned property should be directed to the Department Director.

TOBACCO USE CESSATION PROGRAMS

35.20 The Town shall provide resource information on tobacco use cessation programs to the employees who request it. Employees may contact the Town Administrator regarding the availability of tobacco use cessation programs. The Town's insurance coverage may also include financial assistance for those wanting to quit tobacco use.

PURPOSE OF THIS POLICY

This section sets rules and regulations for the establishment and maintenance of personnel records and reports.

POLICY

38.01 The Town Administrator shall be responsible for the administration of all personnel policies required by this section, except where exceptions are specified.

38.02 The Town Administrator shall establish and appoint as needed, designees to maintain records required by these rules and regulations and any other records which are necessary to substantiate compliance with the laws relating to personnel matters, except where specifically specified within this policy.

EMPLOYEE RECORDS

38.03 Town Administrator shall establish and appoint as needed, designees who will maintain an individual personnel file for all non-public safety employees which will include, but not be limited to, the following:

1. Original signed Employment Application
2. If required, the original background investigation reports
3. A report of personnel action reflecting each original appointment, reinstatement appointment, promotion appointment, demotion appointment or reassignment appointment, separation, lay-off, suspension, reduction in pay and changes in the employee's status; change in the employee's rate of pay; change in the employee's position, title, and leaves of absence with or without pay and other personnel transactions pertinent to the employee's employment record
4. A copy of any correspondence directly related to the employee's work record
5. Original Oath of Loyalty signed by the employee and properly notarized, if applicable
6. Original Performance Evaluations, if applicable
7. Educational achievements of individual employees
8. Examination or interview score sheets for each position appointed
9. Exit interview questionnaires, if required

38.04 Employees have the right to review their personnel file, by way of a written request or letter. The request must be addressed to the Town Administrator. Copies of the file can be obtained, but at no time will any original documents be released.

38.05 Personnel files will be made available in accordance with Florida "Government-in-the- Sunshine" law.

38.06 Items contained within the personnel folder that are considered “exempted from disclosure” by this Florida statute or guarded by the "Uniform Privacy Act" will be maintained in a separate file in a distinctively different colored folder and shall not be available for inspection by outside sources, except with specific written permission.

These items include medical documentation, workers' compensation, social security numbers, designations of a beneficiary and or next of kin information and other exemptions as specified in Florida law.

38.07 The home address, social security number, photograph, and/or telephone number of any law enforcement officer or code enforcement officer whether currently employed by the Town or previously employed by the Town shall not be open for inspection or release to the public except without written permission from the officer or the Chief of Police. All documentation which identifies the name of any family member, a photograph of any family member, a social security number of any family member, or any information about any family member, related to any law enforcement officer or code enforcement officer shall not be released without the written permission of the law enforcement officer or the Chief of Police.

38.08 Normal documents generated as a result of Town employment such as Performance Evaluations, disciplinary actions, payroll actions, etc., will not be removed prior to inspection and review by outside sources.

38.09 Review of personnel records must be accomplished in the presence of the Town Administrator or designee.

38.10 The Department Director shall be notified of any request to review an employee's file prior to that examination taking place. Notification is not necessary when a Department Director or Mayor reviews a personnel file.

38.11 The Public Safety Department will retain records required by the Florida Department of Law Enforcement concerning officer certification, polygraph reports, internal affair's investigations, and duplicate educational reports.

38.12 Any employee who feels that his or her personnel file is incomplete may enter a written assertion of same into the personnel file or request modification of the file using the Town's decision review procedures.

ATTENDANCE AND LEAVE RECORDS

38.15 Attendance and leave records will be established and maintained for all employees and include, but not be limited to: attendance on official duty; annual leave earned, used and accrued; sick leave earned, used and accrued; any cost payments for overtime or compensation time and other leaves of absence with or without pay.

POSITION CLASSIFICATION RECORDS

38.16 The Town Administrator or designee shall maintain a completed and up-to-date file of all job titles and descriptions officially included in the Town's employee classification plan.

38.17 Summary and detailed organization charts will also be maintained on a current basis, by the Town Administrator or designee. When changes in the classification of any position or in the structure of the organization occur, such changes shall be reflected on the current organization chart, or if necessary, a new organization chart must be prepared.

BACKGROUND CHECK

38.18 All applicants for Town positions are required to undergo and successfully pass a routine background check prior to being employed. These checks will examine criminal records and driver's license history where required. Providing false or misleading information is grounds for termination. The background investigative information will be kept in the employee's personnel file.

EXIT INTERVIEWS

38.19 A written exit interview may be conducted for each employee terminating his or her service, either voluntary or involuntary, with the Town of Lake Placid. The purpose of the interview will be to gain information regarding reasons for such separations.

1. If required, a copy of the written exit interview must be filed within the individual's personnel file.
2. Exit interviews will be conducted by the Department Director or designee and, if requested, the Mayor. In those cases where completion of the exit interview would be difficult or "unwise," the interview may be conducted by another Department Director or Mayor.

PERSONNEL REPORTS

38.20 In addition to specific personnel reports required by other provisions of these rules and regulations, the Town Administrator or designee shall also be required to complete and submit other personnel reports as required by local, state and federal law.

38.21 Documents entered into the personnel file shall not be removed, tampered, or changed in any way once entry into the personnel file has occurred. Additions may be made as in the case where an employee wishes to add a written explanation to any employee action, such as a discipline or a performance appraisal; however, the original entry shall not be altered or changed.

38.22 All personnel record shall be maintained in conjunction with Florida Records Laws and recommendations. The destruction of any personnel record will be accomplished as recommended in Florida Records Retention Laws with a record of destruction and an appropriate description of what records were destroyed.

38.23 It is the responsibility of each employee to keep his or her Department Director advised of any changes in personal information, such as: name, address, telephone, marital status, number of dependents, beneficiary designations, and persons to be notified in case of an emergency, etc. It is the responsibility of each employee to complete a W-4 Form within 10 days of the change. The Town Clerk or person designated by the Town Administrator shall be responsible for filing and retaining this information.

Effective Date: Council Passed 091304 Council passed amended policy 050916

Purpose

48.1 All regular full time employees working at least 32 hours per week begin accruing leave when they are hired. The purpose of this policy is to establish town policy regarding various types of paid leave.

The paid leaves of the Town of Lake Placid are Vacation Leave, Sick Leave, Military Leave, Civil Leave, Bereavement Leave, Personal Leave Workers' Compensation Leave, and Family and Medical Leave. Leaves shall be approved by the Department Director or the Mayor's or his designee in conformance with the rules established for each leave type and after verification in the case of sick leave or other paid leaves that the affected employee has accrued the number of leave hours requested.

48.2 Leave without pay requires the approval of the Mayor or the Town Administrator.

Vacation Leave

48.3 Vacation days begin accumulating on the employee's hire date; however, the employee is not eligible to receive any vacation benefits, including leave or reimbursement, until after six months of employment. Vacation time shall accrue at the following rates per week:
1.54 hours per week (2 weeks per year) for all employees for the first five years of employment,
2.31 hours per week (3 weeks per year) for all employees after year five until year fifteen,
3.08 hours per week (4 weeks per year) after fifteen years of employment

The accrual rate for an employee will change to the new rate of 2.31 or 3.08 hours per week on the anniversary date of employment (i.e. at the beginning of the employee's sixth and sixteenth year of employment). The new rate will be earned from that date and into the future and is not intended to be applied retroactively to previous years of service.

48.4 An employee must meet the following criteria in order to receive paid vacation:

a) Payroll department must be notified in writing two (2) weeks or earlier. Vacation checks will not be issued if the payroll department is not notified as stated.
b) Employee must have already earned the time to cover the request.
c) Paid vacations must be approved by the department supervisor.
d) Request must be in writing via memorandum and placed on the vacation calendar after approval by department supervisor.

48.5 Maximum Vacation Accrual Guidelines
Employees will be allowed to carry a maximum vacation accrual on the books of the following amounts:
An employee who accrues vacation at the 1.54 hours per week level may carry a total vacation accrual of not more than 120 hours vacation.
An employee who accrues vacation at the 2.31 hours per week level may carry a total vacation accrual of not more than 160 hours vacation.
An employee who accrues vacation at the 3.08 hours per week level may carry a total vacation

accrual of not more than 200 hours vacation.

48.6 Employees shall be paid for annual vacation leave at the same rate as hours worked. This leave shall not be used when computing total overtime hours during a work period.

48.7 Employees who are going on scheduled leave of any type, where such leave crosses pay periods, shall submit a signed electronic time sheet prior to departure. Failure to submit same shall result in the time sheet approving authority submitting time sheet entries for the employee at the approving authority's discretion. Approving authorities shall consist of the Town Administrator or applicable Department Director. In all cases where time sheet entries are made for an employee an entry denoting the reason will be made.

48.8 The Mayor, the Town Administrator, or Department Director may require an employee to take vacation leave for a specific duration, or may subtract vacation time from the employee's accrual in the event the employee exceeds the maximum accrual rate. The Town Administrator with Mayoral consent, may allow vacation accruals to temporarily exceed guidelines in cases where leave would cause extreme hardships. Otherwise, employees who have accrued more than the maximum amount allowed in 48.5 without the approval of exception will begin forfeiting additional vacation accrual once the limits set in 48.5 have been reached.

48.9 Employees with over one (1) year service will be paid for appropriate amounts of earned unused vacation leave to a maximum of 160 hours at voluntary termination, provided proper notice has been given and all Town equipment and property is returned, including uniforms and has completed an Exit Interview. Any employee planning to leave town employment is encouraged to plan their departure in such a way that the employee will have no more than 160 hours total accrued vacation on the books when the employee departs. When an employee departs town employment and has a maximum accrual of more than 160 hours the amount over 160 hours will be forfeited.

48.10 Paid leave may not be scheduled in amounts less than one hour.

Sick Leave

48.11 Accrued sick leave is a benefit provided by the Town of Lake Placid to provide members with position and salary continuation in the event of a personal illness and to promote sick leave conservation for extended protection.

48.12 New hires will accrue at a rate of one sick day (8 hours) per month which will earned on a pro-rated pay period basis. However, new hires must be employed for three months before they can utilize sick time that has been accrued.

48.13 Sick leave will accumulate at the rate of eight (8) hours per calendar month for all employees, including those employees working various shifts.

48.14 Sick leave accrued shall not exceed a maximum of 960 hours for all employees hired on or before May 9, 2016. Employees hired after May 9, 2016 shall accrue sick leave to a maximum of 480 hours.

48.15 All employees who retire (as defined in LP Personnel Policy P17) honorably with ten (10) years or more of uninterrupted service to the town of Lake Placid will receive payment for 50% of unused sick leave, up to 960 hours (480 hours for employees hired after May 9, 2016). All employees who retire honorably (as defined in LP Personnel Policy P17) with twenty (20) years or

more of service to the town of Lake Placid will receive payment for %75 of unused sick leave, up to 960 hours (480 hours for employees hired after May 9, 2016). Both retirement sick leave payments under this section are conditional upon the employee having not used more than 20% of their total sick leave over the employee's entire employment period with the town.

48.16 Payment of sick time to an employee is not unconditionally based on an employee's assertion that the employee is sick. The Department Director retains the authority, with approval from the Mayor, or Town Administrator, not to pay any employee sick time payments where it is provable by a preponderance of the evidence that the employee was not actually sick, or that the employee used sick time for purposes other than sickness.

48.17 After five (5) consecutive work days of absence, the member must submit a medical certification report from an attending physician stating the estimated duration of leave and general likelihood that the employee will be able to perform the job currently required of the employee.

If the medical certification submitted is not acceptable to the Department Director then the Department Director, or Town Administrator, in cases where Department Directors are in are the employee on sick leave, may require the member to submit to a medical examination detailed by the town. The town shall pay for examinations of this type. (See Lake Placid Personnel Policy P6) If the member's health is deemed by the physician to be unfit to perform the job the employee currently performs for the Town of Lake Placid, the Department Director, or Town Administrator, if the employee is a Department Director, may allow the member the use of accrued sick leave, compensatory time and/or annual leave, before being placed on leave without pay.

A member who refuses to comply with the above rules, shall not be eligible to use accrued sick leave or other leave while absent.

48.18 Any member who fails to report to work for up to three (3) consecutive work days, and fails to notify his/her Department Director of reasons for the failure to report to work, will be considered to have resigned his/her position with the Town of Lake Placid.

A member who becomes ill while on approved annual leave, may be allowed to use accrued sick leave to cover the period of illness instead of the annual leave the employee was on. The employee must notify the Department Director, or Mayor, if the employee is a Department Director, of the illness and comply with the provisions herein regarding sickness. The original scheduled annual leave shall not be lengthened due to sickness without making arrangements with the Department Director or Mayor if the employee is a Department Director.

48.19 Employees shall notify Department Directors regarding all prescription medications they are taking while on the job prior to any use of the medication.

48.20 Any employee not calling into the appropriate department supervisor or to the Town office at least thirty (30) minutes after the Town office opens, or a scheduled work shift begins, shall not be eligible for pay for time off during illness/injury.

An employee who is sick for more than three consecutive days shall make direct contact with the Department Director on the third day with a briefing on his/her condition. Where any employee's sick leave will extend beyond three consecutive days or where an employee has taken five or more sick leave days within a 30-day period, the employee shall personally consult with the Department Director on the third day and thereafter as the Department Director instructs, unless the employee is physically unable to call in as verified by a physician.

Payment of sick leave is not automatic. Employees shall request payment of sick leave either by time sheet entry or by requests to the employee's Department Director. Department Directors shall follow this policy substituting the Mayor as their top supervising authority.

48.21 Sick leave may be authorized for the following purposes:

a) The member's inability to work shall include, but not be limited to, personal illness, off-duty injury, or exposure to a contagious disease, pregnancy, miscarriage, abortion, child birth and recovery from childbirth.

b) The member's personal appointment with a doctor, dentist or other recognized medical practitioner.

c) The member's illness, injury, or providing care to the member's immediate family. For purposes of this directive, immediate family shall consist of a legal spouse, child living with member, and parent living with the member.

Full-time nonexempt members may use sick leave in increments of (½) hour or (1) hour. Exempt members may use accrued sick leave in increments of no less than one (1) full day.

48.22 While on extended medical leave (medical or sick leave lasting for four weeks or more) the Mayor or the Town Administrator may for any employee, designate any accrued leave that the employee has acquired, including accrued vacation time, as leave taken for purposes of furnishing a regular pay. After four weeks of medical or sick leave the Department Head or Town Administrator shall then use accumulated Vacation leave to afford payment to any employee who is on leave and after that sick leave.

Example: Employee paid on weekly 40 hour basis on 1) extended sick leave or 2) workers compensation leave, having 20 hours accrued sick leave and 30 accrued hours vacation – in case 1) extended sick leave Town Administrator may at discretion after one month's leave require that 30 hours vacation and 10 hours sick leave be used and the employee paid 40 hours for same, or is case 2) workers compensation leave where employee is receiving a 2/3 payment from worker's compensation, Town Administrator or Mayor may designate hours to make up the lost 1/3 pay.

48.23 Having accumulated leave times in any one leave definition (ie.sick, vacation, or personal), in with any combination of leave definitions, shall not obligate the Town to continue the employment of any employee who has been absent for any twelve weeks of absence in any given 360 day time period. Other than as required by law, employees who have been on any type of leave for twelve weeks or more are terminable at the discretion of the Mayor and/or the Town Administrator. Factors to be considered before such termination would include "totality of the circumstances," and whether the employee can furnish an exact return date.

Civil Leave

48.24 Employees attending jury duty shall be compensated at their regular rate of pay.

48.25 Employees who are summoned to testify in court shall be compensated at their regular rate of pay which includes time and half rates if the event is associated with town or police business.

48.25 Employees attending legal events that are inspired by the employee's own actions shall require vacation leaves.

Death in the Family

48.26 Up to three (3) days of paid leave for a death in the immediate family may be taken and up to five (5) days if out of state. The intent of this section is to allow any employee the working days named above for bereavement. The town recognizes that under the FLSA, five working days for a regular employee is 40 hours while five working days for a 7K employee, employed by the police department on 12 hour work shifts, may require additional hours or less hours depending on which work week the employee takes bereavement leave in.

(Immediate family is defined as: parents, sisters, brothers, spouse, children, grandparents, or spouse's parents, sisters, brothers, children and grandparents, or at the Mayor's discretion.)

Education Leave

48.27 From time to time it may be necessary in the performance of the job to attend seminars, institutes or other meetings. This may be at the request of the Town. Employees attending such meetings specifically required by the Town as mandatory training will be paid at their regular rate of pay.

48.28 Optional training hours will be paid at the discretion of the Department Director or Town Administrator. Typically, an employee will receive a regular weeks pay if the employee is being sponsored in a program the department is approving at the employee's request. Such educational programs are of mutual benefit to the employee and the Town. (Refer also to policy P22)

Holidays

48.29 Holidays are designated at the start of each fiscal budget year by the Town Council. Holidays for purposes of this section are posted to employees when designated and when leave dates are formalized by Town Council each year. Town Council recognizes at least twelve Holiday leave dates per year.

48.30 Holidays which occur during a vacation leave shall not be charged against vacation leave. Holidays which occur during sick leave shall not be charged against sick leave. An employee who is not on approved leave, approved at least two weeks in advance, and fails to report for work on the day before or after the holiday as routinely scheduled, shall not be compensated for the holiday.

48.31 In consideration of holidays there shall be two classifications of town employees in regards to holiday benefits:

Class A employees are those employees who are actually able to take off on the applicable holiday. These employees will be compensated for the holidays designated by Town Council at their regular rate of pay. Class A employees includes for example, Department Directors, assistant town clerks, police department non-sworn office employees, detective(s), utility and park employees.

Class B employees are those employees who work shift work, for example police officers, whose regular shift work assignment necessitates a mandatory number of weekly hours regardless of whether holidays occur or not. These employees are unable to take off on a holiday. Class B employees will receive eight 8 hours pay at the employee's regular hourly rate

of pay whether the employee actually works the holiday or not.

48.32 Holiday hours which are added to an employee's weekly or biweekly tally of hours shall not be considered as actual time worked pursuant to the Fair Labor Standards Act. Only those hours actually worked are considered when calculating overtime rates.

48.33 When scheduled to work on a holiday and the employee calls in and is placed on sick leave, the employee will receive holiday pay only, not sick leave plus holiday pay.

Compensation Time Leave

Compensation time accrual is explained in personnel policy section ___(Under construction).

48.34 Employees will be allowed to use accrued compensation time at the discretion of the Department Director or Town Administrator.

48.35 Employees may be required to take compensation time by Department Directors to avoid large accumulation from being carried as a financial burden

48.36 Compensation time will not be allowed to accumulate to a maximum of 160 hours.

48.37 Worker's Compensation (see policy ___ Under construction)

8.38 Military Leave

Refer to section 42

48.39 Family Leave

Refer to section 30

Personal Days

48.40 Department Directors who are exempt employees under the Fair Labor Standards shall be afforded three paid personal days (24 hours) per fiscal year. In all cases leaves that are termed "Personal Days" shall not accrue and shall not carry over to subsequent fiscal periods. Employees shall not be reimbursed any portion of unused personal days in the event an employee terminates his/her employment. Personal days shall be taken in increment of full eight hours days.

Personal days are afforded to these Department Directors and Town Administrator to offset work hours where such "exempt" staff who do not accrue compensation or overtime for extra hours worked, are required to attend various town meetings beyond their regular work hours.

48.41 The Town Administrator with approval of the Mayor has the authority to review recommendations of Department Directors and approve up to two personal leave days per year for employees recommended as having done an exceptional job. In all cases the employee will be acknowledged at the Town Council meeting occurring after the leave is approved by the Town Administrator along with a report that the personal days were allotted. Department

Directors are limited to two such nominations per calendar year.

48.42 Employees who use no sick leave from January 1 to January 1 of the following year shall receive two personal days in recognition of same. Town Council shall receive a report in a Town Council meeting each year commending these employees.

Final Discussion

48.43 Department Directors, the Mayor, or the Town Administrator if the employee requesting leave is a Department Director, may refuse to grant leaves if by granting same the town government services will be impacted beyond reason.

48.44 Employees who are discharged for cause or who do not give proper notice when leaving the town's employment will not receive payment for any accrued leave time other than accrued compensation leave

48.45 Under FLSA, time and half rates are accumulated on the basis of time actually worked. If an employee is on any type of paid leave, other than educational leave, the leave time must be made up in actual worked hours prior to any accumulation of time and half rates.

i.e. A police employee (7K Employee under FLSA) acquiring time and half pay after 86 hours worked per two weeks who take 8 hours sick leave would be required to actually work 94 hours (86 + 8) prior to accumulating time and half pay. (See Personnel Policy __ (Under construction)

48.46 Regular benefits will accrue and paid holidays will be given while one is on paid leave. When all accrued paid leave time is exhausted, it is the employee's responsibility to apply for leave of absence without pay.

48.47 During a leave of absence without pay, benefits do not accrue and holidays are not paid unless required by law. It shall be the employee's responsibility to make all arrangements and to pay the entire cost of insurance or other fringe benefits they wish to retain while on an unpaid leave of absence where law allows the town to discontinue maintenance of same for the employee. Failure to do so will result in termination of employment as a voluntary resignation.

48.47 Maternity leaves of absence will be allowed according to the Federal Law.

48.48 In the event that an employee is absent for more than four weeks other than being on approved vacation leave, holiday leave or personal leave, all leave will stop accumulating.

PURPOSE OF THIS POLICY

This policy is intended to establish policy for use of Town owned vehicles.

A Town vehicle is hereby defined as any vehicle motorized or other, where same is driven owned, leased, or borrowed by any Town employee where such vehicle is insured by the Town or where the Town is liable for damages caused by the operation of such a vehicle. Examples of this include but are not limited to motorized vehicles, lawnmowers, golf carts or bicycles.

50.01 Town employees shall at all times operate Town vehicles in a manor complying with all applicable laws.

50.02 The Town Administrator and Directors shall determine each employee's qualifications to operate town vehicles and equipment based on licensing, training, assignment and level of responsibility of the employee and shall publish same in writing.

50.03 Employees who are furnished take-home vehicles are furnished same with the demand that the employee be on call and responsible for response to town emergency at all times except where specifically exempted by the employee's supervisor. (Cross reference Personnel Policy P14)

50.04 Employees who are furnished take home vehicles shall at all times while operating the vehicle be responsible for remaining available for contact and shall respond to any call requiring same.

50.05 Employees who are furnished take home vehicle shall use not use the vehicle for personal use unless it is reported as extra income pursuant to the Internal Revenue Code.

50.06 The Town and employees who are furnished take home vehicles shall comply with Internal Revenue Service Fringe Benefit guidelines regarding reporting of Town vehicle use as a fringe benefit income where required by law.

50.07 The Town Administrator shall in January of each year cause all personnel, including the Town Administrator, to annually accumulate a signed form stating that the vehicle has not been used for personal use and for the employee to by mileage log, account for any annual use of the vehicle where same was used for personal use.

50.08 Ultimately it is each employee's responsibility to report personal use of the vehicle; however, it is the Towns responsibility to maintain policy and enforce a town business use only policy.

50.09 The Town shall maintain a pay period tracking system for tracking extra income of employees who are reporting a vehicle fringe benefit use.

50.10 All employees who are furnished take home vehicles shall familiarize themselves with town owned systems (Example: water and wastewater and cemetery) both inside and outside of the town's limits and shall monitor same and respond to damages to same for damages at all times when using a town vehicle.

50.11 Employees using a Town vehicle shall immediately (within fifteen minutes or while at the original accident scene) report:

a. All accidents involving Town vehicles to their Director or to the Town Administrator in the Director's absence. No Director shall institute any policy or verbal instruction contradicting this section due to monetary or minor attributes of the accident. The Director will decide after being told of the accident whether the damage warrants further concern.
b. Any traffic infractions for which an employee is charged with
c. Any change in driver's license status, including suspension, revocation, or restriction
d. Any lapse or termination of insurance coverage
e. Supervisors shall use discretion in the preference of which law enforcement agency is preferred to investigate any accident involving a town vehicle based on occupation of the vehicle involved, extremity of injuries. A level of Director or above shall, if given a choice, decide which agency should investigate any accident involving a town vehicle accident resulting in a death or serious injury.

50.12 Employees shall not enter into any agreement with any outside party concerning any aspect of a town vehicle without Supervisory approval.

50.13 With the exception of Public Safety staff, employees are not allowed to carry or have possession of a firearm or other weapon on premises or in a vehicle, without disclosure, unless it is within their job description.

50.14 With the exception of Public Safety staff transporting alcoholic beverages or drugs as evidence only, or with the exception of sanitation trucks clearly transporting alcoholic beverages or drugs as waste in the garbage carrier of the unit, no Town vehicle will transport any alcoholic beverage or illegal drug.

50.15 Employees suspected of being under the influence of alcoholic beverage or drugs shall be subject to the requirements of The Town of Lake Placid Personnel Policies P10 or P49. It shall be deemed an adequate preponderance of evidence that suspected alcoholic beverage influence is suspected by a Supervisor and said Supervisor has verified alcohol influence by receiving the results of a breath test from a street level testing device owned by the Town. The Town Public Safety personnel are hereby instructed by policy to administer a breath test upon request of the Town Administrator or any Department Director.

50.16 Any employee requested by the Town Administrator or Director to submit to an alcohol breath test shall immediately submit to same for purposes of determining whether the employee can operate a town owned vehicle or has been operating a town owned vehicle while under the influence of alcohol. An acceptable breath test for purpose of this policy shall be as provided by a police hand held roadside unit. A breath test taken under order of this policy is not intended to be used for any criminal prosecution purposes. An indication of any alcohol influence level shall provide

evidence of same rather than any required level for state law purposes. Employees refusing to submit to a breath test shall be deemed to have committed a separate offense of refusing a follow town policy.

50.17 Employees may be required to use their personal vehicle for business travel, such as training, errands and attending meeting. Employees shall be informed of same in advance, where applicable.

50.18 It is the responsibility of the employee, using a personal vehicle for town business, to carry adequate automobile insurance to cover him or her and the passengers.

50.19 Employees will be reimbursed for business usage of personal vehicles at the current Internal Revenue Service rate.

50.20 Employees will not be reimbursed for any repairs to their personal vehicle, even if these costs are a result of business use.

50.21 To be reimbursed for business travel, for a personal vehicle, employees must fill out a Pre- Authorization, "TRAINING REQUEST FORM T1," that includes the following: purpose of trip, date, costs, destination of travel, mileage and documentation that he or she attended. (Refer to Town of Lake Placid Personnel Policy P22 requiring pre-approval of training costs)

50.21 At all times while using a town vehicle the use of cell phones (including texting) is prohibited. Any employee who uses an unauthorized personal cell that was not issued to him/her, during working hours shall be disciplined accordingly. Public Safety employees are allowed to take ONLY emergency calls while driving.

50.22 Nothing in this policy is intended to apply to a Law Enforcement officer in a lawful performance of duty.

50.23 The Town Administrator shall verify annually in January, by affidavit that all persons the Administrator supervises are licensed appropriately where same may operate a Town vehicle where a driver's license is required. The Department Directors shall verify annually in January, by affidavit that all persons the Director supervises are licensed appropriately where same may operate a Town vehicle where a driver's license is required.

50.24 The Town Lake Placid offers to reimburse, or make payment on behalf of a regular full-time employee of the City for fees paid for the specific purpose of acquiring a Class "A" or Class "B" Commercial Driver's License (CDL). In exchange, the employee agrees to enter into the Commercial Driver License Agreement with the City. Where the Town pays for same the provisions of Town of Lake Placid Personnel Policy Section 22P Job Development and Training requiring one year of employment applies.

DRIVER'S LICENSE
VERIFICATION AFFIDAVIT

I _____ hereby state that I have a valid Florida

Driver's License, Class ___, Number _____

which expires on _____.

I further attest that I have received no notices of suspensions or revocations

concerning my current Driver's License.

Attest _____ Date _____

Form P50 Town Vehicle Driver's License Verification