

# 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	Section 05.5
11/04/02	Revised	6.0	10/18/18	Adopted	Section 05.9
02/01/03	Revised	8.5 B	10/18/18	Adopted	Appendix 07.1
03/13/03	Adopted	Appendix 1.A	12/09/21	Adopted	Appendix 23
07/10/03	Adopted	Appendix 23	06/23/22	Adopted	Section 3.4
03/25/04	Adopted	Section 3.7F	06/23/22	Adopted	Appendix 14
01/13/05	Adopted	8.5F	10/1/22	Adopted	Appendix 13
04/14/05	Revised	Appendix 13	9/28/23	Adopted	Appendix 7
04/28/05	Adopted	Appendix 24	9/28/23	Adopted	Appendix 14-A
08/25/05	Revised	5.9	10/12/23	Adopted	Appendix 01-B
07/11/24	Adopted	Section 8	10/14/24	Revised	Appendix 19
12/18/24	Revised	Appendix 11	12/18/24	Revised	Section 11

CITY OF PALATKA

PERSONNEL RULES AND REGULATIONS

TABLE OF CONTENTS

SECTION	SUBJECT	PAGE
01.0	DEFINITIONS-----	05,06,07
02.0	PERSONNEL ADMINISTRATION-----	08
02.1	RESPONSIBILITY-----	08
02.2	PERSONNEL RECORDS-----	09
02.3	PERSONNEL STATUS-----	09
03.0	JOB VACANCIES-----	10
03.1	STATEMENT OF INTENT-----	10
03.2	FILLING JOB VACANCIES-----	10
03.3	PHYSICAL EXAMINATION-----	10,11
03.4	RE-EMPLOYMENT-----	11
03.5	EMPLOYEE EVALUATION-----	11
03.6	HOURS OF WORK-----	11,12
03.7	OUTSIDE EMPLOYMENT-----	12
03.8	PROMOTIONS AND TRANSFERS-----	12,13
03.9	NEPOTISM-----	13
04.0	OVERTIME-----	14
04.1	INTENT-----	14
04.2	OVERTIME CASH PAYMENTS-----	14
04.3	GENERAL EMPLOYEES-----	14
04.4	PUBLIC SAFETY EMPLOYEE' S-----	15
04.4-A	POLICE-----	15
04.4-B	FIRE-----	15
04.5	ADMINISTRATIVE/SUPERVISORY EMPLOYEE--	16
04.6	ON CALL PROGRAM	17
05.1	ATTENDANCES AND ABSENCES-----	18,19
05.2	JURY DUTY-----	19
05.3	COURT APPEARANCES-----	19
05.4	MEETINGS AND CONFERENCES-----	19
05.5	DEATH-IN-FAMILY-----	20,21
05.6	PERSONAL ABSENCES-----	22
05.7	MILITARY RESERVE LEAVE-----	22
05.8	BREAKS IN SERVICE-----	22,23

05.9 SICK LEAVE-----	24,25
05.10 TRANSFER OF SICK LEAVE-----	26
05.10-A SAMPLE TRANSFER REQUEST-----	27
05.10-B FAMILY AND MEDICAL LEAVE POLICY--	28
PURPOSE -----	28
GENERAL -----	28
REASONS FOR LEAVE -----	28,29
PROCEDURE FOR REQUESTING LEAVE -----	29
BENEFITS COVERAGE DURING LEAVE -----	30
RESTORATION TO EMPLOYMENT FOLLOWING LEAVE	30
06.0 HOLIDAYS-----	31,32
06.1 SAFETY BONUS PROGRAM-----	33
06.2 WELLNESS PROGRAM BONUS-----	34
07.0 VACATION POLICY-----	35,36
08.0 PERSONAL SECURITY PROGRAM-----	37
08.1 DISABILITY AND WORKER'S COMP. INS. 39,40,41,42,43	
09.0 EMPLOYEE'S SELF IMPROVEMENT & EDUCATIONAL PROGRAM-----	44
09.1 INTENT-----	44
09.2 EDUCATIONAL REIMBURSEMENT-----	44
09.3 ELIGIBILITY FOR EDUCATIONAL PROGRAM	44
10.0 GRIEVANCE PROCEDURES-----	45
10.1 INTENT-----	45
10.2 GENERAL REQUIREMENTS-----	46
10.3 SECTION 504 GRIEVANCE-----	46
10.4 PROCEDURE-----	47
11.0 TERMINATION-----	48
11.1 RESIGNATION OR DISCHARGE-----	48
11.2 FINAL PAYCHECK-----	48
POLICIES INDEX APPENDIX: -----	49
01 EMPLOYEE ACKNOWLEDGMENT-----	50
01-A CODE OF CONDUCT-----	51-58
01-B Discipline policy-----	59-65
02 EMPLOYEE SAFETY POLICY-----	66

03	SAFETY-RIDING IN CITY TRUCKS-----	67
04	EMPLOYEE TELEPHONE CALLS-----	68
05	RESIGNATION FORMS-----	69
06	EMPLOYEE UNIFORMS-----	70
07	PRESS RELEASES-----	71-76
08	ALCOHOLIC BEVERAGES-----	77-78
09	APPEARANCE AND CONDUCT OF EMPLOYEE	79
10	CHANGE IN PAYROLL STATUS-----	80
11	BREAKS-----	81
12	PEDDLING, SOLICITATIONS, DISTRIBUTION OF LITERATURE-----	82
13	PURCHASING PROCEDURES-----	83-113
13-A	CREDIT CARDS-----	113
14	USE OF CITY VEHICLES-----	114-117
14-A	USE OF CITY-OWNED PROPERTY/EQUIPMENT	118
15	EMPLOYEE TIME CARDS-----	119
16	HIRING PROCEDURES FOR NEW EMPLOYEE	120
17	DRUG FREE WORK PLACE POLICY-----	121-122
17-A	NEW EMPLOYEE REQUIREMENTS-----	123-124
17-B	SUPERVISOR REQUIREMENTS-----	125-126
18	CONSEQUENCES OF VIOLATION OF THE ALCOHOL AND DRUG POLICY-----	127
18-A	RIGHT TO APPEAL-----	127
18-B	ANTI DRUG AND ALCOHOL POLICY FOR DRIVERS OF COMMERCIAL MOTOR VEHICLES	129-135
19	INTERNET AND E-MAIL POLICY-----	136-141
20	EMERGENCY PROTOCOL-----	142
21	CHIEF OF FIRE AND POLICE SELECTION	143
22	EMPLOYEE REIMBURSEMENT PROGRAM----	144
23	TRAVEL Policy-----	145-147
24	PUBLIC RECORDS-----	148-149
25	CITY OF PALATKA IDENTIFICATION CARDS	150
26	COLLECTION OF SOCIAL SECURITY INFORMATION	151
27	CITY-OWNED VEHICLES CITED FOR RED LIGHT VIOLATION-----	152-154
28	DOMESTIC VIOLENCE LEAVE-----	155
29	FRAUD POLICY-----	156-158
30	EMERGENCY COMPENSATION POLICY-----	159-160

## **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:**

Upon receipt of a Department Director's recommendation to the City Manager to rehire a former City Employee, the City Manager shall confer with the Human Resources Department for an evaluation of the former employee's personnel file, to include but not limited to, a review of the following areas: Job Performance/ Evaluations, Attendance, Use of sick leave, Reasons for termination or resignation, etc., to ensure that the former employee terminated City employment in good standing and is eligible for rehiring.

- A. No former employee may be rehired 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.

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

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-0 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
Friday before Easter	Good Friday
Last Monday in May	Memorial Day
June 19	Juneteenth
July 4th	Independence Day
1st Monday in Sept.	Labor Day
November 11 <sup>th</sup>	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 1<sup>st</sup> 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 1<sup>st</sup> 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>	
	<b>General/Police</b>	<b>Fire</b>
• 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 8: Personal Security Program (Benefits)**

The City of Palatka provides the following benefits to full-time employees and Commissioners. Part-time employees are not eligible for group benefits.

### **Defined Benefit Pension Plan**

Full-time employees and City Commissioners shall be a member of the City's retirement plan as set forth in the City's municipal code unless defined by contract or employed in an excluded position.

Currently, all employees contribute 6.0% of their gross weekly salary unless defined by contract and the City of Palatka contributes an amount determined by the actuary.

Information describing the pension plan for Fire Fighters, General Employees and Police Officers is available on request from the Pension Administrator.

### **Life Insurance**

Unless otherwise provided for in an employment and/or collective bargaining agreement, after completing three (3) months with the City of Palatka, regular employees are provided with ten thousand (10,000) dollars of life insurance at the City's expense for the duration of their employment. Additional life insurance is provided for Fire Fighters and Police Officers accidentally killed on the job per Florida Statutes.

### **Health, Dental and Vision Insurance**

Unless otherwise provided for in an employment and/or collective bargaining agreement, after completing three (3) months with the City of Palatka, regular employees become eligible for participation for the group insurance plans. 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 seventy-five (75) percent of the employee's and dependents dental insurance, and the employee pays one hundred (100) percent of their vision coverage.

## **Additional Benefits**

Flexible spending accounts, 457 investment plans and supplemental insurance are provided and are funded 100% by the employee. Information is available upon request from the Human Resources Department.

## 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 arranges 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.

Employees who voluntarily leave the organization, may be asked to attend an exit interview either in person or if preferred, a questionnaire can be provided via email. However, terminated employees will be provided the exit interview questionnaire via email.

### **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.

## POLICIES INDEX

		Page
01	EMPLOYEE ACKNOWLEDGMENT -----	50
01-A	CODE OF CONDUCT-----	51-58
01-B	Discipline Policy-----	59-70
02	EMPLOYEE SAFETY POLICY -----	71
03	SAFETY WHILE RIDING IN CITY WORK TRUCKS -----	72
04	EMPLOYEES TELEPHONE USAGE -----	73
05	RESIGNATION FORMS -----	74
06	EMPLOYEE UNIFORMS-----	75
07	PRESS RELEASES -----	76-81
08	ALCOHOLIC BEVERAGES -----	82-83
09	EMPLOYEE APPEARANCE AND CONDUCT -----	84
10	CHANGE IN PAYROLL STATUS -----	85
11	EMPLOYEE BREAKS-----	86-87
12	PEDDLING, SOLICITATION, AND DISTRIBUTION OF LITERATURE-----	88
13	PROCEDURES FOR PURCHASE OF ALL EQUIPMENT AND SUPPLIES -----	89-119
13-A	CREDIT CARDS-----	119
14	USE OF CITY VEHICLES-----	120-123
14-A	USE OF CITY-OWNED PROPERTY AND/OR EQUIPMENT -----	124
15	EMPLOYEE TIME CARDS-----	125
16	PROPER PROCEDURES FOR HIRING NEW EMPLOYEES -----	126
17	DRUG FREE WORK PLACE -----	127-128
17-A	EMPLOYEE REQUIREMENTS -----	129-130
17-B	SUPERVISOR REQUIREMENTS -----	131-132
18	CONSEQUENCES OF VIOLATION OF THE ALCOHOL AND DRUG POLICY-----	133
18-A	RIGHT TO APPEAL-----	133
18-B	ANTI DRUG AND ALCOHOL POLICY FOR DRIVERS OF COMMERCIAL MOTOR VEHICLES -----	134-141
19	INTERNET AND E-MAIL POLICY -----	142-149
20	EMERGENCY PROTOCOL-----	150
21	CHIEF OF FIRE AND POLICE SELECTION -----	151
22	EMPLOYEE REIMBURSEMENT PROGRAM -----	152
23	REQUEST FOR TRAVEL ALLOWANCE -----	153-155
24	PUBLIC RECORDS-----	156-157
25	CITY OF PALATKA IDENTIFICATION CARDS -----	158
26	COLLECTION OF SOCIAL SECURITY INFORMATION -----	159
27	CITY-OWNED VEHICLES CITED FOR RED LIGHT VIOLATION-----	160-162
28	DOMESTIC VIOLENCE LEAVE -----	163
29	FRAUD POLICY-----	164-168

**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 01-B**

### **Prohibited Actions & Behaviors**

Disregarding or failing to comply with the City's standard of conduct could lead to disciplinary action up to and including possible termination of employment. While not an all-inclusive list, examples of inappropriate actions that may lead to immediate termination include:

- Failing to comply with or disregarding City policies & procedures.
- Falsifying employment or other City records.
- Violating the anti-discrimination or harassment policies.
- Reporting to work under the influence of alcohol or drugs, including prescription drugs.
- Fighting, disorderly conduct, or using obscene, abusive, or threatening language.
- Bringing weapons, knives, explosives etc. into the workplace. Police officer and fire station employees are exempt from this provision. Vocational tools required in Public Works are likewise exempt.
- Failing to correct unsatisfactory work performance for which the employee is primarily responsible.
- Failing to give notification to or receive authorization from the supervisor before leaving the work station, work site, or job.
- Limiting one's output or directly or indirectly encouraging another employee to cut down production.
- Carelessness, neglect, or refusal to carry out assignments or instructions from those in authority.
- Engaging in insubordination, refusing to comply with a supervisor's directive.
- Accepting payment or gifts for favoritism or services.
- Conviction of a felony, the nature of which would be considered to render an individual unreliable as an employee.
- Failing to follow safety rules and regulations.
- Contracting with customers to perform work of any kind for them without the written consent of the City manager.
- Non-disclosure of interest in, or connection with any

business which could be conceived as improper, a conflict of interest, or gives the appearance of impropriety.

- Engaging in other practices inconsistent with the ordinary and reasonable rules of conduct necessary for the welfare of the City, its

employees, or our customers.

- Pilferage, stealing, removal or destruction of City property, property

of customers, fellow employees, or others.

- Any solicitations/distribution in violation of City policy.
- Sleeping on the job.
- Failure to report accidents immediately including personal injury on the job.
- Discourtesy or impoliteness to customers.
- Disclosure or use of confidential information (whether intentional or not intentional, whether for personal gain/benefit or not).
- Illegal gambling in any form while on company premises.

## **Disciplinary Policy**

### **Purpose**

The purpose of this policy is to clarify guidelines for employee conduct and to outline appropriate disciplinary steps.

Employment with the City of Palatka is "at will," which means it is subject to termination by either City of Palatka or the employee at any time, for any reason. Nothing in this policy provides any contractual rights regarding employee discipline or counseling, nor should anything in this policy be read or construed as modifying or altering the employment- at-will relationship between City of Palatka and its employees.

### **Responsibilities of Employees**

It is the duty and the responsibility of every City of Palatka employee to be aware of and to abide by existing policies and work rules.

It is also the responsibility of employees to perform their duties to the best of their ability and to the standards set forth in their job descriptions or as otherwise established. Employees are

encouraged to take advantage of all learning opportunities available and to request additional instruction when needed.

### **Responsibilities of Supervisors, Managers and Directors**

The immediate supervisor, manager, or director should approach corrective measures in an objective manner.

If the employee's performance of assigned tasks is the issue, the supervisor, manager, or director should confirm that proper instructions, appropriate orientation, and adequate training have been given and that the employee is aware of job expectations. Both single incidents and patterns of poor performance should be of concern.

If misconduct is the issue, the supervisor, manager, or director should take steps to ensure that the employee is aware of the City's policies and regulations regarding employee conduct.

If, in either case, appropriate instruction or information was not communicated, the supervisor, manager, or director should immediately develop a plan for delivering such instruction or information and should review the content with the employee.

### **Progressive Discipline Process**

The City of Palatka supports the use of progressive discipline to address issues such as poor work performance or misconduct to encourage employees to become more productive workers and to adapt their behavior to city standards and expectations.

Generally, a supervisor gives a warning to an employee to explain behavior that the supervisor has found unacceptable. There are two types of warnings: verbal and written.

A verbal warning occurs when a supervisor verbally counsels an employee about an issue of concern. A written record of the discussion, noting the date, event, and recommended action is placed in the employee's personnel file for future reference.

A written warning is used for behavior or performance that a supervisor considers serious or when a verbal warning has not helped change unacceptable behavior or performance. The department head, in consultation with human resources (HR), may place the employee on a performance improvement plan (PIP) not to exceed 90 days.

Within this time period, the employee must demonstrate a willingness and ability to meet and maintain the conduct and work requirements specified by the supervisor and the organization. The supervisor and employee

should meet regularly to assess the progress of the PIP. IF the employee has met the goals and expectations described in the PIP, the supervisor will document that he or she has successfully completed the PIP. If established goals are not met, dismissal may occur.

The City of Palatka reserves the right to administer

appropriate disciplinary action for all forms of disruptive or inappropriate behavior. Each situation will be dealt with on an individual basis.

### **Employee Conduct That Can Result in Disciplinary Action**

The City of Palatka has established general guidelines to govern the conduct of its employees. No list of rules can include all instances of conduct that can result in discipline, and the list of examples below is not exhaustive. Furthermore, sound judgement and common sense should prevail. Examples of employee conduct that would lead to discipline and the usual course of disciplinary action have been separated into groups according to the usual severity and impact of the infraction. Violations may be handled differently depending on the group they are in and the specific circumstances. The City of Palatka reserves the right to determine the appropriate level of discipline for any performance or conduct issues, including oral and written warning, suspension with or without pay, demotion, and discharge.

**Group 1**

Disciplinary process:

- 1st offense: Documented verbal warning.
- 2nd offense: Documented written warning.
- 3rd offense: Three-day suspension.
- 4th offense: Termination of employment.

Examples:

1. Creating conflict with co-workers, supervisors, visitors, or volunteers.
2. Failing to follow practices as needed for the specific job assignment.
3. Contributing to unsafe conditions.
4. Smoking in nonsmoking areas.
5. Leaving the assigned work area or facility without the supervisor's permission.
6. Loitering or loafing while on duty.
7. Disregarding the organization's dress code.
8. Damaging or using organization-owned equipment without authorization.
9. Abusing lunch and break periods.
10. Removing, posting, or altering notices on any bulletin board on City property without permission from the employee's manager or HR department.

11. Violating other rules or policies not specifically listed.

**Group 2**

Disciplinary process:

1st offense:

Written warning.

2nd offense:

Suspension.

3rd offense: Termination.

Examples:

1. Failing to report injuries or damage to or an accident involving City equipment.
2. Violating any safety rule.
3. Acting negligently.
4. Engaging in horseplay that results in personal injury or equipment damage.
5. Spreading malicious rumors.
6. Engaging in vulgar or abusive language or conduct toward others.
7. Copying City documents for personal use.
8. Using facility communication systems inappropriately.
9. Treating customers or co-workers in a discourteous, inattentive, or unprofessional manner.
10. Being absent, or tardy, or leaving early without notification or permission.
11. Not following department guidelines concerning notification of an absence.

### **Group 3**

Disciplinary process:

1st offense: Dismissal.

Dismissal is the immediate termination of an employee for a serious breach of responsibility, unsatisfactory performance, or misconduct. A supervisor or department head may impose dismissal after consultation with the HR department.

Examples:

1. Being absent for three or more days without notification or permission (also referred to as a voluntary quit or job abandonment).
2. Fighting.
3. Demonstrating insubordination, including:
  - a. Refusal to do an assigned job.
  - b. Refusal to work overtime or holiday shifts when required.
  - c. Disrespectful response to a supervisor's directive.
  - d. Deliberate delay in carrying out an

assignment.

4. Dishonesty, including deception, fraud, lying, cheating or theft.

5. Violating timecard procedures.

6. Sabotaging the facility, grounds, or equipment of the City.
7. Falsifying records, such as employment applications and timecards in any way.
8. Engaging in indecent behavior.
9. Possessing, being under the influence of, or drinking intoxicants on the job.
10. Sleeping while on duty.
11. Concealing defective work.
12. Carrying a weapon on City property, including in the parking lot.
13. Disclosing confidential records or information.
14. Soliciting gifts or tips from business-related contracts.
15. Using the facility's computer systems, including accessing confidential computer files and data, without authorization.
16. Demonstrating gross misconduct or other serious violations of City of Palatka policies or procedures.
17. Failing to comply with licensure and certification requirements.

Sworn police and fire personnel shall be subject to additional departmental regulations and discipline policies.

## **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**

#### **I. Policy**

The City of Palatka gives inquiries from the news media a high priority. Every effort should be made to meet media deadlines and to ensure that all information released is accurate. The Public Information Officer (“PIO”) is responsible for the City's media inquiries, interview requests, and other press issues. The PIO does not handle public records requests. These requests should be made to the City’s designee for public records requests.

All City employees should notify the PIO about media inquiries. Most City media requests are to be initiated when the media contacts the Public Information Officer. Due to the pressing nature of media deadlines, it is important that all departments respond as soon as possible when the PIO requests departmental information. Specific guidelines for responding to media requests follow below.

#### **II. City Spokespersons**

Unless otherwise authorized, the City's designated spokespersons are:

- Mayor
- City Manager
- Assistant City Manager
- Department Heads or designate assistants
- Public Information Officer
- Designated Personnel in the Police and Fire Departments (See Section X “Public Safety Issues”)

#### **III. Media Inquiries**

Any media inquiries other City staff receive should be referred immediately to his/her immediate supervisor and the Public Information Officer. An appropriate response to the media would be, "I will give your request to my City's Public Information Officer, who will respond to you as soon as he/she is available." Please obtain the caller's name, media outlet, phone number, the story's topic (why they are calling), and deadline. City employees should also be prepared to respond to the news media (if necessary), after consulting with the City Manager and should be given the appropriate media preparation and other resources if they are expected to respond as a City spokesperson.

#### IV. Expectations for Media

##### **Media outlets can expect:**

- A response/answer within a reasonable amount of time (the same day if possible). This may include informing the outlet that "at this time, we do not have an answer to your request, but we will research the issue and get back to you."
- To ensure accuracy and to assist with the facilitation of details and information, it is necessary for the City Spokesperson to ask the following:
  - What is your deadline?
  - What is the story about? (Expect several follow-up questions about this).  
Be mindful of requests requiring interdepartmental research or other such complex requests that involve comprehensive attention. Expecting a short turnaround time on such a request is unreasonable and will be communicated by PIO.

A request late in the afternoon that requires significant research and/or coordination will be handled the following business day unless circumstances warrant otherwise.

#### **V. Sensitive or Controversial Issues**

All television, radio, newspaper, or other media inquiries regarding sensitive or controversial issues should always be referred immediately to the PIO. The PIO will coordinate with City of Palatka leadership and coordinate a response, including designating a spokesperson after consultation with the City Manager and the appropriate department.

#### **VI. Litigation and Personnel Issues**

In general practice, the City of Palatka and its departments do not discuss litigation and/or personnel-related information. A suggested response to these types of questions is ...

"It is the policy of the City of Palatka is not to answer questions about (personnel matters / or litigation). Please contact the City Manager or City Attorney for more information."

#### **VII. Personal Points of View**

The City of Palatka is striving for a unified approach to communications initiatives. Although all employees have the right to their personal points of view regarding any issue, personal points of view may conflict with the City's official policy. Therefore, City employees who write letters to the editor of any newspaper may not use official City stationery. Employees representing the City in any format must identify themselves as an official spokesperson for the City and have the approval to represent the City.

### **Personal Social Media**

The City encourages employees to use good judgment when posting and/or communicating on Social Media.

**Social** media includes all means of communicating or posting information or content on the internet. This includes blogs, microblogs, wikis, message boards, chat rooms, electronic newsletters, online forums, personal websites, social networking or affinity websites, or other sites and services that permit users to share information with others through technological and contemporaneous methods.

To assist employees in making responsible decisions about the use of social media, we have established these guidelines for the appropriate use of social media:

- Make it clear that the views expressed in social media are yours alone. Do not suggest or infer that you represent the views of the City of Palatka in any fashion.
- Do not disclose confidential or proprietary information regarding the City of Palatka, your co-workers, or the City's vendors and suppliers. You may not use the City of Palatka's name or other identifying information to endorse, promote, denigrate, or otherwise comment on any product, opinion, cause, or person.

- Be respectful of the privacy and dignity of your co-workers. Do not use or post photos of co-workers without their knowledge and consent.
- Harassing or discriminatory comments, particularly if made on the basis of gender, race, religion, age, national origin, or other protected characteristic, may be deemed inappropriate even if the City of Palatka is not mentioned. If social media communications in any way may adversely affect your relationships at work or violate City policy, you may be subject to discipline up to and including immediate termination under various City policies.
- Ensure that engaging in social media does not interfere with your work commitments.

You may share on your personal social media, items posted by the City of Palatka’s official social media pages.

### **City Social Media Platforms**

The City of Palatka currently uses the following social media sites:

- Facebook
- Instagram
- YouTube

Only the City’s spokespersons designated above are authorized to post to the City’s Social Media accounts.

The use of social media platforms by the City and its authorized users follows all state and federal laws, including the Florida Sunshine Laws and the Florida Retention Schedules.

All content posted on City social media sites is a public record. Administrators of the City’s social media sites shall remove or hide comments or posts made by users if they are inappropriate. Any content removed must be retained to the date referenced in the Florida Retention Schedule and include the time, date, and identity of the poster, if available.

Comments by City staff made in response to posts should only be to answer questions or to clarify issues, not to respond or engage to negative posts.

The City Manager’s office and the PIO must have administrative access to all city social media sites.

### **VIII. General Or Routine Issues**

**Broadcast media:** Calls from broadcast media (TV and radio) should always be referred to the Public Information Officer. The PIO will coordinate with City administration and the relevant department to coordinate a response, including designating a spokesperson after consultation with the City of Palatka leadership and the relevant department.

**Local print media:** Calls from local print media regarding departmental procedures and programs should be referred to the Public Information Officer. The PIO will coordinate with the City Manager and the relevant department to coordinate a response to specific questions from print media.

### **IX. City-Initiated Information**

Most proactive media contact is initiated through the Public Information Officer. This includes issuing press releases and media advisories. Departments seeking publicity for events or activities must contact the PIO as soon as possible to ensure the best media coverage of their activities. Departments should not initiate news media contacts without approval from the City administration. Every press release should be read by a second person to check for typos and errors. The release should then be sent to the appropriate department manager and City manager for approval.

### **X. Public Safety Issues**

Because the Police and Fire Departments operate 24/7 and their work generates a high volume of media calls, those departments should have designated sworn personnel as media spokespersons and follow specific guidelines when releasing information. In the event that they do not have designated sworn personnel as media spokespersons, the media should be directed to the City Manager's Office and the PIO. All information released to the media by the Police and Fire Departments should be provided immediately to the City Manager.

### **XI. City-issued Newsletters**

As part of the effort to better communicate internally with City staff and externally with the public, we are going to start producing newsletters to be distributed weekly.

The newsletter for city staff will be emailed or texted to all City employees. It will feature a staff profile, news from different departments, staff birthdays and anniversaries, updates and reminders from HR and the City Manager.

The newsletter for the public will also be sent out by text and e-mail and will include articles on the happenings in the city, like public works projects, holiday garbage schedules, new employees, etc.

All city departments shall send a brief email to [publicinformationofficer@palatka-fl.gov](mailto:publicinformationofficer@palatka-fl.gov) listing any news or event that should be included in either newsletter.

For both newsletters, the deadlines are ...

- **Thursday, two weeks before publication** – The PIO shall send a reminder to Department Heads to submit items for the newsletter(s)
- **Tuesday, one week before publication** – Deadline for department heads to return information
- **Wednesday, one week before publication** – Article returned to department heads for review
- **Thursday, one week prior to publication** – City Manager review of publication
- **Monday** -- Publication

### **XII. Disclaimer/Non-Waiver**

The City disclaims all liability and shall not be responsible for any effect, injury, damage, claim, action, or demand to the fullest extent permissible under law relating to or arising from a post or submission

to a social media service by any member of the public, the City's removal of or failure to remove a post or submission by a member of the public, the City's failure to follow or enforce this Policy in every circumstance, or any other matter related to this Policy. The City further disclaims all liability and shall not be responsible for content or expressions that are posted by City employees or agents not acting in the course of their City duties with authorization as outlined in this Policy. Failure to comply with this Policy or any portion thereof by the City shall not create any expectation or interest in any private, public, or other right of action against the City, its elected or appointed officials, officers, employees, personnel, or agents. By posting information, content, or any expressions to any City- utilized social media service, the City does not waive any legal right, protection, privilege, or immunity, including but not limited to copyright, trademark, and/or sovereign immunity, and the City retains all rights to such information, content, or any expressions to the fullest extent permissible under federal and Florida law.

The City of Palatka prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

Nothing contained in this policy shall preclude an employee from engaging in conduct protected by section 7 of the National Labor Relations Act (NLRA).

## 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:

Lunch breaks at work are decided by the City Manager based on the established work hours of the department. The length of these breaks can range from thirty (30) to sixty (60) minutes depending on when the department workday begins:

See the tables below detailing lunch break durations according to start and ending work hours:

START	END	LUNCH BREAK
6:00	2:30	30 MINUTES
7:00	3:30	30 MINUTES
7:30	4:00	30 MINUTES
8:00	4:30	30 MINUTES
8:30	5:00	30 MINUTES

START	END	LUNCH BREAK
6:00	3:00	1 HOUR
7:00	4:00	1 HOUR
7:30	4:30	1 HOUR
8:00	5:00	1 HOUR
8:30	5:30	1 HOUR

Employees are allowed a maximum of two breaks during an eight or ten-hour workday. Break times may not be accumulated or utilized to extend lunch breaks. 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.

Failure to comply with the above break schedule will result in disciplinary action as described in our progressive disciplinary policy.

## 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

# City of Palatka

## PURCHASING POLICY

### Table of Contents

Section 1. List of Definitions .....	81	
Section 2. Introduction .....	84	
Section 3. Local Preference .....	85	
Section 4. Women/ Minority Business Enterprises (W/MBE) Vendor Preference .....	87	
Section 5. Standardization .....	89	
Section 6. Single/ Sole Source .....	90	
Section 7. Cooperative Purchasing Programs .....	91	
Section 8. General Authority .....	93	
Section 9. General Purchase Process .....	94	
Section 10. Small Purchases - Up to \$25,000.00 .....	99	
Section 11. Procurement of Goods and Services - \$25,000.01 or more .....	101	101
Section 12. Contracts .....	108	
Section 13. Suspension and Debarment .....	110	
Section 14. Grants .....	111	

### Section 1. List of Definitions

#### A. Agreement:

1. An understanding, usually in writing, between two or more competent parties, under which one party agrees to certain performance as defined in the agreement and the second party agrees to compensation for the performance rendered in accordance with the conditions of the agreement. Agreements and contracts are sometimes used synonymously.
2. A legally binding promise, enforceable by law.
3. An agreement between parties with binding legal and moral force, usually exchanging goods or services for money or other consideration.

- B. **Award:** An award on a quote, bid, or proposal for which the City Commission has lawfully appropriated funds.
- C. **Bid:** Formal written offer of a price by a vendor to the City to furnish specific goods and/or services in response to an Invitation to Bid.
- D. **Change Order:** A written order that is issued by the City directing the Contractor to change contract amount or time within the scope of the contract in accordance with the contract's terms allowing changes by the City to be made with the consent of the Contractor or, when authorized by contract, to issue such change order unilaterally without the consent of the Contractor.
- E. **Emergency Purchases:** Procurement that is made in response to a requirement when the delay incident for complying with all governing rules, regulations, and procedures would be detrimental to the health, safety, and welfare of the City and/or its citizens and includes immediate repairs that are needed to prevent further damage to public property.
- F. **Invitation to Bid (ITB):** The solicitation for competitive sealed Bids for goods and/or services for which the scope of work, specifications or contractual terms and conditions can be reasonable and closely defined.
- G. **Local Preference:** Procurement laws mandating that bid prices for a preferred class of bidders be given special consideration when comparing their bid prices with those of other bidders not in the preferred class, i.e., "local" suppliers may be given a bid preference over suppliers that are not defined as "local."
- H. **Piggyback:** Form of intergovernmental cooperative purchasing in which an entity will be extended the pricing and other terms of a contract entered into with another entity. Generally, a larger entity will competitively award a contract that will include language allowing other entities to utilize the contract, which may be to their advantage in terms of pricing, thereby gaining economies of scale that they normally would not receive if they competed on their own.
- I. **Procurement:** Buying, purchasing, renting, leasing or otherwise acquiring any goods or services for public purposes in accordance with the laws, rules, regulations, and procedures intended to provide for the economic expenditure of public funds. It includes, but is not limited to, all

functions that pertain to obtaining any supplies, materials, equipment and/or services including construction projects.

- J. **Professional Services:** Those services within the scope of the practice of architecture, professional engineering, landscape architecture, or registered surveying and mapping, as defined by the laws of the State of Florida, or those performed by any architect, professional engineer, landscape architect, or registered surveyor and mapper in connection with his or her professional employment or practice, the acquisition of which is pursuant to Florida Statute 287.055.
- K. **Proposals:** An executed formal document submitted to the City stating the good(s) and/or service(s) offered to satisfy the need requested in the Request for Proposals or Request for Statement of Qualifications.
- L. **Purchase Order:** The City's document used to authorize a purchase transaction with a vendor.
- M. **Quotation:** A statement of price, terms of sale, and description of goods or services offered by a supplier that will not exceed \$25,000.00.
- N. **Request for Proposal (RFP):** A solicitation for Proposals for goods and/or services for which the scope of work, specifications or contractual terms cannot reasonably be closely defined. Evaluation of Proposals is based on stated criteria and the RFP shall state the relative importance of all evaluation factors. Other factors may be considered as stated in the RFP.
- O. **Single Source:** A procurement decision whereby purchases are directed to one source because of standardization, warranty, or other factors, even though other competitive sources may be available.
- P. **Sole Source:** Selection of one particular supplier to the exclusion of all others. This decision may be based on lack of competition, proprietary technology, copyright, or a supplier's unique capability. In government procurement, a sole source justification may be required from the requestor.

## **Section 2. Introduction**

### **Purpose of the Purchasing Policy**

The purpose of this Purchasing Policy is to serve as the approved source of instruction on purchasing policies and procedures for the purchase, procurement, and acquisition of goods and/or services. It also serves as the official reference document on purchasing questions and issues.

### **Applicable Laws, Regulations, and Rules**

Compliance with City of Palatka Ordinances, Florida Statutes, the Florida Administrative Code, Federal Procurement Regulations, and the Uniform Commercial Code, when and where applicable, with compliance with the strictest of the rules that pertain, is made a specific requirement of all procedures covered in this policy even though they may not be stated specifically. If cooperative agreement has stringent rules and regulations, City will follow when and where applicable, with compliance with the strictest of the rules that pertain, is made a specific requirement of all procedures covered in this policy even though they may not be stated specifically.

### **The Sunshine Law:**

- a. Florida's Government-in-the-Sunshine law provides a right of access to governmental proceedings at both the state and local levels. It applies to any gathering of two (2) or more members of the same board to discuss some matter that will foreseeably come before that board for action. There is also a constitutionally guaranteed right of access.
- b. The Sunshine Law requires that: 1) meetings of boards or commissions be open to the public; 2) reasonable notice of such meetings be given; and 3) minutes of the meeting be taken.
- c. The Sunshine Law applies to all discussions, deliberations, and formal actions taken by a board or commission. The Law, in essence, is applicable to any gathering, whether formal or casual, of two (2) or more members of the same board or commission to discuss some matter on which foreseeable action will be taken by the board or commission. There is no requirement that a quorum be present for a meeting to be covered under the Law.
- d. There are a limited number of exemptions which would allow a public agency to close a meeting. These include, but are not limited to, meetings of an agency negotiating team to discuss negotiation strategies or to negotiate with a vendor pursuant to a competitive solicitation subject to certain statutory requirements, certain discussions with the City Attorney over pending or threatened litigation, and portions of collective bargaining sessions.
- e. Members of a public board or commission are not prohibited under the Sunshine Law from meeting together socially, provided that matters which may come before the board or commission are not discussed at such gatherings.
- f. Selection Committee members and advisors are subject to the Sunshine Law. During the evaluation process, the Selection Committee members shall not have

any communication regarding any aspects of the topic with each other, unless the meeting was publicly noticed in accordance with the Law.

### **Section 3. Local Preference**

#### **Policy**

It shall be the policy of the City that vendors located in the City of Palatka and then Putnam County shall be given preference in the procurement process, unless otherwise prohibited or waived by the City Manager. The City strives to use local vendors whenever practicable and possible. The Local Bidder (must meet definition below) shall be entitled to match the lowest qualified bid and be considered the lowest bidder by giving written notice to that effect to the City by 3:00 p.m. on the third business day after the bid opening.

#### **Definition**

The term City Vendor or Putnam County Vendor means any business:

1. Having a physical location within the boundaries of the City of Palatka or Putnam County for at least 12 months immediately prior to the issuance of the request for Quotes, Bids or Proposals;
2. Holding any business licenses required by the City, if applicable; and
3. Employing at least one full time employee or two part-time employees whose primary residence is in the City of Palatka or Putnam County. If the business has no employees, the business shall be at least fifty percent owned by one or more persons whose primary residence is in the City of Palatka or Putnam County.

#### **Notice**

Any procurement for purchases over \$25,000.01 or more by the City to which the provisions of this section are being applied shall contain a statement that a local preference will be used in the evaluation and award of that purchase. When local preference will apply, it is the vendor's responsibility to request Local Preference by submitting a completed Local Preference Affidavit with its sealed bid or proposal indicating if they are selecting City of Palatka Local Preference or Putnam County Local Preference.

For City purchases \$25,000.00 or less, it is the vendor's responsibility to request Local Preference by submitting a completed Local Preference Affidavit with its sealed bid or proposal indicating if they are selecting City of Palatka Local Preference or Putnam County Local Preference.

#### **Affidavit Certification**

Any vendor claiming to be a City of Palatka Vendor or Putnam County Vendor shall deliver a written affidavit to the City of Palatka General Services Department. The General Services Department shall verify the accuracy of any such affidavit when determining whether a vendor meets the definition of a City of Palatka Vendor or Putnam County Vendor. The affidavit shall certify that the business meets the definition of a City of Palatka Vendor or Putnam County Vendor, shall provide all necessary information establishing that fact, and shall be signed under penalties of perjury. It is the responsibility of any

vendor claiming to be a City of Palatka Vendor or Putnam County Vendor to include a copy of its affidavit with its quote, bid, or proposal. Failure to submit shall constitute a waiver of the vendor's ability to exercise Local Preference in the procurement.

**Exceptions to Local Preference Policy**

1. The procurement preference set forth in this policy shall not apply to any of the following:

- a. Purchases or contracts which are funded, in whole or part, by assistance of any federal, state, or local agency that disallows local preference.
- b. Purchases or contracts that are funded, in whole or part, by a governmental entity and the laws, regulations or policies governing such funding prohibit application of local preference.
- c. Goods or services purchased under a cooperative purchasing agreement, state contract or interlocal agreement.
- d. Contracts for professional services, procurement of which is subject to the Consultants' Competitive Negotiation Act (CCNA) or subject to any competitive consultant selection policy or procedure adopted or utilized by the City Commission.
- e. Purchases made or contracts let under emergencies or retainer agreements for legal services.

2. Application of local preference to a particular purchase may be waived upon written justification to and approval by the City Manager.

3. The local preference established in this policy does not prohibit or lessen the right of the City Commission or City staff to compare quality or fitness for use of supplies, materials, equipment, and services proposed for purchase and to compare qualifications, character, responsibility, and fitness of all persons and vendors submitting Quotes, Bids or Proposals.

4. The local preference established in this policy does not prohibit the City Commission from giving any other preference permitted by law, in addition to the local preference authorized in this policy.

## **Section 4. Women/ Minority Business Enterprises (W/MBE) Vendor Preference**

### **Policy**

It shall be the policy of the City that W/MBE vendors may be given preference in the procurement process, after local vendors were given preference, unless otherwise prohibited or waived by the City Manager. The City strives to use Women/ Minority Business Enterprises vendors whenever practicable and possible. Women/ Minority Business Enterprises (must meet designation below) shall be entitled to match the lowest qualified bid and be considered the lowest bidder by giving written notice to that effect to the City by 3:00 p.m. on the third business day after the bid opening. In the event the lowest bidder has filed Local Preference, Local Preference will supersede the W/MBE Vendor preference.

### **Notice**

Any procurement for purchases over \$25,000.01 or more by the City to which the provisions of this section are being applied shall contain a statement that a vendor preference will be used in the evaluation and award of that purchase. When W/MBE preference will apply, it is the vendor's responsibility to request W/MBE Preference by submitting a valid W/MBE Certification with its sealed bid or proposal.

For City purchases \$25,000.00 or less, it is the vendor's responsibility to request W/MBE Preference by submitting a completed W/MBE Certification with its quotation.

### **Certification**

Any vendor claiming to be a W/MBE shall deliver certification to the General Services Department. The General Services Department shall verify the accuracy of any certifications when determining whether a vendor meets the definition of a W/MBE. It is the responsibility of any vendor claiming to be W/MBE to include a valid certification with its quote, bid, or proposal. Failure to submit such certification shall constitute waiver of the vendor's ability to exercise W/MBE vendor preference in the procurement.

**Designation:** In order for a vendor to be designated as a W/MBE, a valid W/MBE Certification from one of the following must be submitted:

- a. Florida Minority Supplier Development Council
- b. Women Business Enterprise National Council
- c. The State of Florida Office of Supplier Diversity
- d. Florida Department of Transportation
- e. U. S. Small Business Administration
- f. Federal Aviation Authority

### **Exceptions to W/MBE Vendor Preference Policy**

1. The procurement preference set forth in this policy shall not apply to any of the following:
  - a. Purchases or contracts which are funded, in whole or part, by assistance of any federal, state, or local agency that disallows W/MBE

vendor preference.

b. Purchases or contracts that are funded, in whole or part, by a governmental entity and the laws, regulations or policies governing such funding prohibit application of W/MBE vendor preference.

c. Goods or services purchased under a cooperative purchasing agreement, state contract or interlocal agreement.

d. Contracts for professional services, procurement of which is subject to the Consultants' Competitive Negotiation Act (CCNA) or subject to any competitive consultant selection policy or procedure adopted or utilized by the City Commission.

e. Purchases made or contracts let under emergencies or retainer agreements for legal services.

2. Application of W/MBE vendor preference to a particular purchase may be waived upon written justification to and approval by the City Manager.

3. The W/MBE vendor preference established in this policy does not prohibit or lessen the right of the City Commission or City staff to compare quality or fitness for use of supplies, materials, equipment, and services proposed for purchase and to compare qualifications, character, responsibility, and fitness of all persons and vendors submitting Quotes, Bids or Proposals.

4. The W/MBE vendor preference established in this policy does not prohibit the City Commission from giving any other preference permitted by law, in addition to the local preference authorized in this policy.

## **Section 5. Standardization**

### **Policy**

It shall be the policy of the City that standardization of equipment and supplies shall be permissible in instances where it allows the City to capitalize on purchasing economies and provides other benefits such as maintenance efficiency, spare parts consolidation, or interchangeability.

### **General**

Examples where standardization may be beneficial include, but are not limited to, information technology equipment, telephone and radio equipment, firefighter equipment, and police equipment. Standardization of materials, equipment or services shall not be used as a means to circumvent the policies and procedures contained in this Purchasing Policy.

### **Authority**

The City Manager has the authority to approve requests for standardization, following review and recommendation by the General Services Director and Finance Director.

### **Procedure**

1. To obtain approval for standardization of supplies or equipment, the requesting Department Director must submit a Request for Standardization to the General Services Director and Finance Director. The request must include sufficient justification. Justification could be based on issues such as, but not limited to, purchase economies, safety considerations, training, and maintenance economies.
2. The General Services Director and Finance Director will review and either reject or concur with the request.
3. Requests rejected by the General Services Director and Finance Director will be returned to the requesting department/division and normal procurement procedures will be followed.
4. If the General Services Director and Finance Director concur with the request it will be forwarded to the City Manager for review.
5. Requests rejected by the City Manager will be returned to the General Services Director and Finance Director and normal procurement procedures will be followed.
6. Requests approved by the City Manager will be returned to the General Services Director and Finance Director. Future purchases for the approved supplies or equipment may be purchased in accordance with the adopted standard specifications. The standard specification(s) shall be used to obtain quotes, bids, or proposals, as appropriate.

## **Section 6. Single/ Sole Source**

### **Policy**

It shall be the policy of the City that single/sole source purchases shall be permissible in instances where the conditions and circumstances necessitate the need for a particular product or service, which is available only from one vendor.

### **General**

1. Purchases of goods or services from a single/sole source are exempt from competitive procurement requirements upon approval of a single/sole source purchase request.

2. Single/ sole source purchases may be requested when any of the following apply:

- a. Only one product or service will produce the desired results and that product or service is available from only one vendor.
- b. The product or service is a component, repair, replacement part, or service on or for existing equipment for which no commercially available substitute exists and the product or services can only be purchased from the manufacturer or its sole distributor.
- c. Additional unanticipated goods or services are needed to complete an ongoing task.

### **Authority**

The Finance Director, upon consultation with the City Attorney, has the authority to approve or deny the single/sole source purchase requests.

### **Market Research**

The Finance Director will also attempt to contact the manufacturer of the product to identify vendors that can supply the product.

1. If there are no submittals received and no other vendors were located by the Finance Director, the Finance Director may authorize the single/sole source purchase.
2. If submittals are received, the Finance Director and user department will review them. If after the review the decision is made that no submittals meet the specified requirements, the Finance Director may proceed with the sole source purchase. If it is found that the information submitted indicates that the product or service requested can be provided by other vendors an invitation to bid or request for proposals will be issued.

## **Section 7. Cooperative Purchasing Programs**

### **Policy**

It shall be the policy of the City that Staff participates in cooperative purchasing programs that are found to provide cost savings to the City.

### **1. Piggybacking**

**Definition:** A form of intergovernmental cooperative purchasing in which an entity will be extended the pricing and other terms of a contract entered into with another entity. Generally, a larger entity will competitively award a contract that will include language allowing other entities to utilize the contract, which may be to their advantage in terms of pricing, thereby gaining economies of scale that they normally would not receive if they competed on their own.

### **Procedures**

The following procedures apply when piggybacking:

- a. The vendor must agree to extend the same terms and conditions of the contract, including pricing, to the City in writing to allow the City to piggyback on the Bid, Proposal, or contract. The City may opt to utilize the Bid, Proposal, or contract if in its best interests, but in every case, the goods or services provided must be the same. In addition, the procurement procedures utilized by the Lead Agency to select the vendor must be substantially similar to the procedures delineated in this Manual.
- b. Purchases cannot be made against a contract that has expired.
- c. The Department utilizing the piggybacking must obtain the following documentation from the agency that issued the Invitation to Bid, Request for Proposals, or other solicitation:
  - i. A complete copy of solicitation
  - ii. A complete copy of the awarded vendor's response to the solicitation;
  - iii. A copy of the award letter/ memo/ agenda item to the awarded vendor;
  - iv. The contract, if any, between the agency and the vendor including all exhibits, attachments, addenda, and amendments.
- d. If a contract between the City and vendor is needed, a contract must be prepared and approved by City Commission unless under threshold defined in Section 8 for General Authority.

### **2. State of Florida Contracts**

The following procedures apply when using a State of Florida Contract:

- a. If the Finance Director or requesting department identify an existing State Contract that would meet the needs of the requesting department, that contract may be used in lieu of conducting a procurement.
- b. It is not necessary to request approval by the Commission to make purchases

pursuant to the user of a State Contract so long as the purchase does not exceed the purchasing limits under Section 8 General Authority of this policy.

c. The Department utilizing the State of Florida contract must obtain the following documentation from Department of Management Services (DMS) Division of State Purchasing:

- i. A complete copy of solicitation
- ii. A complete copy of the awarded vendor's response to the solicitation;
- iii. A copy of the award letter/ memo/ agenda item to the awarded vendor;
- iv. The contract, if any, between the agency and the vendor including all exhibits, attachments, addenda, and amendments.

d. Upon requisition entry, the requestor shall reference the State of Florida Contract Number.

e. If a contract between the City and vendor is needed, a contract must be prepared and approved by City Commission unless under threshold defined in Section 8 for General Authority.

## **Section 8. General Authority**

### **General Authority**

The Authority for the commitment of goods and services, including but not limited to, work authorizations, contracts, and contract amendments, is listed below.

- Up to \$25,000.00 - The City Manager or designee may authorize
- \$25,000.01 or more- City Commission; will be presented to the Commission for approval and executed by the Mayor or designee.

When determining the commitment amount, the entire value must be considered. (For example, if the annual price for ongoing services is \$20,000.00, and the term is 5 years, it is considered as a \$100,000.00 commitment.)

As determined by the Finance Director, any purchase of goods and services that are not typical of or necessary for City operations and management and/or were not approved in the budget may require Commission approval.

No employee (outside of Finance Director, City Attorney for legal service-related agreements within budget, City Manager or Mayor) shall have the authority to execute or electronically submit unless designated for authorization/approval for orders, contracts, agreements, lease agreements, grants, or any other form of commitment, regardless of dollar value.

### **Signature Authority**

The Finance Department shall maintain signature authorities for expenditure related approvals through the Approval Process Authority. These authority levels are related to the current financial system and workflow components.

## **Section 9. General Purchase Process**

### **A. General Procedures**

The following procedures shall govern the procurement of goods and services.

1. No employee has the authority to order the purchase of any goods or services or make any contract without prior written authorization of the City Commission under Section 8 General Authority. Any purchase order or contract made contrary to this restriction and the provisions of this Purchasing Policy shall not be approved and the City shall not be bound thereby.
2. Materials are not to be received and no work or services are to be authorized or commenced prior to having a fully executed contract or purchase order.
3. No contract, purchase, or group of requisitions shall be subdivided to avoid the competitive procurement requirements contained herein.
4. Acceptance of gifts or gratuities is prohibited. No employee shall become obligated to any vendor and shall not conduct a City transaction from which they may personally benefit.
5. No employee of the City shall obligate the City when or if that employee may derive income or benefit, other than those provided as remuneration from the City for their employment.
6. No employee shall either directly or indirectly purchase, rent, or lease any realty, goods, or services for the City from any vendor of which the employee, employee's spouse, or child is an officer, partner, director, or proprietor or in which the employee, employee's spouse, or child has a material interest.
7. No employee or their family may receive any benefit from any contract or purchase made by or on behalf of the City unless the benefit is available to all City employees or families.

### **B. Requisitions**

**1. Authority-** Authorization to access the City's requisition system will only be given to employees approved by their Department Director.

a. The requisition/ purchase order process includes the following levels of review and approval:

(i) Approved requisitioner for the Department: Responsible for ensuring that sufficient funds exist within the account and project (if applicable) and for ensuring that the appropriate procurement method has been followed, and that all required documentation is obtained and attached to the requisition.

(ii) Department Director Review and Approval: Responsible for certifying that sufficient funds exist within the account and project (if applicable) and authorizing the expenditure for the purchase.

(iii) Finance Review and approval: Responsible for reviewing that sufficient funds exist within the account and project (if applicable), ensuring that they are properly coded and backup documentation is included, ensuring proper procurement method was used, and authorizing the expenditure for the purchase.

**2. Purpose:** The authorized requisition signifies authority to charge a specific account number and project (when applicable) and verify there are funds

available in the account specified. This process, which includes the Department Director, also authorizes payment when the goods or services are properly received.

### **3. Finance Department Responsibilities**

- a. To provide training to approved requisitioners on the proper procedures to requisition goods and services.
- b. To review, pre-audit, and reject (prior to processing) any requisitions that are incomplete, inaccurate, unauthorized, or in violation of City policy.
- c. To process requisitions in accordance with the purchasing policies and procedures contained herein.
- d. To ensure that vendor has been set up in financial software.

### **4. User Department Responsibilities**

- a. To identify anticipated requirements in advance and keep the Finance Department advised of any abnormal demands.
- b. To write a clear and accurate description of goods or services to be purchased and the purpose for which they are intended and prepare generic specifications for items that require a technical background.
- c. To verify that funds are available and that requisitions are properly coded to the appropriate fund, account number, and project (when applicable). If the account number is incorrect, the Finance Department may modify or reject the requisition.
- d. To enter requisitions in the City's online requisition system for all purchases, allowing ample time for the Finance Department to process the Purchase Order and for the vendor to deliver.
- e. Departments shall maintain all purchase orders associated with their department.

### **5. Process**

- a. A Request for Authorization to Access Online Requisition and Approval must be completed in order that have access to enter or approve online requisitions.
- b. Requisitions should be prepared far enough in advance to permit the Finance Department to process the Purchase Order and to allow sufficient time for deliveries to be made.
- c. If funding is not available, a requisition cannot be completed until a budget transfer or amendment is approved by the Finance Director and/ or the City Commission, where applicable.
- d. Under the City's online requisition system, the approval process for requisitions is handled electronically. Prior to being converted to a Purchase Order, all requests are reviewed and approved by Finance Staff.

### **C. Purchase Orders**

1. Purpose: A purchase order authorizes a vendor to ship goods or perform services and subsequently invoice the City for the stated amount of the purchase order.
2. Who issues: Only the Finance Department is authorized to issue purchase orders. The Finance Department will issue a purchase order for all properly authorized and executed contracts that have been generated from the procurement

process. The requesting department shall place the order with the vendor only after the purchase order has been issued.

### 3. Changes to Purchase Orders (Change Orders)

a. If a change to a purchase order is required, the requesting department must submit a "Change Order Request Form" to the Finance Department and request the change.

b. Change orders shall not be used to circumvent any purchasing procedures by issuing a purchase order for an amount below a certain threshold, then requesting an additive change order.

c. Change orders are limited to correcting clerical or technical errors, changing account number or project number (if applicable), change to price, quantity, or unit of measure. Changes to vendor on a purchase order are not permitted.

d. Change orders will be used to liquidate a purchase order with an outstanding balance. This includes the cancellation of a purchase order.

## **D. Payment Procedures**

### **1. Prompt Payment Policy**

a. Purpose: The City of Palatka reaffirms its commitment to ensuring that vendors and contractors who provide goods and/or services requisitioned by the City and its employees receive payment for such goods and/or services on a timely basis pursuant to the Prompt Payment Policy and the Local Government Prompt Payment Act, Part VII of Chapter 218, Florida Statutes.

b. Requirements of a proper invoice: The requirements of a proper invoice shall be set forth in the agreement or contract governing the purchase. However, no invoice shall be considered a proper invoice unless the invoice is an original invoice and is delivered to the City in accordance with the contract, agreement, or purchase order and has the following information.

- i. The invoice shall set forth the name, address and phone number of the business organization that is recited in the City Purchase Order; and
- ii. The invoice shall set forth the date of its preparation; and
- iii. The invoice shall set forth an identifying number to facilitate identification of the invoice; and
- iv. The invoice shall set forth a description of the goods or services to include service dates, when applicable, or property provided to the City; and
- v. The invoice shall set forth the quantity of the goods or services or property provided to the City; and
- vi. The invoice shall set forth the unit price of the goods or services or property provided to the City;
- vii. The invoice shall set forth the extended total price of the goods or services or property provided to the City;
- viii. The invoice shall set forth all applicable charges and discounts; and

ix. The invoice shall not charge sales tax.

c. Receipt of payment request or invoice: All payment requests or invoices received by the City shall be marked as received on the date on which it is delivered. All invoices should be emailed to [Finance@palatka-fl.gov](mailto:Finance@palatka-fl.gov) or mailed/delivered to:

City of Palatka  
ATTN: Finance (Invoicing)  
201 North 2<sup>nd</sup> Street  
Palatka, FL 32177

## **2. Issuance of Payment:**

- a. All payments will be charged against the respective Purchase Order, where applicable.
- b. Payments will not be processed against a Quote or Statement. An invoice is required for payment.
- c. When invoices are received by a department, the department shall certify that any equipment, supplies, or services have been received and meet accuracy, quantity, quality, and condition.
- d. Always check the invoice price and compare to the purchase order or contract amount to insure it is billed correctly.
- e. To avoid delays in payment of invoices, the department shall attach the purchase order and the Department Director will sign Payment Approval authorizing payment. The invoice shall be forwarded to the Finance Department to process the invoice for payment in accordance with their procedures. The Finance Department will maintain all invoices and payment documents, in accordance with Chapter 119, Florida Statutes.

## **3. Request for Payment without a Purchase Order (After the Fact)**

- a. Purchases without a Purchase Order are not consistent with procedure, and are discouraged; however, rare exceptions may occur. Abusers of this process will be reported to the City Manager.
- b. Violations of this policy will subject the offending party to disciplinary action up to and including discharge and personal financial responsibility. Additionally, the City is not legally obligated to tender payment for items.
- c. The department that made the purchase must submit the proper form, as described below, for a series of approvals that include the Finance Director and the City Manager. Approval from the Commission is required prior to payment when the purchase without a Purchase Order exceeds \$25,000.00, unless outlined in an approved budget or prior approval by the Commission.
  - i. Submit the invoice and letter of explanation as to why Purchase Order was not done to Finance Department as the first step in the approval process. The documents will continue for review and approval by the Finance Director, City Manager, and Commission (if applicable).

- ii. If all authorities approve, the documents will be returned to the Finance Department for issuance of payment. If not, additional justification or steps may be required.

## **Section 10. Small Purchases - Up to \$25,000.00**

### **General**

A small purchase is any purchase authorized to be made outside the formal competitive procurement process. All purchases of supplies and contractual services whose estimated value is \$25,000.00 or less may be made by open market without newspaper advertisement and without observing formal solicitation procedures. All open market purchases shall only be made by a purchase order. Open market purchases shall be made as follows:

- \$5,000.00 or less - one documented verbal quote or written quote
- More than \$5,000.01 up to \$15,000 - Two written quotes or continuing services contract required
- More than \$15,000.01 up to \$25,000.00 - Three written quotes or continuing services contract required.

### **Exempt items listed below do not require quotes/ formal solicitation.**

1. Advertisements and Public Notices
2. Legal services, including attorneys, paralegals, expert witnesses, interpreters, translation services, mediators, and court reporters
3. Medical or health services, including but not limited to, Veterinarian services, Indigent medical care and burial as required by State Statute, Inmate medical care, services mandated through the court system involving examinations, diagnosis, treatment, prevention, medical consultation, counseling, and outside providers administering the program, including but not limited to substance abuse and mental health services.
4. Bond related expenses
5. Charitable contributions
6. Court ordered payments
7. Debt service payments
8. Dues, memberships, certifications, subscriptions, workshop, conference, class and seminar registration fees and accommodations, training, and costs of job-related travel
9. Employee reimbursements
10. Employment Services, including pre-approved interview and or moving expenses (personnel only)
11. Expenses related to tourism promotion services and/or activities
12. Grant Services - Grant opportunity, research, and application development.
13. Instructor fees
14. Insurance related costs, fees, etc.
15. Owner Direct Purchases
16. Payments to other government agencies

17. Postage (U.S. Post Office only, no invoice required)
18. Risk Management claims settlements
19. Statutory Required payments
20. Utilities and telecommunications, such as natural gas, electricity, water, garbage, phone, internet.
21. Purchases of materials, equipment or services used for the operation and maintenance of utility plants, distribution and collection facilities, substations, lift stations, gate stations, and purchase of standard materials.
22. Purchases for the repair and maintenance of system-wide computer software and hardware.
23. Single/Sole Source Goods or Services
24. Railroad signal and crossing maintenance
25. Maintenance of Information Technology equipment/systems, including replacement/expansion parts that maintain system compatibility and integrity
26. Insurance renewals (as allowed by law)
27. Heavy equipment diagnostic and repair. Heavy equipment shall be defined as follows: (1) Public Safety, Construction and Material Handling Equipment with a rating of more than 85 horsepower (2) Transportation Equipment with a GVWR (Gross Vehicle Weight Rating) of more than 10,000 pounds (3) Fire and Rescue Vehicles with a GVWR (Gross Vehicle Weight Rating) of more than 10,000 pounds
28. General Services Administration (GSA) and State Contracted vendors - purchases made directly from vendors awarded a GSA Schedule Contract at prices equal to the vendor's current GSA or State price
29. Emergency Purchases - (retroactive approval)
30. Contracted Commodities or Services awarded through a competitive solicitation process by other governmental agencies including, but not limited to: federal, states, counties, cities, school boards, community colleges, and state university systems (piggyback)

## **Section 11. Procurement of Goods and Services - \$25,000.01 or more**

### **General**

Upon request from a department the General Services Department and Finance Department will seek a source of supply and enter transactions for the purchase of goods or services, in the amount of \$25,000.01 or more. The method of sourcing used will be determined by the estimated dollar amount of the requested purchase, the nature of the purchase, and other factors. Examples of sourcing methods include, but are not limited to:

1. Invitation to Bid (ITB)
2. Request for Proposals (RFP)
3. Request for Statement of Qualifications (RSQ)
4. Cooperative/ Piggyback Purchasing
5. Sole and Single Source Procurement
6. Emergency Procurements

When a purchase or contract may extend over multiple years, the total cumulative amount per the proposed term will be the amount determinative of the solicitation requirement.

Nothing in this Section reduces or invalidates the City's right to accept or reject any or all solicitations, or any parts thereof, and to award, if an award is made, to the lowest responsive and responsible Bidder/Proposer whose submittal and qualifications indicate that the award will be in the best interests of the City.

### **Formal Procurement**

Unless exempt as stated in Section 10, formal competitive solicitation is required for goods, services, and construction with an estimated cost over \$25,000.00, and as otherwise required by state and federal laws and grant agreements. Formal procurement types include invitations to bid, request for proposals, and request for qualifications. The formal process shall be conducted to ensure a fair and equitable solicitation and include all contractual terms and conditions applicable to the procurement, including the criteria to be used in determining acceptability and relative merit of the bid, proposal or reply. In addition to bids and proposals, the City may require respondents to provide presentations to a selection committee and/or commission during the selection process as stated in the solicitation document. All respondents selected for presentation shall be accorded fair and equal treatment.

The using department shall be responsible for developing all technical specifications and bid requirements. The general services department shall be responsible for developing bid templates and for reviewing all bids before they are finalized for advertising.

1. **Public notice.** Public notice shall be given to prospective vendors for a reasonable period of time as determined by General Services, which shall, at a minimum include:

- U.S. mailing or emailing public notice to prospective vendors on an applicable bidders list maintained by the purchasing department, and
- Posting public notice on the City website.

For the purchase of capital construction valued in excess of \$200,000.00 advertisement of the public notice will be either in a newspaper of general circulation in the City, trade journal, bulletin or other publication that will inform prospective vendors of the proposed purchase, as determined to be appropriate by General Services. The advertisement inviting bids for construction projects expected to cost between \$200,000.00–\$500,000.00 shall be published in at least one newspaper of general circulation within the City at least 21 calendar days prior to the scheduled bid opening. The advertisement inviting bids for construction projects expected to cost more than \$500,000.00 shall be published in at least one newspaper of general circulation within the City at least 28 calendar days prior to the scheduled bid opening. General Services reserves the right to modify the period for bid advertisement based on need and/or urgency. The public notice shall briefly describe the goods or services sought, and shall state the place, date, and time that bids or proposals must be received.

2. **Vendor List.** Vendors who have requested to be included in the City's vendor list will be notified of relevant bids based on the type of business/ services the vendor provides on the City's website.
3. **Pre-qualification.** A pre-qualification process may be conducted by the general services department prior to the issuance of a solicitation in order to establish a list of qualified bidders or respondents.
4. **Procurement of construction services.** The City Manager, or designee, shall have the discretion to select the appropriate delivery method for a construction project. In determining which method to use, consideration shall be given to the City's requirements and resources. Contracts for construction services shall be procured in accordance with Florida Statutes and/or applicable funding requirements and pursuant to any applicable city policies and procedures established by the Commission and City Manager, or designee.
5. **Owner direct purchase program.** When a construction project is proposed, the general services department, in conjunction with the end user department, will determine, prior to the solicitation process, whether the owner direct purchase program will be utilized for that particular project. The City may, if not prohibited by law, exercise a right to purchase directly various materials, goods, and/or equipment to be used in the construction project pursuant to F.S. § 212.08(6), as amended. The general services director is authorized to execute owner direct purchase

program purchase orders if the associated contract is approved by the City Manager includes clauses allowing the owner direct purchase program. Nothing herein shall prohibit the City from deleting items within the solicitation and purchasing said items directly from a supplier, without further bidding, in an effort to benefit from the City's tax-exempt status, in accordance with the proper authorization.

6. **Cancellation or rejection of solicitations.** Solicitations may be cancelled, or any or all submittals in response to solicitations issued by the City may be rejected, in whole or in part, without recourse, when it is in the best interest of the City. Confidentiality will be maintained according to Florida Statutes.
7. **Value Engineering.** The City reserves the right to engage in value engineering discussions in the pre-award period based on the following conditions:
  - a. Bid responses exceed project budget
  - b. The City Manager deems it in the best interest of the City to explore value engineering options and assembles a committee, comprising of not less than three individuals with direct project knowledge.
  - c. The lowest qualified, is given the opportunity to meet with the "value engineering committee" to determine if viable options exist to meet the budget threshold without substantially reducing the scope of the project as designed and solicited. Local preference, if applicable, applies in determination of lowest qualified bidder.
  - d. The lowest qualified bidder will be given seven days to submit deductive modifications/options, prior to submission to the value engineering committee; bidder must gain approval of deductive modifications/options by the architect/engineer of record for the project that the deductive modifications/options do not violate City or state building code. Timeline extensions may be approved circumstantially with written approval from the City administrator.

### **Bids/proposals**

Bid/proposal acceptance and evaluation will only be accepted during the designated period.

1. **Opening.** competitive sealed bids/proposals received in the location stated in the solicitation document no later than the precise date and time set for the opening shall be accepted without alteration or correction. The City reserves the right to accept and/or reject any or all bids/proposals or to waive any formalities, technicalities, or irregularities.
2. **Correction or withdrawal of bids.** After bid opening, no changes in bid prices or other bid provisions shall be permitted. In the event of mathematical

mistakes in extended pricing, the unit price shall prevail. Mistakes discovered before opening may be modified or withdrawn via written notice from the bidder if received in the general services department prior to the time set for bid opening, as deemed appropriate by the general services director.

**3. Evaluation.** Bids/ proposals shall be evaluated based on the requirements set forth in the solicitation document. No criteria may be used in evaluation that is not set forth in the solicitation document. With the exception of solicitations procured pursuant to 287.055 F.S., evaluation of bids shall include consideration of the total costs for each year of the contract, including renewal years, as submitted by the vendor. Consideration for the lowest and best responsible bidder shall include:

- a. The ability, capacity, and skill of the bidder to perform the contract.
  - b. Whether the bidder can perform the contract within the time specified without delay or interference.
  - c. The character, integrity, reputation, judgment, experience, and efficiency of the bidder.
  - d. The quality of performance on previous contracts.
  - e. The previous and existing compliance by the bidder with laws and ordinances relating to the contract.
  - f. The sufficiency of the financial resources and ability of the bidder to perform the contract or provide the service.
  - g. The quality, availability and adaptability of the supplies or contractual services to the particular use required.
- The ability of the bidder to provide future maintenance and service for the use of the subject of the contract.

**4. Award to other than low bidder.** When the award is not given to the lowest and best bidder, a full and complete statement of the reasons for placing the order elsewhere shall be prepared and signed by the General Services Director and Finance Director and filed with the other papers related to the transaction.

**5. Exceeding Allocated Funds.** In some circumstances the lowest acceptable bid for a project exceeds allocated/ budgeted funds; however, the projects' scope, time or economic considerations preclude the re-Solicitation of work of a reduced scope. The General Services Department and the End User Department are authorized to negotiate an adjustment of the bid price with the lowest responsive and responsible bidder so long as the adjusted bid price does not exceed allocated/ budgeted funds and the City Manager, or designee, has approved such adjustment. Financial adjustments will be done at the first available public meeting as needed.

**6. Tie Bids.** If there are two (2) or more bid submittals that are identical in price and meet all the requirements and criteria set forth in the solicitation, the award may be made by the Commission, City Manager, or designee pursuant to the approval limitations as stated in Section 8. In making the tie-breaker

decision, the following may be considered, including but not limited to bidder's location, and/or the bidder's past performance with the City.

**7. Rejection.** The City reserves the right to reject any or all bids/proposals. This includes the right to reject the bids/proposals of any respondent due to the following:

- a. Previously defaulted on a quote or failed to perform properly, or to complete on time a contract of similar nature.
- b. Failed to establish they are able to perform the contract.
- c. Habitually, and without just cause, neglected the payment of bills, or otherwise disregarded its obligations to subcontractor or employees.
- d. Failure of appropriation of funds received by the City.

**8. Determination of Non- Responsibility.** If a bidder or respondent, who otherwise could have been awarded a contract, is found non-responsive, a written finding of nonresponsibility, setting forth the basis of the finding, shall be prepared by the General Services Department. The written finding shall be maintained as part of the City's procurement file.

**9. Right to Inspect.** The City may inspect the plant or place of business of, or equipment to be utilized by a proposed bidder or respondent or any subcontractor of an awarded contract or a contract to be awarded by the City to assist in determination of bidder/ respondent responsibility.

### **Bonds and Security Requirements**

The bonds shall be recorded and held in the Finance Department and shall become binding on the parties upon the execution of the Contract. Nothing in this section shall be construed to limit the authority of the Commission, the City Manager, or the General Services Director to require or accept other security in addition to, or in lieu of, those bonds or in circumstances other than those specified in this Code, when in the best interest of the City.

**1. Bid Security.** The City may require the submission of a Bid Bond or other form of security to guarantee full bid compliance. When the solicitation requires a Bid bond or security, failure of the bidder to supply same, in the amount and type required, shall automatically render the bidder as non-responsive to the requirements of the solicitation. Unsuccessful bidders shall be entitled to a return of their deposit. A successful bidder shall forfeit its deposit upon failure on his/her part to enter a contract within the limits established by the bid.

**2. Contract Payment and Performance Bonds.** When a contract is awarded, the City may require the successful bidder to supply payment and performance bond as required by State Statute. When a payment and performance bond is required, it shall be in the amount and type satisfactory to the City and executed by the

surety company authorized to do business in Florida that is acceptable to the City. The bonds shall guarantee the full and faithful performance of the contract obligations and the payment of labor and material expended pursuant to the contract.

### **Bid Protests**

The General Services Department shall scribe at the Bid opening, a bid tabulation sheet documenting all bids received. Immediately following the bid opening, the bid tabulation sheet will be posted to the Procurement section on the City's website. Any contractor/vendor that has submitted a bid to the City who wishes to challenge an intended recommendation with respect to the award of such bid shall file with the General Services Director a written notice of intent to file a protest not later than 3:00 p.m. on the third business day after the posting of the bid notice from the City of the intended recommendation.

The notice of intent to file a bid protest shall state all grounds claimed for the protest. Failure to list a ground for protest in this notice shall constitute a waiver with respect to that ground. If the contractor then wishes to pursue a formal written protest, it must be filed within five (5) calendar days after the date of filing of the notice of intent to file a protest.

The formal written protest shall contain the following:

1. City bid/proposal identification number and title.
2. The name and address of the protesting party, and the title or position of the person submitting the protest.
3. A statement of disputed issues of material fact. If there are no disputed material facts, the protest must so indicate.
4. A concise statement of the facts alleged and of the rules, regulations, statutes, and constitutional provisions entitling the party of relief.
5. A statement indicating the relief sought by the party.
6. Such other information deemed material.

Upon receipt of a timely filed notice of intent to protest, the General Services Director shall delay the award process until the protest is resolved pursuant to fundamental principles of due process, except and unless the General Services Director sets forth in writing particular facts and circumstances which would require the continuation of the award process for the purpose of avoiding an immediate and serious danger to the public health, safety, or welfare.

The General Services Director shall conduct a meeting with the protesting party to attempt an amicable resolution of the protest. If such resolution does not

occur, the General Services Director shall forward to the City Manager a recommendation, which shall include background information related to the bid. The City Manager or Designee shall attempt to resolve the protest. If such resolution does not occur, the City Manager shall forward to the Commission for a recommendation, which shall include background information related to the bid. The Commission shall thereafter conduct an informal hearing at a regularly scheduled meeting or at such other time as may be arranged. Following presentation by all involved parties, The Commission shall render its decision on the merits of the protest.

**All bid/proposal solicitations shall set forth the following statement:**

**"Failure to follow the Bid Protest procedures prescribed by the City of Palatka Purchasing Policy shall constitute a waiver of your protest and any resulting claims."**

## **Section 12. Contracts**

In addition to the General Authority outlined in Section 8, all procurement contracts/ agreements shall be approved for legal sufficiency by the City Attorney and signed by the Mayor, City Manager, or Designee. All City contracts shall include provisions necessary to define the responsibilities and rights of the parties to the contract.

When applicable, purchases shall be based on valid, written contracts. Contracts will be executed in accordance with this code, will be managed by the End User Department to ensure legal compliance and will be renewed, or goods/services re-procured, in a timely manner.

**1. Multi-year contracts and appropriation of funds.** A Contract for Goods, Services, or Construction may be entered into for more than one (1) fiscal year if it is deemed to be in the best interest of the City, if the term of the Contract and conditions of renewal or extension are included in the Solicitation, and funds are available for the current fiscal year. Obligations for succeeding fiscal years may be subject to the availability and appropriation of funds by the Commission. Renewal of a contract must be in writing and is subject to the same terms and conditions as set forth in the initial contract and any written amendments/change orders signed by the parties.

**2. Administration and Compliance.** After a contract has been awarded, the end user department will conduct contract administration and compliance activities. This encompasses all interaction between the City and the vendor from the time the contract is awarded until the work has been completed and accepted or the contract terminated, payment has been made, and disputes have been resolved.

The end user department will ensure all contracts are signed and paperwork is completed; renewals are handled properly; agenda items and/or change orders approved and/or executed by the Commission, City Manager, or Designee.

The end user department's project administrator is responsible for the contract administration and compliance functions to ensure compliance with the contract, City Codes, City Ordinances, Florida Statutes and Federal Regulations, as applicable, City Procedures and other applicable requirements.

The end user department will request purchase orders for goods, services, and construction, including Owner Direct Purchases, that are associated with the agreements, contracts, task orders, and amendments.

- 3. Right to Audit Records.** The City may, at reasonable times and places, audit the books, records, and accounts of any person, to the extent that the books, records, and accounts relate to the performance of services in accordance with a City Contract. Any person that is awarded a contract or granted a contract amendment shall maintain all books, records, and accounts in compliance with generally accepted accounting procedures; and shall retain all books, records, and accounts for three (3) years, or longer term as required by the funding source and designated in the solicitation and contract documents, from the date of final payment, termination, or until a full City audit is complete, whichever comes last. All books, records, and accounts related to the performance of a City contract shall be subject to the applicable provisions of the Florida Public Records Act, Chapter 119, Florida Statutes, as amended.
- 4. Settlement of a Contract Dispute.** The City Attorney, is authorized to settle disputes arising out of the performance of a City Contract, provided the settlement amount does not cause the total Contract amount, including the settlement amount, to exceed the authority of the City Manager as established by this policy. Any settlement exceeding the authority of the City Manager must be approved by the Commission.
- 5.** If it is determined that termination is in the best interest of the City, the End User Department shall present a proposed letter of termination for the City Commission or City Manager approval, pursuant to original agreement approval.

## **Section 13. Suspension and Debarment**

### **Authority**

The General Services Director or Finance Director may request from the City Manager to suspend or debar, for cause, the right of a vendor to be included in a vendor database and any solicitation or response from that vendor may be rejected.

### **Causes for debarment**

- A. Conviction of any person, under any statute of the federal government, this state, or any other state, for embezzlement, theft, forgery, bribery, falsification, or destruction of records, receiving stolen property, or any other offense indicating a lack of Business integrity or Business honesty which currently, seriously, and directly affects responsibility as a City Contractor/ Vendor within the last thirty-six (36) months.
- B. Conviction for a commission of a criminal offense as an incident obtaining, or attempting to obtain, a public or private contract or sub-contract, or in the performance of such contract or sub-contract within the last thirty-six (36) months.
- C. Conviction of or civil judgement against any person based on a violation of a state or federal antitrust statute, relating to a response to a solicitation within the last thirty-six (36) months.
- D. Violations of contract provisions within three (3) years of current debarment action of a character which are reasonable deemed to be so serious as to justify the current debarment or suspension action.
- E. Abatement of a contract.
- F. Knowing failure, without good cause, to perform in accordance with the terms and conditions as stated in an awarded contract.
- G. Failure to perform or unsatisfactory performance of any of the terms of a contract with the City. However, failure to perform or unsatisfactory performance caused by acts beyond the control of the person shall not be considered to be a basis for debarment or suspension.
- H. Failure to pay contractor, subcontractor, or materials provided as required.
- I. A determination by a court, the Florida Department of Business and Professional Regulation or the Federal Government that the person has violated the provisions of any Florida Statute, Federal Regulation, or local law and/or has been placed on the State of Florida or Federal Government list of debarred contractors.
- J. Any other cause that the City reasonably considers to be as serious and compelling enough to support a determination of debarment.

### **Disputes**

- A. If the Vendor disagrees with the suspension or debarment, they shall have seven (7) business days from the mailing date to rebut. Written notification must be sent to the General Services Director and Finance Director outlining points of disagreement.
- B. The General Services Director will review the evaluation with the Finance Director, Project Manager, Department Director, City Manager, and City Attorney after which a finding will be sent to the vendor wither upholding or revising the suspension or debarment.

C. If the vendor does not dispute the suspension or debarment within the seven (7) day period, the suspension or debarment will be deemed acknowledged.

## **Section 14. Grants**

### **Applications**

The City Commission shall approve all agreements for state, federal, and other grants after confirming through the Finance Director that matching funds, if required, are available. The City's ability to fund any ongoing costs of a potential grant, including personnel, operating and maintenance, shall be considered as early as possible in the application process but no later than prior to acceptance of award.

### **Acceptance**

Upon notice of grant award, the City Manager will submit the grant to the City Commission for acceptance and for approval of the associated budget resolution if required. Confirmation of the availability of matching funds and the City's availability to fund operating, maintenance, and other ongoing costs shall be provided to the Commission.

### **Procurement**

- A. Generally, expenditures from funds other than City tax or special assessment revenues may require special processes because of the specific legal terms and conditions placed by the funding agency. Grants often have certain purchasing requirements that are different or additional to the City's procurement policy and they require special purchasing procedures. It is the responsibility of the User Department to identify any special purchasing requirements or provisions, include in procurement, and to ensure that all requirements are followed. Unless otherwise specified in the grant, all grant procurements shall follow the general standards set forth in this policy.
- B. For projects funded in whole or in part with Federal funds, the City will follow the procurement standards set forth in this policy, plus the additional most current standards set forth in 2 CFR Part 200.

## **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 OF PALATKA VEHICLE POLICY**

**RESCINDS:** All existing orders or policies in conflict.

**PURPOSE:**

To provide guidelines for the use of City vehicles and equipment; to establish City policy and provide guidelines for take home vehicles.

**ENFORCEMENT:**

Any employee failing to do comply with this policy is subject to the suspension of the privilege of using a City vehicle, and/or disciplinary action as determined by the appropriate supervisor.

**USE OF SEAT BELTS**

City vehicles will have approved occupant restraint devices (seat belts) in accordance with the standards as set out in Florida Statute 316.614 and by the U.S. Department of Transportation.

All drivers and front seat passengers will wear seat belts as outlined in Florida State Statutes 316.

**GENERAL REGULATIONS FOR USE**

All vehicles shall be operated in compliance with applicable traffic regulations and laws relating to the use or operation of motor vehicles within the State of Florida, including but not limited to those which establish speed limits; prohibit the operation of vehicles by a driver who is under the influence of controlled substances or alcoholic beverages; and establish rules for safe operation of motor vehicles. Any employee/operator who commits a violation of law or rule relating to the operation of a motor vehicle in the State of Florida which results in the assessment of a fine or other penalty, including fines for illegal parking, shall be personally responsible for paying the fine or penalty without reimbursement from the City.

Employees shall at all times comply with those department policies which specifically govern vehicle operation specific to those departments. "On call" personnel, that live within the City limits, shall be allowed to utilize the City vehicle for transportation to and from home and work. Personal errands/stops shall not be permitted except when made at locations along or in close proximity to the direct route of travel to and from work, or, while the vehicle is being used during the workday, when made at locations along or in close proximity to the direct route of travel necessary to attend to work duties.

An on-call employee residing within ten (10) miles of the City boundaries may take

their assigned vehicle to their residence but, while driving outside of the City limits, will be allowed to drive the vehicle only along the direct route to and from work and shall not attend to personal errands/stops.

An on-call employee who resides beyond any ten (10) mile boundary of the City may drive their assigned vehicle to and from work only with permission of City Manager and subject to the guidelines described above.

#### **MONITORING OF USE**

By accepting the privilege of operating a City vehicle, every employee/operator acknowledges that the motor vehicle is the property of the City and that there is no expectation of privacy in the vehicle and gives implied consent to the monitoring of the vehicle's use, location, and operation through electronic or other available methods. In other words, by accepting the privilege of operating a City vehicle, every employee/operator waives any right, including the right of privacy which might otherwise protect against the monitoring by authorized City representatives or designees of the vehicle's use, operation, or location.

#### **SEARCH OF CITY VEHICLES**

By accepting the privilege of operating a City vehicle, every employee/operator acknowledges that the motor vehicle is the property of the City and that there is no expectation of privacy in the vehicle and gives implied consent to the search of the vehicle by any authorized City representative or designee, with or without probable cause to believe that the search might reveal evidence of a crime or other wrong doing.

#### **ADDITIONAL REGULATIONS FOR CITY VEHICLE OPERATION**

Employees will not presume any special privileges with a vehicle while on or off duty (e.g. an employee living in an apartment complex will park the vehicle only in an area designated for general parking - not in a "reserved", "handicapped", or "no parking" area).

No City vehicle shall leave Putnam County without prior approval from the City Manager or his designee.

City vehicles will NOT be parked with the engine running (idling) for any length of time greater than what is absolutely necessary, taking into account the circumstances of the vehicle's use at the time.

City vehicles will NOT be left unoccupied with the doors unlocked and the engine running (idling) except for very brief periods of time when necessary to permit the driver to attend to an immediate task, i.e., opening a gate, etc.

City vehicles will NOT be left unattended with the doors unlocked and/or the vehicle's keys in the vehicle except for very brief periods of time when necessary to permit the driver to attend to an immediate task, i.e., opening a gate, etc.

Every effort shall be made by the driver of every city vehicle to minimize the

distance that the vehicle is driven to that distance that is necessary to attend to City business and operations. "Joy riding" or driving with no intended destination that is related to a specific City purpose or driving to an intended destination via a route that is unnecessarily long or "out-of-the-way" is prohibited.

No City vehicles will be allowed window tint other than basic factory tinting. Employees on vacation for more than three (3) days will be required to park their vehicle at the Department at which they are assigned during the period of their vacation.

Employees on sick leave or limited duty for a period exceeding seventy-two (72) hours may have vehicles removed from personal assignment until such time as they can return to full duty status. Until a return to "full duty status", the vehicle will be parked at the Department to which it is assigned.

Employees assigned to light-duty or out on worker's compensation shall have their City vehicle removed from assignment and will not operate a City vehicle at all.

Unattended City vehicles of off-duty Employees must be locked at all times.

Family and friends may NOT accompany employees in City vehicles as passengers when vehicles are operated on or off duty, except if necessary to conduct City business. Vehicles will not be utilized for carrying heavy or excessive loads (not greater than the vehicle's maximum gross vehicle weight rating).

Employees will not use vehicles during or to facilitate secondary employment.

No person shall be allowed to operate a City vehicle unless they possess a valid driver's license of a classification appropriate to the City vehicle being operated.

City vehicles will not be used to transport alcoholic beverages unless specific authorization has been obtained from the Director of the department to which the vehicle is assigned and then only for official purposes.

While off duty or when not working an assigned detail at such an establishment, an employee will not take City vehicles to adult entertainment locations or bars, strip clubs, casinos, night clubs, liquor stores, internet cafés, or any other establishments that could bring discredit or embarrassment to the City.

Only authorized employees or "volunteers" shall operate City vehicles.

#### **MAINTENANCE REGULATIONS**

Employees to whom vehicles are assigned, or who routinely operate a City vehicle, will be responsible for:

- a) Promptly reporting to their supervisor any unsatisfactory or unsafe vehicle condition that is observed, including the apparent need for repairs.
- b) Regularly checking and monitoring fluid levels.
- c) Assuring that the exterior and interior of the vehicle is regularly cleaned

Employees, while responsible for the general maintenance and proper care of City vehicles as described above, shall NOT:

- a) Alter the body, general design, appearance, marking, mechanical or electrical systems of the vehicle without proper authorization from the appropriate supervisor;
- b) Make any repairs or have any repairs made to the vehicle other than as directed by the authorized department garage; and/or
- c) Use fuel, oil, lubricant, or other liquid additives in the vehicle other than

those issued at the authorized department garage or authorized for use by the department garage.

#### **FIREARMS IN VEHICLES**

No City employee may possess a firearm within a City vehicle except sworn law enforcement personnel.

#### **SPECIAL PURPOSE VEHICLES**

A special purpose vehicle is a vehicle used because of considerations of weather, terrain, or the need for inconspicuous appearance, quietness, storage requirements, special operational needs. This includes, but is not limited to Bicycles, Golf Carts, and Utility Carts. For those not listed below, the design and types of use for each are described in applicable areas throughout this policy.

Employees using Golf Carts and Utility Carts for special details will adhere to the safety guidelines governing their use. When driving on public roads, employees will abide by traffic regulations in order to provide for the safety of occupants and other traffic. Employees utilizing the carts are responsible for the return of the cart to the City facility and its safe storage. The carts will be maintained by the custodial staff of the City.

***All specialized vehicles shall be operated under those conditions specified for their use. They shall be operated by personnel assigned to specialized duties and trained in the use of vehicles.***

#### **CITY MANAGER AND COMMISSION VEHICLES**

Guidelines for use and operation of City vehicles assigned to the City Manager shall be governed by the contract for employment between the City and the City Manager which shall supersede these guidelines. In addition, certain provisions of these guidelines may not apply to the use by a City Commissioner of any vehicle designated for City Commission use.

## **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. The use of City Owned Rental Facilities (i.e. Community Centers, Meeting Rooms, Pavilions, and Parks) by employees, agents and elected officials free of charge shall be permitted when the event is determined by the City Manager that the event is a City Sponsored Event and/or when the City Commission approves reciprocal use or sponsorship agreements with agencies partnering with the City conducting social, cultural, educational, or recreational activities.

#### **City Sponsored Events**

A City Sponsored Event is a program-related activity approved as part of the City's regular operations that provides a direct public benefit to residents and/or the business community and; directly advances a City Departments budget initiative as defined with an approved budget or work plan. Eligible Applicants include;

- City Staff
- Agencies contractually obligated to host events on behalf of the City
- City approved social gatherings such as; staff training, staff luncheons, public workshops, town-hall or neighborhood outreach meetings conducted by the City, City Staff retirement parties, or others that fall within the normal business operations of the City approved by the City Manager.

#### **City Co-Sponsored Events**

A City Co-Sponsored Event is an activity the City hosts in conjunction with an eligible outside agency as defined below. These events must:

- Align with City budget, goals or initiatives.
- Address topics defined within an approved work plan.
- Offer an identified public benefit to the Citizens of Palatka; or
- Be open to the public and/or the business community.

Eligible Co-Sponsors

- Government Agencies serving Palatka
- Entities with reciprocal use agreements
- Non-profit organizations with a public benefit

## 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.

POLICIES AND PROCEDURES MANUAL

Internet, E-Mail, and  
Acceptable Use of City-owned Equipment

City of Palatka  
Appendix 19

## Table of Contents

1.....	<b>Purpose and Scope</b>	<b>144</b>
2.....	<b>Computer Access Control – Individual’s Responsibility</b>	<b>144</b>
3.....	<b>Internet and email Conditions of Use</b>	<b>144</b>
4.....	<b>Clear Desk and Clear Screen Policy</b>	<b>146</b>
5.....	<b>Company Password Policy</b>	<b>146</b>
5.1.....	<b>General Password Construction Guidelines</b>	<b>146</b>
5.2.....	<b>Password Protection Standards</b>	<b>147</b>
5.3.....	<b>Account Lockouts</b>	<b>147</b>
6.....	<b>Working Off-site</b>	<b>147</b>
7.....	<b>Mobile Storage Devices</b>	<b>148</b>
8.....	<b>Software</b>	<b>148</b>
9.....	<b>Anti-Virus/Malware Protection</b>	<b>148</b>
10.....	<b>Telephony (Voice) Equipment Conditions of Use</b>	<b>148</b>
11.....	<b>Termination of Contract/Employment</b>	<b>149</b>
12.....	<b>Monitoring and Filtering</b>	<b>149</b>

## **1. Purpose and Scope**

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.

This Acceptable Use Policy covers the security and use of all City of Palatka information and IT equipment. It also includes the use of email, internet, voice and mobile IT equipment. This policy applies to all City of Palatka employees, contractors and agents (hereafter referred to as ‘individuals’).

This policy applies to all information, in any form, relating to City of Palatka business activities worldwide, and to all information handled by City of Palatka relating to other organizations with whom it deals. It also covers all IT and information communications facilities operated by City of Palatka or on its behalf.

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.

## **2. Computer Access Control – Individual’s Responsibility**

Access to the City of Palatka IT systems is controlled using User IDs, passwords and/or tokens. All User IDs and passwords are to be uniquely assigned to named individuals and consequently, individuals are accountable for all actions on the City of Palatka IT systems.

### **Individuals must not:**

- Allow anyone else to use their user ID/token and password on any City of Palatka IT system.
- Leave their user accounts logged in at an unattended and unlocked computer.
- Use someone else’s user ID and password to access City of Palatka IT systems.
- Leave their password unprotected (for example writing it down).
- Perform any unauthorized changes to City of Palatka IT systems or information.
- Attempt to access data that they are not authorized to use or access.
- Exceed the limits of their authorization or specific business need to interrogate the system or data.
- Connect any non-City of Palatka authorized device to the City of Palatka network or IT systems.
- Store City of Palatka data on any non-authorized City of Palatka equipment.
- Give or transfer City of Palatka data or software to any person or organization outside City of Palatka without the authority of City of Palatka.

Directors, Managers and Leads must ensure that individuals are given clear direction on the extent and limits of their authority in regard to IT systems and data.

## **3. Internet and email Conditions of Use**

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.

Use of City of Palatka internet and email is intended for business use. 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. Personal use is permitted where such use does not affect the individual's business performance, is not detrimental to City of Palatka in any way, not in breach of any term and condition of employment and does not place the individual or City of Palatka in breach of statutory or other legal obligations.

All individuals are accountable for their actions on the internet and email systems.

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.

**Individuals must not:**

- Use the internet or email for the purposes of harassment or abuse.
- Commit any crime using the Internet or E-mail
- Mount an attack on the security of any system (i.e. hacking)
- Disturb any other user's files or directories
- Use profanity, obscenities, or derogatory remarks in communications.
- Access, download, send or receive any data (including images), which City of Palatka considers offensive in any way, including sexually explicit, discriminatory, defamatory or libelous material.
- Use the internet or email to make personal gains or conduct a personal business.
- Use the internet or email to gamble.
- Use the email systems in a way that could affect its reliability or effectiveness, for example distributing chain letters or spam.
- Place any information on the Internet that relates to City of Palatka, alter any information about it, or express any opinion about City of Palatka, unless they are specifically authorized to do this.
- Send unprotected sensitive or confidential information externally.

- Forward City of Palatka mail to personal (non-City of Palatka) email accounts (for example, a personal Hotmail account).
- Make official commitments through the internet or email on behalf of City of Palatka unless authorized to do so.
- Download copyrighted material such as music media (MP3) files, film and video files (not an exhaustive list) without appropriate approval.
- In any way infringe any copyright, database rights, trademarks or other intellectual property.
- Download any software from the internet without prior approval of the IT Department.
- Connect City of Palatka devices to the internet using non-standard connections.

#### **4. Clear Desk and Clear Screen Policy**

In order to reduce the risk of unauthorized access or loss of information, City of Palatka enforces a clear desk and screen policy as follows:

- Personal or confidential business information must be protected using security features provided for example secure print on printers.
- Computers must be logged off/locked or protected with a screen locking mechanism controlled by a password when unattended.
- Care must be taken to not leave confidential material on printers or photocopiers.

#### **5. Company Password Policy**

The following are tips for creating strong passwords that protect you and our organization from attacks:

- Don't use simple passwords
- Create long and strong passwords
- Use a different and unique password for each of your accounts
- Do not share your passwords with anyone else, including fellow employees.

### **5.1 General Password Construction Guidelines**

All City of Palatka system user-level password changes must be made in accordance with City of Palatka procedures. Do not share City of Palatka passwords with anyone, including administrative assistants, secretaries, employees in the SOC, or support personnel; they should either ask you to log in, or follow password change procedures. Sharing includes, but is not limited to, discussing passwords verbally, transmitting passwords via the Internet, and writing passwords on paper for unsecured distribution. Passwords must not be inserted into email messages or other forms of electronic communication, nor should they be stored either in hardcopy or unencrypted electronic format.

Unless restricted by system software, the following criteria should be followed to establish a password:

- A minimum of ten (10) characters should be used;
- At least one character must be alpha (i.e., letter of the alphabet);
- At least one character must be numeric;

- It should contain both upper and lower case characters as well as an extended character (i.e.&,\$,#).

Passwords should NOT be constructed using any of the following:

- Names of family, friends, pets, co-workers, fictional characters, sports teams ,etc.
- Words easily found in a standard dictionary, including but not limited to English and Spanish.
- Computer terms and names, commands, sites, companies, hardware or software.
- The words of City of Palatka, or any derivation.
- Birthdays or other personal information such as addresses and phone numbers, words, or number patterns, such as “aaabbb”, “qwerty”, “123321”, etc.
- Any of the previous items in reverse order.
- Any of the previous items preceded or followed by a digit.

## **5.2 Password Protection Standards**

Users must ensure that they comply with the following standards and practices that assist in protecting passwords: Do not use the same password for City of Palatka accounts as for other non-City of Palatka accounts. In addition, do not use the same password for various City of Palatka access needs, including application and network access. Do not use the “Remember Password” feature of applications (e.g., Internet Explorer, Microsoft Outlook). If someone demands a password, refer that person to this policy or have that person call the SOC. If an account or password is suspected to have been compromised, report the incident to the SOC then change all relevant passwords. City of Palatka Security Services Team or its delegates may perform password cracking or guessing on a periodic or random basis. If a password is cracked or guessed, City of Palatka IT Team will communicate to the user the expectation that the password will be changed in a timely manner.

## **5.3 Account Lockouts**

Unless restricted by system software, a user account should be locked out after three unsuccessful attempts at logging into said user account.

## **6. Working Off-site**

It is accepted that laptops and mobile devices will be taken off-site. The following controls must be applied:

- Working away from the office must be in line with City of Palatka working remotely acknowledgment below.
- Equipment and media taken off-site must not be left unattended in public places and not left in sight in a car.
- Laptops must be carried as hand luggage when travelling.
- Information should be protected against loss or compromise when working remotely (for example at home or in public places). Laptop encryption must be used. Particular care should be taken with

the use of mobile devices such as laptops, mobile phones, smartphones, and tablets. They must be protected at least by a password or a PIN and, where available, encryption.

## **7. Mobile Storage Devices**

Mobile devices such as memory sticks, CDs, DVDs and removable hard drives must be used only in situations when network connectivity is unavailable or there is no other secure method of transferring data. Only City of Palatka authorized mobile storage devices with encryption enabled must be used, when transferring sensitive or confidential data.

## **8. Software**

Employees must use only software that is authorized by City of Palatka on City of Palatka computers. Authorized software must be used in accordance with the software supplier's licensing agreements. All software on City of Palatka computers must be approved and installed by the City of Palatka IT department.

### **Individuals must not:**

- Store personal files such as music, video, photographs or games on City of Palatka IT equipment.
- Download/Install software unapproved by company administrators

## **9. Anti-Virus/Malware Protection**

The IT department has implemented centralized, automated virus detection and virus software updates within the City of Palatka. All PCs/Macs have antivirus software installed to detect and remove any virus automatically.

### **Individuals must not:**

- Remove or disable anti-virus software.
- Attempt to remove virus-infected files or clean up an infection, other than using approved City of Palatka anti-virus software and procedures.

## **10. Telephony (Voice) Equipment Conditions of Use**

Use of City of Palatka voice equipment/softphone is intended for business use. Individuals must not use City of Palatka voice facilities for sending or receiving private communications on personal matters, except in exceptional circumstances. All non-urgent personal communications should be made at an individual's own expense using alternative means of communications

### **Individuals must not:**

- Use City of Palatka voice for conducting private business.
- Make hoax or threatening calls to internal or external destinations.
- Accept reverse charge calls from domestic or International operators, unless it is for business use.

## 11. Termination of Contract/Employment

All City of Palatka equipment and data, for example laptops and mobile devices including telephones, smartphones, USB memory devices and CDs/DVDs, must be returned to City of Palatka at termination of contract/employment.

All City of Palatka data or intellectual property developed or gained during the period of employment remains the property of City of Palatka and must not be retained beyond termination or reused for any other purpose.

## 12. Monitoring and Filtering

All data that is created and stored on City of Palatka computers is the property of City of Palatka and there is no official provision for individual data privacy, however wherever possible City of Palatka will avoid opening personal emails.

IT system logging will take place where appropriate, and investigations will be commenced where reasonable suspicion exists of a breach of this or any other policy. City of Palatka has the right (under certain conditions) to monitor activity on its systems, including internet and email use, in order to ensure systems security and effective operation, and to protect against misuse. Any monitoring will be carried out in accordance with audited, controlled internal processes, and any local or required laws/acts.

### EMPLOYEE ACKNOWLEDGEMENT

**I hereby acknowledge having read the Internet, E-mail and Acceptable Use Policy. 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 to include working remotely. Employees are subject to disciplinary action, up to and including termination of employment for violation of these policies and procedures.**

---

**Print Name**

**Signature**

**Enforcement: This policy and associated acknowledgments will be enforced by the IT Team and the SOC. Violations may result in disciplinary action, which may include suspension, restriction of access, or more severe penalties up to and including termination of employment. Where illegal activities or theft of company property (physical or intellectual) are suspected, the company may report such activities to the applicable authorities.**

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.

## **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

## Travel Policy

### **Purpose**

This policy is to govern travel and payment of costs associated with such travel for the City of Palatka employees and other authorized persons. All travel should demonstrate a City purpose. This policy provides guidance on expenditures authorized for travel in accordance with Section 112.061, Florida Statutes.

### **Procedure**

Approval for City personnel to attend a conference, meeting or other activity for the benefit of the City must be obtained a minimum of three weeks in advance of the travel. The transportation selected should be the most safe, economical and practical method available. Travelers are expected to minimize time away from the office while effectively completing the purpose of the travel. Travelers must use the Travel Authorization Request & Reimbursement Form, submit a requisition and have it fully approved before finalizing any reservation or registration. Any employee traveling on official business is responsible for insuring he/she understands these procedures and complies accordingly.

If a specific provision was not made in the approved budget for City-related business travel the request must be submitted with as much advanced notice as possible stating the reason and source of funds to cover the cost. Final approval will be made by the City Manager or designee based on the necessity of the travel and the availability of funds.

### **Travel Advances**

Travel advancements must be authorized by the Finance Director. Travel advancements may be utilized to cover anticipated costs of travel. Travel must be in excess of one night of stay away from the organization's headquarters. The traveler must initiate advance request ten business days prior to travel. A travel advance may not exceed 80 percent of the estimated travel expense payable to the traveler. The travel expenses payable to the traveler shall be reconciled to the travel advance. If the travel advance exceeds the actual amount payable, the traveler shall reimburse the agency within ten workdays of their return or their pay may be deducted for the amount payable to the City. The Travel Advance Form is in Appendices section of this policy.

### **Travel Reimbursement**

Reimbursement shall be made once the trip has been completed and all procedures are adhered to. Supervisor must sign travel form upon return for payment issuance.

1. Additional hotel/ lodging nights and associated meal reimbursements taken for the convenience of the traveler without the approval of the supervisor are not eligible for reimbursement.
2. Travel expenses must be submitted for reimbursement within ten (10) days of the return of the employee and within the fiscal year of when the travel occurred. Reimbursements after the ten-day period will not be

- allowed.
3. Hotel/ Lodging
    - a. Travelers should make a reasonable effort to utilize the City's tax-exempt status for hotel/ lodging, rental vehicles, airline tickets, and registration fees.
    - b. Only the cost of the hotel room, hotel parking, and applicable taxes will be reimbursed.
  4. Meal reimbursement is available for overnight travel only unless requested in advance by the Supervisor and approved by the Finance Director. The amount authorized for meal allowance is in accordance by s. 112.061(6)(b), F.S. for each meal during the travel period.
    - a. No meal reimbursement will be issued for any meals during vicinity travel (vicinity travel has no overnight lodging); per IRS regulations this type of reimbursement would have to be included in an employee's taxable income.
    - b. No reimbursement will be issued for any meal that is included in a registration fee paid by the City or provided free of charge by the lodging unless authorized by the Finance Director. Requested meal reimbursement must be accompanied by a conference agenda to substantiate meals provided.
    - c. Meal per diem will be reimbursed in accordance with U.S. General Services Administration (GSA) standards. Per Diem rates must be provided with the travel authorization form prior to travel. Breakfast shall be reimbursed if travel begins before 6 A.M. and extends beyond 8 A.M. Lunch shall be reimbursed when travel begins before noon and extends beyond 2 P.M. Dinner shall be reimbursed when travel begins before 6 P.M. and extends beyond 8 P.M.
    - d. The City will not reimburse for alcoholic beverages.
  5. Tips: The City will reimburse for tips up to fifteen (15) percent with printed receipt.
  6. Mileage reimbursement is available to both vicinity and overnight travel
    - a. Necessary travel should be planned to seek the most safe, practical and economical means of transportation available to the traveler.
    - b. When several employees are traveling to the same destination, car-pooling is encouraged. No traveler is allowed mileage reimbursement when transported by another traveler who is entitled to mileage or if a city vehicle is used.
    - c. Travelers who leave from home and do not come to their office on the day of departure will be reimbursed for their mileage from their home. Similarly, travelers who return directly to their home and do not come to the office on the day of return will be reimbursed for mileage to their home. In either of these cases, the miles reimbursed may not exceed the mileage from the office to the event and/or from the event back to the office.
    - d. Mileage incurred for travel using the employee's personal vehicle will be reimbursed for both vicinity and overnight travel. A Google, MapQuest, or Yahoo map print out of the actual miles must be the basis of the requested reimbursement and be included with the reimbursement request.
    - e. Mileage will be revised and reimbursed per IRS guidelines.
    - f. For travelers using a city owned vehicle, gas purchased en route will be reimbursed to traveler with a receipt.
  7. Commercial carrier travel (airline, train, bus, taxi etc.)
    - a. An itinerary must be attached to the travel request.
    - b. At minimum, the itinerary should show the name of the traveler, dates of travel, origin and destination of travel, class of travel, amount and method of payment.

- c. Airline tickets should be purchased fourteen (14) days in advance of the travel whenever possible.
8. Incidental costs
- a. Tolls and airport parking are reimbursable with receipts for vicinity and overnight travel.
  - b. Fees for expedited boarding or special seat assignments are typically not authorized.
  - c. Internet connection expenses should only be incurred when necessary for City business.
  - d. Taxi, bus or train fares are reimbursable with receipts.
  - e. For travelers who use personal SUNPASS to pay tolls or airport parking, a copy of the charges from the traveler's account matching travel voucher dates can constitute a receipt.
  - f. Baggage fees on no more than one bag on commercial aircraft are reimbursable. Travelers should minimize baggage fees where possible.

## 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 responsible 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.