

CITY OF PALATKA

PERSONNEL RULES AND REGULATIONS

ADOPTED BY:

PALATKA CITY COMMISSION

MAY 9, 1986

12/13/79	Adopted	Section 5.9 A-O	02/01/06	Revised	Section 04.0
08/06/96	Revised	Appendix 15	08/24/06	Adopted	Appendix 18B
10/20/86	Adopted	Appendix 17	09/14/06	Adopted	Appendix 19
10/26/89	Section	5.10 A-B	10/26/06	Adopted	Appendix 25
04/09/92	Adopted	Appendix 18	02/28/08	Adopted	Appendix 26
01/28/99	Section	8.5	08/28/08	Revised	Appendix 02
01/13/00	Section	5.8 D	10/09/08	Revised	6.1
06/29/00	Revised	Appendix 14	03/22/12	Revised	Appendix 24
06/29/00	Revised	Appendix 14-A	04/12/12	Supplemt.	to App 13
10/01/00	Revised	Section 8.2	12/13/12	Adopted	Appendix 27
11/09/00	Revised	8.5 A-C	03/27/14	Adopted	Section 6.2
12/09/00	Revised	9.2	07/24/14	Adopted	Section 04.6
02/26/01	Adopted	Appendix 20	03/15/17	Revised	Appendix 13
05/24/01	Adopted	Appendix 21	07/27/17	Adopted	Appendix 29
05/14/02	Revised	8.5 A-E	09/06/17	Adopted	Appendix 30
09/12/02	Adopted	Appendix 22	10/18/18	Adopted	05.5
11/04/02	Revised	6.0	10/18/18	Adopted	05.9
02/01/03	Revised	8.5 B	10/18/18	Adopted	07.1
03/13/03	Adopted	Appendix 1.A			
07/10/03	Adopted	Appendix 23			
03/25/04	Adopted	Section 3.7F			
01/13/05	Adopted	8.5F			
04/14/05	Revised	Appendix 13			
04/28/05	Adopted	Appendix 24			
08/25/05	Revised	5.9			

CITY OF PALATKA

PERSONNEL RULES AND REGULATIONS

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SECTION 01.0

DEFINITIONS:

BASE PAY:

Hourly rate as shown by the Salary Schedule based on the position classification.

CONTRACT EMPLOYEE:

Any employee whose services have been contracted, as a condition of employment.

DISCHARGED EMPLOYEE:

An employee who is directed to leave the City's employment as a result of some action on the employee's part.

EMERGENCY:

A situation which threatens to disrupt the services of the City, possibly resulting in loss of health, safety, or welfare of the citizen.

ENTRY LEVEL:

The lowest job classification (i.e. Equipment Operator I) of the same class job.

FITNESS:

This term refers to one's ability to perform as an employee. This may mean physically, morally, and/or mentally.

GENERAL PUBLIC:

All the citizens of the City of Palatka.

INJURY:

Physical injury or death by accident arising out of, or in the course of employment.

MERIT:

This term refers to the recognition of one's performance in relation to what is expected of one, and what one's fellow employees are doing (i.e. exceptional job performance and loyal service to the City of Palatka is meritorious, and deserves a merit increase).

PART-TIME EMPLOYEE:

An employee who works less than a normal shift (i.e. 3 hours per day).

PERMANENT PART-TIME EMPLOYEE:

An employee who works a regular shift less than forty (40) hours, and who intends to remain in the City's services indefinitely.

PERMANENT FULL-TIME EMPLOYEE:

An employee who works a full shift, and who intends to remain in the City's services indefinitely.

PROBATION:

A period set aside to enable the employee and employer to prove themselves worthy of each other's continued consideration.

PROVISIONAL:

This term refers to an employee who is hired with the understanding that certain conditions have been placed on his continued employment. Part-time temporary and contract employees may be termed provisional.

REGULAR EMPLOYEE:

An employee who works consistently the same schedule, and who intends to remain with the City indefinitely. May include part-time employees.

RESIGNATION:

A statement that one is leaving his/her job, his/her last date of work, his/her reasons for leaving, and any other comments.

SUPERVISOR:

An individual who is directly responsible for a group of employees. This may include Superintendent's, Department Heads, or Senior Clerks.

TEMPORARY EMPLOYEE:

An employee who will be with the City over a limited time, usually less than six (6) months.

TERMINATED EMPLOYEE:

An employee who no longer works for the City.

SECTION 02.0
PERSONNEL ADMINISTRATION:

02.1 RESPONSIBILITY:

- A.** The City Manager is responsible for developing:
- (1) The classification of all City positions, based on the duties, authority, and responsibility of each position, with adequate provision for re-classification of any position, whenever warranted by changed circumstances;
 - (2) The pay plan for all City workers;
 - (3) The methods for determining the merit and fitness of candidates for appointment or promotion;
 - (4) The Policies and Procedures regulating reductions in force and removal of employees;
 - (5) The hours of work, attendance regulations, and provisions for sick and vacation leave;
 - (6) The Policies and Procedures governing persons holding provisional appointments;
 - (7) The Policies and Procedures governing relationships with employee organizations;
 - (8) The policies regarding in-service training programs; and;
 - (9) The other necessary Policies, Procedures, and Practices to the administration of the City personnel system.

02.2 PERSONNEL RECORDS:

- A.** The Personnel Clerk shall be responsible to the City Manager for maintaining the centralized personnel records of all City employees.
- B.** The centralized personnel files may contain the following:
 - (1) The original employment application dated and signed.
 - (2) A copy of Military Discharge papers;
 - (3) Change in Payroll Status" forms;
 - (4) Attendance Records

02.3 PERSONNEL STATUS CHANGES:

- A.** Employees shall notify their Department Heads whenever any changes are to be made on their personnel records, such as; home address, telephone number, marital status, number of dependents, etc.
- B.** The Department Head shall forward this information to the Personnel Director to insure that it is placed in the employee's file. This is important to the employee, as well as the City. For instance, the City is often asked to verify employment, last known address, and annual salary, for credit applications. Inconsistencies might cause considerable delay.

SECTION 03.0

JOB VACANCIES:

03.1 STATEMENT OF INTENT:

The City of Palatka whenever possible prefers to promote it's qualified employees to fill job vacancies within the City.

03.2 FILLING JOB VACANCIES:

- A.** In the event of a vacancy in the classified service in any department, such vacancies shall, if at entry level, be filled by a voluntary transfer of a qualified employee from within the organization, or by open competitive examination for qualified applicants from the general public.

(1) Applications will be obtained through advertisement in a newspaper of county wide circulation, or through posting with the Job Service of Florida.

- B.** Vacancies occurring at other than entry level, in any department shall be filled, when possible by promotion of qualified employees from the next lower grade or class within the department. If there are no qualified candidates available in the next lower grade or class, or if no lower grade or class exists, then such vacancy shall be filled within the City organization, or by open competitive examination of qualified applicants from the general public. Employees transferring will be able to return to their original position within thirty (30) days.

03.3 PHYSICAL EXAMINATION:

- A.** As a condition of employment with the City, Applicants are required, at the City's expense, to have an employment physical examination.

(1) Appointments for these examinations shall be made with the City Physician through the personnel office.

- (2) The City reserves the right to request employee's to be re-examined by a physician at any time to assure the City that they are physically able to perform their jobs properly and effectively.

03.4 RE-EMPLOYMENT:

Before a Department Head makes a commitment to rehire a former City Employee, he should check with the Personnel Office on the Employee's past personnel record, such as; Job Performance, Attendance, use of sick leave, reasons for termination or resignation, etc.

- A. No former employee may be rehired within the current fiscal year, and not before a six- (6) months period has elapsed.
- B. The City Manager must approve all rehires.

03.5 EMPLOYEE EVALUATIONS:

At the completion of the initial six (6) months, and every review date (i.e. yearly) thereafter, the employee's Supervisor will be responsible for offering at least one way in which the employee might improve himself.

- A. This evaluation should be written out by the Supervisor, initialed by the employee after a discussion about evaluation has taken place, and forwarded to the Personnel Office.
- B. These reports will have an important part in determining the employee's eligibility for pay increases, or other changes in employment.

03.6 HOURS OF WORK:

The City Manager establishes the hour of work for all departments and divisions of the City of Palatka, depending on the functions and operations involved, along with uniform starting and quitting times for supervisors and employees on day and night shifts.

- A. Job responsibilities differ from department to department, so weekly work schedules will also vary. Employees will learn the hours of their assigned jobs.

03.7 OUTSIDE EMPLOYMENT:

- A. Any City of Palatka employee who has a secondary job with another employer and/or is self-employed doing odd-jobs for pay, must understand that his City job will be his/her first responsibility and shall not be neglected at the expense of any secondary or off-job activity. Public safety employees will need written permission from their department head.
- B. It should be further understood that no facilities or property of the City are to be utilized by an employee while engaged in secondary employment, unless specifically approved by the City Manager.
- C. Employees will not solicit outside business during their normal City working hours.
- D. Employees engaged in secondary employment must comply with all licensing requirements to such work.
- E. The City cannot continue to employ a person when secondary employment in the judgement of his supervisor is interfering with his ability to perform his work in a normal manner, nor can the City continue to employ a person whose secondary employment reflects unfavorably on the City.
- F. Any employee who has a secondary job with another employer shall disclose the name, address and telephone number of their secondary employer. Any employee who has a secondary job and is self-employed shall disclose the name, address and telephone number under which he/she is self-employed.

03.8 PROMOTIONS AND TRANSFERS:

Promotions within the City Department will go to the best-qualified individuals available. Experience will receive careful consideration. Occasionally, a promotion may take the form of a transfer from one department to another.

- A. The employee's advancement in the City may depend upon the interest he shows in his/her work. An employee can effectively demonstrate his interest by being alert to any possible improvements, which might increase his own efficiency, or the efficiency of the City.
 - (1) If an idea for improvement occurs to him/her, he/she should first think it over carefully, then bring it to the attention of his/her supervisor or, if the employee is a supervisor, to his/her department head.
- B. When an employee is on temporary duty to another division, that employee is responsible to the superintendent of the division for which the work is being performed and will receive work orders from that superintendent and adhere to the regulations governing that particular division.

03.9 EMPLOYMENT OF RELATIVES OR NEPOTISM:

Under Florida Law, the City of Palatka may not hire anyone related to an elected City Official. Also, no employee may work for, or under the direct supervision of any person to whom he is related.

- A. Relative is defined as; mother, father, son, daughter, brother, sister, uncle, aunt, first cousin, grandson, granddaughter, nephew, niece, husband, wife, father-in-law, mother-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother or half-sister.
- B. The City Manager may prescribe regulations authorizing the temporary employment of individuals whose employment would otherwise be prohibited under this Law (Chapter 116.11, paragraph (4) of the Florida Statutes).

SECTION 04.0 OVERTIME

04.1 INTENT:

Overtime is when an employee works over their regular scheduled hours. Overtime will not be earned if the employee does not actually work his established work period (i.e., if the employee is off two (2) days sick leave and works a shift on regular days off, he/she will be paid for hours worked and sick days will remain in his account, unless those hours are needed to bring him to his/her full weekly pay. If he/she is on a vacation day and they are called in on their day off and their hours are more than their scheduled hours then he/she will be paid at straight time and their vacation day will be debited from their account.)

04.2 OVERTIME CASH PAYMENT:

- A. Employees may receive overtime pay in cash at a rate of not less than one and one-half hour for each hour of overtime worked.
- B. All accrued comp-time on the books, as of February 1, 2006 must be taken by February 1, 2008.

04.3 GENERAL EMPLOYEES:

- A. Overtime work is not permitted unless authorized by the City Manager or his designee.
- B. Each employee of any department is subject for call-in on any emergency, at any time, as determined by the superintendent, the Department Head, or City Manager.
- C. Employees shall receive overtime payment at one and one-half hour for any time worked over forty (40) hours.

04.4 PUBLIC SAFETY EMPLOYEES (FIRE AND POLICE):

- A.** Police department employees shall receive overtime payment at one and one-half hour for any time worked over one hundred and seventy one (171) hours in a twenty-eight (28) days cycle.
- B.** Fire department employees shall receive overtime payment at one and one-half hour for any time worked over two hundred and four (204) hours in a twenty-seven (27) days cycle. Per Impact Bargaining of January 4, 2006, the City and Union representatives agreed to allow 'comp-time' to be accrued in lieu of pay for 'standby'. The option will be the employees. This is the only instance that comp-time will be allowed and this accrued comp-time must be used within the same fiscal year. Comp-time earned in the last quarter of the fiscal year must be taken in the first quarter of the subsequent fiscal year.
- C.** Each employee of any public safety department is subject for call-in on any emergency, at any time, as determined by their supervisor, or department head. Said duty shall be compensated.

04.5 ADMINISTRATIVE/SUPERVISORY EMPLOYEES:

- A.** Administrative/Supervisory employees are expected to perform any additional services and hours of work that may be required of them, to fulfill their job responsibilities, without overtime compensation.
- B.** Administrative/Supervisory employees who are called out by another supervisor to work at a non-supervisory job (i.e., Equipment Operator) shall be paid at their normal base pay, at straight time. This shall be paid from the division's budget requesting the assistance.
- C.** In the event of a disaster requiring scheduled overtime for Administrative/Supervisory personnel, the rate of compensation is to be set by the City Commission.
- D.** Each Administrative/Supervisory person is subject for call-in, on any emergency, at any time, as determined by his or her department head, City Manager, or his designee.
- E.** When an Administrative/Supervisory person is required to work on a project, and the cost of the project is billed to a third party, the Administrative/Supervisory personnel shall be compensated at the same rate as any other City personnel on the project, as the City does not make money from overtime work.

City of Palatka
Personnel Rules and Regulations
04.6 On-call Program

1. The City of Palatka in effectively managing its Utility and Infrastructure System, Public Facilities and Grounds requires its employees to be able to consistently and regularly respond to emergencies and non-emergency customer service requests on a 24/7/365 day schedule basis. In order to meet this need, the City established an On-call Program where specific department employees are designated to answer calls during non-regularly scheduled hours and are compensated to be available and respond when calls arise.
2. Employees who are designated and participate in the City's On-call Program must be available and able to respond to the location of all emergency and non-emergency calls within **thirty (30) minutes** from the time the call is received. On those rare occasions that an employee cannot respond within the thirty (30) minute established response time, the employee must immediately telephone his/her supervisor and specify the reason for the delayed response and the anticipated arrival time. The Department Head or designated Supervisor will then make the determination whether to allow for the temporarily delayed response or to dispatch another employee.
3. Employees who participate in the On-call Program will receive six (6) hours of straight time pay for each seven day on-call period. Employees will receive overtime pay (hours worked times 1.5 regular hourly rate) for all time worked, if the employee has actually worked at least forty (40) hours in that pay period. In the event that an employee has actually worked less than forty (40) hours in that pay period, the hours worked and recorded responding while on call, shall be paid at straight time.
4. Any employee who is on-call shall be available and able to respond to a call within the thirty (30) minute response requirement. Failure to respond within the thirty (30) minute timeframe, without following the reporting requirements in Section 2, or responding in an impaired manner shall subject the employee to disciplinary action, up to and including termination. Impaired manner shall mean under the influence of alcohol, prescription or non-prescription drugs, or illegal narcotics where a person's judgment, abilities, or reasoning skills are impacted by such substances.

SECTION 05.0
ATTENDANCES AND ABSENCES:

05.1 ATTENDANCES AND ABSENCES:

- A.** Absence from duty shall be deducted from the employ's pay, if the reason for the absence is not presented to the immediate supervisor in advance.
- B.** Absence in excess of twenty-four (24) hours without any approved explanation shall be considered a reason for dismissal.
- C.** The City Manager holds department heads responsible to account for the daily whereabouts and activities of themselves, their supervisors, and their employees on duty.
- D.** Employees are expected to be prompt and ready for work at the scheduled starting time each day and they are not to make preparations for leaving before the end of the shift.
- E.** If an emergency arises that will cause an employee to be more than thirty (30) minutes late reporting to work, they shall telephone their supervisors as soon as possible.
- F.** Excessive tardiness in reporting for work, or in returning from lunch will not be permitted and may call for disciplinary action, or dismissal. Departments may adopt more stringent requirements when necessary, regarding reporting for work.
- G.** Employees shall not absent themselves from work without their supervisor's permission, except in cases of sickness, or justifiable emergencies. If employees are to be absent, they are expected to notify their supervisors promptly, and give the reason for their absence, and the expected time of their return to work. Habitual absenteeism will be cause for dismissal.

- H. Absences of employees must be accounted for by a reasonable excuse. Failure to follow this rule will mean loss of pay.
- I. Automatic discharge will be effected if; employees have been absent for three (3) calendar days and have failed to report their absence to their supervisor.

05.2 JURY DUTY:

If employees are summoned for jury duty, they will be granted the necessary time off, with pay, for the civic service. A request for such time off must be made to their department head, which will notify the Personnel Clerk in writing the approximate length of the employee's absence.

05.3 COURT APPEARANCES:

Employees, who are summoned to appear as witnesses in any action in connection with their job, concerning town, City, County, State, or Federal Government shall be granted leave pay upon presentation of any summons. Court appearances for civil actions not involving public bodies will not receive leave of pay.

05.4 MEETINGS AND CONFERENCES:

Employees may request to attend job-related conferences, and/or training seminars, which are budgeted and considered in the best interest of their service to the City. These request must be approved by their Department Head and City Manager.

- A. On unbudgeted conferences, etc., employees may request time off from their jobs at their own expense. Their Department Head must approve the request for unpaid absences.
- B. Authorized leave with pay may be authorized under special conditions with the approval of the Department Head and City Manager.

05.5 BEREAVEMENT

Revised 09/2018

Adopted 10/11/2018

Policy

City of Palatka provides Full-time employees with additional leave types not charged to an accrued leave balance. These leave types are described below.

Employees, with the exception of 56 hour Shift employees, are granted up to the equivalent of a normal workweek not to exceed forty (40) hours paid bereavement leave to arrange for and/or attend funeral services or related matters for the death of the employee's family or close acquaintances. 56 Hour Shift employees are granted up to the equivalent of two (2) shifts, not to exceed forty-eight (48) hours paid bereavement leave to arrange for and/or attend funeral services or related matters for the death of the employee's family or close acquaintances.

Beginning with your first day of employment and with management approval, you may be permitted time off for bereavement /funeral leave.

You should communicate your need for bereavement/funeral leave to your Supervisor. In the event a death occurs in your family or among your close acquaintances, use the table below to identify time off available. The request must be arranged through the Department Director. At the discretion of management, verification for use of Bereavement Leave may be required.

RELATIONSHIP	TIME OFF (based on your schedule hours per day)
Immediate Family	Up to 3 days with pay; (2 additional days may be approved by manager if traveling out of town)
Relative Outside of Immediate Family	Up to 1 day with pay
Close Acquaintance	At Manager's Discretion (paid or unpaid)
56 Hour Shift Employee	Two (2) Shifts

Additional paid or unpaid days may be permitted up to a total of your scheduled weekly hours, with Manager approval.

Bereavement/funeral leave hours are not considered worked hours for the purpose of calculating overtime.

Bereavement/funeral leave hours are not available to be used while on any approved leave of absence (not actively at work).

Bereavement Leave should normally be taken within thirty (30) calendar days of the immediate family member's date of death. This thirty (30) calendar day period may be extended for extenuating circumstances with approval by City Manager in conjunction with Human Resources. The employee will be required to submit a written request along with supporting documentation justifying the need for the extension

Definition: Immediate Family Member – (includes step relationships)

Spouse

Domestic Partner

Child

Parent (includes a person who, though not a natural parent, has acted as a parent)

Grandparent

Grandchild

Brother

Sister

In-law (limited to father –in- law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, and includes those family members of domestic partners)

05.6 PERSONAL ABSENCES:

Request for absence from work without pay for personal reasons will be left up to the department head. The City would prefer to have employees draw from their vacation time for this purpose.

- A.** When an employee takes a personal leave of absence, the City does not provide insurance coverage during the leave, nor does the employee earn any vacation or sick leave. Upon return from an authorized leave of absence, the employee will be reinstated in the insurance program immediately. The employee will also begin earning vacation and sick time immediately upon his/her return.

05.7 MILITARY RESERVE LEAVE:

- A.** If any permanent employees are drafted or enlist in the Armed Forces, they will be granted military leaves of absence without pay. Within ninety (90) days after honorable discharge, separation, or reversion to reserve status, they may be reinstated in the City's employee program in accordance with Federal Regulations regarding Veteran's Job Rights, Section 19.
- B.** Employees on military leaves will not lose any sick leave accumulated; however, they will not accumulate any sick leave or vacation time for the duration of their military leave.

05.8 BREAKS IN SERVICE:

- A.** Termination of employment for more than seven (7) calendar days for any reason shall be considered a break in service and will not be counted in determining an employees total length of service.
- B.** In computing total length of service, part-time work shall be counted as the percentage said part time work represents of normal full time work for the position and classification in question, at the time said part-time work was performed.
- C.** Paid sick leave, paid vacation, and paid holidays shall be counted in computing total length of service.

- D. Temporary leaves of absence may be counted toward total length of service provided they do not exceed thirty (30) days. Leaves of absence which exceed thirty (30) days shall be considered breaks in service, and all time after the thirtieth (30th) day will not be counted in computing total length of service. However, employees may purchase up to a total of five months over the length of their employment toward pension longevity by making the normal employee contribution weekly. Although, the first thirty (30) days of a temporary leave of absence may be counted as service, no benefits shall accrue during a leave of absence. Employees who have previously been out on workers compensation leave will be given a one-time opportunity to purchase five (5) months of pension time lost.

(REVISED ON 01/13/00)

05.9 SICK LEAVE

Revised 10/2018

Adopted 10/11/2018

- A. Full time employees will begin accruing (1) day of sick leave per month upon hire. Leave can be **used after ninety (90) calendar days from hire date**. There shall be no limit on the number of days of unused sick leave an employee may accrue.
- B. Unused sick leave may not be used to provide employees additional vacation time. It is a privilege to be used only when needed and is intended for bona-fide illness, medical or dental appointments.
- C. Notification of absence due to illness, injury, or exposure to a contagious disease shall be given to the appropriate supervisor by the employee, as soon as possible on the first day of absence.
- D. For **56 hour** Shift employees, the City may request the employee to provide a written report from their doctor as to the condition of their health after the second shift missed. For all other employees, the City may request employees to provide a written report from their doctor as to the condition of their health after three consecutive days of absence. In the event of three consecutive days of absence or two consecutive shifts for 56 hour shift employees, the Department Head must notify the Human Resources Department. An employee failing to comply shall not receive paid leave for the day(s) in question. This is required to insure employees are physically able to do their job; for the protection of others, and/or the protection of the employee. Employees may be required to bring a written report from the doctor as to the type and extent of injury or sickness.
- E. At the expiration of the allowed sick leave and annual leave, the employee should seek guidance from Human Resources as they may have the option to apply for Family Medical Leave of Absence (FMLA). To continue health insurance, the employee must continue to pay the monthly premiums during the period that he/she is off the payroll due to sickness.
- F. Failure of a department head or supervisor to record absences of himself, or any of his employees shall result in disciplinary action against that supervisor.
- G. Employees on a leave of absence will not lose any accumulated sick leave time credited to them.

- H. Employees, who have resigned, with less than **ten (10)** years' service, or been, released from the City's service, will forfeit accumulated sick leave time. If the City rehires them as a full time employee after seven (7) calendar days, they must complete ninety (90) calendar days to be eligible to use accumulated sick leave time again. If the City rehires them as a part time employee, all accumulated sick leave is forfeited.
- I. Contract and part-time employees are not eligible for sick leave benefit.
- J. Employees are expected to attend work. Excessive use of sick leave, whether justified with a doctor's certificate or not, that affects the operation of the department may be subject to transfer or other disciplinary action. Department Heads in conjunction with Human Resources will address employee absence abuse.
- K. An employee who uses excessive leave for reported illnesses or injuries, or is otherwise frequently absent from duty for stated medical reasons may, at the Department Head's discretion, be required to document his or her future absences for medical reasons with a medical physician's statement prior to being permitted to use sick leave or return to work. An employee failing to comply with such written notice shall not receive paid leave for the day(s) in question.
- L. An employee who separates from the City after ten (10) years of service shall be eligible for payment of one quarter (1/4) of all unused sick leave accrued after December 13, 1979. In no case shall forty (40) hour per week employees receive payment for sick leave credits in excess of four hundred and eighty (480) hours.
 - (1) Fire Department Personnel who work fifty-six (56) hours per week can receive up to seven hundred and twenty (720) hours.
- M. All such payments for unused sick leave shall be made in a lump sum. Lump sum payment will be made after exit interview with Human Resources is fully completed.
 - (1) Payments made pursuant to this policy shall not be used in determining the average final compensation of an employee in the retirement system.

05.10 TRANSFER OF SICK LEAVE POLICY:

In extraordinary and/or extenuating circumstances, and with the approval of the Personnel Director, an employee may request to voluntarily transfer accrued sick leave to another employee who has exhausted their accrued sick leave, vacation, and compensatory time.

- A.** Request for such action must be submitted in writing to the appropriate department head, who will forward them to the Personnel Director for final approval. Hours are transferred on a one for one basis. Only those hours actually needed are transferred.

- B.** Procedure:
 - (1) The employee who wants to donate accrued sick leave must initiate the request through their department head.

 - (2) The department head must submit the request in writing to the Personnel Department (see the sample request memo that is page 24).

 - (3) The Personnel Department will verify that the appropriate circumstances exist per policy and prepare the Personnel Action Form.

 - (4) The Personnel Department will review and approve of the action.

 - (5) The exchange will be on an hourly basis, rather than a dollar amount.

 - (6) Employees must have completed a new-hire probationary period to be eligible.

 - (7) Once contributions have been made, employees cannot retroactively claim sick leave, or seek to have it reinstated to their personal balance.

SAMPLE SICK LEAVE TRANSFER REQUEST MEMO:

To: Personnel Department

From: Department Head

Subject: Request for Transfer of Sick Leave

Donating Employee: _____

Social Security #: _____

Number of Hours: _____

I am voluntarily requesting transfer of the above hours from my accrued sick leave account to the account of the below named employee.

Receiving Employee: _____

Social Security #: _____

Donating Employee Signature: _____

Approval: ___Yes ___No

Department Head Signature: _____

Date: _____

Section 05.09, A-O adopted by Commission Action on 12/13/79

Section 05.10, A-B adopted by Commission Action on 10/26/89

05.10-B FAMILY and MEDICAL LEAVE POLICY

PURPOSE

To define the City of Palatka's policy and procedure with regard to family and medical leave.

GENERAL

Employees who have been employed for at least one (1) year, and for at least 1,250 hours during the preceding 12-month period are eligible for family and medical leave. For employees not eligible for family and medical leave, the City of Palatka will review business considerations on the individual circumstances involved.

Family or medical leave will be unpaid leave. If leave is requested for employee's own serious health condition, the employee must use all of his or her accrued paid vacation leave, sick leave or personal leaves. If leave is requested for any of the other reasons listed below, an employee must use all of his or her accrued paid vacation leave or personal leave. The remainder of the leave will consist of unpaid leave.

REASONS FOR LEAVE

All employees who meet the applicable time-of-service requirements may be granted a total of twelve (12) weeks of unpaid family leave and paid sick, vacation, and personal leave combined (during any 12-month period) for the following reasons:

- (1) the birth of the employee's child and in order to care for the child;
- (2) the placement of a child with the employee for adoption or foster care;
- (3) to care for a spouse, child or parent who has a serious health condition;
Or
- (4) A serious health condition that renders the employee incapable of performing the functions of his or her job.

The entitlement to leave for the birth or placement of a child for adoption or foster care will expire twelve (12) months from the date of the birth or placement.

PROCEDURE FOR REQUESTING LEAVE

In all cases, an employee requesting leave must complete an "Application for Family and Medical Leave" and return it to Human Resource Department who will submit to City Manager for approval. The completed application must state the reason for the leave, the duration of the leave, and the starting and ending dates of the leave.

An employee intending to take family or medical leave because of an expected birth or placement, or because of a planned medical treatment, must submit an application for leave at least thirty (30) days before the leave is to begin. If leave is to begin within thirty (30) days, an employee must give notice to his or her supervisor who will submit to Human Resource Department, who will submit to City Manager, as soon as the necessity for the leave arises.

MEDICAL CERTIFICATION

An application for leave based on the serious health condition of the employee or the employee's spouse, child or parent must also be accompanied by a "Medical Certification Statement" completed by a health care provider. The certification must state the date on which the health condition commenced the probable duration of the condition, and the appropriate medical facts regarding the condition.

If the employee is needed to care for a spouse, child or parent, the certification must so state, along with an estimate of the amount of time the employee will be needed. If the employee has a serious health condition, the certification must state that the employee cannot perform the functions of his or her job.

BENEFITS COVERAGE DURING LEAVE

During a period of family or medical leave, an employee will be retained on the City of Palatka's health plan under the same conditions that applied before leave commenced. To continue health coverage, the employee must continue to make any contributions that he or she made to the plan before taking leave.

An employee is not entitled to the accrual of any seniority or employment benefits that would have occurred if not for the taking of leave. An employee who takes family or medical leave will not lose any employment benefits that accrued before the date leave began.

RESTORATION TO EMPLOYMENT FOLLOWING LEAVE

An employee eligible for family and medical leave will be restored to his or her old position or to a position with equivalent pay, benefits, and other terms and conditions of employment. The City of Palatka cannot guarantee that an employee will be returned to his or her original job. A determination as to whether a position is an 'equivalent position' will be made by the City Manager.

SECTION 06.0 HOLIDAYS

06.1 OFFICIAL CITY HOLIDAYS DAYS:

- A. Days listed below are designated as official City Holidays:

<u>Date:</u>	<u>Holiday Name:</u>
January 1st	New Year's Day
January 16th	Martin Luther King's Birthday
Last Monday in May	Memorial Day
July 4th	Independence Day
1st Monday in Sept.	Labor Day
November 11 th	Veterans Day
4th Thursday in Nov.	Thanksgiving Day
4th Friday in Nov.	Day after Thanksgiving Day
December 24th	Christmas Eve.
December 25th	Christmas Day
Employee Choice	Personal Holiday
Employee Choice	Safety Bonus/Holiday (see pg.30)

- B. The City Commission sets Holidays and determines when they will be observed. If Holidays fall on Saturday, it may be observed on the previous day (Friday). If it falls on Sunday, it may be observed on the following day (Monday).
- C. Employees who are required to work on an Official Holiday will receive pay for a normal days work, and either additional vacation days, or in some cases, paid compensation. This is left to the discretion of the department head.
- D. Permanent part-time employees who are not regular employees will not be paid for official City Holidays, except when their normal City duty falls on the Holiday.

- E.** Personal Holidays are extended to all full time employees with one year of service. Personal Holidays are accrued on an annual basis. Personal Holiday must be used by the employee's date of hire, annually. Personal Holidays may not be accrued.

- F.** In order to receive holiday pay, an employee must work his or her regularly scheduled shift before and after the holiday. Exceptions only with a doctor's excuse.

SAFETY BONUS PROGRAM

It is the intent of the Palatka City Commission to reward those employees who have a clean safety record with an extra "floating" holiday each year. Any employee that has been employed with the City for 12 continuous/consecutive months prior to the end of the fiscal year (Sept. 30) and has been found to have had no at-fault, chargeable or preventable accidents/incidents during the previous 12-month fiscal year (Oct. 1 through Sept. 30) as determined by the Palatka Safety Committee, shall be awarded one (1) floating holiday per fiscal year as a safety bonus.

"Accident/incident" includes, but is not limited to, worker compensation injuries, equipment damage, vehicular accidents, failure to maintain equipment or to report faulty equipment, and errors and/or omissions causing liability exposure to the City of Palatka.

1. Employees will be notified of their holiday bonus award by December 1st each year.
2. This holiday shall be taken prior to the end of the following fiscal year (September 30). There shall be no exceptions.
3. All employees shall schedule this holiday with the approval of their supervisor and/or department head. The department head shall allow employees to schedule this holiday as the scheduling of work permits. All shift work employees shall schedule this holiday with their supervisor at least 30 days in advance in order to ensure the efficient operation of City Services within their department.

WELLNESS PROGRAM BONUS

It is the intent of the Palatka City Commission to reward those employees who have participated in the wellness program with an extra "floating" holiday each year. Any employee who is an active member of the City's health insurance group prior to the end of the fiscal year (Sept. 30) and has completed the requirements listed in the wellness program document during the previous 12-month fiscal year (Oct. 1 through Sept. 30) shall be awarded one (1) floating holiday per fiscal year as a wellness program bonus.

- a. Employees will be notified of their holiday bonus award by December 1st each year.
- b. This holiday shall be taken prior to the end of the following fiscal year (September 30). There shall be no exceptions.
- c. All employees shall schedule this holiday with the approval of their supervisor and/or department head. The department head shall allow employees to schedule this holiday as the scheduling of work permits. All shift work employees shall schedule this holiday with their supervisor at least 30 days in advance in order to ensure the efficient operation of City Services within their department.

SECTION 07.0 VACATION POLICY:

07.1 POLICY:

Revised 10/2018

Adopted 10/11/2018

- A. Full time employees will begin accruing vacation leave on a monthly basis upon hire. Leave can be **used after ninety (90) calendar days from hire date**. With this in mind, employees are expected to take annual vacations. Employees may accrue above two hundred and forty (240) hours for forty (40) per week and up to three hundred and sixty (360) hours for fifty-six (56) hours per week vacation time in the course of the fiscal year. At the end of the fiscal year, if an employee should have an excess of two hundred and forty (240) hours for forty (40) per week and up to three hundred and sixty (360) hours for fifty-six (56) hours, those employees vacation time will be reset back to maximum pay out hours. Maximum payout is equivalent to two hundred and forty (240) hours for forty (40) per week and up to three hundred and sixty (360) hours for fifty-six (56) hours per week employees.
 - (1) Effective October 1, 1987, employees whose annual leave balance exceeds two hundred and forty (240) or three hundred sixty (360) hours on their anniversary date, will have the option to elect to receive payment for fifty (50) percent of the hours over two hundred and forty (240) or three hundred and sixty (360)(the remaining fifty (50) percent will be canceled), or to convert one hundred (100) percent of the hours over to sick leave.
- B. Employees may take only up to the earned vacation days credited to them at the time of their vacations. Use of unearned vacation time will not be authorized.
- C. Precedence in choosing a vacation should be governed with the department.
- D. The department head shall schedule vacations as the scheduling of work permits. Employees may request a vacation for any time.
- E. Department heads should notify the City Manager's Office one (1) month in advance of their intended vacation periods that are in excess of five consecutive days or longer, so that vacations may be coordinated to ensure the efficient operation of City Services.
- F. The employee's employment anniversary date will be the basis for computing

earned vacation time.

- G.** Permanent employees with no breaks in service, who are on a regular weekly schedule will be accruing the following vacation time upon hire date, to be used after ninety (90) calendar days:

<u>Years of Service</u>	<u>Annual Accrual</u>	
	General/Police	Fire
• Hire Date to Completion of Seven (7) Years	80 hrs	144 hrs
• Completion of Seven (7) Years to Completion of Fifteen (15) Years	120 hrs	204 hrs
• After Completion of Fifteen (15) Years	160 hrs	264 hrs

After completion of Twenty (20) years, employees receive an additional weeks pay on anniversary of hire date.

- H.** Employees will receive payment for unused vacation for a maximum of two hundred and forty (240) hours for forty (40) per week and up to three hundred and sixty (360) hours for fifty-six (56) hours per week employees.

If the City rehires them as a full time employee after seven (7) calendar days, they must complete ninety (90) calendar days to be eligible to use accumulated vacation leave time again. If the City rehires them as a part time employee, all accumulated vacation leave is forfeited. Contract and part-time employees are not eligible for vacation leave benefit

- I.** No additional time, with pay, will be allowed to replace any time lost during an employee's vacation because of illness.

SECTION 08.0
PERSONAL SECURITY PROGRAM:

08.1 INTENT:

In addition to Social Security coverage, the City of Palatka provides the following benefits to employees, provided they are full time and intended to remain with the City Definitely.

08.2 EMPLOYEE'S RETIREMENT PLAN:

An employee working 1,000 or more hours in a year shall be a member of the retirement plan unless employed in an excluded position. Currently, the general and police employee's contribute 6.0% & fire employees 6.0% of the gross weekly salary and the City of Palatka contributes an amount determined by the Actuarial.

Information, briefly describing the retirement plan for Fire Fighters, General Employees and Police Officers is available on request from the Finance Office.

08.3 LIFE INSURANCE:

After completing three (3) months with the City of Palatka, regular employees are provided with Ten thousand (10,000) dollars worth of life insurance at the City's expense. An additional fifty thousand (50,000) dollars worth is provided for Fire Fighters and Police Officers accidentally killed on the job. The City provides Fire Fighters and Police Officers with twenty thousand (20,000) dollars of life insurance for on the job death (Florida Statue 112.190 and 122.191).

08.4 HOSPITALIZATION, MAJOR MEDICAL AND SURGICAL, DENTAL INSURANCE:

After completing three (3) months with the City of Palatka, regular employees are provided with this insurance. The City pays one-half (1/2) the premium for the employee and their dependents on Major Medical or a greater percentage if approved by the City Commission. The City pays one hundred (100) percent of the employees dental insurance, and the employee pays one hundred (100) percent of the dependent coverage.

08.5 **DISABILITY AND WORKER'S COMPENSATION INSURANCE:**

City of Palatka employees are covered by Worker's Compensation Insurance. The City's policy is to pay for the date of injury (payroll) and pay lost time, beginning the day after the accident at the worker's comp rate, as prescribed by law.

- A.** All accidents or injuries to City employees must be reported immediately to the person in charge at the time of the accident or injury.
- (1) If no one is in charge, the accident or injury should be reported to the department head (even if he/or she is at home). **DO NOT LET AN ACCIDENT OR INJURY GO UNREPORTED!**
 - (2) If the injury is serious enough to require medical attention, but not life-threatening, the employee and their supervisor will notify FLC at 1-877-676-3890 in order to complete a First Report of Injury before being accompanied (by the supervisor) to COMPANY CARE, INC. the authorized medical coordinator under the Managed Care Program, for treatment and drug testing. They are located at PUTNAM COMMUNITY HOSPITAL ER, and are open between the hours of 8:00 am and 4:00 pm, Monday-Friday. Their phone number is 386-328-3254.
 - (3) When Company Care is not open, or **in a life-threatening emergency**, the employee should be accompanied to the **Emergency Room at Putnam Community Hospital**. In life-threatening situations, it is not necessary to notify FLC in advance of treatment, but FLC should be notified and given a First Report of Injury by the supervisor as soon as possible after treatment begins.
 - (4) If the employee is not able to return to work, the treating physician shall provide a slip giving information regarding time off from duty.
 - (5) The city reserves the right to determine from the attending physician's report when payment to the employee may be terminated and the employee may return to work.

- B. There shall be a **"Supervisor's Report of Accident/Injury"** completed on every accident, within forty-eight (48) hours. This is part of the supervisors/superintendent's administrative duties and there will be no excuse for not submitting this report to City Hall. Copies of all doctor's slips regarding work-duty status should also be turned in to City Hall with this report or as received.

ALL EMPLOYEES SEEKING MEDICAL TREATMENT FOR ANY JOB RELATED INJURY OR ILLNESS ARE REQUIRED TO BE DRUG-TESTED UPON REPORTING TO THE TREATMENT CENTER FOR THE INITIAL MEDICAL TREATMENT. A mandatory drug test is also required for employees involved in any accident/incident involving damage to city property and/or equipment, and any vehicular accident/incident, per the city's Drug-Free Workplace Policy.

(1) Minor Injury Log

- a. Employees shall report to their supervisor minor injuries such as small or minor cuts, scrapes, abrasions or other minor injuries received while working, but that they do not seek medical treatment for. **The supervisor shall interpret whether an injury qualifies as 'minor' for purposes of this requirement. An employee who has been injured on the job has the right to request professional medical treatment.**

For the Minor Injury Log Purposes, the following injuries do not qualify as "minor" - back injuries, sprains, any injury to the knee, foot or ankle; any head injury (except minor cuts or abrasions); or any injury involving swelling of any body part. While professional medical attention may not be sought at the time of injury, a full Employee Accident/Incident form shall be completed by both employee and supervisor on injuries that do not qualify for the Minor Injury Log.

- b. Supervisors shall maintain a "Minor Injury Log" for those injuries reported by employees that at the time of occurrence are determined to be minor and do not require medical treatment by a licensed physician. This log shall be maintained on a monthly basis, and turned into City Hall after the end of each month. A copy of each monthly log shall be kept in the department's files.
 - c. Minor Injury Logs will be reviewed by the Safety Committee to determine if a pattern of injury exists, and whether further employee counseling, training or job placement review is warranted.
 - d. **In the event of any on-the-job injury, a supervisor has the right to order an employee to submit to a drug test.**
- C. The welfare of the patient/employee is very important and medical attention should be provided, if requested. However, **ALL WORKERS'S COMP. CASES SHOULD BE REFERRED TO Company Care FOR FOLLOW UP.**
- (a) If the patient is treated at the Emergency Room, **do not return to the emergency room for follow up during Company Care's regular business hours and do not follow up with emergency room referral physicians unless specifically directed to do so.**
 - (b) **REFERRALS MUST BE MADE TO APPROVED PROVIDERS AND AUTHORIZED BY THE CITY OR ITS INSURANCE CARRIER.**
- (D) Employees do not earn vacation or sick leave for workers comp absences over 30 days. In addition, the law prohibits payroll deduction. Employees should make arrangements to pay for benefits normally provided through payroll deductions or these benefits may be lost (i.e., insurance, Credit Union, Pension, etc.).

- (E) Lost time over thirty (30) days while on Worker's Compensation shall be considered a break in service and will not be counted toward computing total length of service unless the employee continues to make the required weekly contribution during each week of their workers comp. absence. (The thirty days are cumulative, anything over 30 days, whether consecutive or not is deducted from total service.)
- (F) RETURN TO WORK PROGRAM

The City of Palatka is committed to providing a safe workplace for its employees. Preventing work related illness and injury is a primary goal. The Early Return to Work Program provides opportunities for an employee who is injured on the job to return to work at full duty. If an injured employee is not able to return to work at full duty, the City of Palatka will make every reasonable effort to provide suitable return to work opportunities to perform his/her regular job with modifications or, when available, to perform alternate temporary work that meets the injured worker's physical capabilities. "Light Duty" assignments are not permanent assignments.

Only work that is considered productive and meaningful to the City shall be considered. Injured workers who are participating in the early return to work program are expected to provide feedback in order to improve the program's future development.

If an injured employee can work his/her regular job with minor adjustments for physical capabilities, the City of Palatka will provide 100% of his/her regular pay until maximum medical improvement is obtained.

If an injured employee cannot perform his/her regular job with or without modifications for more than 14 calendar days following the injury, and either another employee must be temporarily reassigned to that position, or the City must hire a temporary contractual employee to cover that position, the employee will receive 80% of his/her regular pay during the time they are reassigned to a light-duty position, as provided by law.

An injured employee shall follow his/her doctor's orders both at home and at work. An injured employee must notify his/her supervisor immediately if his/her work status changes. When an employee is released to return

to full duty, he/she must report on the next regular shift. Failure to comply with these policies and procedures can result in termination of worker compensation benefits and/or disciplinary action up to and including termination of employment.

(REVISED ON 05/14/02)

(REVISED ON 02/01/03)

(REVISED ON 01/13/05)

SECTION 09.0
EMPLOYEE' S SELF-IMPROVEMENT AND EDUCATIONAL
PROGRAM

09.1 INTENT:

The City of Palatka is desirous of helping its employees in their jobs by loaning the funds necessary for job-related courses during off-duty hours.

09.2 EDUCATIONAL REIMBURSEMENT:

The City Manager has the authority to approve for any course a loan, not exceeding a total cost of five hundred (500) dollars; including tuition, books, and other course materials. This loan will be repaid at a minimum of \$25 per week up to twenty (20) weeks.

A. JOB IMPROVEMENT COURSE;

Courses directly related to the employee's assignment that will improve his/her skills, knowledge and ability to perform his/her duties, and increase, through more advanced techniques, his/her potential for promotion.

B. IN-SERVICE TRAINING COURSE;

Courses in management and supervisory development. All City employees are encouraged to participate in this type of training.

09.3 ELIGIBILITY FOR PARTICIPATION IN EDUCATIONAL PROGRAMS:

All regular full-time employees are eligible for participation in the City educational program. Should an employee leave the City employment prior to paying back the loan as agreed, the balance will become due immediately.

(REVISED ON 12/09/00)

SECTION 10.0 GRIEVANCE PROCEDURE

10.1 INTENT:

All City employees shall have the following Grievance Procedures open to them:

- A. All employees who wish to express a grievance may do so, at any time, by reporting such grievance to their immediate supervisor. The supervisor shall discuss and explain any information to solve the grievance.
- B. If the immediate supervisor cannot give a satisfactory solution; the employee shall have the right to bring the grievance to the attention of the grievance committee, which is comprised of representatives of the various departments. The committee will hear the grievance and advise the employee as to its validity. If they feel so justified, they will take the grievance to the department head.
- C. The department head shall effect a solution of the grievance and, if not, the employee shall be referred to the City Manager, and the department head shall assist the employee in every way.
- D. The City Manager will meet with any employee on any grievance, at any time to effect a solution.
- E. Public Safety departments are addressed by state "Bill of Rights".

10.2 GENERAL REQUIREMENTS:

- A.** All supervisors and department heads shall arrange to discuss a grievance, within seventy-two (72) hours after the grievance request has been reported to that supervisor, or department head. If this is not possible due to illness, leaves of any reasons, etc., the acting supervisor shall do so.

- B.** Failure to resolve any grievances, either with or without discipline, within seventy-two (72) hours, automatically gives the employee the right to register the grievance with the City Manager, and the City Manager shall arrange a hearing of the grievance with the proper supervisor, department head, City Manager, or City Commission. This applies to, both general and uniformed department employees.

10.3 SECTION 504 GRIEVANCE PROCEDURE:

The City of Palatka has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Housing and Urban Development/Florida Division of Community Affairs Regulations implementing section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794). Section 504 states, in part, that "no otherwise qualified handicapped individual.... shall, solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."

Complaints should be addressed to:

City Manager
City of Palatka
201 N. 2nd Street
Palatka, Fl 32177
(904) 329-0100

who has been designated to coordinate section 504 compliance efforts.

10.4 PROCEDURES:

- A.** A complaint should be filed in writing, or verbally. And should contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.
- B.** A complaint should be filled within fifteen (15) days after the complainant becomes aware of the alleged violation (Processing of allegations of discrimination, which occurred before his grievance procedure was in place, will be considered on a case-by-case basis).
- C.** An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation shall be conducted by the City Manager. These rules contemplate informal, but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint. Under the Housing and Urban Development/Florida Division of Community Affairs Regulations, the City of Palatka need not process complaints from applicants for employment, or from applicants for admission to post-secondary educational institutions.
- D.** A written determination as to the validity of the complaint, and a description of the Resolution, if any, shall be issued by the City Manager and a copy forwarded to the complainants no later than fifteen (15) days after its filing.
- E.** The Section 504 Coordinator shall maintain the files and records of the City of Palatka, relating to the complaints filed.

SECTION 11.0 TERMINATION:

11.1 RESIGNATION OR DISCHARGE;

If an employee finds it necessary to resign from the City's Service after more than six (6) months' employment, he will be expected to give his department head notice, stating the specific reason for his/her resignation.

When an employee terminates his employment, it is suggested that before picking up his/her final paycheck, he/she arrange to meet with his/her department head, or the Personnel Director to discuss the reason for his decision to terminate. Such discussion will be held in strict confidence.

11.2 FINAL PAYCHECK;

The final paycheck will not be issued to a terminated employee until his/her department head or superintendent is satisfied that he/she has returned any City owned property assigned to him/her (i.e.; uniforms, tools, keys, textbooks, police firearms, ammunition, equipment, etc.). He/she must also have satisfied any obligation to the City.

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APPENDIX 01

SUBJECT: POLICY MANUAL, READING OF

Policy: All employees shall certify that they read, or had read to them the City of Palatka Administrative Policy Manual before they will be eligible for a salary increase.

All policy changes shall be posted and every employee is responsible to read all changes, or to have all changes read to them, if they can not read.

EMPLOYEE ACKNOWLEDGEMENT

OF

CITY OF PALATKA

POLICY MANUAL REGULATIONS

I, _____ **HEREBY** certify that I **have read, or had read** to me the City of Palatka Administrative Policy Manual and that I **understand** the policies contained in the Administrative Policy Manual.

I further certify that it is **my responsibility** to read new policies as they are posted, and I understand that I will be held accountable to read and follow City Policy.

Employee Signature

Witness: _____ Date: ___/___/___

APPENDIX 01-A

CODE OF CONDUCT

General Statement This code of conduct applies to all employees in City service.

Employees violating these provisions or any provision contained in these policies may be subject to disciplinary action up to and including termination.

All employees are expected to remember they are public service employees and to conduct themselves according to the following:

- ❑ Employees shall not conduct themselves in any manner which discredits the government of the City of Palatka, Public officials, fellow employees, or themselves.
- ❑ Employees shall avoid contact and speech which undermines the efficiency and/or reputation of fellow employees, City departments, elected officials, policies, programs and actions; or that interferes with the reasonable supervision or proper discipline of the City.
- ❑ Employees shall direct and coordinate their efforts to establish and maintain the highest level of efficiency, morale, and achievement.
- ❑ Employees shall conduct themselves in such a manner as to bring about the greatest harmony among the various units in the city.
- ❑ No employee shall make false statement or certification of these policies, or in any manner, commit, or attempt to commit any fraud preventing the impartial execution of the provisions of these policies with regard to employment, promotion or transfer.

EMPLOYEE RESPONSIBILITY FOR PERSONNEL POLICIES

All employees are responsible for becoming aware of and familiar with the policies and procedures which govern their employment with the City.

All employees are expected to report immediately to their supervisor any and all suspected violations of these policies or of any City regulation. Failure to do so may subject the employee to disciplinary action.

CONFLICT OF INTEREST

City employees who may be in a position to influence City decisions shall refrain from relationships which may adversely affect their judgement in dealing with City suppliers or goods and services or with other public agencies.

An outside personal or business/economic relationship which affords present or future financial benefits to an employee, an employees family, or to individuals with whom the employee has business or financial ties, may be considered a conflict of interest requiring evaluation by the City Manager or designated representative when:

- ❑ The employee acts as director, officer, agent, proprietor, partner, stockholder (if owning in excess of ten percent securities outstanding), employee, paid consultant or advisor to a City supplier or with other public agencies.
- ❑ The employee is engaged in a private business or financial relationship which may secure advantage of goods, services, or influence due to the employee's position with the City.
- ❑ The employee procures or designates sources for the procurement of any parts, materials, services, supplies, and facilities for City purchase or lease in the employee's name or in the name of others.

An employee having an outside personal or business/economic relationship under the conditions specified above shall disclose in a written sworn statement to the City Manager at six month intervals the nature and scope of the relationship and the extent of financial benefits received. If the employee is in doubt that a conflict of interest exists, it is the employee's responsibility to seek clarification from his/her supervisor.

If a conflict of interest is found to exist, the supervisor will forward the matter to the City Manager's office for disposition.

GIFTS AND GRATUITIES

No employee shall solicit or accept anything of value to the recipient, including a gift, loan, reward, promise of future employment, favor or service, upon any understanding that the votes, official action, or judgement of the employee would be influenced thereby.

A non monetary gift, including meals or entertainment, when offered gratuitously and carrying a total value of less than one hundred (\$100) (F.S. 112.3148-4) may be accepted if the employee can ensure that it was not offered to influence his/her judgement, action, or vote. It is the employee's responsibility to avoid the appearance of a conflict of interest and discretion should be used in accepting gifts valued under the amount stated above. If there is any doubt about the intent of the person giving the gift or its value is \$100 or greater, then a City employee must decline to accept it.

Employees that regulate, enforce code provisions or review project proposals, procurement or bids under evaluation shall not accept anything of value (meals included) from a person who currently has a project, proposal, procurement or bid before the employee or a committee on which he/she serves.

It is understood that once a selection is made, working lunches or social functions may be scheduled by the project representative or consultant. Discretion should be exercised by all employees regarding attendance at such functions.

DISCLOSURE OF INFORMATION

Information which is obtained in the course of official duties shall not be released by any employee unless the employee is charged with this responsibility as a part of his/her official duties. Employees may not, either directly or indirectly, use their official positions with the City of information obtained in connection with their employment for private gain or personal benefit.

FAMILY EMPLOYMENT RESTRICTION

POLICY:

The City Manager will not permit the employment of family members in positions in which either family member would be supervised by or supervising, influenced by or influencing the activities or employment conditions of the other.

DEFINITION OF FAMILY MEMBER:

Family member means blood, marital or step relative, including without limitation:

- (Blood) mother, father, son, daughter, sister, half-sister, brother, half-brother, uncle, aunt, first cousin, nephew, niece;
- (Marital) spouse, father-in-law, son-in-law, mother-in-law, daughter-in-law, sister-in-law, brother-in-law;
- (step relative) stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister;
- Or any legally recognized ward.

EXCEPTION:

Request to consider a waiver of this policy may be considered for approval when such action is:

- Determined to be in the best interest of the City.
- Open to public scrutiny of the selection process and criteria.
- Approval is obtained from the City Manager.

HEARING REFUSAL

INDICTMENT:

An employee is responsible for immediately notifying his/her immediate supervisor when information has been filed by a prosecuting official against him/her for an offense or violation of law (including moving traffic violations) and/or when indicted by a Grand Jury. Employees indicted by a Grand Jury or on whom information has been filed by a prosecuting official for a felonious offense may be suspended without pay with prior approval of the City Manager. Such suspension may continue until such charge has been disposed of by a trial and conviction or acquittal of the accused, or by dismissal or quashing of the charge.

If the employee pleads nolo contendere, or guilty, to any charge or is tried and found guilty, the employee may be immediately terminated from City employment. In the event such person is tried and acquitted, or the information or indictment is dismissed or quashed, the affected employee's Department Head and City Manager will review his/her employment status regarding reinstatement, re-employment, continuing employment, etc.

If the incident or charge is directly work related, or non work related, nothing shall preclude the City from initiating disciplinary action independent of any judicial hearings or proceedings.

PROMOTION OF PRIVATE BUSINESS

Employees are prohibited from promoting or conducting personal or private business for gain or personal benefit on City time.

POLITICAL ACTIVITY RESTRICTIONS

It is the City's intent to promote more efficient public service by relieving public employees of political pressure and to protect against a clear, substantial, and direct threat to the efficiency, integrity, or morale of City employees, by regulating the political activities of its employees subject to the City policies:

- ❑ No City employee shall use his/her official authority or influence for the purpose of interfering with an election or a nomination of office or coercing or influencing another person's vote or affecting the result thereof.
- ❑ No City employee shall directly or indirectly coerce or attempt to coerce, command, or advise any other officer or employee to pay, lend, or contribute any part of his salary, or any money or anything else of value to any party, committee, organization, agency or person for political purposes. Contributions which are strictly voluntary in nature for political purposes, are permitted.
- ❑ No City employee shall directly or indirectly coerce or attempt to coerce, command or advise any such officer or employee as to where he might purchase commodities or to interfere in any other way with the personal right of said officer or employee.
- ❑ All employees retain the right to vote as they may choose and to express their opinions on all political subjects and candidates.
- ❑ Employees may express opinions on candidates or issues and participate in political campaigns only during off duty hours. No employee can take part in any political campaign while on duty, or within any period of time during which the employee is expected to perform services for which the employee receives compensation from the City.
- ❑ The use of employee work time or equipment, supplies or funds to assist political parties or candidates for public offices is prohibited.

SEXUAL HARASSMENT

Sexual harassment is a form of employee misconduct which undermines the integrity of the employment relationship. City policy dictates all employees may be able to work in an environment free from unsolicited and unwelcome sexual overtones.

It is a violation of City policy for any City employee to engage in any act or behavior as defined herein as sexual harassment. The City will take corrective action against any employee deemed to have violated this policy. Such action will include a range of disciplinary measures, up to and including discharge.

Policies relating to a hostile environment apply as well to slurs, actions, comments, displays, writings, or pictures which are derogatory to any person's race, age, national origin, religion, or disability.

DEFINITIONS:

Sexual harassment is defined as deliberate and/or repeated unsolicited verbal comments, gestures, or physical contact of a sexual nature which are unwelcome. Any action which involves implicit or coercive sexual behavior to control, influence or affect the career, salary or position of another employee or applicant also constitutes sexual harassment.

REPORTING

A number of individuals are available to employees for the purpose of reporting problems of this nature:

Available are:

- Immediate Supervisor
- Department Head
- City Manager

GRIEVANCE PROCEDURES:

Complaints or allegations of sexual harassment shall be examined impartially and resolved promptly in accordance with the Grievance Procedures specified in the City of Palatka's Personnel Rules and Regulations.

In each case, the individual facts and specifics shall be examined and weighed for objective determinations by the appropriate authorities.

As in all grievances, it is the employee's responsibility to factually support the allegations. Based on the serious nature of sexual harassment allegations, grievances shall be closely scrutinized and unsubstantiated charges may result in severe consequences, including disciplinary action.

SMOKE-FREE TOBACCO-FREE WORKPLACE

This policy is to establish a smoke-free/tobacco-free workplace.

- All government buildings (defined as any building, or any portion of any building, owned by or leased to the state or any political subdivision thereof and used for governmental purposes) and City vehicles will be designated as "non-Smoking/Tobacco-Free."
- There shall be no offices, hallways, restrooms, departments, or rooms that shall be designated as smoking or tobacco use areas in any governmental buildings within the City of Palatka.
- In order to enforce the preceding policy, disciplinary actions will be taken to violators of this policy.

EMPLOYEES SERVING ON BOARDS AND COMMITTEES

Unless required by State Statute, City Charter, or other applicable law, no employee shall serve as a member of any advisory, quasi legislative, quasi judicial, or administrative Board or Committee of the City.

City Boards and Committees carry out important functions which must be accomplished without bias, prejudice, or conflicts of interest, especially on matters affecting employees. Employees likewise provide valuable service to the City, and proper channels of communication exist for them to express their preferences and concerns. Employee membership on Official Boards and Committees of the City tend to violate the organizational structure/chain of command, compromise the neutrality of City Boards and Committees, and detract from the employee's dedication and commitment to perform assigned duties.

APPENDIX 02

SAFETY POLICY

The City of Palatka is committed to safety in the workplace. Management will take the necessary steps to see that a safe working environment is maintained. Employees should report all unsafe acts or conditions to their supervisors and to the City Manager if these unsafe conditions are not corrected. All employees must follow safety rules and utilize safety equipment when required. Failure to do so will result in disciplinary action.

While the Department Heads are designated the responsibility for seeing that safety policies are carried out, it is the responsibility of every employee to remain safety conscious and follow all guidelines set out for that purpose.

CITY OF PALATKA EMPLOYEES' SAFETY COMMITTEE

There is hereby established the City of Palatka Employees' Safety Committee (the Safety Committee), whose mission shall be to review and make recommendations concerning worker compensation, property damage and liability claims incurred on behalf of the employees of the City of Palatka; to monitor departmental safety procedures; and to develop safety policies and procedures.

The Safety committee shall meet monthly and its membership shall consist of the City of Palatka Safety Officer, as appointed by the City Manager, and a member representative of each of the following departments or functions: City Hall, Building & Zoning, Police, Fire, Water Treatment Plant, Wastewater Treatment Plant, Streets & Sanitation, Water & Sewer Distribution, Parks & Cemeteries, Golf Course, Airport and Claims Management.

APPENDIX 03

SAFETY RIDING IN CITY WORK TRUCKS

POLICY:

No City employee shall stand up in the back of a City work truck while it is moving.

Violation of this safety rule shall result in disciplinary action.

APPENDIX 04

EMPLOYEE TELEPHONE CALLS

POLICY:

Owing to the limited telephone facilities available, employees are directed to restrict their use of the City's telephones for personal calls.

If it is imperative for employees to place personal calls, they are urged to make them during their coffee-breaks, or lunch periods. It is suggested that employees ask their families and friends not to call them during business hours, except when absolutely necessary. The City Manager will hold the department heads responsible for adhering to this policy.

Personal and business calls should be brief. Employees must report long distance calls to the department head. They should state whether the call was business or personal, to whom the call was made, in reference to what, and the number called. This information is then reported to the Finance Department. This is done monthly. On this report, you must also show the city called, who made the call, and the date the call was made.

APPENDIX 5

EMPLOYEE RESIGNATION FORMS

POLICY:

Resignation forms are available for any employee who finds it necessary to resign his position with the City of Palatka.

These forms are intended only as an alternative for the employee who either cannot, or elects not, to write his own resignation.

We encourage employees to write their own resignation when possible. At no time should any employee be coerced to sign this form.

Forms are available from your superintendent, department head or personnel office.

APPENDIX 6

EMPLOYEE UNIFORMS :

POLICY :

All employees who have been issued City uniforms shall wear the complete uniform at all times when they are performing work for the City of Palatka. City Uniforms shall not be worn at times, other than work hours, except for the normal time of travel to and from work.

Any employee unable to wear a uniform to work shall report the reason to his immediate supervisor and the supervisor is authorized to permit the employee to work without a uniform. If the reason for no uniform is not satisfactory, the supervisor shall remove the employee's name from the payroll until the employee reports for work in uniform.

APPENDIX 7

PRESS RELEASES

POLICY:

All press releases concerning the City of Palatka must be cleared through the City Manager's Office with the exception of routine information concerning changes in work schedules (i.e. garbage pick-up, discontinuance of water service, etc.).

APPENDIX 8

ALCOHOLIC BEVERAGES

POLICY:

No City employee shall report to work under the influence of alcoholic beverages or controlled substances. An employee who reports to work under the influence of alcoholic beverages shall be immediately sent away from the job and City premises. Reporting to work under the influence of alcoholic beverages is a safety violation, poor public relation, and offensive to fellow workers. Anyone reporting to work in such a state shall be subject to dismissal.

The Department Head shall immediately discharge any employee found drinking alcoholic beverages on the job, or during normal working hours.

If an employee is found under the influence of alcoholic beverages, or controlled substances during normal working hours, he/she shall immediately be removed from work and sent away from the job, and City premises and shall be subject to dismissal.

No City employee shall transport any alcoholic beverage in a City vehicle at any time.

If an employee fails to report to work because he/she is ill from drinking alcoholic beverages, or because he/she is under the influence of alcoholic beverages or controlled substances, the time off from work **"shall not be reimbursed as sick leave"**.

The employee who violates this policy shall remain away from the job and City premises without pay until such time as his/her immediate supervisor asks him/her to return or notifies him/her of further action (i.e., dismissal, demotion or further discipline). Employees who face dismissal because of absenteeism resulting from the use of alcohol or controlled substances may voluntarily enroll in the Putnam County Alcohol and Drug Rehabilitation Program at their expense. If they participate in this program to the Directors' satisfaction, they will be given additional consideration toward their employment.

It shall be the responsibility and duty of all supervisory personnel to enforce this regulation and to make a report directly to the City Manager's Office on the employee involved. Said report shall be made within twenty-four (24) hours after violation of the above policy.

APPENDIX 9

EMPLOYEE APPEARANCE AND CONDUCT

POLICY:

All employees are expected to dress in good taste, depending on the type of work involved. Employees whose primary duties are dealing directly with the public and whose office is in the City Hall are expected to dress as business men and women, and to conduct themselves in a business like manner. The impression employees make on Palatka citizens, and the general public is most important. Employees should always be courteous and helpful.

APPENDIX 10

CHANGE IN PAYROLL STATUS

POLICY:

There should be no changes in the pay rate of any employee without a change of payroll status form, bearing the City Manager's and the Department Head's signature.

APPENDIX 11

EMPLOYEE BREAKS

POLICY:

Breaks from work shall be limited to two (2) breaks in any one (1) eight (8) or ten (10) hour work day. Break time may not be accumulated. If it is not taken, the employee loses it.

Supervisors shall be responsible for controlling breaks within their divisions and departments. They should see to it that the privilege is not abused.

In every case, it shall be up to the immediate supervisor to regulate breaks and insure that this privilege is not abused.

APPENDIX 12

PEDDLING, SOLICITATION AND DISTRIBUTION OF LITERATURE

POLICY:

- A. Peddling is not permitted anywhere on City property without the City Manager's approval.
- B. Solicitation is not permitted anywhere on City property during working hours without the City Manager's approval.
- C. Distribution of literature, or paraphernalia is not permitted during working hours, in any working area, or on City property without the City Manager's approval.
 - (1) Employees who engage in peddling, solicitation, or distribution of literature or paraphernalia shall be subject to dismissal.
 - (2) Other individuals not employed by the City of Palatka, who approach City employees on duty without the City Manager's permission to peddle, solicit, or distribute literature or paraphernalia shall be considered as trespassing.
- D. Employee organizations, their members, agents, or representatives, or any persons acting on their behalf are hereby prohibited from:
 - (1) Soliciting public employees during working hours.
 - (2) Distributing literature during working hours in areas where the actual work of public employees is performed such as, offices, city lots, parks, or other public facilities. This section shall not be construed to prohibit the distribution of literature during the employee's lunch hour, or in such areas as specifically devoted to the performance of the employee's official duties.

ANYONE VIOLATING THIS POLICY WILL BE TERMINATED FROM THE EMPLOY OF THE CITY OF PALATKA.

APPENDIX 13

PROCEDURES FOR PURCHASE OF ALL EQUIPMENT AND SUPPLIES

POLICY:

After the Budget has been adopted by the City Commission, the Finance Director shall prepare a list of "major items" to be purchased by each department, with a notation as to how they will be obtained (i.e., purchasing agent or bid).

- (1) The standards to be used in all purchasing, **in connection with the Community Development Block Grant Program** shall comply with 24 CFR, Part 85.36, and Chapter 287 of the Florida Statutes.
- (2) All other purchases - Each department must submit a requisition for a purchase order to the Accounting Department. When the requisition is delivered to the Accounting Department and a purchase order is written, it must be signed by the Finance Director or the City Manager authorizing the purchase. This is to be done on all items over \$100.00. Any items that cost between \$5,000 - \$24,999. will require three quotes that will be attached with the requisition when requesting a purchase order.

"Bid" shall mean that the department must accept open and competitive bids on each item. This will apply to commodities or contractual services (which include professional services) that cost more than \$25,000, construction that cost more than \$200,000 and electrical work with a cost of more than \$50,000. Maintenance agreements and single source items are exempt. State contract pricing will not have to go out for bid as long as local merchants are afforded an opportunity to bid. No deviations from this will be allowed.

The procurement of goods or services by the City from a provider utilizing prices or rates for goods or services offered by the provider to other state, government agency, or government association (Florida League of Cities, Florida Sheriffs' Association, etc.) in contracts that have been

secured through a competitive bid or RFP process which is substantially similar to the competitive bid or RFP process authorized by other provisions of these Rules and Regulations for use by the City, is authorized in lieu of the City's attempting to acquire said goods or services through the City's independent competitive bid or RFP process, provided:

- The Department Head will verify the competitive process used by the originating agency.
- The City will enter into a separate purchase order or agreement with the vendor for the City's specific scope of work that is substantially similar to the original contract.
- Details of the other agency's contract, term, amount, and contact information shall be submitted as supporting information for the requisition before approval.

In order to purchase an item by bidding it out, the department must:

- (1) Submit to the City Clerk detailed specifications for the item desired. The specifications must be non-exclusive and specific, yet, they must represent what was budgeted and planned.
- (2) Submit to the City Clerk a complete mailing list with a minimum of five (5) vendors. Preferably, these should be local businesses.

It should be noted that in each case, purchasing of an item is initiated by the department that budgeted the item. Until the Purchasing Agent or the Finance Director has everything required, such as technical specifications and mailing list, the department has not initiated a purchase.

If a request for an item is submitted without the proper backup, the item cannot be purchased until the department has furnished the backup. It is up to the department to resubmit last year's specs if they want to reuse them. This means that in order to complete purchases within a fiscal year, all requisitions on the Purchasing Agent or Bid specification form, including the mailing lists must be submitted prior to July.

If the department submits poorly drafted specifications and they are returned for modification, it is the department's responsibility to insure that an acceptable set of specifications

are redrafted and given to the Purchasing Agent, or Assistant to the City Clerk. If the department fails to resubmit an acceptable spec, or does not submit any backup information by July, the appropriations for the material/items will revert to the General Fund.

When purchasing items on state contract, local merchants will be afforded an opportunity to bid. No deviations from this will be allowed.

SUPPLEMENT TO PROCEDURES FOR PURCHASE FOR ALL EQUIPMENT AND SUPPLIES

Putnam County Local Preference

The following provisions shall be read in conjunction with and as a supplement to procedures for purchase of all equipment and supplies as set forth within appendix XIII of the policies of the City of Palatka. To the extent that the provisions described below conflict with those procedures described in appendix XIII, the provisions described below shall supercede and prevail.

I. Putnam County Local Preference

A. A preference will be given to the lowest qualified bidder who:

- 1) Holds a current Florida business license; and
- 2) Submits a bid under the name on the Florida business license; and
- 3) Has maintained a place of business within Putnam County staffed by the bidder, or an employee of the bidder, for a period of one year immediately preceding the date of the bid; and
- 4) Is incorporated under Florida Law; or is a sole proprietorship whose proprietor is a resident of the county; or is a partnership all of whose partners are residents of the county; or
- 5) Is a joint venture, all of whose venturers qualify under the relevant portion of subsection 4) above; or
- 6) Is a limited liability company whose manager is a resident of the county.

The bidder, if any, meeting the above criteria is referred to as “the preferred bidder”. The preferred bidder shall be entitled to match the lowest bid and be considered the lowest bidder by giving written notice to that effect to the City by 4:00p.m. on the second business day after the bid opening.

II. This Putnam County Local Preference Provision shall apply to the purchase of all items subject to the City’s purchasing policy (appendix XIII entitled, “Procedures for Purchase for All Equipment and Supplies”), including, without limitation, supplies, contractual services, and public improvement contracts, unless its application is prohibited by State of Federal law in a particular situation.

POLICY: USE OF CITY CREDIT CARD

The City Credit Card is to be used only for City Purposes. The card will not be removed from City Hall without the express permission of the City Manager. The primary function is to guarantee reservations for City Personnel attending authorized functions.

NO DEVIATIONS OF THIS POLICY WILL BE ALLOWED!!

APPENDIX 14

USE OF CITY VEHICLES

POLICY:

City vehicles are assigned to employees for business use only. No one, other than City employees, is allowed in these vehicles. The City's liability insurance does not cover unauthorized persons riding in these vehicles. Vehicles should not be used except for the purpose of coming to and leaving from work, City business and for call-ins after business hours. Personal use of these vehicles (i.e., shopping, other jobs, transporting non-employees) is strictly prohibited.

Whenever an employee exits a City vehicle, they are to place the vehicle in park, shut off the engine and take the keys with them no matter how short a time it is exited. Vehicles should never be left running when unoccupied, and keys should never be left behind in an unoccupied vehicle. Police vehicles making traffic stops and in emergency situations where emergency lights are required are excluded from turning off the vehicle even though unoccupied.

(Revised 6/29/00)

Adopted 06/29/00

APPENDIX 14-A

USE OF CITY-OWNED PROPERTY AND/OR EQUIPMENT

City-owned property and/or equipment is purchased for employees use during the execution of their duties within the scope and service of their jobs as employees of the City of Palatka. City property and/or equipment should not be used for personal reasons without prior permission from the City Manager.

Adopted 7/15/93
APPENDIX 15

TIME CARDS

POLICY:

Each employee is to clock in, or out of work for himself/herself only. No one shall clock in or out for another employee. Violations will result in discharge from the City's service.

If an employee does not clock in after lunch, personnel will assume that the employee has left for the day and needs to notify the Customer Service Clerk of leave time being used (i.e., sick time, personal holiday, vacation, etc.). **IF LEAVE TIME IS BEING USED, IT MUST BE APPROVED BY THE DEPARTMENT HEAD!!!!**

If he or she does not clock out at the end of the day, it will be assumed that there is no overtime and normal work hours (i.e., 8 hours) will be recorded on the time sheet.

REVISED 08/06/96

APPENDIX 16

PROPER PROCEDURE FOR HIRING NEW EMPLOYEES

POLICY:

Any individual considered for employment with the City of Palatka needs to be sent to the First Coast Career Service Office to see if they are qualified for the Wages Program. This is a considerable saving for the City of Palatka. The First Coast Career Service Office will send a completed form back to the City via the individual. This has to be done prior to employment.

A completed application and change of status form should be taken to the City Manager for approval of Grade Level; Pay Scale and Hiring starting position.

After receiving the City Manager's approval, the change of status form and the application should be given to the personnel office so that an employment physical can be scheduled and other necessary forms are completed.

After all the necessary arrangements have been taken care of, the personnel office will notify the department head, so that the employee may start to work.

- (1) **NO EMPLOYEE SHOULD BE ALLOWED TO START TO WORK UNTIL THE PERSONNEL DEPARTMENT HAS COMPLETED ALL NECESSARY PAPER WORK.**

Thank you for your cooperation in this matter.

Adopted 10/20/86

APPENDIX 17

DRUG FREE WORKPLACE POLICY

POLICY:

It is the policy of the City of Palatka to maintain a work environment that is free from the influence of alcohol and/or illegal controlled substances.

Applicants for full time and part-time positions with the City of Palatka, shall be subject to a pre-employment drug test and shall be disqualified from employment with the City for a period of one year if they test positive for an illegal controlled substance.

Employees in critical positions shall be subject to a yearly physical, which will include a drug test.

Employees on duty or on city property shall not use or be under the influence of alcohol and/or illegal controlled substances; shall not purchase or possess alcohol and/or illegal controlled substances; shall not sell, facilitate the sale of, or otherwise provide alcohol and/or illegal controlled substances to any person; shall not manufacture alcohol and /or illegal controlled substances; and shall not in any manner have their ability to work impaired as a result of using alcohol and/or illegal controlled substances.

- (1) Violations of this policy shall be grounds for disciplinary action, up to and including dismissal.**

The City of Palatka is committed to providing reasonable accommodation to those employees who voluntarily participate in a rehabilitation program or whose drug or alcohol problem classifies them as handicapped under Federal Law.

An updated file of area rehabilitation programs will be kept in the City Personnel Office, which will be available to all City employees.

An employee who voluntarily participates in a rehabilitation program, or who is deemed handicapped due to their use of drugs and/or alcohol may be retained and allowed to seek rehabilitation, if the City determines the employee's continued employment would not cause a direct threat to property or safety, or erode public confidence in the function of the department.

When an employee is injured, disabled, or dies from an accident arising out of, and in the course of their employment, and the injury, disability, or death is occasioned by the intoxication of the employee by alcohol or an illegal controlled substance, or a narcotic drug, barbiturate or other stimulants not prescribed by a physician, or misuse of prescription drugs, the employee will not be eligible for workers' compensation benefits.

A. REQUIREMENTS OF EMPLOYEES:

All employees are expected to report to work in a state of mind and physical condition, so as to perform their assigned duties safely and competently. For this reason, employees must:

- (1) Not use or be under the influence of alcohol and/or illegal controlled substances while on duty, or consume an amount of alcohol/drugs outside the workplace that would affect their ability to perform their job.
- (2) If using an over-the-counter or prescription drug, which is in any way influencing the employee's ability to perform his/her job (i.e. causing drowsiness, slow reaction time, distorting perception, etc.), the employee must request temporary reassignment, or leave as appropriate. Under no circumstances shall an employee work in a condition that increases risk to life, limb or property.

Any employee who fails to advise his/her supervisor of legal drug use, which is negatively affecting his/her job performance, is subject to disciplinary action.

- (3) Immediately report any observed violation of this policy to their supervisor, or any supervisor within their department. This report can be made anonymously and should include the name of the offender and the violation that occurred.
- (4) Notify their supervisor immediately, or by the close of the next business day, if they have been arrested for or convicted of an alcohol or drug offense occurring at the work place, or of a conviction for a drug offense occurring outside the workplace, or if their license has been suspended or revoked for a drug or alcohol offense and a valid driver's or CDL license is required for their job.
- (5) Submit immediately to an alcohol/drug test under the circumstances described in this policy when required by an appropriate designated supervisor.

B. REQUIREMENTS OF SUPERVISORS:

The implementation of this policy is the responsibility of all appointed officials, department heads and supervisory personnel. The City reserves the right to use whatever means the law allows to provide a workplace that is free of alcohol and/or illegal controlled substances. For this reason, the following must be enacted.

- (1) Insure that all information handled by supervisory personnel regarding alcohol and drug test, investigations, or infractions be discreetly and confidentially handled. Failure to handle this information properly may result in disciplinary action.
- (2) Require that an employee submit to an alcohol/drug test, when there is reasonable suspicion that the employee is under the influence of alcohol and/or an illegal controlled substance, the supervisor shall notify the department head, who shall in turn notify the City Manager and obtain authorization to order the employee to submit to an alcohol/drug test.

"Reasonable suspicion" is a belief based on Objective facts, which would reasonably lead an observer to further investigation. Conditions which shall constitute reasonable suspicion include; but are not limited to, any of the following:

- (a) Slurred speech
- (b) Bloodshot eyes
- (c) Odor of alcohol
- (d) Inability to walk a straight line without staggering
- (e) An accident on duty (where medical treatment is required, or there is equipment or property damage, or a series of accidents, which indicate a pattern.
- (f) Physical or verbal altercation
- (g) Bizarre or erratic behavior
- (h) Extreme lethargy or excitation
- (I) Dramatic mood swings
- (j) Information obtained from a reliable person with personal knowledge.

Adopted 4/09/92

APPENDIX 18

CONSEQUENCES OF VIOLATION OF THE ALCOHOL AND DRUG POLICY

POLICY ADDITION:

An employee found to be in violation of any provision of this policy shall be subject to disciplinary action, up to and including dismissal.

Conditions that may warrant the retention of said employee may include, but not limited to Nature of job, length of service, quality of job performance and nature of offense.

RIGHT TO APPEAL:

An employee who feels that they have not been treated fairly in regards to this policy may file a grievance pursuant to the City of Palatka Grievance Policy, as outlined in Section 10 of the City of Palatka Personnel Rules and Regulations.

APPENDIX 18B

Anti Drug and Alcohol Policy for Drivers of Commercial Motor Vehicles

1.0 Purpose

The purpose of this policy is to establish a program in accordance with 49 Code of Federal Regulations (49 CFR) Parts 40 and 382. This program is designed to help prevent accidents, injuries, property damage and death resulting from the use or misuse of alcohol or use of controlled substances by drivers of commercial motor vehicles. It is further intended to deter the use, experimentation or abuse of alcohol and controlled substances by drivers of commercial motor vehicles.

This Policy is in support of the City's Drug Free Workplace Policy. Should a conflict in policies arise, the stricter policy shall be in affect

2.0 Application

This policy applies to all current employees or persons applying for employment who are required to maintain a commercial driver's license as a condition of employment.

3.0 Definitions

3.1 Accident means an occurrence involving a commercial motor vehicle operating on a public and non-public road that results in:

- (1) A fatality;
- (2) Bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident or
- (3) One or more motor vehicles incurring damage as a result of the accident.

3.2 Alcohol means the intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohol including methyl and isopropyl alcohol.

3.3 Alcohol use means the consumption of any beverage, mixture or preparation, including any medication, containing alcohol.

- 3.4 Commercial motor vehicle** means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:
- (1) Has a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross weight rating of more than 10,000 pounds or
 - (2) Has a gross vehicle weight rating of 26,001 or more pounds or
 - (3) Is designed to transport 16 or more passengers, including the driver or
 - (4) Is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which is required to be placarded under the Hazardous Materials Regulations (49 CFR Part 172, subpart F).
- 3.5 Controlled Substances Testing** means testing for the following drugs: marijuana, cocaine, amphetamines, opiates, and phencyclidine.
- 3.6 Driver** means any person who operates a commercial motor vehicle. This includes, but is not limited to: full time, regularly employed drivers, casual, intermittent or occasional drivers; leased drivers and independent, owner-operator contractors who are either directly employed by or under lease to an employer or who operate a commercial motor vehicle at the direction of or with the consent of an employer. For the purposes of pre-employment/pre-duty testing only, the term **driver** includes a person applying to an employer to drive a commercial motor vehicle.
- 3.7 Employer** means the City of Palatka and shall be referred to herein after as the employer.
- 3.8 Performing (a safety-sensitive function)** means a driver is considered to be performing a safety-sensitive function during any period he or she is actually performing, ready to perform or immediately available to perform any safety-sensitive function.
- 3.9 Refusal to submit** (to an alcohol or controlled substances test) means that a driver:
- (1) Fails to provide adequate breath without a valid medical explanation after he/she has received notice of the requirement for a breath alcohol test in accordance with the provisions of this policy,
 - (2) Fails to provide adequate urine for controlled substances testing without a valid medical explanation after he/she has received notice of the requirement for urine testing in accordance with the provisions

of this policy,

- (3) Engages in conduct that clearly obstructs the testing process.

3.10 Safety-sensitive function means all **On Duty Time** as defined in 49 CFR Part 395.2 paragraphs (1) - (6).

4.0 For the purpose of this policy the person designated by the employer to answer driver questions will be referred to as the Anti-Drug and Alcohol Program Manager

The name of this person and their telephone number shall be provided to all drivers in writing accompanied by a copy of this policy and educational materials defining the harmful effects of alcohol and controlled substances use on an individual's health, work, personal life; signs and symptoms of an alcohol or a controlled substances problem (the driver's or a coworker's); and available methods of intervening when an alcohol or a controlled substances problem is suspected, including confrontation, referral to any employee assistance program and/or referral to management.

5.0 Categories of drivers that are subject to this policy

All current drivers and any persons applying for a position that requires a commercial driver's license as a condition of employment to drive a commercial motor vehicle are subject to this policy.

6.0 Period of the workday a driver is required to be in compliance with this policy

All drivers that are required to maintain a commercial driver's license as a condition of employment to operate a commercial motor vehicle shall be in compliance with this policy at any time they are considered to be performing, or ready to perform or immediately available to perform a safety-sensitive function. This can be further defined as anytime a driver is on duty.

7.0 Prohibited conduct shall include all of the following:

7.1 Alcohol concentration (.04 or greater)

No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of .04 or greater.

Any driver found to be in violation of this section will be immediately removed from performing safety-sensitive functions and will be subject to disciplinary action up to and including termination.

7.2 On-duty use

No driver shall use alcohol while performing safety-sensitive functions.

Any driver found to be in violation of this section will be immediately

removed from performing safety-sensitive functions and will be subject to disciplinary action up to and including termination.

7.3 Pre-duty use

No driver shall perform safety-sensitive functions within four hours after using alcohol.

Any driver found to be in violation of this section will be immediately removed from performing safety-sensitive functions and will be subject to disciplinary action up to and including termination.

7.4 Use following an accident

No driver required to take a post-accident test, as defined later in this policy, shall use alcohol for eight hours following the accident or until he/she undergoes a post-accident alcohol test, whichever occurs first.

Any driver found to be in violation of this section will be immediately removed from performing safety-sensitive functions and will be subject to disciplinary action up to and including termination.

7.5 Refusal to submit to an alcohol or controlled substances test

No driver shall refuse to submit to any alcohol or controlled substances test required by federal regulations or the provisions of this policy.

Any driver found to be in violation of this section will be immediately removed from performing safety-sensitive functions and will be subject to disciplinary action up to and including termination.

7.6 Controlled substances use

No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses or is under the influence of any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a commercial motor vehicle.

All drivers must report to his/her supervisor if he/she is taking a prescribed controlled substance. The employer may also require the driver to provide, in writing, from the physician, that this substance does not adversely affect the driver's ability to operate a commercial motor vehicle.

Any driver found to be in violation of this section will be immediately removed from performing safety-sensitive functions and will be subject to disciplinary action up to and including termination.

7.7 Controlled substances testing

No driver shall report for duty, remain on duty, or perform a safety-sensitive function if the driver tests positive for controlled substances. A driver is considered to be under the influence of a controlled substance if the driver tests positive on a drug test.

Any driver found to be in violation of this section will be immediately removed from performing safety-sensitive functions and will be subject to disciplinary action up to and including termination.

8.0 Other alcohol related conduct

No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration between .02 and .039.

Any driver found to be in violation of this section will be immediately removed from performing safety-sensitive functions. The driver will not be allowed to perform any safety-sensitive functions until the start of the driver's next regularly scheduled duty period or until 24 hours has elapsed, whichever is greater.

9.0 Return to duty

No driver who has engaged in prohibited conduct as explained in Sections 7.1 -7.8 shall perform safety-sensitive functions, including driving a commercial motor vehicle, unless the driver has met the requirements of 49 CFR Part 382, section 382.605. If the employer decides to terminate a driver as a result of engaging in prohibited conduct outlined in Sections 7.1-7.8, the employer is only obligated to advise the driver of resources available to the driver in evaluating and resolving problems associated with the misuse of alcohol and use of controlled substances.

The employer will not be responsible for any employee costs associated with a substance abuse professional referral, if necessary, or any treatment that may follow such referral.

10.0 Required testing categories for alcohol and controlled substances misuse.

Any driver subject to this policy must, in accordance with 49 CFR Part 382, submit to the following types of alcohol and controlled substances testing.

10.1 Pre-employment testing

Prior to the first time a driver performs safety-sensitive functions for the employer, the driver shall undergo testing for controlled substances.

10.2 Post-accident testing

As soon as practicable following an accident involving a commercial motor vehicle, each employer shall test each driver for alcohol and controlled substances:

- (1) Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life; or
- (2) Who receives a citation under state or local law for a moving traffic violation arising from the accident; and
 - (a) The accident causes bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
 - (b) One or more motor vehicles incur damage as a result of the accident.

An alcohol test must be completed within two hours following the accident. If the test is not completed within two hours, the employer must continue to attempt to obtain the test for up to eight hours.

A controlled substances test is required to be administered within 32 hours following the accident.

A driver who is subject to post-accident testing shall remain readily available for such testing or may be deemed by the employer to have refused to submit to testing. Nothing in this section shall be construed to require the delay of necessary medical attention for injured people following an accident or to prohibit a driver from leaving the scene of an accident to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.

10.3 Random testing

The selection of drivers for random alcohol and/or controlled substances testing shall be made by a scientifically valid method, such as a random number table of a computer-based random number generator that is matched with drivers' social security numbers, payroll identification numbers, or other comparable identifying numbers. Under the selection process used, each driver shall have an equal chance of being tested each time selections are made.

The rate of testing shall be at least 10% of the average number of driver positions for random alcohol testing, and at least 50 % of the average number of driver positions for random controlled substances testing.

10.4 Reasonable suspicion testing

A driver shall submit to an alcohol test when the employer has reasonable suspicion to believe that a driver has violated the prohibitions of this policy concerning alcohol, with the exception of possession of alcohol. The employer's determination that a reasonable suspicion exists to require the driver to undergo an alcohol test must be

based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver.

A driver shall submit to a controlled substances test when the employer has reasonable suspicion to believe that a driver has violated the prohibitions of this policy concerning controlled substances. The employer's determination that a reasonable suspicion exists to require the driver to undergo a controlled substances test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver. The observations may include indications of the chronic and withdrawal effects of controlled substances.

10.5 Return-to-duty testing

Before a driver returns to duty requiring the performance of a safety-sensitive function after engaging in conduct prohibited by this policy concerning alcohol, the driver shall undergo a return-to-duty alcohol test with a result of less than .02.

Before a driver returns to duty requiring the performance of a safety-sensitive function after engaging in conduct prohibited by this policy concerning controlled substances, the driver shall undergo a return-to-duty controlled substances test with a result indicating a verified negative result for controlled substances use.

10.6 Follow-up testing

Following a determination under 49 CFR §382.605 (b) that a driver is in need of assistance with alcohol misuse and/or use of controlled substances, the driver is subject to unannounced follow-up alcohol and/or controlled substances testing as directed by a substance abuse professional. There shall, at a minimum, be six tests within a 12-month period.

11.0 Procedures to be used for alcohol and controlled substances testing

11.1 Breath-alcohol testing

All procedures for breath alcohol testing will follow those contained in 49 CFR Part 40, as amended, specifically Subparts C and D.

11.2 Controlled substances testing

All procedures for controlled substances testing will follow those contained in 49 CFR Part 40, as amended, specifically Subpart B.

12.0 Split Specimen Analysis

In accordance with 49 CFR Part 40, urine specimens will be collected using a split sample methodology and both specimens will be shipped to a Department of Health and Human Services (DHHS) certified laboratory. If the primary specimen is verified as a positive by the

Medical Review Officer (MRO), the employee may request to the MRO, within 72 hours of being notified of the verified positive result, to have the split portion of the urine specimen shipped to a different DHHS certified laboratory and tested for the presence of the drug(s) for which the primary specimen was positive for. All costs associated with the analysis of the split specimen will be borne by the employee.

APPENDIX 19

POLICIES AND PROCEDURES MANUAL

Internet and E-Mail

City of Palatka

Appendix 19

INTRODUCTION

The purpose of this document is to set forth the ground rules for successful information systems environment within the City. Within this document are policies, guidelines, and procedures that are to be followed when using City computer systems.

Once approved by the City Commission and forwarded to each City Department, a copy of this document will be disseminated to each employee and made available in each department's copy of the City's rules and regulations manual.

Adherence to the policies, guidelines, and procedures set forth within this manual is mandatory for all employees and computer system users. Employees are subject to disciplinary action, up to and including termination of employment, for violation of said policies, guidelines, and procedures.

INTERNET AND E-MAIL

Internet access and E-mail services will be provided only to those users who are approved by their department head as having a legitimate business need for access. Each employee furnished Internet access or E-mail services must certify that they have read and understand this policy statement.

All employees of the City of Palatka will observe proper business etiquette while using the Internet and E-mail. It is essential for each user to recognize their responsibility in having access to vast services, sites, systems and people. The users are ultimately responsible for their own actions in accessing network services and E-mail. The use of the Internet network and E-mail is a privilege, not a right, which may be revoked at any time for abusive conduct. Such conduct includes the placing of unlawful information on a system, the use of abusive or otherwise objectionable language or material in either the public or private messages, the sending of messages that are likely to result in the loss of recipient's work or systems and any other types of use which would cause congestion of the networks or otherwise interfere with the work of others. Internet abuse will result in disciplinary action, up to and including termination of employment.

In addition, employees must not intentionally:

- a) Commit any crime using the Internet or E-mail.
- b) Make any threats against another person or institution using the Internet or E-mail.
- c) Mount an attack on the security of any system (i.e. hacking).
- d) Disturb any other user's files or directories.
- e) Download, upload, or transmit material containing the following unless part of an authorized law enforcement investigation:
 1. Derogatory racial content.
 2. Obscene or Suggestive Sexual Content
 3. Derogatory religious content

4. Political statements
 5. Offensive language or graphics
 6. Material prohibited by law
 7. Files of unknown origin which could potentially contain a virus
-
- f) Install unauthorized software program from the Internet unless authorized by the City Manager/Designee.
 - g) Install any other Internet service other than the one provided by the City unless approved by the City Manager/Designee.
 - h) The employee is responsible for maintaining and securing his/her password(s).

Any obscene or suggestive messages or messages which contain offensive graphical images received by an employee on a City computer over the Internet or by E-mail should be deleted immediately. However, if any such message was sent by another city employee, the message should be reported to a supervisor prior to deletion.

Documents, including E-mail, sent over the Internet are public records just like any other City documents. Do not create, send or download any document you would not want subjected to public scrutiny.

Authorized uses:

In addition to city business:

- a) Incidental personal use of E-mail or Internet is acceptable, so long as such use does not result in additional cost or liability, interfere with business productivity or performance, pose additional risk to security, reliability or privacy, or conflict with any city policy or work rule. Personal usage should generally conform to limits typically associated with personal phone calls.

Employees who violate these policies cost the City money, waste scarce resources,

tarnish the image of the City of Palatka, and potentially violate the law. Employees who willfully violate these policies will have their access to the Internet revoked and may be subject to disciplinary action, up to and including termination of employment. Employees suspected of violating the law will have all relevant materials turned over to the City of Palatka Police Department for further investigation and possible criminal prosecution.

EMPLOYEE ACKNOWLEDGEMENT

I hereby acknowledge having read the Internet and E-mail Policy Manual. I understand the content of the manual and agree to abide by these policies and procedures and that adherence to the policies and procedures set forth in this manual is mandatory for all employees and computer system users. Employees are subject to disciplinary action, up to and including termination of employment for violation of these policies and procedures.

Print Name

Signature

Date

Department

Adopted 2/26/01

APPENDIX 20

EMERGENCY PROTOCOL

In the event of an emergency such as a "boil water" alert, the Department Head should immediately notify the City Manager.

The Department Head would then be expected to use every means to notify the public of the situation. This means contacting all news media: newspaper, radio and TV. The release should be copied to the City Manager prior to release if possible. Copies should be forwarded to all City Commissioners.

The Department head should notify EMS (329-0416) and have the information sent out over the Emergency Alerting System. This not only scrolls a message on the Alert System equipment but also puts a copy of the alert in the hands of all governmental officials in the County.

The Department Head should mobilize his people, in coordination with City Hall, to contact businesses, schools, hospitals, nursing homes, etc., to make sure that they are aware of the alert.

In the event of an incident occurring, the primary goal is to get the information to the public and Governmental Officials as quickly as possible.

Adopted 05/24/01

Appendix 21

Chief of Fire and Police Selection

When selecting a new fire or police chief, a committee consisting of the City Manager and four other members in related fields, i.e. police or fire administrative or personnel officers, will be appointed by the City Commission. This committee will review all applicants and select the best of these for interviews.

Interviews will be conducted in the presence of the City Commission with the committee asking a series of pre-determined questions to each applicant and the Commission will follow with any questions they might have. The committee will then rank the applicants based on scores arrived at through a review of the resumes of each candidate and their answers given to questions at the interview.

The City Manager will determine if the top applicant will accept the City's terms for employment. If agreement cannot be reached, he will negotiate with the next ranked applicant. Once an applicant has agreed to the City's terms his name will be presented to the City Commission for their concurrence. If the Commission concurs, the applicant will be notified that he has been accepted for the job. If the Commission does not concur, the City Manager will negotiate with the next name on the list until a candidate is found that is acceptable to the Commission.

Adopted 09-12-02

Appendix 22

EMPLOYEE REIMBURSEMENT PROGRAM

Employees shall use care in handling city property or equipment, and in handling property or equipment entrusted to the City by other agencies or persons. Employees shall report immediately any damage to or loss of said property or equipment to the Department Head and/or City Manager.

Furthermore, any employee who willfully or negligently loses, damages or destroys said property or equipment shall be subject to disciplinary action up to and including discharge, and shall be required to pay the City 20% of the value of the damage with a limit of \$200 per incident. The determination of whether or not an employee shall be required to make any payment under this section shall be made by the Department Head.

CITY OF PALATKA

REQUEST FOR TRAVEL ALLOWANCE

Name of Payee _____ Date _____

Purpose or Reason _____

Place: _____ From: _____ To: _____

Mileage Claimed: _____ @.36 _____

Hotel: _____

Meals: _____

Incidental Expenses: _____
(Attach Receipts)

TOTAL _____

Signature of Payee: _____

I hereby certify that to the best of my knowledge the above travel was on official business of the City of Palatka.

APPROVED BY: _____
City Official

Breakfast: \$6.00 When travel begins before 6A.M. and extends beyond 8A.M.
Lunch: \$12.00 When travel begins before 12 noon and extends beyond 2P.M.
Dinner: \$20.00 When travel begins before 6 P.M. and extends beyond 8 P.M.

No allowance shall be made for meals when travel is confined to the City or Town of Official Headquarters or immediate vicinity; except assignments of official business outside the travelers regular place of employment if travel expenses are approved. Expenses for spouses, friends and children are not allowed. Mileage is subject to the IRS standard rate.

APPENDIX 24

PUBLIC RECORDS

It is the policy of the City of Palatka that all municipal records, with the exception of exempted records identified by Florida Statutes, §119.07, shall be open for personal inspection by any person.

"Public records" means all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by the City. (F.S., §119.011(1)).

Florida Statutes, § 119.07(1) (a) provides "every person who has custody of a public record shall permit the record to be inspected and examined by any person desiring to do so, at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public record or the custodian's designee."

For the purpose of this policy, "reasonable" time to provide access to public records is during normal working hours - Monday - Friday, 8:30 a.m. - 5:00 p.m. "Reasonable" as it relates to a time frame to retrieve records and/or complete a records request is not defined by the Florida Legislature, and for purposes of this policy, is dependent upon the complexity of the request, location of records, and the schedule of the custodian or designee. Public Records requests are customarily handled in the order they are received.

Upon request, the City will furnish copies of public records based on the following fee schedule:

- Single-sided copies, up to 8 ½" x 14" - .15 each
- Double-sided copies, up to 8 ½" x 14" - .20 each
- Larger size copies - Based on actual cost of duplication
- Certified copy of a public record - \$ 1.00 in addition to actual copy cost
- Duplicate CD - Audio - \$ 5.00
- Duplicate DVD (video) - \$ 5.00
- Code of Ordinances without binder/tabs - \$ 75.00

- Code of Ordinances with binder/tabs - \$125.00
- Code of Ordinances - Periodic Updates - \$ 30.00

Note: Additional charges will be added to cover the cost of postage and packaging as necessary. There will be a \$1.00 minimum charge for all credit card transactions.

Florida Statutes, § 119.07(1)(b) provides "if the nature or volume of public records requested to be inspected, examined, or copied is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by personnel of the agency involved, or both, the agency may charge, in addition to the actual cost of duplication, a special service charge, which shall be reasonable and shall be based on the cost incurred for such extensive use of information technology resources or the labor cost of the personnel providing the service that is actually incurred by the agency or attributable to the agency for the clerical and supervisory assistance required, or both."

For the purpose of this policy, "extensive clerical or supervisory assistance" is determined to be requests that require more than one-half hour of an employee's time to research, retrieve and copy the requested records. For public records requests requiring more than one-half hour, the requester will be required to pay the hourly salary of the employee doing the research, copying the records and/or supervising the requester's research. This hourly fee will begin after the first half-hour of clerical or supervisory assistance is completed. For requests estimated to require more than one hour of a City employee's time, a minimum deposit of \$25.00 will be required (Deposit will be adjusted dependent on the volume of records/research requested). The deposit will be applied to the final cost of the public records request.

The City of Palatka will accept cash, personal check on a local bank, money order, certified check or payment by credit card. All fees shall be paid prior to the delivery of the materials. Any check, money order, or certified check shall be made payable to "City of Palatka".

Appendix 25

CITY IDENTIFICATION CARDS

All employees of the City of Palatka will be issued a City of Palatka identification card that identifies them as an employee of the City of Palatka. The card will also identify the employee's department assignment.

City of Palatka employees will be responsible for retaining the assigned identification card and displaying it or having it readily available during working hours. Lost, stolen or damaged cards shall be reported to the employee's immediate supervisor in a timely manner.

Identification cards shall be returned to the City of Palatka, department of assignment, upon leaving the employ of the City.

Any violation of this policy may subject the employee to disciplinary measures.

Adopted 02-28-08

Appendix 26

COLLECTION OF SOCIAL SECURITY INFORMATION

In accordance with Florida Statute 119.071 (5), the City of Palatka collects social security numbers for the following purposes:

- A. Classification of Accounts
- B. Identification and verification
- C. Credit Worthiness
- D. Billing and Payments
- E. Data Collection
- F. Reconciliation
- G. Tracking
- H. Benefit Processing
- I. Tax Reporting
- J. Warrant Checks
- K. Criminal History Checks
- L. Police Statements and Arrests

Social Security Numbers are also used as a unique numeric identifier and may be used for search purposes.

Any person whose social security number is collected by the City of Palatka shall be provided with a notice of the above policy.

City-owned Vehicles Cited for Red Light Violations

I. POLICY

City of Palatka employees operating City owned, leased, or rented motor vehicles by the City for use by its employees are required to drive in a safe manner, and to strictly comply with all applicable traffic laws and City policies relating to the operation of motor vehicles.

The City has installed at various intersections throughout the City, automated Red Light Infraction Cameras to detect vehicles proceeding through intersections after the traffic control signal has cycled red. Florida State Statute (316.0083) pertaining to the enforcement of red light violations (FSS 316.075 & 316.075(1)(c)1) through automated equipment assigns financial responsibility for each violation to the registered owner of vehicles identified through the use of photography and video technology. Vehicles owned or leased by the City are not exempt from applicable statutes, fines or fees. While statute does allow for exemptions from fines for bona-fide emergency vehicles en-route to an emergency, funeral processions, yielding to-emergency vehicles, and non-possession at time of violation, all City vehicles captured running red lights by camera technology will be processed no different than the general public. Employees operating City owned, leased, or rented motor vehicles that are responsibility for the red light violation may be required to pay the required fine and fees; and, may be subject to discipline by the City.

II. PROCEDURES:

- A. Finance Director - Once the City as the registered owner of City vehicles receives a "Notice of Violation" related to red light violations (FSS 316.075 & 316.075(1)(c)1), the Finance Manager or designee shall:
 1. Notify City Manager of Violation;
 2. Determine the driver of the vehicle at the time of violation, with the assistance of respective Department-heads;

3. Complete the appropriate affidavit of responsibility transferring responsibility to appropriate City employee who was operating the City owned, leased, rented motor vehicle at time of violation;
4. Remit payment for "Notice of Violation" if the identity of the driver cannot be determined.

B. City Manager

1. Upon notification of a violation, the City Manager will direct the respective department-head to conduct an investigation pertaining to the red light violation while operating a City owned, leased, or rented motor vehicle;
2. Review internal investigation submitted by respective department-head to determine appropriate disposition.

C. Department-Head – Conduct internal review of the red light violation to determine violation(s) of City and/or Department policies and recommend applicable discipline to City Manager.

D. Employees responsible for violation

1. If the City determines red light violation responsibility and assigns said responsibility to a specific employee, he/she may either pay the fine or appeal statutory responsibility utilizing procedures as outlined within 316.0083.
2. Any other discipline administered by the City may be accepted or appealed utilizing the City's Appeal/Grievance process. In the case of Firemen and Police Officers, they may accept discipline or appeal the discipline utilizing their respective Department's discipline and appeal/grievance process.

E. Payment of Fines & Fees

1. Should the employee accept responsibility for the violation or as a matter of discipline, the employee must pay all fines and fees as required by

Statutes, or he/she may request the City to pay all fines and fees on his/her behalf and then reimburse the City through a graduated payment plan of up to four (4) pay periods.

2. If the payment plan is required, employees must file a request through their respective department head.
3. The respective department head will forward the request to the City Manager for review and processing.
4. If approved by the City Manager, he/she will forward to the Finance Director for final processing and payroll deduction.
5. If the employee elects the graduated payment plan, the City will assess a \$10.00 per violation administrative fee.
6. Should the employee leave the City's employment prior to all fines and fees being paid, the City may deduct the remaining amount from the employee's last pay check.

CITY OF PALATKA PERSONNEL RULES & REGULATIONS

Domestic Violence Leave

Overview

This policy describes leave for victims of domestic or sexual violence.

Provisions

1. Granting of Domestic Leave –

An employee who has been victimized by domestic or sexual violence is eligible to receive up to three days of unpaid leave in a 12 month period, provided the following conditions are met:

- a. The employee has been employed by the City in a permanent position for the past three months.
- b. The employee has provided documentation showing that (s)he is a victim of domestic or sexual violence. Forms of documentation may include a restraining order, police report, or a letter from a physician or mental health provider (or certified domestic violence center).
- c. This leave is intended to be used to seek an injunction for protection against domestic, repeat, dating or sexual violence; obtain medical care or mental health counseling; obtain services from a victim services organization; make the employee's home secure from the perpetrator of the violence; seek legal assistance in addressing issues arising from the act of violence or other reasons provided in F.S. 741.313

2. Leave Entitlement:

Employees meeting the conditions in paragraph number one above may request to utilize accrued vacation or sick leave for this purpose. The employee may request leave without pay if all accrued sick leave has been exhausted.

3. Confidentiality of Records:

All documentation supporting the request for Domestic Violence Leave will be maintained in the Human Resources Department's confidential files.

Appendix 29

City of Palatka (the City) recognizes the importance of protecting the organization, its operations, its employees and its assets against financial risks, operational breaches and unethical activities. It is the intent of the City to promote consistent organizational behavior by providing guidelines and assigning responsibility for the development of controls and conduct of investigations.

Therefore, it is incumbent upon City of Palatka's Commissioners, Mayor, City Manager, and management to institute and clearly communicate the fraud prevention policy to both internal and external customers, contractors, agencies, consultants, vendors and/or any other parties with a business relationship with the City.

The City recognizes a zero tolerance policy regarding fraud and corruption. All matters raised by any source will be taken seriously and properly investigated.

This policy covers all the City's employees and officers. Additionally, this policy covers all the City's vendors, customers and partners to the extent that any the City's resources are involved or impacted.

Fraud is defined as an intentional deception, misappropriation of resources or the manipulation of data to the advantage or disadvantage of a person or entity. Some examples of fraud include but not limited to:

- Falsification of expenses and invoices
- Theft of cash or fixed assets
- Alteration or falsification of records
- Failure to account for monies collected
- Knowingly providing false information on job applications and requests for funding

Corruption is defined as the offering, giving, soliciting or accepting of an inducement or reward that may improperly influence the action of a person or entity. Some examples of corruption include but not limited to:

- Bribery
- Conspiracy
- Extortion

Each department's manager/supervisor will be familiar with the types of improprieties that might occur within his or her area of responsibility and be alerted for any indication of irregularities.

Reporting of Fraud or Corruption

Allegations and concerns about fraudulent or corrupt activity may come from various sources including but not limited to:

- Employees
- Vendors

- Members of the public
- Results of internal or external audit reviews
- Any other interested parties

The public, employees and officers have a duty to report concerns they may have or any information provided to them about possible fraudulent or corrupt activity of any officer, employee, vendor or any other party with any association with the City. Any person who has a reasonable basis for believing fraudulent or corrupt acts have occurred has a responsibility to report the suspected act immediately. This information may be reported anonymously and all messages will be forwarded to the City Manager.

Concerns should be reported to any of the following:

- City Attorney
- City Manager
- The employee's immediate supervisor
- Any Director/Department head
- Any Commissioner
- Mayor

All reported concerns of possible fraudulent or corrupt actions will be forwarded to City Manager with the exception of any allegations concerning the City Manager. If the allegations concern the City Manager, the City Attorney will be notified and will contact an appropriate external agency to assist in the investigation. These reports will be taken seriously and the City Manager or City Attorney will designate appropriate personnel to do the investigation. If deemed necessary, the City Manager or City Attorney will notify and fully cooperate with the appropriate law enforcement agency. All findings of fraudulent or corrupt activities that result in disciplinary action will be reported to the Human Resources department.

Retaliation and retribution will not be tolerated against any employee or officer who reports suspected fraudulent or corrupt activities. Any employee making a good faith report under this policy will be protected to the fullest extent possible under the Public Sector Whistleblower Act, Sections 112.3187 and 112.3188, Florida Statute. However, if an employee is determined to have acted maliciously or with deceit, the employee will be subject to disciplinary action up to and including termination.

No attempt should be made by anyone other than those authorized, to personally conduct investigations or interviews/interrogations related to any suspected fraudulent act.

Investigation results will not be disclosed or discussed with anyone other than those who have a legitimate need to know. This is important in order to avoid damaging the reputations of persons suspected but subsequently found innocent of wrongful conduct and to protect the City from potential civil liability.

Those authorized in the investigation will have unrestricted access to all City records and premises, whether owned or rented.

Deterring Fraud and Corruption

City of Palatka has established internal controls, policies and procedures in an effort to deter, prevent and detect fraud and corruption.

All employees are required to sign an acknowledgement of the fraud policy upon initial employment and agree to abide by it. These acknowledgement forms will be maintained in the employee's personnel file in the Human Resources Office.

Corrective Action

Offenders at all levels of the Organization will be treated equally regardless of their position, years of service, or relationship with the City. Determinations will be made based on a finding of facts in each case, actual or potential damage to the Organization, cooperation by the offender and legal requirements.

Depending upon the seriousness of the offense and the facts of each individual case, action against an employee can range from written reprimand, up to and including termination, and/or legal action – either civil or criminal. In all cases involving monetary losses to the City, the City will pursue recovery of losses.

If an investigation results in a recommendation to terminate an individual, the recommendation will be reviewed for approval by the designated representatives from Human Resources and the City Attorney and, if necessary, by outside counsel, before any such action is taken. Final determination regarding action against an employee, vendor, recipient or other person found to have committed fraud or corruption will be reviewed by the City Manager.

The City Manager is responsible for the administration, revision, interpretation, and application of this policy.

Appendix 30 - Emergency Compensation Policy

This policy becomes effective when any natural, technological, or other type of emergency or disaster requires employees to be assigned duties for either direct support to the City of Palatka or to provide resources to support other jurisdictions under a statewide mutual aid agreement and is assigned a state mission number.

During an emergency or a disaster, employees may be temporarily assigned to duties other than the essential functions of their position and/or assigned to work at different job sites. It is the shared responsibility of the City Manager and Department Heads to communicate this policy to City Employees.

Guidelines Following a Disaster Declaration

- a. This policy will be initiated upon adoption of a Local Declaration of Emergency and suspension of normal work schedules by the City Manager.
- b. Each Department Head shall identify critical positions that are required to work during the disaster and post-disaster phases. Department Heads shall insure that employees are aware of their individual responsibilities by notifying them of their emergency work assignment.
- c. Department Heads will be responsible for the verification and approval of hours worked by the Emergency Essential Personnel.
- d. Employees who are unable to report to work should contact their supervisor by telephone. If telephone lines are down or conditions exist where contact by telephone cannot be accomplished, employees should make contact as soon as possible with their work unit. Employees designated as Emergency Essential Personnel must keep their Department Head informed of their activities and whereabouts.
- e. The need to provide emergency services may supersede other City operations; therefore, the City may suspend routine City Business, procedures and formalities otherwise required until the disaster or emergency recovery period is no longer in effect.

Emergency Pay Provisions

Emergency Essential Employees (designated by their Department Head) will be paid wages in accordance with applicable law, City policy, and any applicable union contracts.

Categories

- a. **Emergency Essential Personnel:** All employees, including exempt and non-exempt, identified as Emergency Essential Personnel who are required to support pre-disaster response efforts, tasks occurring during the disaster or post-disaster recovery efforts. Emergency pay provisions will be applicable for only actual hours worked.

Non-exempt Emergency Essential Personnel will be paid in accordance with applicable law, City policy, and any applicable union contracts.

Exempt Emergency Essential Personnel will be paid the base hourly rate for each hour worked in excess of 40 hours or the normal work week, whichever is greater. Exempt personnel will no longer be eligible for Emergency Pay after there is a suspension of the Local Declaration of Emergency or a directive by the City Manager for essential personnel to resume normal scheduled hours.