

**City of Plantation**

**EMPLOYEE HANDBOOK**

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**Acknowledgement and Receipt of Handbook**

This handbook is intended as a summary description of your policies, procedures and benefits while employed at the City of Plantation. The information in this handbook is general in nature and your supervisor can be consulted for additional details. This handbook is not intended to establish terms of employment which may not be amended at the City of Plantation's discretion. While we intend to observe these general policies, benefits and rules contained in this handbook, changes or improvements in their interpretation or application may be made from time to time.

I understand that the employee handbook describes important information about Plantation and that I should consult my supervisor regarding any questions not answered in the handbook.

Since provisions of the handbook are subject to change, I further understand that revisions to the handbook may supersede or eliminate one or more existing policies.

My employment relationship with the City of Plantation is voluntarily entered into and is subject to termination by me or my employer at will, with or without cause, at any time either party believes such action to be appropriate.

I acknowledge that this handbook is neither a contract of employment nor a legal document. I have received, read, understand and will comply with both the policies contained in this handbook and any revisions made to it.

\_\_\_\_\_  
EMPLOYEE'S SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
EMPLOYEE'S NAME (TYPE OR PRINT)

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**City of Plantation Employee Handbook**  
**Section I – Introduction**

**Section I – Introduction**

**100.0 Purpose of this Handbook**

This handbook should be used to get to know the City of Plantation and to help you get the most out of your relationship with us.

The purpose of this handbook is to provide an overview of policies, procedures and benefits that guide the City of Plantation’s relationship with its employees. This handbook cannot anticipate every situation nor answer every question about policy or employment. It is designed solely as a guide to help employees better understand their role at the City. It is for general information only and may be amended or revised from time to time without notice.

Much of this handbook is devoted to explaining pay, benefits, advancement opportunity, holidays, vacations and other conditions. Please refer to this handbook to obtain general information, but also feel free to ask questions. It is management’s intent to make all of the City of Plantation’s employees well informed in matters concerning their work and the City of Plantation. We feel this handbook helps to accomplish this objective.

**110.0 Employment Relationship and Employment at Will**

This handbook is neither an expressed nor implied contract of employment. It is not to be considered a guarantee of continued employment. The City of Plantation and the employee have an at-will employment relationship. The employee has the right to terminate his/her employment at any time and the City of Plantation has a similar right. This handbook does not make any promise of employment for any specified period of time, nor does any representative of the City of Plantation have authority to enter into an agreement for employment for any specified period of time.

Employees are hired as at will employees that serve at the pleasure of the City and may be terminated at any time with or without cause. No commitment of employment for any specified duration (including “lifetime” or “permanent” employment) shall be valid or binding on the City unless it is expressly set forth in writing and signed by the employee and the Mayor.

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**Section II – General Policies and Provisions**

**Section II – General Policies and Provisions**

**200.0 Equal Opportunity Employment**

The City of Plantation is an equal opportunity employer, and prohibits discrimination because of race, color, age, sex, sexual orientation, gender identity, religion, national origin, disability (except where such factor is a bona fide occupational qualification or is required by State/Federal law), political affiliation, marital status, veteran's status or any other class protected by applicable law. This policy applies to all employees and in all aspects of personnel policies, programs, practices, recruitment, examination, appointments, training, promotion, retention or any other actions or operations.



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**205.0 American’s With Disability Act (ADA)**

The City of Plantation is committed to the fair and equal employment of individuals with disabilities and to compliance with applicable state and federal laws governing the treatment of qualified individuals with disabilities. Accordingly, the City of Plantation will provide reasonable accommodations to qualified applicants and employees who have permanent or temporary disabilities.

A reasonable accommodation is designed to assist an employee in the performance of his or her job without placing an undue hardship on the City of Plantation or posing a direct threat to others. Human Resources will determine whether accommodations are reasonable on a case-by-case basis.

It is the employee’s responsibility to inform his or her supervisor that an accommodation is needed to perform essential job functions. The reasonable accommodation request must be specific. Requests for such accommodations as “less pressure,” “reduced stress,” “or an allergen-free environment” are too vague.

Once the City of Plantation is aware of a disability, it will take measures to accommodate that disability in accordance with legal requirements. The City of Plantation reserves the right to request written documentation from any employee seeking an accommodation. The documentation can be from a doctor, psychologist, rehabilitation counselor or other professional with knowledge of the employee’s limitations. All medical information received by the City of Plantation will be treated as confidential. Human Resources will engage the employee in active dialogue to assess the level and type of accommodation being requested.

Together, the Human Resources Director and the Department Director will be responsible for reasonably accommodating an employee’s disability, and will review the following factors to determine the reasonableness of an accommodation:

- ◆ what type of job the employee holds,
- ◆ what essential functions make up the job,
- ◆ what architectural modifications are required,
- ◆ whether there are alternative ways to perform the tasks,
- ◆ whether furniture or work areas can be rearranged,
- ◆ whether the requested accommodation is temporary or permanent, and
- ◆ what the proposed accommodation will cost.

If a reasonable accommodation cannot be made for the employee in his or her current job, the City of Plantation will consider:

- ◆ offering a reasonable accommodation in a vacant position in the same job classification within the same department; or
- ◆ placement outside the department in a vacant position and job classification for which the employee is qualified.

Employees have the right to appeal the denial of a request for reasonable accommodation. Appeals must be filed with the Human Resource Director within 20 business days of the denial.

**210.0 Veteran’s Preference Policy**

The City of Plantation does offer Veteran’s Preference pursuant to Florida law (State Statute 295.07). The following groups are eligible to receive Veteran’s Preference:

1. A veteran with a service-connected disability who is eligible for or receiving compensation, disability retirement, or pension under public laws administered by the U.S. Department of Veterans Affairs and the Department of Defense.
2. The spouse of a veteran who cannot qualify for employment because of a total and permanent service-connected disability, or the spouse of a veteran missing in action, captured, or forcibly detained by a foreign power.
3. A veteran of any war who has served on active duty for one day or more during a wartime period, excluding active duty for training, and who was terminated under honorable conditions from the Armed Forces of the United States of America. A veteran who served honorably but who has **not** met the criteria for the award of a campaign or expeditionary medal for service in Operation Enduring Freedom or Operation Iraqi Freedom, qualifies for preference in appointment, effective July 1, 2007. The service dates are defined as follows:
  - o Operation Enduring Freedom October 7, 2001 to date to be determined.
  - o Operation Iraqi Freedom March 19, 2003 to date to be determined.
4. The unremarried widow or widower of a veteran who died of a service-connected disability.
5. Any Armed Forces Expeditionary Medal, as well as the Global War on Terrorism Expeditionary Medal are qualifying for Veterans Preference.

Preference will be granted by the appropriate hiring department, to interview all persons entitled to preference, who are certified to be minimally qualified.

When there are two (2) or more equally qualified candidates being considered for a job after the interview process, and one (1) or more of them is a person entitled to preference, he/she shall be hired over the person(s) not entitled to preference.

Veteran’s Preference is also available for employees seeking promotions with the following condition: When there are two (2) or more equally qualified candidates being considered for the job after the interview process, and one (1) or more of them is a person entitled to preference, he/she shall be hired over the person(s) not entitled to preference. However, the only time Veteran’s Preference rights need to be considered in making a promotional decision is when a person applies for a promotion after becoming reemployed or reinstated following requisite military service.

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**220.0 Conflicts of Interest**

It is in the City's best interest, and the responsibility of each public employee under Florida Statutes Chapter 112, that employees devote their entire time, attention and effort during working hours to City business and interests and to avoid any conflicting employment or contractual relationships. Within the parameters of Florida Statutes Chapter 112 and City policies, employees may be permitted outside employment, contractual relationships or business involvement so long as there is no conflict or interference with an employee's City work schedule, employee availability, job performance or job responsibilities. Conflicts of interest or activities which impede proper standards of conduct are prohibited.

Employment, contractual relationships or business involvement which may create a conflict of interest are not permitted. If an employee believes that such employment, contractual relationships or business involvement may have the potential for creating a conflict of interest or interfering with their work schedule, employee availability, job performance or job responsibilities, they should seek the guidance of the Human Resources Director when considering engagement in such employment, contractual relationships or business involvement. Engaging in conflicting employment, contractual relationships or business involvement that interferes with an employee's work schedule, availability, job performance or job responsibilities is also a basis for disciplinary action up to and including termination.

No City employee is permitted under any circumstances to use City facilities or resources of any kind for private gain, outside employment or business activities. A violation of this prohibition will be the basis for disciplinary action up to and including termination.

City departments are authorized to have more stringent and detailed restrictions regarding this policy due to the nature of their business.

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**221.0 Hiring of Relatives**

In order to provide harmonious working conditions and to avoid favoritism to a relative on the basis of relationship, employment of personnel from the same family shall be restricted. A relative may be employed in the same administrative unit provided that neither is in a supervisory or administrative capacity over the other.

It is a hiring supervisor's responsibility to ensure that this policy is adhered to, and an employee's responsibility to immediately fully disclose relationships and organizational structures that would be in violation of this policy. It is a supervisor's responsibility to ensure that current information exists on file in Human Resources regarding the supervisor's name and reporting relationship for each position at the City.

Current employees who marry each other or become involved in a domestic partnership will be permitted to continue employment with the City provided they don't work in a direct supervisory relationship with each other or otherwise pose difficulties as mentioned above.

**225.0 Application for Employment**

The City of Plantation uses NeoGov for all applications for employment. The City of Plantation will not accept any application materials in person. All candidates for employment must apply using the online site through NeoGov. The online application should be completed in detail and electronically signed by the applicant to verify the accuracy and completeness of previous employment, personal information and all other requested information. We may investigate any portion of the information you supply and may deny employment of or terminate anyone giving false or incomplete information. Such information may include requesting information from the candidate's previous employers relative to his or her work record in connection with his or her application for employment.

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**230.0 Immigration and Naturalization**

The U.S. Citizenship and Immigration Service requires that candidates for employment and the City of Plantation provide specific information within three (3) business days of commencing employment. Candidates for employment must complete Section 1 of Form I-9 and provide the specific documents to establish their identity and employment eligibility. The City of Plantation utilizes E-Verify to establish employment eligibility.

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**231.0 Probationary Period**

Probationary periods are for new hires and for employees who have been promoted, demoted or transferred to a new position. The probationary period for all employees is twelve (12) months from the date of hire or effective date of status change and may be extended at the City's discretion. The probationary period allows the supervisor time to assess the employee's qualifications, performance and general suitability to successfully meet the position requirements and standards. It likewise provides the employee with the opportunity to experience the City, department and the position and to determine whether the position meets his/her expectations.

Throughout their employment, all employees (including those who have successfully completed their probationary period) serve at the will and pleasure of the City. Regardless of how long an employee has been employed by the City, the employee may be laid off or dismissed at any time with or without cause or prior notice.

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**232.0 Medical Examinations**

**Potential Employees**

Job applicants may be required to take a post-offer physical examination to determine whether they are physically able to perform the essential functions of the job, with or without a reasonable accommodation. Such examination may also include testing for illegal drug and alcohol use or abuse. The City of Plantation bears the full cost of such examinations.

**Active Employees**

At any time during employment, if it appears that an employee has a physical or mental condition which is deemed to have a harmful effect on their work, themselves and/or other employees, the City of Plantation reserves the right to send the employee for medical examination and/or treatment, as needed. Medical examinations may be required following any on-the-job accident or whenever an employee demonstrates behavior patterns which appear to be drug or alcohol related. Examinations include testing for illegal drug or alcohol use or abuse. Submission to such examinations is a condition of employment and refusal to submit shall result in termination. The City of Plantation bears the full cost of such examinations.



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**233.0 Employee Records**

In order to keep City employee records up-to-date, employees must notify the Human Resources Department within ten business (10) days of any change listed below. The appropriate form will be assigned in NeoGov for the employee to complete:

- ◆ Name
- ◆ Address
- ◆ Phone number
- ◆ Marital status
- ◆ Immigration status
- ◆ Change in dependents
- ◆ Insurance beneficiaries
- ◆ Person to notify in case of emergency
- ◆ Information for income tax withholding

This information is necessary to provide appropriate insurance coverage, and to contact you in case of schedule changes or emergencies, etc.

Employee records, which include records kept electronically and paper records, contain information for efficient administration including dates of appointment, periods of employment, duties performed, absences from duty, and evidence for each factor used to calculate salary. Certifications from previous employers may be included. Employee records on file include only those prepared by appropriate officials. Access to and copies of records shall be made available only by approval of the Director of Human Resources or designee.

Limited access employee records are confidential and exempt from the provisions of Florida Statutes, Chapter 119.07(1). These include medical records and information regarding employees exempt from public record. Except as required for use by the City in the discharge of official responsibilities, the custodian of limited access employee records may release information from such records only upon authorization, in writing, from the employee or upon order of a court of competent jurisdiction.

It is considered a very serious, termination offense for any unauthorized employee to gain access to personnel and/or medical files. The City of Plantation complies with all applicable laws and regulated government public records

**240.0 City Service and Definition of Employees**

**Definitions**

City Service is divided into the following:

1. Non-classified Service, which consists of elected officials, City Attorney, Consultants, auditors, board and committee members.
2. Classified Service, which consists of all other positions.

All persons holding positions in the classified service, and which involve continuous year-round service, either full-time or part-time, are considered “regular employees.”

All persons holding positions in the classified service that do not involve continuous year-round service are considered “temporary employees.”

Employees are divided into three groups for the purposes of pay and benefits. The City of Plantation’s policies apply to all employees.

**Regular Full-Time Employee:** An employee whose regular work schedule is thirty (30) hours per week or more and whose job is budgeted and authorized by Council, and expected to continue on an ongoing basis is classified as a full-time employee and is eligible for all benefits once all prerequisites and qualifications for benefit eligibility are met by the employee.

**Regular Part-Time Employee:** An employee whose regular work schedule is designated to be less than thirty (30) hours per week and whose job is budgeted and authorized by Council, and expected to continue on an ongoing basis is classified as a part-time employee. Part-time employees generally are not eligible for City of Plantation benefits, unless otherwise required by law.

**Temporary Employee:** An employee, regardless of number of hours worked per week, whose job is expected to continue for only a short and specific period of time is classified as a temporary full-time or part-time employee. Temporary full-time or part-time employees are not eligible for any City of Plantation benefits, unless otherwise required by law.

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**250.0 Grievance Procedure**

The grievance procedures for all non-probationary employees of the City, other than elected officials, the Chief Administrative Officer, the City Clerk, the City Attorney, and those covered by Collective Bargaining Agreements, shall be as follows (probationary employees are not entitled to grievance proceedings):

1. It is the City's policy that a grievance policy exists to allow for prompt, fair and consistent resolution of grievances. The purpose is to provide procedural consistency throughout Departments in addressing issues, timely, fairly and without fear of reprisal. A grievance is any type of problem, concern or complaint related to an employee's work or work environment. Employees may file a grievance if they believe they are adversely affected by an improper application or interpretation of a City policy. This policy is not for complaints alleging unlawful discrimination or harassment, including sexual harassment which are addressed in a separate policy.

2. An employee should first discuss any problem or complaint with his/her immediate supervisor and resolve their grievance in an informal manner.

A. If the grievance is not resolved to the employee's satisfaction with the supervisor, then the employee shall present a written grievance through the chain of command to their Department Head within ten (10) business days of their discussion regarding their grievance. The Department Head shall meet with the employee within ten (10) business days of receipt of the written grievance. The Department Head shall then render a decision within ten (10) business days of meeting with the employee.

B. If the grievance is not resolved to the employee's satisfaction, the employee may submit a written appeal/grievance to the Human Resources Director within ten (10) business days of receipt of the Department Head's written decision regarding the grievance. The Human Resources Director shall meet with the employee and the Department Head within ten (10) business days regarding the written appeal/grievance. The Human Resources Director shall render a decision within ten (10) business days of meeting with the employee.

C. Further written appeal may be made to the City Administration within ten (10) business days of the Human Resources Director's decision. The Mayor or their designee may choose to meet with the employee, the Department Head, and the Human Resources Director within a reasonable time frame from receipt of the written appeal, or the Mayor or their designee may choose to render a decision based upon the facts presented for consideration. The decision shall be rendered by the Mayor or their designee within a reasonable period of time and shall be final and binding on all parties. Decisions in cases involving Department Directors will be forwarded to City Council to ensure that they are apprised of the decision.

D. Any grievance not submitted and/or processed by the grieving party in accordance with the time limits provided above shall be considered exclusively abandoned and shall be barred, forfeited, and forever foreclosed for all purposes. Any grievance not answered or processed by the City within the time limits provided above will automatically advance to the next higher step of the grievance procedure.

E. If an alleged grievance arises from the action(s) of a supervisor or anyone in the chain of command up to the Department Head, the lower

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level(s) of the grievance procedure may be bypassed by mutual written consent of the City and the employee and the formal grievance procedure may be initiated at the appropriate step, within the specified time limit.

F. Timelines for meetings and responses at any of the steps of the process may be extended based upon mutual agreement of the City and employee.

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**251.0 Open Door Policy**

Your supervisor is always available to listen to any questions, concerns, ideas or suggestions that you or any other employee may have. Employees should feel free to contact their supervisor if they need to discuss any issue related to their employment. Employees are encouraged to contact their Department Director or the Human Resources Director if they believe that a particular issue cannot be resolved or if their concerns relate to a supervisor's conduct. Our doors are open to you at all times.

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**253.0 Disciplinary Actions/Standards of Conduct**

The City of Plantation recognizes its continuing responsibility to properly administer rules and regulations in a fair and consistent manner. Regulations for acceptable employee conduct are necessary for the protection of the rights and safety of all employees and the efficient and effective operation of the City of Plantation. The primary purpose of any disciplinary action or penalty, if taken, shall be corrective; but in certain instances, separation from employment may occur.

The standards of behavior and conduct encompassed in the rules are of a general nature and, therefore, do not cover every situation which may lead to disciplinary action or termination. They should be regarded as illustrations rather than a complete and all-inclusive statement of misconduct.

Employees are expected to observe appropriate standards of job performance and good conduct. When performance or conduct does not meet the City of Plantation's standards, the City of Plantation will endeavor, when it deems appropriate, to provide the employee a reasonable opportunity to correct the deficiency. If, however, the employee fails to make the correction, he or she will be subject to discipline, up to and including termination.

Termination for poor performance, failure to meet the City of Plantation's standards and/or misconduct may often be preceded by an oral warning, a written warning, and/or a suspension without pay or Performance Improvement Plan (PIP). The City of Plantation reserves the right to proceed directly to a written warning or to suspension without pay, or termination for misconduct or performance deficiency or failure to meet the City of Plantation's standards, without resorting to lesser disciplinary steps, when the City of Plantation deems such action appropriate. Should the City determine that there is a need to investigate any situation related to a failure to meet the standards set forth and/or the misconduct, the City reserves the right to place the employee on an administrative leave with pay pending the outcome of the investigation.

The great majority of employees want to do what is expected of them while at work. The understanding of, and compliance with, these and other common-sense rules of good conduct benefit the well-being of everyone. Violation of the following subjects an employee to disciplinary action. The disciplinary action taken depends upon the circumstances and severity of each case, but may result in disciplinary action up to and including termination. The City preserves the right to address each instance on a case-by-case basis without setting precedence.

Employees serve at the City's will and pleasure, and may be terminated at any time with or without cause. Nevertheless, every organization needs a set of guidelines establishing rules of conduct for its personnel. Any employee who violates reasonable standards of conduct will be subject to discipline (up to and including immediate termination). Such violations include, but are not limited to, the following:

- ◆ Stealing private, City of Plantation, or customer property.
- ◆ Insubordination.
- ◆ Falsifying or misrepresenting facts or statements on City of Plantation documents, e.g., employment applications, medical records, sick leave requests, time records, absence records, payroll records, etc.
- ◆ Possessing, bringing, selling, or consuming intoxicants, liquor, illegal drugs or controlled substances, and improper use of prescription drugs anywhere on City of Plantation or customer premises, including the parking lot; being under the influence of intoxicants, alcoholic beverages, illegal drugs or controlled

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substances on City of Plantation or customer property at any time; and/or reporting for work in an unfit condition as a result of intoxicants, alcoholic beverages, illegal drugs or controlled substances.

- ◆ Willful damage or removal, gross neglect of duties, or performing a malicious act that results in destruction or damage of City of Plantation, co-worker or customer personal property.
- ◆ Careless work performance resulting in loss, substandard or damaged goods, and damage to equipment, property or vehicles.
- ◆ Littering or contributing to unsanitary or poor housekeeping conditions.
- ◆ Failure to report personal, equipment or vehicle accidents or personal injuries immediately.
- ◆ Engaging in any acts of discrimination or harassment in violation of City of Plantation policies.
- ◆ Disregarding driving rules or vehicle policies or otherwise driving in an unsafe manner.
- ◆ Excessive or repeated absence or tardiness.
- ◆ Abusive, threatening, or rude language to City of Plantation personnel or customers.
- ◆ Disregarding safety rules or otherwise working or acting in an unsafe manner.
- ◆ Use of a City restroom facility that is designated for the opposite sex
- ◆ Endangering the safety of self or a fellow worker.
- ◆ Sleeping while on duty or on City of Plantation or customer premises during working hours.
- ◆ Immoral conduct or indecency on City of Plantation or customer premises.
- ◆ Bringing firearms or other weapons on City of Plantation or customer premises or property without proper licensing.
- ◆ Failure to provide information or be truthful as requested by the City of Plantation. Failure to give correct name to customer when asked.
- ◆ Operating a vehicle on City of Plantation business while under the influence of intoxicants, alcoholic beverages, illegal drugs or controlled substances.
- ◆ Tampering with or refusing to take a City requested drug test. Failing a city requested drug test.
- ◆ Gambling on City of Plantation or customer premises or property.
- ◆ Failure to report any unsafe conditions.
- ◆ Refusing to work overtime.
- ◆ Having visitors during work hours in unauthorized areas, including City of Plantation vehicles.
- ◆ Being in restricted areas without permission.
- ◆ Recording time of another.
- ◆ Leaving work assignments or work area without permission.
- ◆ Unauthorized use of or tampering with machines, equipment or vehicles.
- ◆ Inefficient or substandard work performance.
- ◆ Discourteous, disrespectful or unbusiness-like treatment of customers or co-workers.
- ◆ Restricting other employees' work performance or hindering business operations.
- ◆ Threatening, intimidating, abusing, coercing or interfering with employees or management, or customers' employees, at any time.
- ◆ Abuse, misuse or deliberate destruction of City of Plantation or customer property or equipment or the property of City of Plantation or customer employees.
- ◆ Misuse or removal from the premises of City of Plantation or customer records or reading confidential information of any nature without proper authorization.
- ◆ Failure to use required safety equipment or violation of health rules.
- ◆ Fraud.
- ◆ Failure to report for duty as requested during an emergency event to recovery event
- ◆ Accepting gifts in violation of City policy.
- ◆ Habitual carelessness with materials or defective quality of work.
- ◆ Handling personal business or pursuits while on duty for the City.

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- ◆ Fighting, attempting or threatening bodily injury, and/or horseplay endangering the life or safety of yourself or a fellow employee.
- ◆ Disregard of City rules.
- ◆ Violation of sexual harassment policy.
- ◆ Violation of no solicitation rule.
- ◆ Failure to notify immediate supervisor of absence. If an employee fails to notify his/her supervisor for three (3) consecutive business days, they will be deemed as having resigned via job abandonment.
- ◆ Failure to notify their supervisor within twenty-four (24) hours if their driver's license has been suspended or revoked when driving a city vehicle is an essential function of their position.
- ◆ Failure to report an arrest for a drug violation within five (5) days of arrest.



## **260.0 Drug Free Workplace**

As part of its commitment to safeguard the health of employees, to provide a safe place for employees to work, and to promote a drug free community, the City of Plantation has established a Drug Free Workplace prohibiting the use or abuse of alcohol and drugs by employees. In the spirit of safety, employees are expected to support our drug free workplace. Substance abuse, while at work or otherwise, seriously endangers the safety of employees, the general public, and creates a variety of workplace problems including a decline in the quality of products and services provided. Employees injured in the course and scope of employment that test positive on drug or alcohol tests may forfeit medical and indemnity benefits under Florida’s Workers Compensation. Refusal to take drug or alcohol tests also results in forfeiture of medical and indemnity benefits under Florida’s Workers Compensation and automatic termination of employment. Reasonable assistance is offered to employees who voluntarily recognize a substance abuse problem. However, performance standards are upheld even if “Below Expected” performance is related to drug or alcohol use; such instances result in disciplinary actions. Violations of the Drug Free Workplace policy are not tolerated and result in disciplinary actions up to and including termination.

### **Scope**

This policy is pursuant to the Drug Free Workplace Program under Florida’s Workers Compensation Law. The City has adopted Florida Administrative Code 38F. To the extent that conflicts may arise, Florida Administrative Code 38F shall prevail. This policy applies to all employees and job applicants as allowed by law. As a condition of employment, employees are required to abide by our Drug Free Workplace program. Collective Bargaining Agreements may specify different procedures that conform to the essential elements of our Drug Free Workplace.

### **Definitions**

1. “Drug” means substances such as:
  - a. alcohol, including distilled spirits, wine, malt beverages, or intoxicating liquor;
  - b. any prescription or non-prescription amphetamines, cannabinoids, cocaine, phencyclidine (PCP),
  - c. any opiates, or a metabolite of any of these substances for the D.O.T. 5 panel test, or any prescription or non-prescription amphetamines, cannabinoids, cocaine, phencyclidine (PCP), methaqualone, barbiturates, benzodiazepines, methadone, propoxyphene, or opiates, or a metabolite of any of these substances for the H.R.S. 10 panel test.
  - d. Threshold detection levels are established by Florida regulations (i.e. blood alcohol content of .05 or greater will result in a positive drug test). Therefore, activities participated in while off duty may result in positive drug tests. For DOT covered employees, alcohol includes any intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols. Consumption of a preparation including alcohol (beverages or medicines) is considered alcohol use. Alcohol concentration of 0.04 or greater will result in a positive drug test for DOT covered employees; 0.02 through 0.039999 concentrations will result in discipline as specified in the City’s Discipline Policy.
  
2. “Drug test” or “test” means any initial screening test utilizing a sensitive, rapid, and reliable procedure using an immunoassay procedure or an equivalent more accurate method approved by

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FDA or AHCA; and/or any confirmation test using gas chromatography/mass spectrometry or an equivalent more accurate method approved by AHCA or FDA. Drug tests are administered after appropriate medical care has been initiated. A saliva alcohol test or a BAT test may be used to determine whether a blood alcohol test should be administered.

3. “Reasonable suspicion testing” means drug testing based on a belief that an employee is using or has used drugs in violation of this policy. Facts and inferences may be based upon direct observation of drug use, physical symptoms or indications of being under the influence of drugs; or abnormal conduct, erratic behavior or deterioration in work performance; or a report of drug use by a credible or reliable source; employee involvement in an accident of any type at work; evidence that an employee used, possessed, sold, solicited or transferred drugs while working within city premises, vehicles, machinery, or equipment. The threshold level for vehicular accident, equipment or property damage drug testing is \$300.

4. “Positive test” means the results of a confirmation test reported through a medical review officer finding the presence of drug(s) in one’s body. When a confirmed positive test occurs, it is presumed that the injury or accident was primarily due to the influence of the drugs in accordance with regulations.

5. “Injury” means any act that causes personal injury requiring medical attention, property damage, or loss arising out of and in the course of employment. Property damage encompasses city or private property harm associated with an accident.

6. “First Aid” means application of treatment for minor personal injury not sufficient to require medical attention or drug testing. Examples include but are not limited to bee stings, paper cuts, poison ivy rashes, minor scratches, sunburn, spider bites or blisters.

7. “Job applicant” means a person who has applied for a position with the City, whether or not that person is presently employed with the City. Certain job applicants must successfully pass the City’s drug test at some point in the pre-employment or post offer processes in order to be considered for employment.

8. “Body specimen” means urine for all tests except when testing for alcohol when saliva and/or blood is used. If an employee is hospitalized, specimens will be collected in accordance with relevant medical standards. Collections are administered with due regard to privacy while reasonably preventing sample contamination or substitution.

9. “Medical Review Officer” means a licensed physician with knowledge of substance abuse disorders and training to interpret and evaluate positive results with prescriptive or other relevant medical information.

10. “Random” means unannounced drug testing for specific employees covered by the Omnibus Transportation Employee Testing Act of 1991 regulated by the DOT or as covered by a Collective Bargaining Agreement. Volunteers and contract employees in positions covered by the DOT standards are also subject to random drug testing.

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**Provisions**

1. **Prohibitions.** In support of a Drug Free Workplace program, the City prohibits possession (i.e., on the person, or in a desk or locker), consumption, use or being under the influence, sale, purchase, manufacture, distribution, dispensation, solicitation, or transfer of drugs while employees are on the job or on city premises, or drug related crime convictions. Employees should be aware that drug activities participated in while off duty may result in positive drug tests when on duty. DOT covered employees are prohibited from using alcohol during the four hours before reporting to duty; alcohol concentrations of 0.02 through 0.03999 will result in discipline as specified in the City's Discipline policy. Such individuals must pass a report to duty drug test with lower than 0.02 concentration immediately prior to returning to duty.

2. **Confidentiality.** Confidentiality is extended to include all information received by the employer through a drug testing program. Such information may not be used or received into evidence, obtained in discovery or disclosed in any proceedings except in accordance with this section or in determining compensability under Chapter 440, Florida Statutes. This section does not prohibit the City, agent of the City, or laboratory conducting drug testing from having access to employee drug test information or using such information when consulting with legal counsel in connection with action brought under or related to this section or when the information is relevant to its defense in a civil or administrative matter.

3. **Fitness for Duty.** Employees are expected to report to work and to return from meal breaks in a state of mind and a condition absent the influence of drugs or alcohol in order to perform their assigned duties safely and competently. This includes prescription drugs which have the ability to impair an employees' mental or physical state. Performance standards are upheld even if "Below Expected" performance is related to drug or alcohol use; such instances result in disciplinary actions. While employees are not required to divulge medications associated with a disability as recognized under the Americans with Disabilities Act, they must report to their supervisor the use of temporary medications which may impair their ability to safely perform their job functions. Prescription medications must be kept in the original container if such medication is taken during working hours or on City property. Improper use of prescription drugs is prohibited and may result in disciplinary action. An employee whose performance is likely to be impaired due to drug influences will not be permitted to report for duty. Supervisors should contact the Human Resources Department for consideration of the Americans with Disabilities Act relative to this provision.

4. **Applicant Drug Testing.** Subsequent to a conditional offer of employment, candidates for certain full and part time positions shall be required to undergo a drug test. These positions are safety sensitive, operate heavy equipment, machinery or city vehicles, work with children, or include some other essential function or requirement which necessitates pre-employment drug testing from a safety perspective. The list of classifications included under these categories follows this policy. Applicant drug testing will follow the H.R.S. 10 panel drug and alcohol guidelines. Applicants for seasonal or temporary work may also be drug tested if they are hired into a classification as listed below. Only applicants successfully passing this pre-employment phase will be granted further consideration in the employment process. Except for DOT covered employees, the City may allow the job applicant to begin work pending the results of the drug test. If the test result is positive, the applicant will be subject to immediate termination. Any applicant who fails to appear for drug

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testing will be ineligible for hire. Unsuccessful applicants with positive drug test results are not considered for any position for two (2) years from the date the City receives notice of a failed drug test. Current employees testing positive under these pre-employment guidelines are handled as if reasonable suspicion testing were conducted. Applicants possessing a Commercial driver's licenses (CDL), at the time of their application for employment, are required to consent to releasing the prior 2 years positive drug test results and refusals as a condition of employment.

**5. Reasonable Suspicion Testing.** All employees are subject to “reasonable suspicion” testing following the D.O.T. 5 panel guidelines. DOT covered employees are required to undergo drug testing within two (2) hours following an accident involving loss of life or having been issued a citation regardless of damage limits or medical attention. The reasonable suspicion drug testing threshold for vehicular accidents, equipment or property damage (as estimated by Risk Management) is \$300 or more. Minor damage (less than \$300) does not constitute reasonable suspicion unless associated with other circumstances. Failure or refusal to submit to, or tampering with a required test may result in immediate termination for violating the Drug Free Workplace Policy. Supervisors with possible reasonable suspicion should confidentially contact Human Resources for assistance. Within seven (7) days of testing, the reporting supervisor must detail in writing the circumstances leading to the conclusion that reasonable suspicion testing is justified and submit this confidential documentation to Human Resources. Upon request, a copy of this documentation will be provided to the employee.

**6. Workers’ Compensation Drug Testing.** Drug testing is conducted for Worker’s Compensation incidents in compliance with Florida Statutes 440.102 et. seq. following the D.O.T. 5 panel guidelines. It is the responsibility of the employee to notify their supervisor prior to the end of the workday when any accident, first aid, or any injury occurs on the job. Drug testing is not conducted for injuries that do not require medical attention, unless property damage is \$300 or more as stated in provision six (see above). The supervisor must then immediately notify Risk Management for accident/property damage incidents and/or Human Resources for injuries/medical attention (injury) and provide transportation for the employee to the designated collection site for all injuries and accidents requiring a drug test. Drug testing may be conducted when medical attention is required or requested. Failure to report first aid, injuries or accidents as required is grounds for disciplinary action up to and including termination. The Assistant Human Resources Director will determine whether drug testing is required and will make arrangements for the involved employee(s) to undergo drug testing.

**7. Random Drug Testing.** Employees who are covered by DOT standards and various Utilities Department employees are randomly selected at various times for unannounced drug testing. A minimum of 25 percent of covered positions will be tested annually for alcohol; a minimum of 50 percent will be tested for drugs. These percentages can change based upon the percentage of passing results. Covered employees will be selected by a scientifically valid method (i.e. – computer generated random number table). Each employee has an equal chance of being selected each time regardless of being previously tested.

**8. Follow Up and Return to Duty Drug Testing.** Employees who enter rehabilitation programs or EAP’s for drug related problems are required to submit to follow up drug testing utilizing the D.O.T. 5 panel guidelines as evidence of successful participation in such programs. Follow up drug testing shall occur without notice to the employee at least once in the first and second years after completing the prescribed program. Return to duty drug testing applies to DOT covered

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employees, and requires a passing drug test prior to returning to duty after the Substance Abuse Professional's assessment, evaluation, and an outlined treatment has been identified and begun at a substance abuse or rehabilitation center. DOT covered employees are subject to at least 6 unannounced drug tests in the 12 months following a return to duty. Additional testing can occur for 60 months following return to duty.

**9. Refusal to Undergo Drug Testing.** Employees or applicants who refuse or decline to submit to drug testing are presumed to have abused drugs or alcohol. Such individuals are in violation of the Drug Free Workplace Policy and will be denied employment or Workers Compensation benefits, and/or immediately terminated.

**10. Drug Testing Hours.** Drug testing is available through a local walk-in clinic. The hours may vary but are generally open during normal business hours. (Employees with workers compensation injuries should follow established guidelines for treatment.) When an injury is sustained after hours, the supervisor on call should meet the employee on the same day, even if it is a scheduled day off for either the employee or the supervisor, and report to the designated collection site immediately for drug testing. The actual time spent from arrival to departure at the collection site is compensable for non-exempt employees.

**11. Collection Sites and Laboratories.** Specimens will be analyzed by a highly qualified independent laboratory approved by the Florida's Agency for Health Care Administration. Collection sites have all necessary elements to ensure collection, security, chain of custody, temporary storage, and transportation of specimens to approved laboratories. Laboratories used are licensed and approved in accordance with federal and state laws. Quality control and chain of custody procedures ensure the integrity of drug tests.

**12. Medical Review Officer.** Laboratories provide the designated Medical Review Officers (MRO) with any confirmed positive results; the MRO contacts the tested individual to obtain a confidential explanation of any positive results that must be supplied within 5 work days. The MRO then makes a determination and reports either results to the City except for pre-employment Police Department testing. Actual results are supplied to the Police Department in such instances. An MRO can require an additional drug test on the initial specimen if the initial screening is deemed scientifically unsatisfactory. A diluted specimen result shall require a second drug test on a new sample.

**13. Employee Responsibilities.** All employees share responsibility for adhering to, implementing, and communicating this policy; for reporting all occupational accidents (regardless of whether accident occurred in a City vehicle or personal vehicle used for City business), first aid, or injuries prior to the end of their work day to their supervisor or Human Resources; for submitting to drug testing; and for recognizing and responding to violations of this policy.

**14. Supervisor Responsibilities.** Supervisors have responsibility for identifying and acting upon situations or conditions that warrant reasonable suspicion drug testing, and for maintaining confidentiality of relevant information. Information is only divulged to those supervisory and management personnel with a need to know. Supervisors also share employee responsibilities as well. Supervisors having reasonable suspicion of employee drug and/or alcohol use should first ensure employee and public safety by quickly reviewing the employee's assignments and temporarily removing any duties (i.e., driving of vehicles or machinery) which may result in harm

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to the employee, co-workers, the public at large, or private or public property. Second, the supervisor should immediately contact Human Resources to arrange for drug testing. Third, the supervisor provides transportation for the employee to the drug testing facility. Fourth, the reporting supervisor must detail in writing the circumstances which lead to the conclusion of a need for drug testing within seven (7) days of testing, and submit this document to Human Resources.

**15. Employee Assistance Program and Resource Information.** The Human Resources Department maintains information on the Employee Assistance Program.

**16. Voluntary Participation in EAP or Rehabilitation.** Employees may voluntarily seek substance abuse counseling through Human Resources or directly through the Employee Assistance Program offered by the City. Additionally, Supervisors may make a Supervisory referral to the Employee Assistance Program. Other than the City provided EAP benefit, employees are responsible for any rehabilitation costs, even if the EAP refers the employee to a particular program. Employees are not disciplined because they voluntarily seek treatment for a drug related problem unless previously tested positive for drug use on a City administered test. However, drug or alcohol users are held to the same performance standards as other employees, regardless if the performance is related to drugs or alcohol. Voluntary participation in an EAP or rehabilitation program is not protection from disciplinary measures resulting from job-related infractions, misconduct, offenses, or unsatisfactory job performance. Employees in safety sensitive positions who voluntarily enter into EAPs or rehabilitation programs for drug or alcohol related problems are transferred into a non-safety sensitive position (if available) or placed on leave while participating in the program. Accrued leave or leave without pay may be used consistent with applicable benefit policies. Employees not drug tested who have completed a voluntary rehabilitation program and are drug-free may return to work with a Return to Work Agreement; such employees are subject to follow up drug testing without notice for a two-year period. Failure to remain drug free throughout employment with the City will result in termination.

**17. Drug Testing Processes.** The designated collection site has a consent form which must be signed by the individual to provide relevant information; listings of the common and chemical names of drugs tested and drugs that may affect test results may also be supplied. Individuals with technical questions regarding medications may consult with the MRO. Information provided by the individual is maintained in confidence by the testing provider. Until results are transmitted to the City, employees in safety sensitive positions are temporarily transferred to a vacant, non-safety sensitive position (if available), or placed on leave and may use leave accruals prior to leave without pay. Those employees not in safety sensitive positions may resume duties upon completion of drug testing.

**18. Drug Test Results.** Individuals with positive confirmed tests are contacted by a Medical Review Officer. If the MRO subsequently reports a positive (failed) result to the City, the employee is placed on suspension without pay immediately; "Timeline" provisions of this policy as provided in Provision 20 are carried out. For purposes of this policy, an employee is presumed to be under the influence of drugs or alcohol if a urine test, blood test, or other accepted testing procedure shows a forensically acceptable positive quantum of proof of drug usage. Employees with negative drug/alcohol tests (passing results) are returned to the workplace after supervisory counseling relevant to the suspicious conditions. Records of Discussion are completed to document counseling and assist employees to correct the conditions that led to reasonable suspicion. Leave periods are

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adjusted to replace used accruals with administrative leave. Human Resources will verbally inform employees of passing results.

**19. Timeline.** Within five (5) working days from receipt of the positive confirmed test results from the MRO, the City shall inform the employee/applicant in writing of the failed results, the consequences of the results, and options available. The tested individual has five (5) working days to provide Human Resources with a written response explaining or contesting the results, explaining how the accident or incident occurred, and why a violation of this policy has not occurred. If requested, a copy of the specific positive results will be provided by the MRO to the employee/applicant. Within 15 days from receipt of response, the City will provide a written response to the tested individual explaining whether the submitted explanation is satisfactory; if deemed unsatisfactory, a copy of the failed result will be sent directly to the individual by the MRP. A final decision regarding employment status is then rendered by the City.

**20. Denial of Workers Compensation Benefits.** If the MRO reports positive test results, the City will notify involved health care providers and the employee that all claims for medical and indemnity benefits under the Workers Compensation Act are forfeited and will not be paid beyond the date of the notice in compliance with and as allowed under Florida's Workers Compensation Act. This denial may be rescinded if the employee's written response to Human Resources explaining how the accident or incident occurred is deemed satisfactory. Benefits for work related injuries are not covered under the City's health plan. Positive test results after an accident or injury is considered a violation of this policy warranting termination regardless of the status of payment of benefits.

**21. Workers Compensation Challenge Rights.** Within 30 days from the City's final action, an administrative challenge can be filed with a Judge of Compensation Claims for instances of denied Workers Compensation. Legal challenges can also be filed through the judicial system at the individual's expense.

**22. Employee Protection.** Employees will be informed when Workers Compensation benefits are denied; authorized medical treatments already received prior to the denial are paid by the City. Employees can obtain a copy of the positive results upon request. Employees have the right to legally or administratively challenge the test results; drug test providers must be notified by the employee if such challenges are selected. Tested individuals can also retest the original specimen within 180 days at their own expense by contacting the laboratory; employees may choose a different laboratory provided it is in compliance with Florida laws and administrative codes.

**23. City Protection.** As a Drug Free Workplace in compliance with the Drug Free Workplace Act, the City is presumed to have acted on a case-by-case basis for cause when disciplining for violations of this policy. The MRO generally provides the City with actual results-

**24. Drug Related Crime Arrest or Conviction.** An arrest for a drug related crime constitutes reasonable suspicion of drug use for purposes of this policy. The employee will then be subject to drug testing. Employees must notify their supervisor within five (5) days of a drug related arrest, who will then notify Human Resources. Employees arrested but not convicted of a drug related crime will be subject to placement on leave without pay pending the outcome of the case or completion of a City initiated investigation. Investigations may include drug testing. If the case is dismissed or ends in less than conviction of the employee, the City will make a determination as to

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whether the employee may return to work based on the findings of an investigation. If authorized to return to work, the employee must sign a Return to Work Agreement which includes two (2) years of unannounced, periodic drug testing. Employees are required to notify their supervisor of a conviction for any drug related violation within 5 days. Employees convicted of a drug related crime will be terminated.

26. **Records.** Documents relating to drug testing are kept confidential and retained in Human Resources separately from the employee’s personnel records. Such records are not public records.

POSITIONS SUBJECT TO PRE-EMPLOYMENT TESTING:

I. SAFETY SENSITIVE

Any applicant for a position responsible for ensuring the safety of the public. These positions include but are not limited to the following:

Building Director/Building Official  
Chief Building ABO  
Chief of Police  
Code Enforcement Inspector  
Code Enforcement Supervisor  
Community Relations Coordinator  
Deputy Chief- Fire  
Deputy Chief-Police

EMT  
Fire Rescue Battalion Chief  
Fire Rescue Captain  
Fire Chief  
Fire Rescue Lieutenant  
IT Director  
Lead Public Safety Dispatcher  
Library Director  
Paramedic  
Parks and Recreation Director  
Planning and Zoning & Econ Dev Director  
Police Officer  
Police Officer Cadet  
Public Safety Communications Manager  
Public Safety Dispatcher  
Public Safety Dispatcher Trainee  
Public Works Director  
Utilities Director  
EMS Fire watch  
Firefighter/Fire watch

II. OPERATES HEAVY OR LIGHT EQUIPMENT, MACHINERY, OR CITY VEHICLES.



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Any applicant for a position requiring a CDL license; responsible for operating machinery or motorized vehicles with the potential for injury; or any applicant for a position which may require the operation of a City vehicle. These positions include, but are not limited to the following:

Assistant Parks and Recreation Director  
Assistant Utilities Director  
Chief Administrative Officer  
Chief Electrical Control Technician  
Chief Electrical Inspector  
Chief Mechanical Inspector  
City Clerk  
City Engineer  
Construction Project Supervisor  
Crafts Division Foreman  
Crafts Division Supervisor  
Craftsman I  
Craftsman II  
Crime Scene Technician  
Crime Scene Unit Manager  
Customer Service Representative-Utility Billing Cashier  
Electrician  
Electrical Control Technician  
Facilities Spray Technician  
Fleet Specialist  
Garage Supervisor  
Heavy Equipment Mechanic  
Inspector I  
Inspector II  
Inspector Trainee  
Inspector/Building Plans Examiner  
Irrigation Foreman  
Irrigation Technician  
Landscape Maintenance Supervisor  
Landscape Plans Examiner  
Landscape Spray Technician  
Lead Plant Operator  
Maintenance Crew leader  
Maintenance Foreman  
Maintenance Specialist-Police  
Maintenance Worker I  
Maintenance Worker II  
Mechanic I  
Mechanic II  
Mechanic III  
Meter Data Recovery Foreman  
Meter Installation Foreman  
Planner  
Planning Technician

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Right of Way Maintenance Supervisor  
Road Maintenance Supervisor  
Senior Maintenance Foreman  
Senior Planner  
Specialty Equipment Operator  
Storm water Technician I, II, & III  
Truck Mechanic  
Utilities Director  
Utilities Inspector  
Utilities Laborer  
Utilities Maintenance Superintendent  
Utilities Plan Mechanic I/Class C  
Utilities Plan Mechanic II/ Class B  
Utilities Plan Mechanic III/ Class A  
Utilities Plant Operator Class A, B & C  
Utilities Plant Operator Trainee  
Utilities Service Worker  
Wastewater Operations Superintendent  
Water Dis. Sys. Quality Control Specialist  
Water Distribution Technician I, II & III  
Water Operations Superintendent  
WW Collection System Foreman  
WW Collection Tech A, B & C  
Electrical Will Call  
Inspector Will Call  
Instructor Will Call  
Maintenance Will Call  
Mechanic Will Call  
Mechanic II Will Call  
PD Will Call  
Tennis Court Will Call

**III. WORKS WITH CHILDREN**

Aquatics Complex Manager  
Assistant Aquatics Complex Manager  
Assistant Site Manager  
Facilities Manager  
Parks and Recreation Supervisor of Athletics  
Parks and Recreation Supervisor/Equestrian  
Parks and Recreation Supervisor/Parks Maintenance  
Senior Tennis Pro  
Site Manager  
Special Events Coordinator  
Superintendent of Administration & Special Events  
Superintendent of Facilities and Recreation Services  
Superintendent of Parks  
Swim Team Coach  
Tennis Pro

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Counselor  
Assistant Program Supervisor  
Facility Attendant  
Junior Counselor  
Lead Lifeguard  
Lifeguard I  
Lifeguard II  
Maintenance Aide- Aquatics  
Pool Maintenance Technician  
Program Supervisor  
Recreation Leader Specialist  
Recreation Specialist  
Special Class Instructor I & II  
Tennis Court Attendant  
Lifeguard Will Call

**IV. OTHER ESSENTIAL FUNCTION OR REQUIREMENT**

This category related to positions not found in the other categories, which would have responsibility for protecting the Public Trust. These positions include, but are not limited to the following:

Procurement Administrator  
Purchasing Assistant  
Quartermaster  
Utilities Department Customer Service Manager  
Utilities Principal Buyer

- All Police department employees (sworn and non-sworn) are drug tested
- Driving can also include operating equipment
- Not all positions with the same title are drug tested; only those who meet the criteria

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**261.0 Smoking in City Facilities**

The City is committed to promoting a safe and healthy environment for its staff, residents and customers. Extensive research shows that tobacco use, including smoking and breathing secondhand smoke either from cigarettes, cigars, pipes, vapor devices or electronic cigarettes, is a health hazard. Therefore, smoking/vaping is NOT permitted in any public building or meeting place. The following City buildings have been designated as smoke free:

- ◆ City Hall
- ◆ Development Building
- ◆ Helen B. Hoffman Plantation Library
- ◆ Historical Museum
- ◆ Police Department
- ◆ Public Works Facilities
- ◆ All Fire Stations
- ◆ All Utilities Facilities
- ◆ All Parks & Recreation Facilities

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**262.0 Gambling**

At no time should any employee participate in gambling, whether legal or illegal, during his/her scheduled work hours. Although criminal penalties exist for illegal gambling, employees who participate in such activities risk disciplinary action. Any employee who participates in any form of gambling during their scheduled work hours faces disciplinary action from a verbal warning up to and including termination.

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**263.0 Gifts**

The City is in compliance with Broward County's current Code of Ethics regulations. All employees are responsible to follow the aforementioned Ethics regulations. As such, any City employee shall not solicit or accept any gift, regardless of value, in their official capacity as employees, nor shall they solicit or accept any gift in either their official or personal capacity that may be reasonably perceived to be given to encourage or discourage them from taking any action in connection with their public employment. Notwithstanding the above prohibition, City employees who, incident to attending functions or traveling in their official capacities, may be offered meals, refreshments or other gifts. Except where prohibited by state or federal law, these designated employees may accept such meals, refreshments, or other gifts in compliance with the following conditions the:

- Employees may accept meals, refreshments or other gifts upon determining that their non-acceptance would be detrimental to the interests of the City;
- All gifts of a non-perishable nature that are received shall be deemed accepted by employees on behalf of the City and shall be used for a public purpose or otherwise disposed; and
- Employees shall, within 30 calendar days after receipt, inform the Chief Administrative Officer, in writing, of the nature of the gift and the name of the donor.

Notwithstanding the prohibition above, employees may accept unsolicited perishable gifts delivered to them at their public office provided they:

- Keep the perishable items in a common area of the public office where the items may be consumed by any employee or member of the public visiting the office.

Notwithstanding the above, city employees who attend a conference, or visit any other office or premises, may accept beverages and snack items customarily made available to other attendees or visitors.

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**266.0 Off-duty Use of Facilities**

Employees are prohibited from being in work areas while not on duty. Employees are expressly prohibited from using City of Plantation property or equipment for personal use.

## **270.0 Harassment and Complaint Procedures**

It is the City’s policy to prohibit intentional and unintentional harassment of and/or discrimination against job applicants, contractors and employees by another employees, supervisors, vendors, or customers based on race, color, age, sex, sexual orientation, religion, national origin, disability (except where such factor is a bona fide occupational qualification or is required by State/Federal law), political affiliation, marital status, veteran’s status or any other class protected by applicable law.

Furthermore, any retaliation against an individual who has complained about sexual or other harassment or retaliation against individuals for cooperating with an investigation of a harassment or discrimination complaint is prohibited.

**Definition of “unlawful harassment.”** “Unlawful harassment” is conduct that has the purpose or effect of creating an intimidating, a hostile, or an offensive work environment; has the purpose or effect of substantially and unreasonably interfering with an individual’s work performance; or otherwise adversely affects an individual’s employment opportunities because of the individual’s membership in a protected class.

Unlawful harassment includes, but is not limited to, epithets; slurs; jokes; pranks; innuendo; comments; written or graphic material; stereotyping; or other threatening, hostile, or intimidating acts based on race, color, ancestry, national origin, gender, sex, sexual orientation, marital status, religion, age, disability, veteran status, or another characteristic protected by state or federal law.

**Definition of “sexual harassment.”** While all forms of harassment are prohibited, special attention should be paid to sexual harassment. “Sexual harassment” can include all of the above actions, as well as other unwelcome conduct, and is generally defined under both state and federal law as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature whereby:

- Submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of any individual’s employment or as a basis for employment decisions.
- Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, a hostile, or an offensive work environment.

Other sexually oriented conduct, whether intended or not, that is unwelcome and has the effect of creating a work environment that is hostile, offensive, intimidating, or humiliating to workers may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct that, if unwelcome, may constitute sexual harassment depending on the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Unwanted sexual advances, whether they involve physical touching or not;
- Sexual epithets; jokes; written or oral references to sexual conduct; gossip regarding one’s sex life; comments about an individual’s body; and comments about an individual’s sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, or cartoons;
- Unwelcome leering, whistling, brushing up against the body, sexual gestures, or suggestive or insulting comments;
- Inquiries into one’s sexual experiences; *and*
- Discussion of one’s sexual activities.



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**Complaint procedure.** If you believe you have been subject to or have witnessed unlawful discrimination, including sexual or other forms of unlawful harassment, or other inappropriate conduct, you are requested and encouraged to make a complaint. You may complain directly to your immediate supervisor or Department Director, the HR director, or any other member of management with whom you feel comfortable bringing such a complaint. Similarly, if you observe acts of discrimination toward or harassment of another employee, you are requested and encouraged to report this to one of the individuals listed above.

All complaints will be investigated promptly, and confidentiality will be protected to the extent possible. A timely resolution of each complaint should be reached and communicated to the parties involved.

If the investigation confirms conduct that violates this policy has occurred, the City will take immediate, appropriate, corrective action, including discipline, up to and including immediate termination.

No reprisal, retaliation, or other adverse action will be taken against an employee for making a complaint or report of discrimination or harassment or for assisting in the investigation of any such complaint or report. Any suspected retaliation or intimidation should be reported immediately to one of the persons identified above.

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**271.0 Weapons Policy**

The City prohibits the possession, use or threat of use of a deadly weapon, firearm or destructive device in any manner, on one's person, in one's belongings, in any City facility or work area, while engaged in City business unless such possession or use of a weapon is a necessary and approved requirement of the job.

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**272.0 Workplace Threats and Violence**

Nothing is more important to the City than the safety of its employees. Threats, threatening behavior or acts of violence against employees, visitors, guests or other individuals by anyone while on City property will not be tolerated. A threat may include any verbal or physical harassment or abuse; attempts to intimidate others; menacing gestures; stalking; or any other hostile, aggressive, and/or destructive actions taken for the purposes of intimidation. Violations of this policy will lead to disciplinary action which may include dismissal, arrest and prosecution.

Any person who makes substantial threats, exhibits threatening behavior or engages in violent acts on City property shall be removed from the premises as quickly as safety permits, and shall remain off the premises pending the outcome of an investigation. The City will initiate an appropriate response. This response may include, but is not limited to, suspension and/or termination of any business relationship, reassignment of job duties, suspension or termination of employment, and/or criminal prosecution of the person or persons involved.

No existing City policy, practice or procedure should be interpreted to prohibit decisions designed to prevent a threat from being carried out, a violent act from occurring or a life-threatening situation from developing.

All City of Plantation employees are responsible for notifying their Department Head, through the chain of command, of any threats that they have witnessed, received, or have been told that another person has witnessed or received. Even without an actual threat, employees should also report any behavior they witnessed which they regard as threatening or violent, when that behavior is job related or might be carried out on a City controlled site, or is connected to City employment. Employees are responsible for making this report regardless of the relationship between the individual who initiated the threat or threatening behavior, and the person or persons who were threatened, or were the focus of the threatening behavior.

All individuals who apply for or obtain a protective or restraining order which lists City locations as being protected areas, must provide their Department Head with a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent.

The City of Plantation understands the sensitivity of the information requested and has developed confidentiality procedures that recognize and respect the privacy of the reporting employee(s).

Employees who are victims of domestic violence may be entitled to unpaid domestic leave for 3 days (24 hours). Contact Human Resources for further information.

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**275.0 Cell Phone Usage**

**City Provided Cell Phones**

The acquisition of cellular telephones shall be limited to those instances where there is demonstrated a need for such equipment to perform essential City business or to improve safety, increase productivity, and increase service to the public. The purchase of cell phones shall be subject to authorization by the Department Head and approval by Administration.

The City recognizes that occasions arise in which a personal call needs to be made or received on a City issued cell phone. However, it is intended that City issued cell phones be used for City business-related purposes only. Personal calls are to be limited. The City reserves the right to audit all City-owned cell phones and their use, which will include but not be limited to, a review of the monthly billing statement. City issued cell phones are on a fixed plan for minutes used monthly. Therefore, the employee or elected official is responsible for paying for any minutes used in excess of the total monthly minutes allowed unless the excess usage can be documented as official City business.

Employees or elected officials are not permitted to use cell phones while driving unless a “hands free” device is used if the use of a cell phone while driving is absolutely necessary. Texting while driving is strictly prohibited.

**Personal Cell Phone Usage While at Work**

If an employee brings a personal cell phone to their worksite usage of that personal cell phone must not interfere with the employee’s job duties. Employees that have a need to make or receive personal phone calls or text messages are encouraged to do so on their lunch breaks or other work breaks, when possible. Employees that have their personal cell phone with them at their worksite are encouraged to silence or vibrate their phone in order to reduce workplace distractions. Employees who do not comply with this policy may be required to leave their personal cell phone in their vehicle during work hours. Audio recordings or video taping of non-public business meetings without each attendee’s specific consent is strictly prohibited. Similarly, recordings of private conversations without other’s specific consent are strictly prohibited.

Regardless of the type of personal cell phone an employee may have, cell phones of all types are strictly prohibited in private areas such as restrooms, locker rooms or other privacy areas. Cell phone usage during business meetings is prohibited. Employees are discouraged from using their personal cell phone for work related conversations. Otherwise, your personal phone may be subject to public record laws.

For nonexempt employees with ‘smart phones’ or any internet capable electronic devices, those employees are prohibited from accessing their work emails while off duty or performing work related internet research while off duty.

## **276.0 City Computer and Electronic Communications Systems Use**

### **Purpose**

To establish guidelines for the security, use, and maintenance of computer hardware and software purchased or leased by the City of Plantation.

### **Definitions**

**Computer Hardware:** The physical component parts of the computer such as hard disks, display screens, keyboards, printers, boards, chips, cables, etc.

**E-mail:** Short for electronic mail. This service allows sending of messages on computers through local or global networks. For the purposes of this document, “e-mail” refers to anything generated in the City of Plantation’s e-mail system such as mail sent or received, meetings scheduled, tasks, notes, phone messages, memos and calendar entries.

**Information Technology (IT):** The City department charged with the responsibility of approving the purchasing, installing and maintaining all computer hardware, software and network peripheral equipment.

**Network:** Computers connected through hardware and software in order to share City approved applications and documents, disk storage, communication and network devices.

**Password:** An alphanumeric code input by a computer user in order to gain access to a computer and its services, a computer file, or a computer program on or off the network.

**Peripheral Equipment:** Video display monitors, keyboards, CD/DVD drives, thumb or “flash” drives, tape backup units, printers, scanners, terminals, etc.

**Personal Computer (PC):** A computer is a machine for manipulating data according to a list of instructions known as a program.

**Public Record:** 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 ordinance or in connection with the transaction of official business. Personal emails if sent or received on the City’s network are also subject to public record inspection.

**Software:** Computer programs containing instructions that cause the hardware to do work (e.g., payroll, purchasing, and word processing programs).

**Virus and Worms:** Are programs that “infect” a computer. A virus can destroy or overwrite data, format or erase drives, or change one or more programs. A worm is a self-replicating computer program similar to a computer virus. A virus attaches itself to, and becomes part of, another executable program; however, a worm is self-contained and does not need to be part of another program to propagate itself. In general, worms harm the network and consume bandwidth, whereas viruses infect or corrupt files on a targeted computer. Viruses generally do not affect network performance, as their malicious activities are

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mostly confined within the target computer itself.

**Spyware:** Spyware is a type of program that watches after what users do with their computer and then send this information to a hacker over the Internet. Spyware can collect many different types of information about a user. More benign programs can attempt to track what types of websites a user visits and send this information to an advertisement agency. More malicious versions can try to record what a user types to try to intercept passwords or credit card numbers. Yet other versions simply launch popups with advertisements. Prohibited websites: any website deemed inappropriate by Information Technology.

**Policy**

A. All public records generated in the City of Plantation’s electronic information system are subject to the Florida Public Records Law. This means that all e-mail and other communications are public record and are generally readable and viewable by persons who are not the sender or recipient. Anyone using the City’s electronic information system has no right to privacy.

B. The City of Plantation reserves the right to inspect any and all files, messages and data stored in all areas of the network in order to assure compliance with policy. The City has the capability of monitoring web sites browsed by a person and reserves the right to conduct random audit checks as deemed necessary. Any employee who downloads information/pictures from inappropriate websites or other sources is subject to termination.

C. The use of the City’s Intranet and high-speed connection to the World Wide Web (Internet) are provided as a business and communication tool only. Use of the Internet will be provided to users as determined by Management.

**E-mail Guidelines**

A. Electronic messages are any communication using the City’s electronic information system, for the conduct of official City business internally, between local, state, and/or federal government agencies, and with constituents, voters, vendors, citizens or otherwise. These messages may be in the form of e-mail, electronic document exchange (electronic fax), electronic data interchange (EDI) and multimedia communications such as voice mail and tele-conferencing.

B. The City’s e-mail system is a City resource that is provided as a business and communication tool. Use of the e-mail system will be limited to official purposes.

C. All existing guidelines relating to proper conduct as a City employee or official shall be adhered to when using the e-mail system, especially (but not limited to) those that deal with misuse of City resources, inappropriate conduct (including but not limited to sexual harassment), or the dissemination of information which could expose the City to significant legal liabilities or which, pursuant to the public records law, may be exempt from disclosure. The display, distribution, storage, editing, or recording of any kind of sexually explicit image or document on any of the City of Plantation’s computers is a violation of policy and may result in termination of employment.

D. Employees have no legitimate expectation of privacy in the e-mail system. It is owned by the City of Plantation, provided for business purposes, and will be monitored as the City deems necessary. The City of Plantation has the right to review, audit, intercept, and disclose all matters

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sent over its e-mail system. All e-mail correspondence is discoverable through the Public Records Law, Chapter 119, and Florida Statutes.

E. E-mail messages are considered official communications of the Department. Employees should exercise the same care in drafting e-mail communications that they would any written memorandum or document.

F. The following must be adhered to:

- ◆ Unauthorized operation of a User ID to send, receive or read e-mail is not permitted.
- ◆ Offensive, harassing, obscene, defamatory, or otherwise inappropriate material or comments is not permitted.
- ◆ Chain letters are not permitted.
- ◆ Copies of documents in violation of copyright laws are not permitted.
- ◆ Messages without legitimate City business purposes, such as attempting to sell personal items, using the system for political reasons, or requesting donations for events/charities are not permitted.
- ◆ Employees are prohibited from accessing any personal e-mail accounts from within the City's network.
- ◆ Employees are not permitted to send out e-mail to "all employees" without the prior approval of their respective supervisor. Any e-mail of this type is to be sent in adherence to the City's e-mail policies and procedures.
- ◆ It is the responsibility of each e-mail record creator to retain the messages they create.
- ◆ E-mail must be retained until the informational content of the message is obsolete, superseded, or its administrative value lost, pursuant to state record destruction procedures. This information is maintained by the City Clerk's Office.
- ◆ Employees may delete messages that are no longer needed at frequent intervals.

G. To prevent unauthorized entry into another Employee's e-mail account:

- ◆ Employees may not divulge their password to others.
- ◆ When leaving their computer unattended, an employee will "lock" the computer and/or have a screen saver with password protection activated.

**Internet Use**

Employees may not use the City e-mail system, network, or Internet/Intranet access for any of the following:

- ◆ Downloading of any software without the prior written approval of the Director of Information Technology or his designee.
- ◆ Dissemination or printing of copyrighted materials, including articles and software, in violation of copyright laws.
- ◆ Sending, receiving, printing or otherwise disseminating proprietary data, trade secrets, or other confidential information of the City in violation of City policy or written agreements.
- ◆ Operating a business, usurping business opportunities or soliciting money for personal gain.
- ◆ Attempting to visit sites featuring pornography, terrorism, hacking, espionage, theft or drugs.
- ◆ Gambling or engaging in any other activity in violation of local, state or federal law.

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- ♦ Unethical activities or content, or activities or content that could damage the City’s professional reputation.

**Software Licensing**

- A. All employees using commercial software products licensed to the City are responsible for upholding the terms of the licensing agreements. Licensing agreements for software prohibit copying of the software or the use of the software on another computer. Software acquisition channels are restricted to ensure that the Information Technology department has a complete record of all software that has been purchased for City computers and can register, support, and upgrade such software accordingly.
- B. It is unlawful to make copies of software not permitted in the licensing agreement for any purpose other than for a back-up copy to be used in case of damage to the original CD or diskettes.
- C. The unlawful copying of licensed software may subject the employee to disciplinary action.
- D. No software, including shareware, may be acquired or used for “beta” testing, demonstration, or other trial purposes, without the advance written approval of the Information Technology department.
- E. No employee-owned software may be installed on City equipment under any circumstance.

**Security**

- A. All City-owned computers will have their use restricted by security software approved by the IT Director. Only authorized users will be given access to these computers. Written authorization from a department Director is necessary to define/change an employee’s computer security access level.
- B. The Supervisor in charge of the department/division in which the City-owned computer is located will determine who is authorized to use the computer(s). This request will be forwarded to the IT department for proper changes to the network.
- C. To prevent against unauthorized attempts to access, modify, remove or destroy stored computer information relating to business intelligence or other information, each employee assigned to use a computer will be assigned a log-in name and will select a private, confidential personal password.
- D. Account passwords must be a minimum of 7 characters and it is required that at least one character be an upper-case letter and at least one character must be a number (strong authentication). Passwords auto-expire every 45 days and need to be renewed.
- E. Passwords are created, and can be changed by the user at any time by pressing CTRL-ALT-DEL simultaneously and the selecting “Change Password” button.
- F. To prevent unauthorized access to the computer system, employees will not divulge their password to others and will lock the system prior to leaving their computer unattended. This is



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accomplished by pressing CTRL-ALT-DEL simultaneously and selecting “Lock Computer.” Each user is responsible for the security of his/her password.

G. When an employee of the City retires, resigns or is terminated, the following procedures will be completed to ensure that all public record(s) and documents that are in electronic format are protected and archived properly. Further, the following measures will be taken to deactivate access to the computer network:

1. All files in the user’s network directory, individual files of a public records nature on the individual's assigned work station (P.C., laptop, etc.), and e-mail in the individual's electronic e-mail account, will be saved, compressed using current technology and moved to a secure location. Only system administrators will have access to this directory on the network and can make it available to management.
2. All files-are being routinely backed up using industry-accepted methods of data storage and retrieval and complies with all records retention laws.
3. The employee’s user account on the network is disabled for a period of one month. It is deleted from the system at the end of the one-month period.

H. Annually, an audit of all computers will be conducted for verification of all passwords, access codes and/or access violations by the IT Department.

I. City-owned computers may have only those software programs authorized by the IT Department.

J. City-owned computers remain “on” overnight and weekends. This will facilitate managing updates and security hot fixes in a timely manner.

K. All mobile devices, such as laptops, used in vehicles must be docked and locked in the vehicle during the normal duty shift. At the end of assigned shifts, devices must be removed from the vehicle to a more secure area. The Fire Department’s apparatus/rescue vehicles are exempt from the removal requirement.

L. Access doors to the IT Network Operations Center (NOC) are kept closed and locked while the room is unattended to prevent unauthorized access.

M. All authorized software for computers is installed and maintained by Information Technology staff.

N. No software of any type, including non-work-related games, video files or audio files may be installed on any City computer except those authorized by Information Technology.

O. All software to be installed on a City computer must be submitted to Information Technology for license review, virus scanning, analysis, and installation.

P. Proper licensing and documentation is required for each software application installed.

Q. Employees may not alter or modify any software or configuration files loaded on the computer.

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R. Employees may not expose computers to excessive heat or moisture (with the exception of extreme emergency conditions), liquid spills, or food droppings, which can cause damage. Replacement costs to replace damaged computer equipment due to such negligence may be charged back to the department or to the employee.

**Back-ups**

A. All City-owned computers save all data files to the appropriate file server and not on the C Drive. File servers will be backed-up on a nightly schedule to industry standard media.

B. The media and hardware used to back up these files is uniform and is stored in a secure facility or area in a manner that protects the data not only from harm or destruction, but also from retrieval and usage by unauthorized persons.

**Viruses**

A. All City-owned computers must have properly licensed and approved anti-virus software program installed.

B. All anti-virus software is periodically updated with the latest version of virus definitions as they're made available.

C. All files or programs introduced by removable media into City-owned computers is scanned for the presence of viruses prior to being copied to the computer.

**Information Technology Systems Administrator**

A. All security breaches or attempts and virus activity must be reported to the Information Technology Systems Administrator/designee by the quickest means possible.

B. Affected departments may be isolated pursuant to IT procedures.

C. The IT Systems Administrator/designee may make timely written reports of problems and resolutions.

D. All requests for service, repair, or information regarding all computers, laptops, printers, related computer peripherals, and network devices are e-mailed to the Help Desk. Employees are to refrain from contacting IT personnel via other means (orally, via telephone, etc.) as the IT department requires written documentation in order to effectively prioritize and organize all requests for assistance.

**Employee Owned Computers**

A. The use of personally owned computers, printers, MP3 players, external hard drives, flash drives, thumb drives, etc., on the City's network is NOT permitted. The employee owned equipment, at that time, would become susceptible to the same Public Records laws as City computers are and could be confiscated as part of any legal proceeding for a request for information. Only City of Plantation issued equipment is

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allowed on the City’s network.

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**277.0 City Telephones and Equipment**

Employees should use the City business systems and equipment, including telephone systems, for City business only.

City telephones are for business and are not intended for personal calls. In case of an emergency, local calls (both in and out) may be made when other telephones are not available. City telephones should never be used for personal long-distance calls. Violations may result in termination of employment.

All telephonic communication systems, including voice mail, and all communications and information transmitted by, received from, or stored in these systems are the property of the City and, as such, are to be used solely for job-related purposes. Use of the City business systems or equipment, including but not limited to, facsimiles, telecopiers, computers, and copy machines for personal purposes is prohibited. Employees using the City's business systems or equipment for personal purposes do so at their own risk and may be subject to termination.

Confidential information concerning the City that may be on the City's computer system may not be used by any employee except as required to perform that employee's job. For privacy reasons, employees may not gain access to another employee's e-mail or voice mail messages without the recipient's express permission.

All work created by an employee in the performance of their job is the sole property of the City and shall not be removed from equipment.

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**278.0 Logo and Tagline Usage**

The City of Plantation has adopted a Policy for providing guidelines and restrictions for the use of the City of Plantation logo and tagline. The logo is the illustration of a tree and the word “*Plantation.*” The tag line is “*the grass is greener.*” The logo and tagline are a registered trademark and therefore are the exclusive property of the City of Plantation. Use of the logo and tag line are under the direction of the Administration department and shall not be used or reproduced without its prior written consent.



1. The logo can be used without the tag line. However, the tag line shall only be used with the logo. When the logo and tag line are used together, it shall always include the registered trademark (®) designation in superscript (raised letters). Additionally, the logo and tag line shall not be changed in any manner without the consent of the Mayor or a designee.

2. Permission must be granted before the logo or the tagline may be used for all printed materials (including, but not limited to pamphlets, brochures, memorandums, business forms, invitations, booklets, flyers, posters, advertisements and telephone directories), shirts, hats and other apparel and all promotional items.

3. The logo shall only be reproduced using the approved color, Pantone 364. If Pantone 364 is not available, the Administration department shall be contacted for approval of the closest available color(s). For gray scale/black and white printing, contact the Administration department.

4. Under no circumstances shall the logo or tag line (electronic or hard copy) be given to non-city entities or individuals for their use or reproduction, unless the Administration department has approved its use. Upon such approval, the entity or individual will have to sign a special agreement outlining its uses, which may differ from this policy. The entity or individual will also have to show the final draft of the product before the City will give final authorization for the use of the logo.

5. For printed materials (see Item #2 for partial list), the logo or the logo and tagline shall be placed no closer than one (1) inch from the main body of the text. If it is a multiple page document, no other City-related seals, badges or department logos shall be placed on the same page as the logo and tagline, unless first approved by the Administration department.

6. Apparel includes shirts, jackets, hats, shorts or any other clothing worn or used as an accessory. The logo or the logo and tag line shall be placed on the left front of the article of clothing or centered on the front of the hat. The logo and tag line shall be no larger than three to four (3-4) inches in height with the same width dimensions.

7. If the apparel is to be used as part of the employee’s uniform to help distinguish a City employee,

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the department name or the City employee’s title of their position may be used with the logo, but the tag line shall not be included and the department name/title shall not obscure or overshadow the word Plantation. Arial Narrow font (or its equivalent) shall be used for the department/title name. For example:



8. The Administration department shall approve use of the logo on any promotional items. Placement of the logo will be dependent upon the size and shape of the promotional item. However certain standards are to be followed. No other graphics or design elements shall be within two (2) inches from the logo or the logo and tagline. No other city-related seals, badges or department logos and no other non-city/private organizational logo or symbols shall be placed directly next to the logo or the logo and tag line. Height of the logo or the logo and tagline shall be proportionate and comparable to the width.

## **282.0 Decorations Policy**

The safety of City employees, elected officials, volunteers and visitors is paramount. It is crucial that the City facilities are maintained in a condition that will allow for quick and safe evacuation in the event of an emergency.

### **A. General Guidelines for Office**

The quickest and easiest way to ensure that appropriate guidelines and approvals are obtained for decorations or events is to plan ahead. Please contact the Human Resources Department for further information.

#### **1. Candles and other open flames**

- ◆ Candles and other open flames are prohibited. Sterno pots under food servers are an exception.
- ◆ The use of flash pots, smudge pots, incense, pyrophoric materials, or fireworks of any kind for recreations, art, or entertainment is strictly prohibited.
- ◆ Fog type devices are prohibited.
- ◆ No gasoline, propane, or other internal combustion engines are permitted inside the buildings.

#### **2. Exits, corridors, and handrails**

- ◆ Never block, hide, or disguise an exit, alarm, sprinkler, detector, or other safety device.
- ◆ The arrangement of tables and chairs must be maintained to provide paths of travel.
- ◆ Keep exits free and clear from combustibles and obstructions.
- ◆ Decorations or furnishings must not constrict or obstruct exits, corridors, or handrails.
- ◆ Never place combustibles in corridors, lobbies, stairwells or on corridor walls.

#### **3. Materials used for decorating**

- ◆ Plastics, styrofoams, and polyurethane foams cannot be used for decorations or furnishings.
- ◆ Fabrics and other combustibles should not be hung from the ceiling.
- ◆ Decorations such as natural greens, straw, crepe paper, streamers, and surface coverings may not be nailed, taped, or otherwise attached to building interior finishes in City buildings.
- ◆ Fabrics such as curtains, drapes, furniture coverings, floor coverings, and other fabric hangings must be fire retardant.
- ◆ Exotic lighting or unusual visual effects utilizing lasers or others unusual optical devices are not permitted.

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- ◆ Avoid the use of decorations with sharp edges or corners.
- ◆ The use of existing conduit, cables, or piping to hang items or equipment is not permitted.
- ◆ Combustible materials should be kept at a safe distance or be shielded from sources of heat, including light bulbs.

**4. Removal**

- ◆ Decorations should be removed as soon as practical after the event for which they were used.

**5. Electrical related concerns**

- ◆ Temporary wiring such as extension cords and multiple outlet strips must be approved by the Public Works Department for use with lighting or sound equipment and lighted decorations.
- ◆ Do not run wires under carpet, through doorways, or where they will be walked on.
- ◆ Do not use nails or tacks to hang wires. Properly secure and protect any wires that cross aisles or corridors by using a UL listed rubber cord protector.
- ◆ Electrically powered decorations must be disconnected when areas are unsupervised. Electrical timers should be used on decorations to ensure disconnection at the end of the workday.
- ◆ Extension cords are for temporary use only. During the holiday season they should not be used in a way that will create a fire, tripping, or electrical hazard.
- ◆ The cords must be UL listed, be a minimum of 16 gauge wire (this excludes #18 lamp wire also known as "zip" cord), and be properly plugged into a wall outlet. Extension cords cannot be connected to each other

ALL activities requiring pre-approval must be made at least 2 weeks in advance. Inquiries made after that time are not guaranteed of review for approval.

**B. Winter Holiday Season**

The Winter Holiday season brings other types of decorations to the City. In addition to the City's Decoration Policy, the following guidelines are issued for seasonal decorations.

**1. Trees and decorations**

- ◆ Artificial, flame proofed small "Holiday" trees and related decorations are permitted in offices, enclosed lounges (but not those connected to lobbies, corridors, or open public areas), and other non-public areas.
- ◆ Trees are not permitted in corridors, aisles, passageways, or stairways. They must not obstruct an exit or narrow a pathway to the exit. Trees and related decorations are not allowed to obstruct the usual view of exit signs or emergency lighting.
- ◆ Only labeled flame retardant, UL listed, or classified artificial trees, wreaths, boughs, greenery, and other decorations are permitted. All "Holiday" trees and decorative boughs



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must be artificial with an approved flame-retardant label. Noncombustible decorations are permitted.

- ♦ Natural trees (cut or alive), natural wreaths, boughs, or greenery are not permitted\*.
- ♦ Metal trees are prohibited.
- ♦ The use of Holiday cards, wrapping paper, and streamers to decorate exit corridor walls is prohibited.
- ♦ Flammable decorations are prohibited.

**2. Tree lights**

- ♦ Only UL approved lights rated for use on artificial trees are to be used. They are often called "mini-lights" or "twinkle lights". Larger tree lights normally used on natural trees generate enough heat to melt plastic and ignite decorations and are prohibited.
- ♦ Inspect each set of lights - new or old - for broken/cracked sockets, frayed/bare wires and loose connections BEFORE plugging them in. Repair any damage before use or discard the damaged set. Replace broken/damaged lamps/bulbs.
- ♦ No extension cords shall be used to light a tree, only multi-plug, circuit breaker protected power strips shall be used.
- ♦ The use of tree lights, electric ornaments, and extension cords in corridors and over exit doors are prohibited.
- ♦ Lights and decorations should not remain in place after January 2. For other holidays, decorations should be removed the day after the holiday.

**3. General Requirements**

- ♦ All exit doors shall not be blocked/obstructed and be readily opened.
- ♦ Obstructions of any kind, including tables and chairs, shall not be permitted in aisles, corridors or passageways.
- ♦ Candles and other open flames are prohibited. Open flame devices, such as lanterns, etc., intended to be used for decorative purposes, are prohibited.
- ♦ Dispose of wrappings immediately.
- ♦ In case of fire, immediately pull the alarm and call 9-911 from internal City desk phones.

ALL activities requiring pre-approval must be made at least 2 weeks in advance. Inquiries made after that time are not guaranteed of review for approval.

*\*Exceptions to this policy may be made where appropriate by the Fire Department.*

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**300.0 Classification Plan**

The Human Resources Department is responsible for the administration of the City's classification and compensation plan including the evaluation and assignment of the classification/compensation of all existing, vacant and new positions. Job levels and job titles will be determined using the city's Classification Plan. Upon receipt of an existing or new position description, the Human Resources Department will review the position and recommend assignment of the position to a job title and classification within the appropriate pay grade. The Classification Plan provides a complete inventory of all positions in the City. It consists of groups of positions that are basically similar in terms of kind of work, level of difficulty and responsibility; which require similar training and experience; and which may be compensated within the same pay grade. Job titles are descriptive of the work performed and identify each class. Written job descriptions identify the nature of the work, examples of work to be performed and job requirements in terms of knowledge, abilities and skills necessary for the performance of the work.

Significant changes to a position may involve reclassification within the classification plan. To be eligible for reclassification the new duties of the position must meet the criteria established in the plan for the new level and must be comparable in scope, responsibility, complexity and impact to positions in the new level. Furthermore, employees must meet all eligibility requirements for the new level including the level of educational attainment required. All vacant positions will be reviewed by the Human Resources Department for appropriate placement in the Classification Plan prior to recruitment. Requests for reclassification to a lateral, higher or lower job title or band should be submitted only at budget time through the Budget Process and include a memo outlining the specific changes in duties and responsibilities involved as well as a modified job description.

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**310.0 Compensation Plan**

The Compensation Plan consists of pay grades and rates of basic compensation for every position as adopted by the City Council. Once adopted, the Compensation Plan shall be the instrument used in determining the annual, monthly, biweekly, daily, or hourly compensation of employees. The Compensation Plan shall not discriminate on the basis of race, age, color, sex, national origin, religion, disability, marital status, sexual orientation, veteran status or other legally protected classes.

Pay grades within the Compensation Plan are determined based upon rates of pay for similar employment in the surrounding area (external equity), rates of pay relative to difficulty and responsibility of positions (internal equity), financial policies of the City, and other economic conditions.

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**320.0 Employment Performance Rating**

The City of Plantation recognizes that our employees are one of our greatest assets. The City recognizes and rewards the important role employees contribute towards the achievement of good and efficient government. Through a Performance Management System, the City strives to provide the tools for an employee's success. This process allows the employee and the City to:

1. Identify job-related goals in support of the City or Department goals;
2. Provide an opportunity for the City to assess an employee's potential for advancement and understand the talents available in the employee population;
3. Inform the employee of his or her progress in the attainment of goals, accomplishments, performance and developmental progress;
4. Discuss ways to improve job performance and increase productivity, if required;
5. Provide an opportunity for each employee to discuss and create feedback as it relates to job interests, proficiency or challenges with his or her supervisor;
6. Provide the City a mechanism to approach pay for performance;
7. Support succession planning.

An employee's performance is reviewed at the 6-month mark of the year probationary period and at the end of the year probationary period and at least annually each fiscal year using the online evaluation system. Additionally, employees may be reviewed periodically outside of the fiscal year cycle to address performance issues. Each employee is evaluated by his/her immediate supervisor. Once the supervisor completes an evaluation, it is submitted through the chain of command which may go up to the Department Director for approval prior to the employee being given the review. The performance rating is discussed with the employee by the supervisor upon the completion of this approval chain. The employee signature on the evaluation does not necessarily mean agreement; rather it is an acknowledgement that the employee received the evaluation.

All employee evaluations are conducted during an employee's regular scheduled shift. If a non-exempt employee is held over for any reason, including to be evaluated, he/she will receive compensation for that extra period of time.

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**330.0 Hours of Work**

A workday is normally defined to be eight (8) paid hours. Fire Rescue personnel shifts are 24 hours on, and 72 hours off. However, an employee's actual hours and days of work are determined in accordance with applicable law, the needs of the service, and the needs of the public. The work week is generally a period of seven (7) consecutive calendar days beginning on Sunday and ending on Saturday. However, in accordance with federal law, certain employees (such as police officers) may be scheduled for designated work periods in excess of a work week. This complies with Section 7(K) of the Fair Labor Standards Act. Persons employed on a work week basis will be provided two (2) consecutive days off when possible. The scheduled tour of duty is the basis for which pay is computed.

The City recognizes that there are numerous benefits to having flexibility in scheduling. These benefits include extension of office hours to improve public accessibility to City services and to assist employees to balance personal and professional responsibilities. Therefore, compressed work schedules for departments may be established by department directors where appropriate and feasible. Compressed work schedules must be based on efficiency and effectiveness in service delivery, operational performance, public accountability and applicable laws.

A "compressed work schedule" shall mean a work week of forty (40) hours consisting of fewer than five days in a seven-day period. Examples of this would be a work day that begins at 7 AM and ends at 5 PM or a work day that begins at 8 AM and ends at 6 PM, and is based on the hours of operation for that department. A "regular work schedule" shall be a work week as defined in the first paragraph of this policy.

All full-time employees may be eligible for a compressed work week in accordance with departmental decisions to implement such.

Implementation, amendment and termination of compressed work schedules within each department will be at the sole and exclusive discretion of the Department Director with input from Human Resources and approval from the Mayor. Department directors are responsible for periodically reviewing the department's operations to ensure that any compressed work schedules implemented are meeting departmental and City needs. Under no circumstances should implementation of compressed work schedules impact service delivery in a negative way or result in any department being open to the public less hours than they would be on a regular schedule.

A compressed work schedule is not a right conferred upon an employee. Whenever it is necessary to change either the regular or compressed work schedule of an employee, advance notice of approximately two (2) weeks will be furnished, if possible. However, the City reserves the right to change any employee's work schedule without giving two (2) weeks' prior notice.

At the discretion of department directors, employees will be assigned to regular or compressed work schedules based on the department's operational needs. An employee wishing to request a regular or compressed work schedule shall make a written request to their immediate supervisor for review and referral to the department director. Should a conflict arise between two or more employees concerning their assigned work schedule, the department director shall have final authority to resolve the matter.

Employees may, at the discretion of the department director, be called to work during their scheduled time off to meet workload, operational and/or emergency requirements. Compensation for such

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work will be determined based on all applicable laws and policies.

Vacation, personal and sick leave will accrue at the same rate for an employee on a compressed or a regular work schedule. Leave shall be charged on an hour-for-hour basis equal to the number of hours off from a scheduled work period. For example, employees scheduled to work nine (9) hours on a day they request to take leave will be charged nine (9) hours against accumulated leave for that day.

Employees on a compressed schedule will be provided an alternate day off in lieu of the holiday if the City observes the holiday on the day the employee is scheduled to be off as a result of the compressed schedule.

Employees are expected to be at their work stations and ready to begin work at their designated starting times. The employee must inform his/her supervisor within thirty (30) minutes of their designated starting time the reason for any tardiness. Departments are authorized to impose different procedures based upon the nature of their business. Habitual tardiness subjects an employee to disciplinary action, up to and including dismissal.

Public employees are subject to mandatory overtime as a condition of employment. Failure to work mandated overtime shall subject the employee to disciplinary action up to and including termination.

Breaks in a private restricted area and/or other accommodations will be provided for nursing mothers in accordance with prevailing laws.

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**331.0 Payment of Wages**

Pay periods consist of two (2) week interims beginning on a Sunday 12:00am and ending on the following Saturday 11:59pm. The City is on a biweekly schedule of pay with 26 pay periods per year. Employees are paid every other Friday (if not a holiday). All employees are required to be on direct deposit and paystubs are available electronically through the pay application. Employees are required to sign up for the pay application during orientation in order to view their paystubs.

Certain deductions from your pay are required by law. These include the social security tax (FICA), Medicare and withholding for federal income tax, based on an employee's marital status and allowances claimed. The City pays an equal amount of FICA tax that is credited to the employee's account with the Treasury. In addition, the employee's contribution to the retirement system is deducted. If applicable, the employee's portion of the premium for family coverage under the group health insurance plan is also deducted. Employees may select payroll deductions for any additional available insurance(s). Any other deductions authorized by Administration may be deducted.

Changes regarding your withholding tax, benefits, or any other payroll deduction should be made through NeoGov by completing the proper forms and electronically signing within the system. Employees who need to change make changes should notify Human Resources who will assign the documents in NeoGov to be completed. When an employee separates from employment, deductions may be made for missing city property (i.e.: uniforms) or for prorated tuition reimbursements. No such deductions shall cause the wages to fall below mandated minimum wages laws.

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**332.0 Time Keeping**

Employees may be designated as “time clock” employees. If so, the fingerprint time/attendance machine will be programmed to accept your fingerprint to accept time/attendance via your employee number.

Non-exempt employee who are designated “time clock” employees must clock “out” when leaving and clock “in” upon returning, if leaving your designated work area during your shift. Altering or mutilating any time/attendance record or knowingly using another employee’s number to record time/attendance shall result in discipline up to and including termination. Employees shall only use the designated time/attendance machine.



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**333.0 Improper Deductions from Exempt Employees’ Salaries**

The Fair Labor Standards Act (FLSA) is a federal law which requires that most employees in the United States be paid at least the federal minimum wage for all hours worked and overtime pay at time and one-half the regular rate of pay for all hours worked over 40 hours in a workweek. Some state laws provide rights in addition to those provided by the FLSA.

The FLSA provides an exemption from both minimum wage and overtime pay for employees employed as bona fide executive, administrative, professional, employees and certain computer employees. Job titles do not determine exempt status. In order for an exemption to apply, an employee’s specific job duties and salary must meet all the requirements of the Department of Labor’s regulations. Human Resources shall designate exempt or non-exempt status for employees’ positions. Exempt employees may be subject to suspension without pay for whole days for safety violations or other reasons permitted by law.

**Salary Basis Requirement**

Being paid on a “salary basis” means an employee regularly receives a predetermined amount of compensation each pay period on a bi-weekly basis. Subject to certain exceptions, the FLSA states that an exempt employee must receive the full salary for any workweek in which the employee performs any work, regardless of the number of days or hours worked. Exempt employees do not need to be paid for any workweek in which they perform no work. Public sector employees may have deductions taken from accrued leave banks to account for hours not worked during the work week (i.e.: Sick, annual leave).

**Circumstances in Which the Employer May Make Deductions from Pay**

Under federal and state law, exempt employees’ salaries are subject to certain deductions. Exempt salaried employees should contact Human Resources for additional information on when deductions may be made from their pay.

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The City of Plantation is committed to avoiding improper deductions and will act promptly to remedy any situation in which such a deduction may have been made by reimbursing the employee for any such improper deduction no later than the first payday upon which the reimbursement reasonably may be made following a timely final determination that the deduction was improper.

Any employee who believes that a deduction from salary is improper should discuss the matter with his or her immediate Supervisor or Human Resources. Upon receiving a complaint of an improper deduction, supervisors must immediately inform their department director and Human Resources. Human Resources will promptly make an initial determination as to whether the deduction is proper, including a written explanation if it is found that the deduction was proper. The employee should ordinarily initiate this inquiry within 48 hours after being paid or being notified of the deduction unless special circumstances justify later action. If the employee is not satisfied with that decision, the employee may file a written appeal within 48 hours of the determination to the Human Resources Director, which states the basis for disagreeing with the decision. The appeal shall be promptly considered with the Human Resources Director final decision issued within five (5) business days whenever possible. Any final decision may be appealed in accordance with state or federal requirements as applicable.

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If any deduction was found to have been made improperly, the City of Plantation shall make a sincere and good faith effort to avoid any such improper deductions in the future for the employee and any similarly situated employees through the window of opportunity guidelines.

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**334.0 Error in Pay**

Every precaution is taken to avoid errors in your paycheck. If an error does occur, advise Human Resources, who will research the matter and obtain the correct information for you. If an error is found, every reasonable effort will be made to make the adjustment on the next payday. As required by law, any overpayments must be repaid by the employee, regardless of the reason for overpayment.

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**340.0 Compensation for Overtime Hours**

Employees working in non-exempt positions (within the meaning of the Fair Labor Standards Act) must obtain authorization from their Department Head prior to working in excess of their scheduled hours. Generally non-exempt employees who (with proper authorization) actually work more than forty (40) hours in a work week will receive one and one-half times their regular rate of pay for such overtime hours. The forty (40) hour work week for computing overtime may include hours worked, holidays, sick leave, annual leave, military and any other approved leave; excluding leave without pay. However, the City reserves the right to give an employee compensatory time off in lieu of overtime pay. Moreover, certain employees (even though non-exempt) may not be eligible for overtime pay under the Fair Labor Standards Act, notwithstanding the fact that they actually work more than forty (40) hours in a work week. This includes employees subject to Section 7(k) of the Act. Off the clock overtime by non-exempt employees is strictly prohibited.

With the exception of the Fire Department, employees called back in after the end of their shift shall receive a minimum of two (2) hours pay at the rate of one- and one-half times their regular rate of pay. However, an employee who has not worked a forty (40) hour work week will be compensated for a “call-out” at their regular base hourly rate. Employees held over from their normal shift shall be paid at one- and one-half times their regular rate of pay for the time worked over a forty (40) hour work week.

Employees working in exempt positions (within the meaning of the Fair Labor Standards Act) are not eligible for overtime pay.

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**345.0 Compensatory Time**

Non-exempt employees who work in excess of forty (40) hours in any work week are paid over time at one and one-half times their regular rate of pay for all hours worked over forty (40), or will be granted time off (compensatory time) in lieu of overtime. The City may also require a non-exempt employee to take time off during the same work week to avoid overtime. Flexing a schedule shall only be done during the same 40-hour work week. The City reserves the right to require employees to accept compensatory time in lieu of cash overtime, unless otherwise addressed in a collective bargaining agreement. This policy constitutes a mandatory condition of employment.

Compensatory time, if offered, will be governed by the following conditions:

1. One and one-half hours of compensatory time will be granted for each hour of overtime worked over forty (40) hours per week which may include sick leave, annual leave, military leave and any other approved leave; excluding leave without pay.
2. Compensatory time may be accumulated; however, the maximum balance is eighty (80) hours. When an employee has accrued the maximum of eighty (80) hours compensatory time, any additional overtime hours worked will automatically be paid at the time and one-half regular rate of pay.
3. Upon termination of employment, an employee will be paid for all unused compensatory time at a rate of compensation not less than –
  - a. the average regular rate received by the employee during the last three (3) years of employment, or,
  - b. the final regular rate received by the employee, whichever is higher.

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**350.0 Critical Incident/Declared Emergency Compensation Policy**

It is essential to preserve continuity of government and maintain City of Plantation’s essential operations, before, during and after either a Critical Event or a Declared Emergency. It is crucial that City employees be available to ensure the continuity of government and to maintain the City’s essential operations. This policy establishes the pay provisions for employees during a Critical Event and/or a Declared Emergency.

A Critical Event is an onsite or offsite community impact event or situation that creates, or that has the potential to create, a significant risk of harm to the safety or wellbeing of employees resulting in the closure of facilities or the suspension of operations but does not result in a Declared Emergency. A Declared Emergency is when the Mayor issues a declaration of a state of emergency in the City and is effective at the date and time specified in the “Mayoral Executive Order” with the signature of the Mayor. The Mayoral Executive Order activates the City’s Comprehensive Emergency Management Plan (CEMP).

Whenever there is a Critical Event or a Declared Emergency within the City of Plantation and City Hall or other municipal facilities are closed, all designated personnel may be called into work before, during and after the Critical Event or Declared Emergency. Designated personnel are those personnel that are determined to be required for the essential operations of the City, before, during and after a Critical Event or a Declared Emergency. Employees who are not designated to be required for the essential operations of the City before, during and after a Critical Event or Declared Emergency may not be required to report to work until there is an “all clear” issued or it is safe for employees to respond. Employee designations may change depending on the nature of the emergency and the needs of the City. Designation is determined by the Department in conjunction with Human Resources and Administration.

**A. Compensation during a Critical Event:**

To ensure that any reimbursement for a Critical Event from any Federal or State agency, including but not limited to FEMA, pay codes that reflect the compensation described below will be created and provided to employees by the Payroll Division in the Human Resources Department.

1. Designated employees – Those employees required to work before, during or after a Critical Event.
  - a. Exempt employees (excluding any employee covered under a Collective Bargaining Agreement) – during the Critical Event will be compensated for all hours worked during any City closure time at one and one half their regular rate of pay. Once the City reopens for normal business, pay will revert back to regular time.
  - b. Non-exempt employees (excluding any employee covered under a Collective Bargaining Agreement) – during the Critical Event will be compensated for all hours worked during any City closure time at one and one half their regular rate of pay. Once the City reopens for normal business, pay will revert back to regular time with time and a half pay reserved for hours worked over 40 hours in a work week.
  
2. Non-designated employees – Those employees who are not required to work during a Critical Event
  - a. All budgeted full-time employees, Exempt or Non-exempt, who are not designated employees shall receive administrative leave for their regularly scheduled hours daily any time that the City is closed for normal operations due to a Critical Event, unless they are

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on previously approved scheduled annual or sick leave or other type of leave. This shall not exceed 40 hours per week.

- b. Budgeted part-time non-exempt employees who are not designated employees shall receive administrative leave for each hour of their normal regular scheduled shift for any time that the City is closed for normal operations due to a Critical Event.

**B. Compensation during a Declared Emergency:**

To ensure that any reimbursement for a Declared Emergency from any Federal or State agency, including but not limited to FEMA, pay codes that reflect the compensation described below will be created and provided to employees by the Payroll Division in the Human Resources Department

- 1. Designated employees – Those employees required to work before, during or after a Declared Emergency.
  - a. A declared emergency is effective at the date and time specified in the “Mayoral Executive Order” with the signature of the Mayor. The Mayoral Executive Order activates the Severe Weather Emergency Operations Plan and vests City Officers and Department Heads with the necessary authority to carry out the Mayoral Executive Order.
  - b. Exempt employees (excluding any employee covered under a Collective Bargaining Agreement) – during the Declared Emergency will be compensated for all hours worked at double their regular rate of pay.
  - c. Non-exempt employees (excluding any employee covered under a Collective Bargaining Agreement) – during the Declared Emergency will be compensated for all hours worked at double their regular rate of pay.
- 2. Non-designated employees – Those employees who are not required to work during a Declared Emergency
  - a. All budgeted full-time employees, Exempt or Non-exempt, who are not designated employees shall receive administrative leave for their regularly scheduled hours daily for each business day the Declared Emergency exists and the City is closed unless they are on previously approved scheduled annual or sick leave or other type of leave. This shall not exceed 40 hours per week.
  - b. Budgeted part-time non-exempt employees who are not designated employees shall receive administrative leave for each hour of their normal regular scheduled shift during the Declared Emergency

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**Section IV – Changes in Job Classification or Status**

**405.0 Transfers**

An employee may request a transfer from one class in a department to the same or similar class in another department. However, it should be noted the City has the right to transfer an employee from one department to another when it is deemed to be in the best interest of the City. Transfers must be approved by the Department Heads affected, by Human Resources and as appropriate, Administration. This change of status shall result in no pay increase and a new one (1) year probationary period from the effective date of the transfer. If a transferred employee does not successfully pass the new probationary period, they are subject to termination from employment. Like all new hires, transferred employees who successfully complete their probationary period continue to serve at the will and pleasure of the City.



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**410.0 Demotions**

When it is determined that an employee is unable to perform the duties of a position for any reason, the employee may be demoted to a position in which he/she can perform the duties, and which position carries a lower rate of compensation. Demotions are accompanied with an appropriate reduction in pay of at least 5%.

An employee may request a voluntary demotion with the approval of the Department Head(s), Human Resources and as appropriate Administration. In this situation, the employee may be offered a salary within the pay grade they are demoting to, however, they must receive at least a 5 % reduction in pay.

Rate of compensation may be fixed at any rate within the new pay range, however it shall not exceed the new maximum pay for that position. Demoted employees shall serve a one-year probationary period. Like all new hires, demoted employees who successfully complete their probationary period continue to serve at the will and pleasure of the City.

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**420.0 Voluntary Separation of Employment**

An employee who desires to terminate his/her employment with the City is expected to give two (2) weeks written notice of that intention to his/her Department Head in order to have resigned/retired in good standing. Any employee who fails to give two (2) weeks written notice seriously jeopardizes his/her reemployment opportunity with the City

Additionally, an employee separating from employment with the City of Plantation shall have their last physical day at work as the effective date of their resignation, retirement, or other separation action. The separating employee's health insurance would remain in force until the end of month of the effective date of termination. Vacancies that are determined to be necessary for business operations are filled immediately upon a separating employee's departure to enable a smooth transition for business operational needs.

Upon receipt of any separation notice, Departments are responsible for providing timely documentation to Human Resources to allow for processing of final pay including any outstanding debts owed by the employee or credits owed to the employee. Additionally, Departments are responsible for collecting all City property from an employee prior to their last day.

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**421.0 Re-employment and Service Pins**

A full-time employee that voluntarily resigns in good standing and subsequently becomes re-employed by the City in a full-time capacity shall have all the previous years of credited full-time service count towards total years of service for purposes of the Service Pin recognition award only.

An elected official that serves the City and subsequently returns to office after a break in service has occurred shall have all years of service as an elected official count towards total years of service for purposes of the Service Pin recognition award.

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**425.0 Layoff**

The City of Plantation recognizes that circumstances may prevail which may facilitate a decision to proceed with an employee layoff. The Mayor has final authority to lay off an employee(s) because of a lack of funds or work, or when there has been an insufficient appropriation to meet the salary requirements necessary to maintain existing personnel in any office, department, or division.

A reduction in the number of employees in a job classification shall be made by employee performance ratings, disciplinary record, and seniority. When it is found to be necessary to reduce the number of employees in one job classification in several departments, such reductions may be made of employees occupying positions in each of their respective departments without considering employees in other departments.

Whenever it becomes necessary to reduce the number of employees in a given job classification and notice of such layoff is given to the affected employee(s) by Human Resources for any of the reasons enumerated herein, such notice shall be final and not subject to appeal.

Upon recommendation by a department director/chief and concurrence of the Human Resources Director, the Mayor may authorize written notice to be issued by Human Resources to the affected employee(s) at least two (2) weeks prior to the effective date of such separation, with reason and effective date contained in the written notice. Once written notice has been given to the affected employee(s), the employee shall be advised to report to Human Resources on their final day of work to process the necessary separation paperwork. Once the department director has confirmed that all City property has been returned, the employee's final pay check will be calculated and made available at the next regularly scheduled payroll. Payouts of leave accruals shall be in accordance with prevailing policies.

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**430.0 Promotions**

It is the policy of the City of Plantation to encourage promotion from within whenever feasible, consistent with qualified staffing and equal employment opportunity. A promotion is defined as moving into a job that is classified in a higher paygrade within the City's pay plan or moving into a job that is a higher level of responsibility. Promotions will be based on merit principles which recognize City service, along with qualifications and work records. An examination process may be used as part of the promotional process. The type of examination will be determined by the Department Head and Human Resources Director on a case by case basis. The probationary period for a promoted employee is one (1) year from the effective date of the promotion.

Employees who are promoted will be moved to the minimum of the new paygrade for the new title or be given a 5 % increase whichever is greater as deemed appropriate by Administration. If a promoted employee does not successfully pass the new probationary period, they are subject to termination from employment. Like all new hires, promoted employees who successfully complete their probationary period continue to serve at the will and pleasure of the City.

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**Section V – Vehicles, Meals, Reimbursements**

**Section V – Vehicles, Meals, Reimbursements**

**500.0 General Vehicle Policy**

From time to time, the City of Plantation provides vehicles to various employees in order for them to perform their job duties. The driver of the vehicle is responsible for the operation of the vehicle and must follow these restrictions:

1. Vehicles are to be driven during work hours within the City limits unless previously approved by the Department Head. All travel by City vehicle outside of Broward County must be approved by Administration.
2. Each employee is responsible for keeping his/her vehicle in safe operating condition. The driver of the vehicle is responsible for keeping the vehicle clean and to check all fluid levels as well as, lights, horn, tires, wipers, etc. If an employee is assigned a gas card, this card must be used to gas up only the City vehicle to which it is assigned.
3. The City is committed to providing a safe, clean, fleet of vehicles for our employees' use. It is the desire to have these free of the odors of tobacco products and the health impacts of second-hand smoke. Smoking is prohibited in all city-owned, leased or rented vehicles at all times. The use of electronic (vapor) cigarettes, pipes, smokeless tobacco, or other tobacco products are also prohibited.
4. All employees driving City vehicles must have a valid driver's license issued by the State of Florida, and the license number must be provided to Human Resources. It is the employee's responsibility to notify his/her supervisor within twenty-four (24) hours if he/she does not have a valid driver's license. When an employee's license is revoked or suspended, they will not be allowed to drive any City vehicle until the license has been restored. Any employee found in violation of this policy will be subject to discipline up to and including termination.
5. Passengers are not allowed in City vehicles unless necessary for the conduct of City business.
6. Seat belts must be used while operating any City vehicle, as this is a State Motor Vehicle Law. Additionally, Workers' Compensation Laws require reduced payments to employees if seat belts are not worn when an injury occurs.
7. If a City vehicle becomes disabled, the driver is to notify the Public Works Department. If the Public Works Department is closed, the Police Department should be notified to have the towing company who is servicing the City remove the vehicle. The driver is to remain with the disabled vehicle after he/she has notified the proper party(s) of the problem. Hazard lights should be turned on when a vehicle is disabled. Departments may establish procedures different than this provision.
8. All employees driving City vehicles are responsible for the action of the vehicle. All accidents must be reported to the Police Department, Department Head, and an Incident Report must be forwarded to the City's Risk Manager. The City will not be responsible for any costs incurred as a result of traffic or parking violation.
9. If travel is approved where gas must be purchased for a City vehicle while on the road, a City gas credit card should be used where possible, otherwise, the City will pay for out-of-pocket costs upon the submittal of receipts and required forms.

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10. The City will provide a vehicle whenever practical to conduct City business. The use of privately-owned vehicles is discouraged, due to insurance limitations. If a privately-owned vehicle is used on City business, Administration must give written approval. The City will pay only out-of-pocket cost, tolls, parking and gas at the prevailing rate.
  
11. No City vehicle is to be taken home or used for any personal business unless specifically approved in writing by Administration. The Mayor may authorize specific departmental policies on the use of city vehicles. Take home vehicles are to be driven within the county limits unless previously approved by Administration. All travel by City vehicle outside of Broward County must be approved by Administration.
  
12. Employees that receive a citation due to a traffic infraction or vehicle accident, or that the City receives complaints from the public may have their driving privileges suspended indefinitely and/or be subject to discipline up to and including termination. Each situation shall be reviewed on a case by case basis and discipline and/or driving privilege suspension or revocation may occur based upon the discretion of the department head.

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**505.0 Take Home Vehicle Policy**

The City of Plantation may provide certain employees a City vehicle to be used on City business. The Mayor may authorize specific department policies on the use of take-home city vehicles. These employees may be allowed to take these City vehicles home and, in some instances, to be used for personal use with the following restrictions:

1. Vehicles are to be driven within Broward County unless prior approval is granted by Administration on a specific assignment.
2. Unless specific written approval has been given, the vehicle is to be used solely for City business and transportation to and from work, and not for personal use or errands.
3. In limited circumstances as part of the City's overall compensation package, personal usage of the vehicle is granted by the Mayor. The personal usage is limited to Broward County and does not include transportation of family members or other non-City employees.
4. If personal usage is granted, then each employee is responsible for meeting the IRS requirements of miles driven for personal benefit. A periodic report of the personal miles driven by each employee is to be submitted to Human Resources.
5. Each January, all Department Heads must provide to Administration a list of employees who have been assigned a vehicle that may be taken home, including a reason or need that the employee is required to have a City vehicle overnight. Any additions to the list, must receive separate written approval from Administration.
6. Employees that receive a citation due to a traffic infraction or vehicle accident, or that the City receives complaints from the public may have their driving privileges suspended indefinitely and/or be subject to discipline up to and including termination. Each situation shall be reviewed on a case by case basis and discipline and/or driving privilege suspension or revocation may occur based upon the discretion of the department head.

All employees who are assigned a City vehicle that is allowed to be taken home must follow the above rules. Any violation can be grounds for disciplinary action.



**510.0 Travel/Meals – Local**

**Travel Policy-Local**

Local travel is considered travel within the tri-county area or less than 100 miles from City limits. All local travel will be made using a City vehicle unless specific permission is given to use a privately-owned vehicle. If a privately-owned vehicle is being used at the request of the traveler, then reimbursement will be limited to gas, tolls and parking. If the privately-owned vehicle is requested by the City, then the reimbursement will be at the prevailing rate.

If more than one (1) City employee is attending the same local meeting, training or any other function, they must travel together in one (1) vehicle unless permission is granted by Administration to do otherwise.

**Meal Policy-Local**

If a City employee must travel outside Broward County using a City vehicle and this travel is for less than one (1) day not requiring an overnight stay, the City will reimburse the employee for meals based upon the following time frame, per State Statutes.

If travel must begin before:

6:00 A.M. and extends beyond 8:00 A.M.

Breakfast at prevailing rates

12:00 Noon and extends beyond 2:00 P.M.

Lunch at prevailing rates

6:00 P.M. and extends beyond 8:00 P.M.

Dinner at prevailing rates

This type of expense must be approved by the Department Head. All employees must submit an expense report showing the date, time and amount of expense in order to receive reimbursement. This expense report must be signed off by the Department Head and received by the Finance Department within thirty (30) days of the final date of travel. The City reserves the right not to make reimbursements after thirty (30) days and any per diem advance must be paid back in full.

No hotel reimbursement will be made for overnight stays within Palm Beach, Broward and Miami-Dade Counties. Violations of any of the above rules will be cause for disciplinary action. The City Administration reserves the right to make exceptions to the above policies if it is to the City's benefit. All travelers must certify that the travel was for business purposes or the cost of the travel will be subject to taxation in accordance with IRS regulations.

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**515.0 Travel/Meals – Out of Town**

The City of Plantation will pay all reasonable travel costs, per Ordinance #1021, for City employees while traveling on City business. All travel requests and approvals must be made on a Travel/Seminar Request Form prior to the date of travel. If outside the Palm Beach, Broward or Miami-Dade County areas, administrative leave shall be shown on the employee's time sheet when approved by the Department Head and Administration.

Each Department is responsible to make all arrangements for the following items:

1. Air travel (coach)
2. Auto rentals (mid-size or compact auto)
3. Hotel

Travel dates and time schedule must be provided on a Travel/Seminar Request Form. A meal allowance will be permitted only for employees while on official business. The meal allowance will be the amount paid for travel that begins before:

If travel must begin before:

6:00 A.M. and extends beyond 8:00 A.M.

Breakfast at prevailing rates

12:00 Noon and extends beyond 2:00 P.M.

Lunch at prevailing rates

6:00 P.M. and extends beyond 8:00 P.M.

Dinner at prevailing rates

Receipts must be provided to the Finance Department for non-per diem amounts and other items. No one shall be reimbursed for any meals or lodging included in a convention, conference or seminar registration fee paid by the City.

The method of transportation selected will be in the best interest of the City. When private vehicle usage is at the individual's request, reimbursement will be limited only to out-of-pocket costs (gas, parking and tolls). If the City requested the usage of a private vehicle, then reimbursement will be paid the prevailing rate not to exceed the lowest commercial air carrier charges.

Employees using a City vehicle should use a City gasoline credit card for purchases of fuel outside of Broward County where feasible. The vehicle should be filled at a City facility prior to leaving. Only City employees are allowed in City vehicles unless approval is given by Administration for non-City employees to ride in the vehicles.

The City will pay for lodging at the single occupancy rate for travel that requires over-night stays outside the tri-county area. In order to avoid being charged sales tax, each department must use the sales tax exemption certificate when booking travel within the state. A traveler may request to be reimbursed at the City's prevailing rate per day rather than having a specific hotel bill paid for travel.

The City will pay for air travel by common carriers by the usual travel route at the most efficient and economical rates. Any excess cost on a traveler's requested route is to be refunded to the City or it is

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not subject to reimbursement. The only other travel expenses reimbursed is taxi rides to and from the airport where receipts are provided.

A final reporting of travel expenses will be made to the Finance Department. The following information must be provided by an Expense Report within thirty (30) days:

1. Cost of lodging
2. Total cost of meal allowance
3. Cost of vehicle travel - gas/tolls/parking
4. Time of travel:           Departure date and time  
  Return date and time
5. Copy of the previously approved Travel/Seminar Request Form

All required paid receipts must be attached to the Expense Report and submitted to the Finance Department. The City reserves the right not to make reimbursements after thirty (30) days of the final date of travel and any per diem advance must be paid back in full.

The City will make a cash advance of up to \$80.00 per diem, if no hotel is reserved and paid by the City, otherwise the amount of meal allowance. Cash advances not used must be returned to the Finance Department with the final reporting.

Administrative Leave shall be shown on time sheets when approved by the Department Head and Administration.

**520.0 Educational Reimbursement**

**Eligibility Requirements**

To be eligible for participation in the City’s educational reimbursement program, an employee must be employed for a period of one (1) year in a regular full-time position and have successfully passed the probationary period. If the anniversary date falls within a term of coursework, the employee may be eligible to receive tuition reimbursement based on the initial approval of the Department Director/Chief and the conditional approval of the Human Resources Department. Due to limited funding, the criteria as noted below shall be applicable for conditional approval as determined by the Human Resources Director. If budgeted funds for tuition reimbursements are exhausted, the conditional approval shall be withdrawn and no further tuition reimbursements will be made for the remainder of that fiscal year. Employees wishing to submit courses for reimbursement must seek and obtain initial and conditional approval for such courses prior to registration. Tuition Reimbursement forms must be submitted prior to the 1<sup>st</sup> day of class. A maximum of twelve (12) credit hours per semester or enrollment period will be eligible for reimbursement provided the other criteria have been met.

**Type of Courses**

An eligible training or educational program or course is one that, in the judgment of the Department Director/Chief and the Human Resources Director is directly related to the employee’s current position or to a related higher position, and which will improve performance in a current position or to a related higher position, or which constitutes preparation for promotion to related higher level responsibilities. Additionally, employees may take two (2) English courses, two (2) Humanities courses, two (2) Social Science courses, and one (1) Math course as a part of a general education program.

It is entirely up to the Department Director/Chief and the Human Resources Director to make a determination as to whether the course is relative to the employee’s position. The decisions of the Department Director/Chief and the Human Resources Director are final.

The educational institution must be accredited by an accreditation agency recognized by the United States Department of Education.

**Items Paid**

Employees will be entitled to a refund of their tuition and lab fees upon the successful completion of each approved course based on the following scale:

- Grade A .....100 percent refund equal to the state fees charged
- Grade B .....75 percent refund equal to the state fees charged
- Grade C .....50 percent refund equal to the state fees charged
- “Pass” in lieu of grade...50 percent refund equal to the state fees charged

The City will pay up to the average of state fees charged by Florida Atlantic University and Florida International University per credit hour. The refund shall be available for a maximum total of twenty-four (24) semester hours or thirty-two (32) quarter hours in one (1) fiscal year period for eligible regular employees. Only twelve (12) hours shall be eligible for tuition reimbursement per semester or enrollment period.

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Textbooks will not be reimbursed. All tuition reimbursements will be subject to taxation per applicable Federal law.

**Criteria**

Due to limited funding, tuition application approvals will be subject to the following criteria priorities listed in order:

- Undergraduate Fourth year student (91+ credits earned to date) or Graduate student in last 25% of courses
- Undergraduate Third year student (61-90 credits earned to date) or Graduate student in last 50% of courses
- Undergraduate Second year student (31- 60 credits earned to date) or Graduate student in last 75% of courses
- Undergraduate First year student (1- 30 credits earned to date) or Graduate student in last 99% of courses
- First time undergraduate student (no credits earned to date)

Proof of credit hours earned to date must be submitted at the time of application to determine eligibility. Once budgeted funding has been expended, any conditional approvals granted shall be withdrawn, and no further tuition reimbursements will be made that fiscal year. Courses completed in one fiscal year are not eligible for reimbursement in the following fiscal year.

**How to Apply**

A form for this purpose may be obtained from Human Resources. It must be filled out and submitted to your Department Director/Chief prior to the first day of class. If your Department Director/Chief approves your entering this program and that the particular course is related to your job, he/she will forward the form to Human Resources for conditional approval. After the Human Resources Director's review, the Department Director/Chief will be responsible for returning the conditional approval form to the employee and sending a copy to the Finance Department. Final approval may be granted by the Human Resources Director upon submission of grades for the conditionally approved reimbursement based upon available remaining funds. Determinations of final approval and subsequent reimbursement are final.

**Provisions**

Termination of employment, for any reason, prior to completion of a course will make the employee ineligible for reimbursement. If any employee voluntarily terminates his/her employment with the City within one (1) year from the date of the reimbursement that followed the completion of any eligible course for which such employee has received a refund, then the amount of the tuition refund paid by the City shall be deducted from the employee's paycheck.

Any regular employee who is approved for attendance in any eligible educational or training program/course must pay tuition costs directly to, and be accepted for enrollment by, an accredited educational institution.

Within thirty (30) days of the completion of the conditionally approved course work, the employee shall present the original transcript/grade notification thereof to Human Resources in order to be eligible for final approval of the tuition refund to which he/she is seeking. The Human Resources Department shall

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forward the documentation provided by the employee to the Financial Services Director for payment once final approval has been granted.

Should this policy change at any time in the future, for any reason other than lack of funding, individuals who are currently enrolled in a program of study will continue to be eligible for tuition reimbursement as described above.

**Other**

This program is an additional benefit for employees to further their education but it should not be construed as an inducement or requirement that employees must seek additional education. No additional benefit, promotion, salary increase or other consideration is offered, nor should be construed to be offered, unless specifically given in writing to the employee with the appropriate Administrative signature. This benefit is subject to fiscal year funding and may be eliminated due to budget constraints without notice.

**Section VI – Benefits**

**600.0 Introduction**

The City of Plantation hopes its employees consider their work a career rather than a job. For this reason, the City of Plantation has established plans to help its employees build their own future. Listed below are many of the City of Plantation benefits for which you may become eligible (subject to change). They represent, in part, the City of Plantation's program to help you save for the future, to help tide you over in case of sickness or disability, to furnish life insurance at a reasonable cost, and to provide income following retirement. Employee benefits may change as authorized by the Mayor and Council. Employee benefits include:

- ◆ Insurance Coverage –; Hospitalization, Major Medical, Vision and Dental Coverage: individual and Dependent Coverage is offered: employee pays portion of cost. NOTE: If your spouse is eligible for insurance with another employer then he/she is not eligible for coverage under the City's insurance unless a qualifying event occurs.
- ◆ On-site Clinic available for all full-time employees and covered dependents 10 and up.
- ◆ Life and Accidental Death and Dismemberment rounded up to the closest thousands of Annual Salary up to \$50,000 (policy paid for by City).
- ◆ Long Term Disability- paid for by the City for eligible individual employees.
- ◆ Employee Assistance Program- paid for by the City for employees and dependents.  
\*Applicable City policy and contracts with providers governs each benefit. Collective Bargaining Agreements may have different benefits.
- ◆ Holidays – The City of Plantation observes eleven (11) paid holidays per year as declared by the City Council each year.
- ◆ Personal Day – All regular full-time employees will be given the benefit of one (1) personal day per calendar year. Cannot be used until employed six (6) months; cannot be carried over from one year to the next.
- ◆ Sick Leave – 13 days per year. Accrues 4 hours at end of each bi-weekly pay period. Maximum accrual is 480 hours.
- ◆ Annual Leave – 1-5 years: 13 days per year; 5-15 years: 19 ½ days per year; 15 years or more: 26 days per year. Maximum Accrual is 240 hours. An employee is not entitled to use annual leave until employed 6 months.
- ◆ Funeral Leave – 3 days (24 hours)
- ◆ Jury Duty – Paid full salary
- ◆ Educational Reimbursement – City reimburses tuition up to 100% of state fees and lab fees for pre-approved courses that obtain a grade A; up to 75% of state fees and lab fees for pre-approved courses that obtain a grade or B; 50% of state fees and lab fees for pre-approved courses that obtain a grade for grade C. (see Policy 520.0 Educational Reimbursement for specific requirements and procedures).

A full statement of each plan will be given to you in separate booklets during new employee orientation. These booklets cover the details and provisions and control actual operation of each plan.

**605.0 Personal Day**

All regular full-time employees are given the benefit of one (1) personal day of eight (8) hours per calendar year.

The personal day cannot be used during your first six (6) months of employment. The personal day can only be used with your Department Head's approval and cannot be carried over from one year to the next.

**Limitations**

- ◆ The Personal Day must be scheduled with the approval of the department director prior to usage.
- ◆ The Personal Day must be utilized prior to December 31 of each year.



**606.0 Executive Leave Days**

Senior Executives are allocated twenty-four (24) hours of Executive Leave at the beginning of each calendar year. This leave is in addition to their Annual Leave and Personal Day. These hours are to be used within the calendar year and are not transferable nor do they have any cash value. Requests for usage should be handled the same as any other leave bank.

**607.0 Volunteer Time Off**

The City of Plantation encourages employees to actively engage in acts of community service lending their voluntary support to programs that positively impact the quality of life in our City as well as neighboring communities. The Volunteer Time Off (VTO) program provides employees with paid leave to pursue volunteer opportunities in a variety of areas to give back to the community. Volunteer opportunities should be for recognized 501(c)(3) entities such as public schools, public charities, and public hospitals.

**Examples of appropriate uses for VTO:**

- Building a house for Habitat for Humanity
- Volunteering at a food bank
- Cleaning up a beach, park or trail
- Becoming a Big Brother/Big Sister
- Volunteering at a local hospital
- Serving on a nonprofit board

**Examples of inappropriate uses for VTO:**

- Taking a ski vacation and charitably giving ski lessons
- Coaching your child's basketball team
- Attending your child's PTA conference
- Judging a beauty pageant
- Serving as your child's scout leader

All non-represented regular full-time employees are eligible for up to 16 hours per year of paid volunteer leave. VTO is subject to approval and must be requested in advance and when possible, should be regular and on a set schedule to help with the coordination of other work-related responsibilities. Departments may elect to schedule and coordinate 2 volunteer days for department as a whole in lieu of individual employee volunteer activities that occur on a regular schedule. VTO should not conflict with the peak work schedule and other work-related responsibilities, create need for overtime or cause conflicts with other employees' schedules. VTO will not count as hours worked for overtime purposes. VTO is refreshed at the beginning of the calendar year and cannot be accrued or carried over into the following year.

Employees wishing to utilize VTO must complete the Volunteer Enrollment Form and submit it to their supervisor for approval. Supervisor shall consult with HR to confirm that requested use of VTO is appropriate. Approval for participation in VTO that is deemed appropriate is solely at the discretion of the employee's direct supervisor. City sponsored VTO may not be used for organizations that discriminate based on race, color, age, gender religion, veteran status, marital status, sexual orientation, national origin, or disability.

## **610.0 Holidays**

Holidays to be observed by City employees are as follows:

- ◆ New Year's Day
- ◆ Martin Luther King, Jr. Day
- ◆ President's Day
- ◆ Memorial Day
- ◆ Juneteenth
- ◆ Independence Day
- ◆ Labor Day
- ◆ Veteran's Day
- ◆ Thanksgiving Day and the Friday after Thanksgiving
- ◆ Christmas Day
- ◆ One floating holiday

or as may be designated by the City Council. When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday may be declared a holiday, as the Mayor and City Council may elect. Employees wishing to use their floating holiday will need to schedule this with their supervisor.

Regular full-time employees must work their regular workday, or be on authorized paid leave, immediately before and after the holiday in order to receive pay for the holiday. An employee scheduled to work on a holiday shall be paid his/her basic rate of pay for the day, plus compensation for up to eight (8) hours of actual hours worked at a rate equal to the basic rate of pay. In lieu of such extra pay, the City may elect to give the employee compensatory time off with pay. Part-time employees do not receive holiday pay. They are compensated only for hours worked.

Regular full-time employees scheduled to be off duty on a holiday will be credited with one (8) hours of holiday compensation.

### **Provisions**

- ◆ Employees who are required to work on the observed holiday may be granted equal time off on another day elected by the employee and approved by the Department Director.
- ◆ Employees on any approved leave with pay during an observed holiday shall be charged with holiday leave.

### **Limitations**

- ◆ All full-time regular employees shall be granted eight (8) hours of leave with pay for each of these holidays, regardless of the days or hours which constitute the work week. Holidays must be taken in increments of no less than eight (8) hours.

**615.0 Annual Leave**

Employees are encouraged to use annual leave each year in a judicious manner and in order to enable them to serve with maximum efficiency. Accrued annual leave is paid to an employee at the time of termination of employment (but not to exceed a maximum of 240 hours).

Annual leave shall be requested in advance to permit scheduling of vacations to meet the operating requirements of the department and with prior approval of the Department Head. Leave will be granted in accordance with business operational needs as determined by the Department Head.

An employee is not entitled to use annual leave until employed in a regular full-time position for a continuous period of six (6) months after their initial appointment. No annual leave is due, nor will be paid, if an employee separates or is separated prior to the completion of his/her qualifying period. (Qualifying period is six (6) months.)

Department Heads should make every practicable effort to schedule and grant annual leave to employees under their supervision in such a manner that no employee is required to forfeit accrued annual leave because of maximum ceiling limitations. Employees who have attained an annual leave ceiling, however, must use their current accrued annual leave prior to the end of the City's leave year or it is forfeited. Likewise, it must be used prior to separation or it is forfeited. Annual leave forfeited is not re-creditable at any subsequent time.

**616.0 Accrual of Annual Leave**

Accruals begin after the completion of a regular/full-time employee's first FULL PAY PERIOD. Annual leave will accrue at the rate of four (4) hours per pay period (eighty (80) hours), at the end of each full pay period. Upon completion of five (5) years of continuous employment, an employee accrues leave at the rate of six (6) hours per pay period, at the end of each full pay period. Upon completion of fifteen (15) years of continuous service, an employee accrues leave at the rate of eight (8) hours per pay period, at the end of each full pay period. In the case of a current part-time employee whose status becomes full-time, their full-time start date shall be used for determining their initial rate of accrual as a full-time employee.

A maximum limitation of 240 hours is prescribed for all employees. Annual leave accrued but not used during any year may be carried forward provided that on January 1<sup>st</sup> no accrual carried forward may exceed the maximum of 240 hours. The above accrual rates do not apply to employees for whom the City has designated a work period in excess of seven (7) days pursuant to Section 7(k) of the Fair Labor Standards Act. Their annual leave accrual is computed in relation to the work period selected.

**617.0 Payment of Unused Annual Leave**

Annually at the end of the last pay period in November, FLSA exempt employees who have a balance in excess of 120 hours accrued at the end of the last pay period of November are allowed to elect to be paid for up to 80 hours of unused annual leave at their hourly rate of pay in the last pay period of September. Payments will be made in the first pay period of December.

Payments will be made in the first pay period of December.

When an employee terminates from the City for any reason, he/she is entitled to be paid in full for all annual leave hours accumulated up to a maximum of 240 hours. Employees shall not use annual leave for their last day at work.

## **620.0 Sick Leave**

Sick leave may be granted upon approval of the Department Director for the following reasons:

- ◆ Personal illness or accidental injury.
- ◆ Disability (including pregnancy related disability).
- ◆ Legal quarantine due to exposure to a contagious disease.
- ◆ Personal medical, dental or optical appointments.
- ◆ Illness of an immediate family member. Immediate family is defined as current legal spouse, son, daughter, stepchildren, mother, father, stepmother, stepfather, brother, sister, grandparents, grandchildren, or parents of current legal spouse. FMLA certification may be required for absences exceeding five (5) consecutive days work.

### **Eligibility**

Only regular full-time employees are eligible to accrue sick leave. Sick leave accrues from the date of regular full-time employment. Temporary and part-time employees shall neither accrue nor earn sick leave privileges.

### **Accrual of Sick Leave**

Regular/full-time employees shall accrue sick leave at the rate of four (4) hours at the END of each FULL pay period (eighty (80) hours), to a maximum of 480 hours. As with annual leave, employees subject to Section 7(k) of the Fair Labor Standards Act will not accrue sick leave under the foregoing formula. Their accruals will be based on their work periods.

Annual leave may be charged when sick leave accruals have been completely used.

### **Procedures**

To receive compensation for absence on sick leave, the following conditions apply:

Notify the immediate supervisor or Department Director no later than 30 minutes after the employee's assigned starting time, or earlier, if required by departmental policy or directive. Failure to give proper notice may result in an unexcused, unpaid absence. This provision may be waived by the Department Director if the employee submits acceptable evidence that it was impossible to give such notification. When requesting sick leave for medical appointments, the employee must request leave and the leave must be approved by the immediate supervisor in advance of the medical appointment.

A "Request for Leave" form (or an electronic request) shall be completed any time use of sick leave is requested. This form must be forwarded to the immediate supervisor or Department Director for approval.

The Department Director may, after three (3) consecutive work days of absence have the authorization to require a statement by a physician documenting the employee's absence. Departments shall not keep said statements but must submit them to Human Resources for confidential record keeping compliance.

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Where absence due to illness or injury exceeds three (3) consecutive working days, the Department Director shall have the authority to require the employee to provide a statement from a physician certifying that the employee can perform the essential functions of their position with or without reasonable accommodations. Although not every instance of three (3) consecutive absences falls under FMLA, employees should contact Human Resources for additional FMLA requirements that may be applicable.

If the medical certification furnished by the employee is not sufficient, the Department Director, with the concurrence of the Human Resources Department, may require a medical examination paid for by the City and conducted by a physician selected by the City. Based upon the result of the City physical examination and medical certification, one of the following conditions apply:

- ◆ If an employee is evaluated as fit for work, with or without reasonable accommodations the Department Director shall not approve further use of sick leave credits and shall request the employee to work.
- ◆ If an employee is evaluated as unfit for work, the Department Director shall allow the employee to use accrued sick leave credits until such leave credits have been exhausted or until the expiration of an authorized FMLA leave of absence, whichever occurs first. If the employee is medically certified as being unable to work after all sick leave credits have been exhausted, the employee must use accrued annual leave credits before requesting a leave without pay. Departments should contact Human Resources for assistance with such matters.

An employee who, upon request by the Department Director, refuses to comply shall not be eligible to use accrued sick leave credits and any absence from work shall be considered an unexcused, unpaid absence and may result in disciplinary action up to and including termination

When a regular paid holiday occurs during an employee's illness, the day shall be compensated as a holiday, if holiday eligibility requirements are met, and shall not be charged against accrued sick leave.

Sick leave shall only be authorized after it is earned and only to the extent that the employee has acquired same, unless participation in the sick leave donation program has been authorized.

Employees who become ill while on vacation may request and be granted sick leave provided:

- ◆ The employee notifies his or her supervisor in the same manner as Procedure Number 1.
- ◆ Employee may be requested to provide physicians statement documenting the need for absence.
- ◆ This provision does not apply for an illness of the employee's immediate family. Any exceptions to this paragraph must be approved by the Department Director and the Human Resources Director.



**Payment of Unused Sick Leave**

Annually at the end of the last pay period in November, an employee may elect to be paid at one-half of his/her existing rate of base pay at the end of the last pay period of September for any accrued hours in excess of 240 hours. Employees must be paid for accrued sick leave in excess of 480 hours (maximum accrual) in the same manner. Payments will be made in the first pay period of December.

When an employee leaves the City, accrued sick leave up to 240 hours will not be paid; those hours in excess of 240 hours will be paid, not to exceed the maximum of 480 hours, at full pay. Accrued hours over the maximum of 480 hours will not be paid. If an employee dies or retires, one-half of all accrued sick leave to the maximum of 480 hours will be paid at full pay to the beneficiary or retiring employee.

**625.0 Jury Duty**

If required to serve on a jury, a regular full-time employee must notify his/her supervisor upon receipt of notice of jury duty. The employee must submit a copy of the summons to his/her supervisor in order to receive pay for such leave, and he/she must deposit any compensation received from the Court, except travel pay, with the Finance Department.

If an employee is authorized to use a City vehicle for transportation to and from jury duty, travel pay should also be reimbursed to the City.

Employees will be required to report back to work if they only serve a portion of the day in court. (This means if they are dismissed after being in court for one (1), two (2), three (3), or four (4) hours, etc., they are expected to report back to their work station and complete their scheduled shift. If they are dismissed during their last hour of work, they do not have to return to work.) The above will apply to all shifts. Therefore, any employee whose shift is 3:00 P.M. to 11:00 P.M. or midnights will be placed on a day shift for the period they are required to serve on jury duty.

**626.0 Court Leave**

Determination as to whether the absence is court leave, duty status or annual leave will be in accordance with the following criteria:

**Witness in Official Capacity**

When an employee is called as a witness for the City of Plantation in his/her official capacity as a City employee, or in connection with the activity in which he/she is employed, such witness service is considered as Duty Status rather than Court Leave. Therefore, it is compensable at the usual rate of pay, provided it is rendered during the regularly scheduled work day. The employee is not charged for the absence from normal duties.

**Witness in Private Capacity**

When an employee is called as a witness for the City in litigation that has nothing to do with his/her official capacity as a City employee, the service is not considered duty status, but court leave, as defined herein. For example: An employee may witness an accident in which a City vehicle is involved and may be called as a witness to testify for the City. Since he/she is a City employee he/she may not receive pay as a witness for the City, but the absence from his/her normal duties is properly chargeable to court leave. When an employee is called by a private party as a witness in any court, not involving the employee in his/her official capacity as a City employee, whether or not the City is a party to the litigation, court leave is not granted. A charge to annual leave or leave without pay is proper in such cases.

If required to appear in court on a City-related matter, an employee must notify his/her supervisor and Risk Management immediately upon receipt of notice.

**627.0 Funeral/Condolence Leave**

In the case of a death within the immediate family, leave with pay not to exceed three (3) work days based on the work schedule of the employee may be authorized and they do not need to be taken consecutively.

“Immediate family” is defined as current legal spouse, son, daughter, stepchildren, mother, father, stepmother, stepfather, brother, sister, grandparents, grandchildren, parents or grandparents of current legal spouse, and brother or sister of current legal spouse. For non-designated relatives or friends, the employee has the option of using annual leave or leave without pay once annual leave is exhausted.

## **628.0 Military Leave/Active Duty**

### **Policy**

The City of Plantation recognizes an employee's responsibility to fulfill U.S. Military Armed Forces obligations or annual training sessions or active duty call-up and provides this benefit to eligible employees.

### **Definitions**

Military Reserves – military units not routinely engaged in active duty status and identified as National Guard, Air National Guard, Office Reserve Corp., Army Reserve, Air Force Reserve, Marine Corp. Reserve, and Coast Guard Reserve. These units may have annual short-term training sessions.

Short Term Military Leave – a paid period of time for military reservists up to seventeen (17) working days annually for the purpose of short-term military training sessions or as amended by State law.

Active Duty Status – military reservists who receive official orders to report for active military duty not regarded as a training session.

Long Term Military Leave – a period of time when military reservists are called to active duty status for not more than four (4) years plus a one (1) year additional voluntary extension if at the request and convenience of the government for active military duty in the Armed Forces.

Supplemental Pay – an amount necessary to bring the employee's total salary, inclusive of the military pay, to the net base level earned at the time the employee was called to active military duty.

Armed Forces Physical Examination – a medical/physical examination required by the military.

### **Eligibility**

All regular full-time employees of the City who are called for military reserve or active duty status. Florida Statute 115 will be complied with for other types of employees.

### **Provisions**

1. All actions relative to Military Leave are governed by the provisions of Florida Statute 115, or other legislation as amended from time to time.

2A. Short Term Military Leave - An eligible employee receiving official orders to report for reserve duty may receive their normal pay and normal accruals for that period of duty, known as Short Term Military Leave, not to exceed seventeen (17) working days annually or as amended by State law. Florida Statute provisions regarding shift workers may affect the working days noted above. A copy of the official document confirming the order must be furnished to the Department Director prior to the leave period.

2B. Upon completion of the Short-Term Military Leave, the employee must submit a written statement from their Commanding Officer attesting to their satisfactory performance to their Department

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Director in order to receive the normal pay during the Short-Term Military Leave.

3A. Long Term Military Leave - An eligible employee who is an active or inactive military reservist receiving official orders to report for active duty may receive supplemental pay for that period of active duty, known as Long Term Military Leave. Copies of the military pay received must be submitted periodically. A copy of the official document confirming the order must be furnished to the Human Resources Director through the Department Director. This copy must be submitted prior to the leave period.

3B. Upon completion of the Long-Term Military Leave, an employee must return to work within ten (10) working days after an Honorable Termination Supplemental pay shall cease upon the effective date of an Honorable Termination. Employees may use other types of leave in accordance with City policies if there is a reasonable gap between the effective date of an Honorable Termination and the employee's return to work, provided the employee reports to work within ten (10) working days of the Honorable Termination. Proof of Honorable Termination shall be submitted to the Department Director and the Director of Human Resources. The employee must be physically and mentally capable of satisfactory performance of job duties assigned in the formerly held position. An equivalent position may be offered if the former position no longer exists. A medical examination may be required at the discretion of the Human Resources Director.

3C. Any employee on Long Term Military Leave who is terminated with less than an Honorable Termination shall not be eligible for supplemental pay or other benefits provided to employees. Such instances shall be considered as the employee having resigned without notice and shall only be eligible for mandated provisions of Florida Statute 115.

3D. Employees on Long Term Military Leave with dependent health coverage can continue medical coverage for dependents through payroll deductions during the active duty period.

3E. To supplement the employee's net base pay while on Long-Term Military Leave, the employee's budgeted position would be frozen and salary savings shall be used to fund the difference between the employee's current net base pay and any military pay.

Additionally, the employee's status would be frozen as well.

3F. When the employee returns to work in accordance with these provisions, benefits will be in accordance with statutory requirements.

3G. No accruals for sick leave, annual leave or longevity shall occur during a Long-Term Military Leave. The period of Military Leave shall not be considered as a break in service, but shall not count as service credits for any benefits. Longevity bonuses and other benefits shall be suspended for the duration of Long-Term Military Leave.

3H. During Long Term Military Leave, contributions and service credits for any pension plan shall be suspended until the employee returns to work status.

3I. Employees on Long Term Military Leave shall remain at their current dollar value of their current pay during Military Leave. For future earnings, the employee's current pay will be adjusted to the new minimum pay for their position, if necessary, upon the employee's return to work. New minimum pays may have been established during Long Term Military Leave. No incentive pays or retroactive adjustments shall be considered.

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3J. Probationary statuses shall remain in effect until the employee completes and successfully passes any such status after Long Term Military Leave.

3K. Merit increases shall be suspended for the duration of Long-Term Military Leave; the employee must earn such increases upon returning to work.

3L. Job Anniversary dates shall not be affected by any Long-Term Military Leave.

3M. If an employee on Long Term Military Leave fails to return to work within ten (10) working days of an Honorable Termination, then the employee must apply for re-employment within ninety (90) calendar days after completion of military service or within thirty-one (31) calendar days after completion of initial active duty for training of not less than three (3) months. Florida Statutes shall apply in these instances.

4. Employees called for a Selective Service Physical shall be entitled to time off with pay. To earn this leave, the employee must present a copy of Military Leave notice to the Department Director and the Human Resources Director prior to taking the required physical.

**629.0 Leave Without Pay – Other**

Upon request, a regular full-time employee may be granted a leave of absence without pay for a period not to exceed twelve (12) weeks, when reason for granting such request is considered to be in the best interest of the City. Such leave requires prior approval of the Department Head and Human Resources and as appropriate Administration. Leave without pay is applicable when the employee does not have sufficient annual leave credits to cover the anticipated period of absence. Sick leave cannot be used for this purpose unless the need for leave without pay is medically related. An employee whose request for leave has been approved will be paid accrued annual leave on a pay period basis and once exhausted will then be placed on a leave without pay status until expiration of the requested period of leave.

The employee is required to come to Human Resources prior to the start of his/her approved leave in order to obtain information on the options available regarding his/her retirement contributions, 457 loan payments, and to make arrangements for the payment of his/her health insurance or voluntary benefit premiums.

In any event, an employee on an approved medical, or other leave of absence, who becomes gainfully employed will automatically terminate his/her leave without pay status and be subject to immediate termination of employment.

Employees on an authorized unpaid leave are responsible for making payments directly to the City of Plantation for payment of insurances and any applicable voluntary benefits on a bi-weekly basis. The City of Plantation will provide this information to the employee in a timely manner. Should payments become 60 days past due, policies will be terminated until the employee returns to full-time work pay status.

A leave without pay status may also be used in disciplinary situations where a suspension is warranted.



**630.0 Family and Medical Leave of Absence (FMLA)**

To be eligible for leave under the FMLA, an employee must have been employed by the City for twelve (12) months and have worked a minimum 1,250 hours in the twelve (12) month period preceding the commencement date of the leave and who meet other criteria as set forth in the FMLA. An employee may check with Human Resources to determine if they are currently eligible for such leave.

Employees who meet the applicable time of service requirements may be granted a FMLA Leave of Absence for a period not to exceed 12 weeks during a “rolling” 12-month period. The rolling twelve (12) month period is measured backwards from the date upon which Family and Medical Leave is taken.

Employees who meet the applicable time of service requirements may be granted Family or Medical Leave for any of the following reasons:

1. The birth of a child or to care for the employee’s child after birth;
2. The adoption or placement with the employee of a child for foster care;
3. To care for the employee’s spouse, child, parent or grandparent with a serious health condition (in the case of a grandparent, the employee must have assumed financial responsibility for the grandparent); or
4. Because of the employee’s own serious health condition that renders the employee unable to perform the functions of his or her job.
5. For active duty deployment or caretaking as defined by FMLA.

An employee who timely returns from Family and Medical Leave will be restored to his/her former position or an equivalent position with equivalent benefits, pay and other terms and conditions of employment. An employee on an approved, non-FMLA extended leave is not guaranteed reinstatement.

FMLA is a non-paid status; sick leave and other accruals shall be used simultaneously to remain in pay status.

Family and Medical Leave shall consist of the appropriate accrued paid leave and unpaid leave. Use of accrued leave is required for any Family and Medical Leave. For example, if leave is requested for a serious health condition, the employee shall use all his or her accrued sick leave and annual leave, or any other leave bank that is applicable, concurrently with Family and Medical Leave. Once those benefits are exhausted, the balance of the Family and Medical Leave period will be without pay.

At least thirty (30) days advance notice of the employee’s intent to take Family and Medical Leave is required where the need for leave is foreseeable (e.g., pregnancy, planned surgery, etc.). When the need for leave is not foreseeable, the employee should contact Human Resources within two (2) business days (or as soon as possible) of when the need for leave becomes known.

Employees requiring leave for treatment of their own serious health condition, or to care for a spouse, child, parent or grandparent with a serious health condition, are required to obtain medical certification of the condition. However, upon notification of FMLA qualifying leave, the City will

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designate such leave pending certification. Employees on Family and Medical Leave due to a serious health condition may be required to submit to a physical examination by a physician to verify the existence of a serious health condition. Failure to provide the requested certification of the existence of a serious health condition in a timely manner may result in delaying the start of the employee's Family and Medical Leave. Additionally, employees returning from leave due to a serious health condition may be required to produce a fitness for duty report before returning to work. Any such medical certifications shall be submitted to Human Resources for confidential recordkeeping compliance.

The City will maintain health care coverage for an employee and/or covered dependents on Family and Medical Leave provided the employee continues to pay his/her share of monthly premium contributions. An employee who timely returns from Family and Medical Leave will be restored to his/her former position or an equivalent position with equivalent benefits, pay and other terms and conditions of employment.

**Employee Responsibility** – Employees on an authorized FMLA or Medical Leave of Absence have a responsibility to communicate with their supervisors during the Leave relative to their intent to return to work. An employee may be considered as having resigned without notice if no such contact is made prior to the end of the Leave and the employee fails to return to work on the first workday beyond the expiration of the Leave. Employees on a Leave are also responsible for contacting the Human Resources Department for information regarding insurance payments or other applicable employee benefit payments.

**Resignation Date** – The date of notice by a resigning employee will be considered the resignation date for employees who resign during or at the end of a Leave of Absence.

Employees on approved FMLA leave shall not work for or acquire employment with any other employer or business other than the City of Plantation. Such actions shall subject the employee to immediate termination.

**631.0 Sick Leave Donation**

When an employee has a serious health condition or qualifying FMLA event, and is on an approved FMLA leave, and has or will exhaust all accruals the employee may apply for the Sick Leave Donation Program. To apply the employee must contact their supervisor to request donations. If approved by the department the request will be forwarded to the Human Resources Director requesting approval for the employee to receive sick leave donations from other employees. All accruals must be exhausted prior to any donated hours being used. No mention shall be made of the employee's or family member's condition in accordance with HIPAA.

The employee's employment history is reviewed for matters not related to the health condition, and a decision is rendered by the Human Resources Director. Upon approval, the department director sends notification within their respective department (or in the case of a small department, their respective work site i.e. – City Hall) asking for sick leave donations from co-workers.

Employees wishing to donate sick leave hours must send an email to the department's payroll person, writing the employee's name to receive the donation, and the number of hours to be donated. Donations must be made in 8-hour increments with a maximum total donation of 40 hours per calendar year. The department's payroll person shall create a listing of donations and forwards to Benefits and Payroll in Human Resources.

Sick leave donations expire after 12 weeks. Any need by the employee for hours beyond the expiration date shall require a new round of donation requests with another approval by the Human Resources Director. Any hours donated by employees not used within the 12-week time period shall not be used without another request/approval and shall remain in the donor's accrued hours.

If more hours are needed, the department director may request an additional circulate City wide asking for sick leave donations from other employees with the approval of the Human Resources Director.

Accruals earned while in pay status will be used each pay period prior to donated hours being used. Hours are only deducted from the donor's sick leave accruals as they are needed.

**632.0 Paid Parental Leave (PPL)**

It is the intent of the City to create and maintain a work culture that supports employees in their effort to balance their work responsibilities with the demands of personal and family life. This is a valuable benefit to our employees, as well as their families. The Paid Parental Leave (PPL) policy supports these goals and values by allowing parents additional flexibility and paid time to bond with their new child, adjust to their new family situation and balance their professional obligations.

The City will provide up to twelve (12) weeks of paid parental leave to employees following the birth of an employee’s child or the placement of a child with an employee in connection with adoption or foster care. To be eligible for leave under the PPL, an employee must have been employed by the City for twelve (12) months and have worked a minimum 1,250 hours in the twelve (12) month period preceding the commencement date of the leave. An employee may check with Human Resources to determine if they are currently eligible for such leave. PPL will run concurrently with Family Medical Leave Act (FMLA) leave, as applicable substituting unpaid FMLA and is available during the 12-month period following the birth or placement. This policy will be in effect for births, adoptions, or placements of foster children occurring on or after the effective date of this policy.

Employees who meet the applicable time of service requirements may be granted a PPL for a period not to exceed 12 weeks during a “rolling” 12-month period. The rolling twelve (12) month period is measured backwards from the date upon which PPL is taken.

Whenever an eligible employee takes PPL, she/he is eligible to receive her/his regular base rate of pay for up to twelve weeks. Leave under this section may be taken intermittently with minimum of two (2) week intervals. The number of PPL periods an employee may take is unlimited over the duration of his or her employment with the City, but employees are only eligible for one twelve (12) week paid leave regardless of the number of children per birth, adoption, or foster care placement. Under no circumstances shall an employee receive more than twelve (12) weeks or paid parental leave in a rolling 12-month period.

If both parents are City employees, each employee is entitled to up to twelve (12) weeks leave period. They may take their leave period concurrently, subsequently, or in any other combination.

PPL must be taken within the twelve (12) month period immediately following the birth, adoption or foster placement (unless both parents are employees and they choose not to take leave concurrently). Any unused PPL shall be forfeited at the end of the twelve (12) months period. Employees who separate from the City are not eligible for payment of any unused PPL at the time of separation. Employees on PPL shall continue to accrue sick and annual time as if they were working and shall be eligible for holiday pay when the holiday occurs during the PPL.

In all cases, employees requesting PPL must complete and submit an “Application for Paid Parental Leave” available in Human Resources. The completed PPL application must provide an explanation of the need for leave and the duration of the leave. The completed PPL application must be given to the Human Resources. At least thirty (30) days advance notice of the employee’s intent to take PPL is required where the need for leave is foreseeable. When medical emergencies are involved and the need for leave is not foreseeable, the employee should submit the completed PPL Application within two (2) business days (or as soon as possible) of when the need for leave becomes known.

When requesting PPL, employees may be required to furnish to the City documentation sufficient

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to verify the basis of the leave covered event. This may include a birth certificate, a court order finalizing adoption or placement of a foster child, and/or FMLA paperwork. In the event this documentation is not provided within six (6) weeks of when it becomes available to the employee, the employee must reimburse the City for all PPL compensation that he/she has received from the City pursuant to this Policy

**Employee Responsibility** – Employees on PPL have a responsibility to communicate with their supervisors during the PPL relative to their intent to return to work. An employee may be considered as having resigned without notice if no such contact is made prior to the end of the PPL and the employee fails to return to work on the first workday beyond the expiration of the PPL.

Employees on approved PPL shall not work for or acquire employment with any other employer or business other than the City of Plantation. Such actions shall subject the employee to immediate termination.

Any employee who voluntarily terminates employment with the City with an effective termination date within the six (6) months immediately following the last day of a period of PPL shall be required to reimburse the City in an amount equivalent to the value of the PPL taken based upon the employee's rate of pay during the period of PPL. The amount due shall be, at the City's option, deducted from the employee's remaining paycheck(s), reimbursed directly by the employee or a combination thereof.

**636.0 Administrative Separation Policy**

Regardless of the type of leave, employees who cannot return to work or any employee who fails to return or is unable to return at the end of their designated leave period, will be administratively separated from his or her employment and considered to have resigned, unless otherwise provided by law.

**Section VII – Insurance**

**700.0 Insurance**

Group Life, Health, Vision and Dental and Long-Term Disability insurance coverages are described in separate insurance booklets and are available from the Human Resources Department. The cost of employee, dependents and/or family coverage, if selected, is shared by the City and the employee.

**710.0 HIPAA Privacy Act**

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) is a Federal Law that requires health plans to protect the confidentiality of your private health information. A complete description of your rights under HIPAA may be found in the Plan's privacy notice that was distributed to you upon enrollment and is available from the Benefits & Wellness Manager.

The City of Plantation and the Health Plan Sponsor will not, without authorization, use or disclose protected health information for employment-related actions and decisions, or in connection with any other employee benefit plan.

Under HIPAA you have certain rights with respect to your protected health information, including certain rights to see and copy your health information, receive an accounting of certain disclosures of your information, and under certain circumstances, amend your information. You also have the right to file a complaint with the Plan or with the Secretary of the U.S. Department of Health and Human Services if you believe your rights under HIPAA have been violated.

The City of Plantation's Benefits and Wellness Manager maintains a copy of the privacy notice that provides a complete description of your rights under HIPAA's privacy rules. To request a copy of the notice, please contact the Benefits and Wellness Manager in the Insurance Division of the Human Resources Department.



## **720.0 COBRA**

The Consolidated Omnibus Budget Reconciliation Act (“COBRA”) requires the City of Plantation to offer employees and their families the opportunity to purchase a temporary extension of group health coverage if they otherwise would lose coverage because of a qualifying event. This notice is intended to inform you of your rights and obligations under COBRA. Both you and your spouse should take the time to read this notice.

### **Eligibility for COBRA Coverage**

*Employees* covered by the City of Plantation’s group health care plan can elect continuing coverage if one of the following qualifying events occurs:

- ◆ voluntary or involuntary termination of employment for reasons other than gross misconduct; or
- ◆ voluntary or involuntary reduction of work hours below the level required for participation in the group health plan.

*Spouses of employees* covered by the City of Plantation’s group health care plan can elect continuing coverage if one of the following qualifying events occurs:

- ◆ the death of the employee;
- ◆ a termination of the spouse’s employment for reasons other than gross misconduct, or a reduction in the employee’s work hours below the level required for participation in the group health plan;
- ◆ a divorce or legal separation from the employee; or
- ◆ the employee’s enrollment in Medicare.

*Dependent children of employees* covered by the City of Plantation’s group health care plan can elect continuing coverage if one of the following qualifying events occurs:

- ◆ the death of the parent employee;
- ◆ the termination of employment or reduction of work hours of the parent employee;
- ◆ the divorce or legal separation of the parents, if this will cause the dependent child to lose coverage under the City of Plantation’s group health plan;
- ◆ the enrollment in Medicare of the parent; or
- ◆ the child’s attainment of an age exceeding the maximum for dependent coverage under the group health plan.

*Covered retirees; their spouses, widows, or widowers; and their dependents* can elect continuation coverage if they lose group coverage because the City of Plantation filed for bankruptcy.

### **Length of Coverage**

Continuation coverage is available for up to 18 months if the qualifying event is the employee’s termination or reduction in work hours. If an employee or family member can be defined as disabled under the Social Security Administration’s definition for disability benefits, the worker and family members are eligible for an additional 11 months of continuation coverage for a total of 29 months. If, during continued coverage, SSA determines that the employee or family member is no longer disabled, the person must inform the City of Plantation of the predetermination within 30 days.

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For other qualifying events, the spouse and dependent children are eligible for up to 36 months of continuation coverage. The 18-month coverage period following termination or reduction in work hours can be extended to 36 months for family members if a second qualifying event – for example, divorce, death, Medicare entitlement – occurs during the 18-month period.

**Participant’s Duties**

The employee or a family member has the responsibility to inform the City of Plantation of a divorce, legal separation, or a child’s loss of dependent status within 60 days of the qualifying event or the date on which group coverage would be lost because of the event. If you fail to provide the proper notice within 60 days, continuation coverage might not be available.

You do not have to show that you are insurable to choose continuation coverage. However, you have to pay for the coverage and are allowed a 30-day grace period for timely payments. COBRA premiums generally are 102 percent of the applicable plan premium for employees. However, those with disabilities electing to extend coverage beyond the usual 18-month period are charged 150 percent of the plan premium during the extension.

When a qualifying event occurs, you will receive notice within 14 days of your right to elect continuation coverage at that time. You will have 60 days to decide if you want continuation coverage. If you do not choose continuation coverage, your group health insurance coverage will end. If you choose continuation coverage, you will be offered coverage that is identical to the coverage provided to similarly situated active employees and family members. You will have the right to elect full coverage or medical coverage without dental insurance. If you had family coverage at the time of the qualifying event, you can elect family coverage or a less broad category of coverage.

**Termination of Coverage**

Continuation coverage can be terminated before the full COBRA term expires if:

- ◆ the City of Plantation no longer provides group health coverage to any employees;
- ◆ you fail to pay the premium for continuation coverage in a timely fashion;
- ◆ you become covered under another group health plan that does not restrict or limit coverage due to pre-existing medical conditions; or
- ◆ you become entitled to Medicare.

If you have any questions about your rights under COBRA, contact the Human Resources Department. Please inform Human Resources of any change in marital status or address for you or your spouse.

### **730.0 Workers' Compensation**

In order to provide quality medical care in the event an employee is injured on the job, the City of Plantation has instituted a Managed Care Arrangement for workers' compensation medical coverage. Florida Statute, Section 440.134 (17) states:

*“Notwithstanding any provisions of this chapter, when an employer/carrier provides medical care through a workers' compensation managed care arrangement, pursuant to this section, those workers who are subject to the arrangement must receive medical services for work-related injuries and diseases as prescribed in the contract, provided the employer and carrier have provided notice to the employees of the arrangement in a manner approved by the agency. Treatment received outside the workers' compensation managed care arrangement is not compensable unless authorized by the employer/carrier prior to the treatment date.”*

The Florida State Legislature currently mandates that all employers provide their workers' compensation services through a State approved managed care arrangement. The goal of managed care in workers' compensation is to provide patients immediate access to high quality medical care.

#### **Coverage**

Employees are automatically covered by Workers' Compensation insurance whether they are full-time or part-time employees, with the City paying the full cost of this insurance. In addition, the employee will receive compensation at specified rates for any loss of pay arising from the accident, provided the waiting period applicable to the State of Florida is met.

#### **How to File an Injury/Accident Report**

All on-the-job accidents or injuries **MUST** be reported immediately to a supervisor. All accidents or injuries, no matter how slight, are to be reported at once. Human Resources must also be notified.

After an injury or accident occurs, a Notice of Injury Report must be filled out completely and signed by all parties involved. The employee who has been injured is to fill in the Description of Accident portion of the form, giving details.

#### **Medical Attention**

Medical attention is authorized by Human Resources only. If an accident occurs after normal working hours, (this applies to employees who are scheduled to work the night and/or weekend shift when City Hall is closed) the supervisor is authorized to send an employee to the nearest hospital emergency room or authorized medical facility.

#### **FMLA**

FMLA leave and workers' compensation leave can run concurrently if the reason for the employee's absence is due to a qualifying serious illness or injury and the employer properly notifies the employee in writing that the leave will be counted as FMLA leave.

**Further Medical Attention/Release to Return to Work**

If an employee is referred to a physician for further medical attention by the emergency room after his/her release, it is the employee's responsibility to contact Human Resources for treatment authorization prior to making a follow-up appointment. Any employee who has been released by a physician/emergency room and feels he/she needs further medical attention must contact Human Resources for authorization prior to contacting the physician. Any employee who has received an injury that did not require medical attention at the time of the injury, but needs it at a later date, MUST contact Human Resources to receive authorization and an appointment for medical attention. Failure to obtain the necessary authorization from the proper individual will cause any and all charges incurred to become your responsibility, and cannot be filed with your health insurance.

In order to return to work after medical attention is given by an authorized physician or emergency room, the employee must obtain a note stating he/she is released to full or light duty, and/or any restrictions deemed necessary by the treating physician. If an employee is deemed unable to return to work, a note must be obtained indicating this. Any employee who is in question of this procedure may contact Human Resources for assistance.

**Section VIII – Retirement**

**800.0 Retirement**

By ordinance, participation in the City’s retirement system is mandatory for regular full-time employees. The ordinance requires a contribution of a specified percentage of base pay to be paid by the employee. Information about the retirement plan and benefits is contained in the separate retirement system booklet that is available on the Human Resources website or through contacting the City’s pension administrator at GRS Consulting.

**Retirement Severance Policy**

Any full-time employee who is eligible for normal or early retirement and has at least 15 years of continuous service may be granted one (1) week’s base salary for every five (5) years of continuous service to the City upon their actual retirement provided they meet the eligibility criteria of retiring in good standing by giving at least two (2) weeks written notice to their Department Head. Alternatively, if an employee choosing to retire does not give at least two (2) weeks written notice of their intent to retire, they have not retired in good standing and therefore are not eligible for payment of this retirement severance policy.

**Section IX – Employee Resources**

**900.0 Bulletin Boards**

Bulletin boards are located throughout the City, and in each department, are to be used to communicate important notices in a timely fashion. Employees are urged to CHECK THEM REGULARLY. Bulletin boards may not be used for any purpose other than official City notices and/or City of Plantation business. The Human Resources Department is responsible for the approval and posting of all bulletin board information.

**Section X – Miscellaneous Policies**

**1000.0 Direct Solicitation and Distribution**

City policy prohibits direct solicitation of any type for any purpose or on behalf of any cause (including collections for charity, sales of commodities, or political campaigning) during the working hours of any employee involved in the solicitation, unless such solicitation has been approved by Administration.

Solicitation and distribution of literature by non-employees on City of Plantation property is prohibited at all times.

Solicitation by employees on City of Plantation property during working time is prohibited. Solicitation is prohibited if either the solicitor or person being solicited is on working time. Working time does not include free time such as break periods and meal times.

Distribution of literature by employees on City of Plantation property during working time is prohibited. Distribution is prohibited if either the distributor or the person receiving the distribution is on working time.

Distribution of literature by employees in working areas is prohibited at all times.

**1020.0 Weather Emergency Policy**

When a weather emergency threatens our area, all employees must call the City’s Weather Emergency Telephone Number each day and prior to their scheduled work shift for daily updates regarding their working status. The recording will advise employees whether they are required to report to work and when the weather emergency is lifted. It is each employee’s responsibility to comply with this policy.

It is recommended that all employees keep the following telephone number in an accessible, safe place:

**WEATHER EMERGENCY TELEPHONE NUMBER**

**(954) 585–2367**



**1030.0 Searches on City of Plantation Property**

The City of Plantation may, from time-to-time, and without further notice, conduct searches, upon reasonable suspicion of misconduct, on City of Plantation premises or property of any employee's possessions or vehicles on City of Plantation premises. All employees are required to cooperate in the conducting of such searches as a condition of continued employment.

The City of Plantation reserves the right to search employees and their personal property brought onto or removed from its premises upon reasonable suspicion of misconduct. Employees are required to consent to such searches as a condition of continued employment.

**1035.0 Confidentiality of City of Plantation Documents**

City of Plantation records, documents and mail are to be kept confidential. Employees should only read City of Plantation documents or co-worker's documents or mail if the employees are authorized by the City to read such materials. It is considered a serious offense for an employee to read or gain access or control over documents not belonging to or addressed to that employee.

## **1040.0 Uniforms and Business Casual Dress Code**

Employee appearance contributes to the City of Plantation's culture and reputation. Employees are expected to present themselves in a professional manner that results in a favorable impression by citizens and customers.

### **Uniforms**

Some of our employees are required to wear uniforms. Uniforms provide a professional appearance to our customers. The City of Plantation purchases these uniforms and makes them available to specified employees. Employees are not permitted to wear their uniforms when off duty, with the exception of commuting. Jackets shall be left in the office or in work vehicles. Certain types of uniforms may be taxable to employees under IRS regulations. Upon separation of employment, your final settle-up pay cannot be determined until your uniforms have been turned in. For uniforms not returned, employees will be assessed the current cost at prevailing rates.

Some employees may also be required to wear steel-toe safety shoes. If you are required to wear safety shoes, you will be advised to do so by your supervisor.

### **Business Casual Dress**

Other employees that are not required to wear city issued uniforms fall under the City's Business Casual Dress policy. It is the policy of the City to project a professional, business-like image and atmosphere to customers, clients, visitors and coworkers. In line with this, the City requires that employees dress appropriately in clothing and footwear which:

- Is suitable for their job responsibilities and work environment;
- Meets the requirements established for safety reasons; and
- Complies with the City's business casual dress code requirements.

Business casual dress is defined as follows:

- Casual shirts: All shirts with collars, business casual crewneck or V-neck shirts, blouses, and golf and polo shirts. Examples of inappropriate shirts include T-shirts, shirts with inappropriate slogans, tank tops, muscle shirts, and crop tops.
- Pants: Casual slacks and trousers and jeans without holes, frays, etc. Examples of inappropriate pants include shorts, and pants worn below the waist or hip line.
- Footwear: Casual slip-on or tie shoes, dress sandals, and clean athletic shoes. Examples of inappropriate footwear include flip-flops and construction boots (unless a part of an employee's uniform in the field).

Appropriate workplace dress does not include clothing that is too tight or revealing or clothing with rips, tears or frays.

Although it is impossible and undesirable to establish an absolute dress and appearance code, the City will apply a reasonable and professional workplace standard to individuals on a case-by-case basis. Management may make exceptions for special occasions or in the case of inclement weather, at which time employees will be notified in advance. An employee who is unsure of what is appropriate should check with his or her manager or supervisor.

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Each employee represents the City to customers, clients, and other visitors. For that reason, the City expects all employees to dress appropriately for the job, both on-site and when conducting City business off-site, and comply with the City's business casual dress code requirements.

The City reserves the right to determine if an employee's particular outfit and/or footwear are acceptable and in compliance with the City's year-round business casual dress code. Employees are subject to disciplinary actions up to and including termination for non-compliance with this policy

**1045.0 Lockers**

Since the City of Plantation is unable to assume responsibility for your personal property, valuables should be left at home. It may be necessary to open individual lockers at times. When such inspections are necessary, lockers will be inspected only by persons authorized.

**1050.0 City of Plantation Property**

All City of Plantation property, including but not limited to, lockers, desks, file cabinets, and vehicles, is subject to being searched and the contents held by City of Plantation personnel upon reasonable suspicion of misconduct. Theft of any funds or property in any form or fashion will result in immediate dismissal. The City of Plantation reserves the right to investigate any circumstances, including suspected theft of any form or matter, any accident or any other matter deemed appropriate by the City of Plantation using any lawful investigative procedures.

Employees are discouraged from bringing personal items to work. The City of Plantation may, from time to time, search and/or require employees to allow searches of parcels, bags and/or other personal items and/or personal vehicles brought onto City of Plantation property. No one is allowed to ride with City of Plantation drivers other than City of Plantation employees with the exception of Police and Fire. Violation of this policy can result in immediate dismissal.

All City of Plantation property must be returned to the City of Plantation upon separation from employment. The replacement cost of any City of Plantation property that is not returned to the City of Plantation upon separation from employment or upon request will be charged to the employee and it will be deducted from the employee's pay.

## **1070.0 Safety**

With your cooperation and assistance, the City of Plantation will make every effort to provide a clean, safe and healthy place for you to work. You are expected and required to do your part to work safely, wear required safety equipment, abide by all safety rules and regulations, and keep your workplace neat and clean. Specific safety rules are available from your supervisor. It is the responsibility of every employee to help maintain a safe working environment by obeying the safety regulations established by the City of Plantation. Failure to comply with City of Plantation safety rules may lead to disciplinary action up to and including termination.

As part of the safety plan, the City of Plantation has available back support belts. These belts are designed to provide an extra measure of back support for those employees that are involved in jobs that have a potential for back injury or strain.

These belts will be provided by the City of Plantation but will be the responsibility of the employee. The employee must take reasonable care of these belts and reimburse the City of Plantation for belts that have been damaged or lost due to negligence on the part of the employee.

It is strongly recommended by the City of Plantation that employees wear these belts, especially employees with a history of back problems, such as back strain or injury.

Employees are required to wear their belts during lifting operations.

### **Accidents**

Any accident, no matter how slight, must be reported to your supervisor immediately. The supervisor, injured employee, and any witnesses must give a full description of the accident so that a written accident report can be prepared. The supervisor will make arrangements for any required medical treatment.

1. Report any personal injury, however minor, immediately to your supervisor.
2. Make regular disposal of waste and trash.
3. Practice good housekeeping. Keep work area clean and free from hazards.
4. Report hazardous conditions promptly.
5. When lifting, use legs instead of back. If load is too heavy, get help. Keep firm footing; bend knees; keep back straight and vertical.
6. Do not run; watch your step; keep firm footing and proper balance at all times.
7. Check your area for adequate lighting. Replace burned out bulbs immediately.
8. Do not wear loose, torn or frayed clothing which may get caught in machinery.
9. Beware of wet areas; wet floors can be slick.

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10. Do not repair, operate, or ride any vehicle, machine, etc., without proper authorization.
11. Each operator is responsible for the safety of his or her respective machine and safety equipment.
12. No operator is to let any unauthorized person ride on any moving equipment.



**1080.0 Absence Monitoring Procedure**

There are two types of absences: authorized and unauthorized.

1. Authorized Absences - Authorized absences are excused absences which are approved by your supervisor.
2. Unauthorized Absences - An absence is unauthorized when you fail to report your absence or lateness within a half hour of the start of the shift or when you are absent without the supervisor's approval. Unauthorized absences are without pay.

**Disciplinary Policy on Unauthorized Absences**

Employees who have an unauthorized absence of three consecutive working days without notification are presumed to have resigned via job abandonment.

While an unauthorized absence is the main factor in determining acceptable attendance, the total rate of absenteeism will be considered for those employees who have a poor attendance record.

All employees are expected to tell the truth when providing the reason for their absenteeism or lateness. Employees who falsify or misrepresent facts or statements concerning their attendance records will be subject to disciplinary action, up to and including termination.