

**CAREER SERVICE SYSTEM RULES AND REGULATIONS
PASCO COUNTY, FLORIDA**

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SECTION A1

GENERAL PROVISIONS

A1.01 **Purpose**

These rules and regulations set forth the personnel policies of Pasco County in existence at the time they were prepared. These policies are not all-inclusive but have been set forth as guidelines to familiarize everyone with some of the basic policies of the County. None of the policies are fixed terms of employment, and Pasco County reserves the right to modify any such policies or to make exceptions to them, at any time, without notice.

Pasco County makes a substantial investment in its employees and appreciates how valuable each individual is to the team. The County will make every effort to work with members of the team in an attempt to apply its policies fairly and to resolve job performance or other problems. It, therefore, hopes that discharges from employment will rarely, if ever, prove necessary. By holding members of management accountable for fairness to others, Pasco County feels that its goal of being a good and fair place to work for everyone will be achieved. These rules are not intended to, and do not create a contract of employment, nor does any policy statement herein or otherwise constitute a guarantee of future employment or any particular term of employment.

A1.02 **Positions Covered**

- A. These Rules and Regulations shall apply to all positions in the Career Service System.
- B. Except for elected officials, persons appointed to fill vacancies in elected offices, members of advisory boards, commissions, and committees, the following provisions contained in this manual shall apply to full-time employees in the Exempt Service: General Provisions; Position Classification Plan; Salary Plan; Benefits; Work Schedule; and Leave Rules.

A1.03 **Career Service**

- A. The Career Service shall comprise all positions in the County except the following:
 - (1) Elected officials and persons appointed to fill vacancies in elected offices.

- (2) The County Administrator, Chief Assistant County Administrator, Assistant County Administrators, and OMB Director.
 - (3) County Commission secretaries and clerical staff.
 - (4) The heads of administrative departments and divisions appointed by the County Administrator.
 - (5) Employees designated as Professional-Midmanagement or Management and identified as such in their respective pay plans and who become employed or promoted to the position on or after January 20, 1985.
 - (6) County Attorney's and County Administrator's secretaries and clerical staff.
 - (7) Part-time employees who work less than 30 hours per week and who become employed on or after January 20, 1985.
 - (8) County employees assigned to work within the Judicial System.
 - (9) Persons employed to work in the Law Library.
 - (10) Persons employed in casual employment for brief periods, but not in excess of 180 days because of temporary increase in volume of work or emergency conditions.
 - (11) Attorneys, physicians, or dentists.
 - (12) Persons under contract to conduct special studies or perform special surveys or services.
 - (13) Members of advisory boards, commissions, and committees appointed by the Board of County Commissioners or the County Administrator.
- B. Temporary and part-time employees shall be appointed in accordance with the provisions of the Rules and Regulations but shall not be entitled to the rights and privileges of the Career Service employees.
- C. There shall be no requirement of residence for filing applications; however, all exempt employees are encouraged to establish residence and actually reside during their period of employment in the County.

- D. The County Administrator, Chief Assistant County Administrator, Assistant County Administrators, County Attorney, Chief Assistant County Attorney, and all department heads are required to maintain County residency.

A1.04 **Administration and Amendment**

- A. The Board of County Commissioners may amend those substantive rules pertaining to employee benefits, number of current positions, or a pay plan for all positions in the County Service.
- B. The County Attorney shall be the appointing and administrative authority for all assistants and staff of the County Attorney's Office.

In applying the Career Service Manual to the County Attorney, assistants, and staff, all reference in the manual to the County Administrator shall be deemed to mean County Attorney.

- C. The County Administrator shall:
 - (1) Be responsible for the preparation and maintenance of the Career Service System in cooperation with the Human Resources Director.
 - (2) Be empowered to promulgate, adopt, and implement, without Board approval or public hearing, administrative and procedural rules that relate to personnel and employment matters. Such rules may include rules that:
 - (a) Promote the orderly or efficient operation of County government.
 - (b) Promote or improve employee relations with County administrative and policy-making personnel.
 - (c) Establish a fair and expeditious program for processing grievances and disciplinary actions in a manner that comports with relevant principles of due process of law.

- (d) Establish a workable and efficient method for administering employee benefits and compensation programs established by the Board of County Commissioners, including vacation and sick leave benefits.
 - (e) Establish hiring practices to be followed by County administration and management personnel.
 - (f) Establish hiring and leave practices relating to exempt administrative and management personnel under the control of the County Administrator.
 - (g) Establish hours of work, attendance, overtime, and compensatory time practices.
 - (h) Establish practices concerning promotion, demotion, classifications, reclassification, title changes, and vacancies.
 - (i) Establish method for determining the standing and/or the discipline, assignment, and regulation of said employees, which matters may be solely within the jurisdiction and discretion of the County Administrator.
 - (j) Establish procedures for the suspension, removal, or termination of employees, which procedures must be approved by the Board of County Commissioners.
 - (k) Have the authority to suspend, remove, or terminate, with or without cause, and without the approval of the Board of County Commissioners, any employee or officer in the Exempt Service under the control of the County Administrator.
 - (l) May amend any procedural or administrative rule when such an amendment is necessary to promote the efficiency of County government and remove ambiguities in interpretations. Such amendments shall be compiled in writing and made available to any interested employee or person. All such amendments pertaining to termination, suspension, or removal of employees must be approved by the Board of County Commissioners.
- (3) Make the final decisions regarding acceptance, rejection, or modification of advisory opinions received from the Personnel Board.

- (4) Perform such other duties and have and exercise such other powers in the personnel administration as may be prescribed by law or the Career Service System Rules and Regulations.
- D. The County Administrator shall appoint a Human Resources Director who shall be responsible for the administration and technical direction of the Career Service System. The Human Resources Director shall be chosen on the basis of professional training and experience in personnel administration and shall be appointed in the same manner as the heads of other County departments and divisions. The Human Resources Director shall:
- (1) Administer the Career Service System Rules and Regulations and issue operating instructions and interpretations of the rules to employees.
 - (2) Develop and administer recruitment and examination programs to obtain an adequate supply of competent applicants to meet the needs of the Career Service System.
 - (3) Prepare and recommend to the County Administrator a Classification Plan and amendments to the plan so that it will reflect on a current basis the duties being performed by each position in the County Service and the class to which the position is allocated.
 - (4) Administer the Compensation Plan, including the periodic study of wage and salary levels in the labor market, and make recommendations to the County Administrator for amendments to the Compensation Plan.
 - (5) Prepare and recommend such rules or amendments to the Career Service Manual to the County Administrator as necessary to carry out the intent and purposes of the Career Service System of personnel administration.
 - (6) Establish and maintain a roster of all employees in the County Service under the Board of County Commissioners.
 - (7) Develop and implement, in cooperation with the County Administrator, appointing authorities, employees, and others, such training and educational programs for the purpose of improving the quality of services rendered to the citizens and of aiding employees to equip themselves for advancement in the Career Service System.
 - (8) Consult with the Personnel Board on appropriate matters requiring their advice and opinions.

- (9) Provide staff support to the Personnel Board and to act as Secretary to the Personnel Board. The Human Resources Director shall also present evidence and question witnesses before the Personnel Board during hearings.
 - (10) Submit an annual written report to the County Administrator covering the accomplishments of the Human Resources Department and the major areas of personnel administration during the preceding year.
 - (11) Perform such other duties and activities with reference to personnel administration, as may be necessary or desirable to enforce the provisions of these Rules, as the County Administrator may direct or as may be required.
- E. The Assistant County Administrators, department and division heads, and all supervisory personnel will be responsible for the proper and effective administration of these Rules and Regulations within their respective jurisdictions.

A1.05 Department Policies

- A. Departmental/Divisional policies and procedures shall serve as supplements to these Rules and Regulations. In the event of conflict in any section, the Career Service System Rules and Regulations shall prevail.
- B. Departmental/Divisional policies and procedures will be reduced to writing and submitted through the appropriate Assistant County Administrator to the Human Resources Department for approval with regard to conformity to the Rules and Regulations. The Human Resources Department will submit the same to the County Administrator or designee for review prior to implementation by the department.

A1.06 Personnel Board

A. Appointment and Removal

- (1) There shall be a Personnel Board consisting of five members who shall be appointed by the County Commission. The Personnel Board shall designate its own Chairperson and Vice Chairperson every two years from the date of its first appointment.
- (2) Members of the Personnel Board shall serve for a term of four years. Each Commissioner shall nominate one person to serve

on the Personnel Board whose term shall run concurrent with that of the nominating Commissioner. Nominations must be ratified by a majority vote of the Board of County Commissioners. Vacancies in an unexpired term shall be filled by the Board of County Commissioners by appointment for the remainder of the term.

- (3) A member of the Personnel Board may be removed with or without cause at any time by a majority vote of the Board of County Commissioners.

B. Qualifications

Each member of the Personnel Board shall be a qualified elector of the County, shall be known to be in sympathy with the merit principle as applied to the Career Service System, and shall neither hold nor be a candidate for any public office or employment.

C. Functions of the Personnel Board

The principal function of the Personnel Board is to serve in an advisory capacity in the administration of the Career Service System of personnel administration. The Personnel Board shall:

- (1) Advise and counsel the County Administrator on aspects of personnel administration.
- (2) Advise and assist the Human Resources Director in fostering the improvement of personnel standards in the Career Service System.
- (3) Represent the public interest in the improvement of personnel administration in the County Service.
- (4) Hear appeals in cases of any regular Career Service System employee who has successfully completed the probationary period involving dismissals, demotions, and suspensions in the method provided in these Rules and Regulations.
- (5) Render advisory opinions to the County Administrator on personnel matters brought before the Personnel Board.
- (6) Make inquiries and studies as necessary concerning personnel administration in the County Service and make recommendations with respect thereto.

- (7) Make annual reports and/or such special reports as it considers desirable to the County Commission and County Administrator concerning personnel administration in the County Service.
- (8) Meet at such times and places as shall be dictated by the needs of the County. Notice of each meeting shall be given to each member of the Personnel Board and meetings shall be open to the public.
- (9) The Board shall have the power to administer oaths, call witnesses, and may compel the presentation of books, records, and papers pertinent to any investigation or hearing authorized by the Rules and Regulations. Any employee who shall fail to appear or to answer any question or produce any books or papers pertinent to any such investigation or hearing or who shall knowingly give false testimony therein shall be guilty of an offense and may be punishable as provided in these Rules and Regulations.
- (10) Hear appeals of discrimination.

A1.07 Movement of Exempt Positions into the Career Service

When positions are brought into the Career Service, the conversion of the incumbents will be governed as follows:

- A. Incumbents will be given Career Service status if they have been serving in their positions for at least six months and cleared probation on the effective date of the movement of their positions into the Career Service and they meet the competitive requirements for the position they occupy.
- B. An employee who does not meet the length of service requirement or who does not meet the competitive requirements may be retained in a nonmerit status. An employee who lacks the competitive requirements may be recommended for conversion at such time as they meet them.

A1.08 Movement of Career Service Employees into Exempt Positions

- A. With the approval of the County Administrator or designee, an employee in the Career Service may be appointed to a position in the Exempt Service. The position in the Career Service shall be considered vacated and shall be filled by the regular competitive

procedures which apply to filling such positions on a permanent basis.

- B. If an employee is separated, except for cause, from an exempt position, the County will try to return the employee to a position similar or equal to their former position in the Career Service, if applicable. In the event that the Career Service position has been filled or abolished, the County will try to place the employee into a position of similar level and responsibility.

If it is impossible, due to lack of vacancies or budgetary limitations, the employee shall be terminated and placed on the reinstatement eligible list for one year.

SECTION A2

ANNUAL LEAVE

A2.01 Eligibility for Annual Leave

- A. Each regular full-time employee will be allowed annual leave with pay.
- B. Temporary and seasonal employees will not be eligible for annual leave.
- C. Part-time employees will be entitled to leave in proportion to the ratio of the number of hours worked per week divided by 40 hours.
- D. Annual leave, up to the amount earned, may be taken during the employee's initial probationary period; however, in the event the employee resigns or is otherwise terminated before the end of their initial probationary period, any annual leave taken will be reimbursed to the County by deduction from the employee's final pay.

A2.02 Rate of Earning Annual Leave

- A. Annual leave for all nonexempt employees and Fire Rescue Department (FRD) nonshift employees will be earned as follows:

Continuous Employment Biweekly	Biweekly	Accrual Annually (Approx.)
Date of Hire-End of 5th Year	3.69 Hours	12 Days
Start of 6th-End of 10th Year	4.62 Hours	15 Days
Start of 11th-End of 15th Year	5.54 Hours	18 Days
Start of 16th Year On	6.46 Hours	21 Days

Annual leave for FRD Shift employees will be earned as follows:

Continuous Employment 28-Day Cycle	Biweekly	Accrual Annually (Approx.)
Date of Hire-End of 5th Year	11.0 Hours	6 Shifts
Start of 6th-End of 10th Year	13.0 Hours	7 Shifts
Start of 11th-End of 15th Year	15.5 Hours	8 Shifts
Start of 16th Year on	18.5 Hours	10 Shifts

- B. Annual leave for all Professional and Mid-management (P Grade) employees will be earned as follows:

Employees Working 80 Hours Biweekly

Continuous Employment	Biweekly	Accrual Annually (Approx.)
Date of Hire-End of 2nd Year	3.69 Hours	12 Days
Start of 3rd-End of 5th Year	4.62 Hours	15 Days
Start of 6th-End of 10th Year	5.54 Hours	18 Days
Start of 11th Year on	6.46 Hours	21 Days

- C. Annual leave for all Management and Executive (M Grade and Negotiable) employees will be earned as follows:

Continuous Employment	Biweekly	Accrual Annually (Approx.)
Date of Hire-End of 1st Year	3.69 Hours	12 Days
Start of 2nd-End of 3rd Year	4.62 Hours	15 Days
Start of 4th-End of 6th Year	5.54 Hours	18 Days
Start of 7th Year on	6.46 Hours	21 Days

- D. Deferred Retirement Option Program (DROP) participants will accrue leave in the same manner and at the same rate as prior to entering the DROP.

A2.03 Request for Annual Leave (Unplanned)

- A. To receive compensation while absent on unplanned leave, the employees shall notify their immediate supervisor or department/division director prior to or by the start of their scheduled shift.
- B. An employee in a unit operating on a 24-hour basis must notify the department/division within the time limit established by the department/division.
- C. This provision may be waived by the Assistant County Administrator/ department/division director if the employee submits evidence that it was impossible to give such notification.
- D. Unplanned annual leave shall not be counted as hours worked for the purpose of computing eligibility for overtime pay.

A2.04 Use of Annual Leave (Unplanned)

- A. Unplanned annual leave may be granted by the employee's department/division director for the following purposes:
- (1) In order to safeguard the employee's personal property.

- (2) In order to facilitate vehicle repair and/or secure transportation to and from work.
- (3) In order to provide support to a dependent in an emergency.
- B. Leave may be used only as accrued and annual leave with pay shall not be allowed in advance of being earned or awarded.
- C. Frequent claiming of benefits under this rule may constitute grounds for the assumption by the Assistant County Administrator/department/division director that the ability of the employee to meet the organization's scheduling demands is below the standard necessary for the proper performance of duties. Evidence of abuse of this benefit will constitute grounds for disciplinary action, up to and including dismissal.
- D. More than one (1) use per employee per fiscal quarter can be considered "frequent claiming".
- E. Department/division directors may request supporting documentation to verify A(1), (2), or (3).

A2.05 Request for Annual Leave (Planned Absence)

- A. The request for planned annual leave shall be submitted to the employee's Assistant County Administrator/department/division director on approved forms designated by the Human Resources Department.
- B. Annual leave may be taken only after approval by the appropriate Assistant County Administrator/department/division director.
- C. An employee in a unit operating on a 24-hour basis must notify the department/division within the time limit established by the department/division.
- D. Advance Notice
 - (1) A minimum of two (2) weeks' notice must be given for annual leave of five (5) days or more.
 - (2) A minimum of one working day's notice must be given for annual leave of less than five (5) days.

This time is required to ensure proper coverage to maintain levels of service in the department.
- E. Leave may be used only as accrued. Annual leave with pay shall not be allowed in advance of being earned or awarded.

- F. This provision may be adjusted by the Assistant County Administrator/department/division director in order to meet work unit needs.

A2.06 Use of Annual Leave

- A. Annual leave may be granted for the following purposes:
 - (1) Vacation leave.
 - (2) Absences for transaction of personal business which cannot be conducted during off-duty hours.
 - (3) Religious holidays other than those designated by the County as official holidays.
 - (4) For uncovered portion of medical leave, once such leave has been exhausted.
 - (5) Any absences from work not covered by other types of leave provisions established by these rules.

A2.07 Charging Annual Leave

Annual leave time shall be scheduled and charged to the employee for the actual time the employee is away from work.

Annual leave will be charged in half-hour minimum increments.

A2.08 Carry-Over of Annual Leave

- A. It is the intent of these rules to have employees take their annual leave yearly for the period in which it was earned. Employees will be afforded the opportunity to use the annual leave before the leave is carried over to the next year.
- B. An employee shall not be paid for earned annual leave in lieu of taking such leave during any calendar year unless recommended by the Assistant County Administrator/department/division director and approved by the County Administrator or designee.
- C. The maximum amount of annual leave which can be carried over from one calendar year to the next is as follows:
 - (1) FRD shift employees - 700 hours.
 - (2) All other personnel - 500 hours.

- (3) Part-time employees - in proportion to the ratio of hours worked per week divided by 40 hours.

A2.09 Payment for Unused Annual Leave

- A. Payment for accrued annual leave does not apply to employees having less than six months of employment.
- B. Employees resigning voluntarily and who give 14-calendar-days' notice of their intention to resign will receive any annual leave earned as of the date of resignation. Employees dismissed for misconduct and employees who resign without sufficient notice will not receive the earned annual leave, unless specifically approved by the County Administrator or designee.
- C. All accrued annual leave of employees who die while in the County service shall be paid to the spouse or estate of the employee.
- D. For annual leave purposes, reinstated employees are considered new employees.
- E. Employees placed on layoff status will receive pay for all accrued annual leave up to the time of the layoff.
- F. Payment of unused annual leave for DROP participants:
 - (1) Employees electing to participate in DROP may request payment for an amount not to exceed their unused accrued annual leave at the time of entry into the DROP.
 - (2) Whenever annual leave accruals combined with the hours paid upon entering the DROP Program exceed that employee's maximum carry-over level, as defined above, those unpaid hours which exceed the employee's maximum carry-over level on date of DROP entry may be carried forward into the next calendar year during that employee's participation in DROP.
 - (3) Employees electing payment for all accrued annual leave at time of entry into DROP are not eligible for any accrued annual leave payment upon separation from service, unless their accrued hours totaled less than 500 hours upon entering the DROP Program. In that case, the employee would be eligible for payment of the difference between hours paid at DROP entry and 500 hours.
 - (4) Employees electing partial payment of accrued annual leave at time of entry into DROP are eligible for payment of those hours not paid at DROP entry upon separation from service. Total hours paid will not exceed the maximum accrual level determined at

DROP entry or combined total maximum of 500 hours, whichever is greater.

- (5) Employees who elect to defer payment of annual leave accruals until separation from service will receive payment for all unused annual leave earned as of the date of resignation. Employees dismissed for misconduct will not receive the earned unused annual leave, unless specifically approved by the County Administrator or designee.

A2.10 **Disaster Relief Leave Pool**

A. The Disaster Relief Leave Pool is a voluntary program designed to extend benefits to employees who experience a personal loss as a result of the disaster. It is not intended for medical purposes of the individual or family members or for disasters involving family members. The pool is funded through voluntary contributions by employees who wish to assist other employees who suffer a loss as identified above.

B. Eligibility:

Participant must be a regular employee of Pasco County.

C. Procedure:

Participants who suffer a loss to their personal primary residence may request leave from the Disaster Relief Leave Pool and must submit:

- (1) A written request giving the details of the situation; and
- (2) Evidence or other documentation supporting the request that the employee requires additional leave time to tend to personal affairs.
- (3) An ad hoc committee consisting of five employees selected at random by the Human Resources Director or designee from different departments will be established within five working days of receipt of the request and shall examine, verify, and act upon the request.
- (4) Upon approval of a majority of the committee, an employee may receive up to 40 hours (56 hours for FRD shift employees) of continued full pay.
- (5) If for any reason the original request is denied by the committee, the employee has the right of appeal to the County Administrator or designee.

A2.11 Annual or Medical Leave Donation

A. The annual or medical leave donation policy is a voluntary program designed to allow employees to donate accrued annual or medical leave to another employee who is on leave under the Family and Medical Leave Act (FMLA).

B. Recipient:

Employees who experience a prolonged illness or non-work-related injury and have used all of their accrued medical leave, annual leave, and medical leave pool may receive donations of annual or medical leave from other employees.

- (1) Recipient must be on approved FMLA during the applicable time period.
- (2) The recipient must complete a Leave Donation Request form to allow information regarding their eligibility to be disseminated to all employees. They may keep their name confidential.
- (3) The recipient cannot be on worker's compensation while using donated leave.
- (4) The recipient will not accrue annual or medical leave while using donated leave.

C. Donor:

- (1) Donor must be a full-time or part-time employee.
- (2) They must have a minimum of 80 hours of accrued leave of the type donated on the books after the donation.
- (3) Donors may donate a minimum of one (1) hour at one hour increments and a maximum of 40 hours of accrued annual or medical leave per calendar year to each eligible coworker.
- (4) If the number of hours donated by all employees exceeds the number of hours a recipient needs or exceeds the maximum number of hours an employee may receive per rolling 12-month period, the hours donated will be used in the order in which donation forms are logged in by Human Resources; excess hours will be recredited to the donating employee(s) in reverse order.
- (5) Once a donation is made, it cannot be rescinded.

- (6) In order to donate hours, the donating employee must complete a Leave Donation Form and forward it to Human Resources for processing.
- D. No employee shall threaten, coerce, discriminate against, or attempt to coerce another employee for the purpose of interfering with participation involving the donation, receipt, or use of leave under this policy. Any violation will be considered misconduct and subject to disciplinary action.

SECTION A3

MEDICAL LEAVE

A3.01 Eligibility for Medical Leave

- A. Each regular full-time employee will be allowed medical leave with pay.
- B. Seasonal employees will not be eligible for medical leave.
- C. Part-time employees shall be entitled to medical leave in proportion to the ratio of the number of hours worked per week divided by 40 hours.
- D. Medical leave, up to the amount earned, may be taken during the employee's initial probationary period. However, in the event the employee resigns or is otherwise terminated before the end of their initial probationary period, any medical leave taken will be reimbursed to the County by deduction from the employee's final pay.
- E. Frequent claiming of benefits under this rule may constitute grounds for the assumption by the Assistant County Administrator/department/division director that the physical condition of the employee is below the standard necessary for the proper performance of duties. Evidence of abuse of this benefit will constitute grounds for disciplinary action, up to and including dismissal.
- F. If an employee has been approved for Family Medical Leave Act (FMLA) for a particular issue, they are not subject to discipline for the medical leave taken under FMLA for that issue.

A3.02 Rate of Earning Medical Leave

The employee earns medical leave for each biweekly period as follows:

Scheduled Biweekly	Hours Medical Leave Earned
80	3.75 Each Biweekly Period
106	10 Hours Each 28-Day Work Cycle

A3.03 Request for Medical Leave (Unplanned)

- A. To receive compensation while absent on unplanned medical leave, the employees shall notify their immediate supervisor or department/division director prior to or by the start of their scheduled shift.
- B. An employee in a unit operating on a 24-hour basis must notify the department/division within the time limit established by the department/division
- C. This provision may be waived by the Assistant County Administrator/

department/division director if the employee submits evidence that it was impossible to give such notification.

- D. Unplanned medical leave shall not be counted as hours worked for the purpose of computing eligibility for overtime pay.

A3.04 Use of Medical Leave (Unplanned)

- A. Unplanned medical leave may be granted for the following purposes:
 - (1) Personal injury or illness where workers' compensation benefits are not being received.
 - (2) Exposure to a contagious disease which would endanger others, as determined by a physician.
 - (3) Illness of a member of the employee's immediate family which requires the personal care and attention of the employee. No more than 40 hours total (56 hours total for FRD shift employees) a year may be taken of unplanned medical leave for this purpose without approval of the Assistant County Administrator/ department/division director. (See definition of immediate family for medical leave.)
- B. Employees absent three or more consecutive days on medical leave must submit a note from a treating physician stating whether they are able to perform the essential job functions for their position.
- C. Frequent claiming of benefits under this rule may constitute grounds for the assumption by the Assistant County Administrator/department/ division director that the physical condition of the employee is below the standard necessary for the proper performance of duties. Evidence of abuse of this benefit will constitute grounds for disciplinary action, up to and including dismissal.

A3.05 Request for Medical Leave (Planned)

- A. The request for planned medical leave shall be submitted to the employee's Assistant County Administrator/department/division director on approved forms designated by the Human Resources Department.
- B. Medical leave may be taken only after approval by the appropriate Assistant County Administrator/department/division director.
- C. An employee in a unit operating on a 24-hour basis must notify the department/division within the time limit established by the department/division.

D. Advance Notice

- (1) A minimum of two (2) weeks' notice must be given for medical leave of five (5) days or more.
- (2) A minimum of four working days' notice must be given for medical leave of less than five (5) days.

This time is required to ensure proper coverage to maintain levels of service in the department.

E. Leave may be used only as accrued. Medical leave with pay shall not be allowed in advance of being earned or awarded.

F. This provision may be adjusted by the Assistant County Administrator/ department/division director in order to meet work unit needs.

A3.06 Use of Medical Leave (Planned)

A. Planned medical leave may be granted for the following purposes:

- (1) Personal injury or illness where workers' compensation benefits are not being received.
- (2) Maternity leave purposes.
- (3) Medical, dental, optical, or chiropractic examination or treatment.
- (4) Exposure to a contagious disease which would endanger others, as determined by a physician.
- (5) Illness of a member of the employee's immediate family which requires the personal care and attention of the employee. No more than 40 hours (56 hours for FRD shift employees) a year may be taken for this purpose without approval of the Assistant County Administrator/department/division director. (See definition of immediate family for medical leave.)

B. Employees absent three or more consecutive days on medical leave must submit a note from a treating physician stating whether they are able to perform the essential job functions for their position.

A3.07 Charging Medical Leave

A. Medical leave time shall be charged to the employee for the actual time the employee is away from work.

B. Medical leave will be charged in half-hour minimum increments.

A3.08 Accrual of Medical Leave

There is no limit on the amount of medical leave an employee may accrue.

A3.09 Payment of Medical Leave upon Separation

- A. Upon separation with less than one year of County employment, medical leave accumulated shall be forfeited.
- B. Upon separation with one year or more of County employment, the employee shall receive a lump sum terminal medical leave payment equal to one-fourth of all unused medical leave accumulated. Employees separated due to lay-off will receive pay for one-fourth of all accrued medical leave. The remaining accumulated medical leave shall be forfeited and not be subject to reinstatement in the event the employee is reinstated or recalled from layoff. The lump-sum separation payment shall be determined by using the base rate of pay received by the employee at the time of termination or death.

Payments made pursuant to this rule shall not be considered in any State-administered retirement system as salary payments and shall not be used in determining the average final compensation of an employee in any State-administered retirement system.

- C. Payment of medical leave upon separation will only be given to employees resigning voluntarily and who give 14 calendar days' notice of their intention to resign. Employees dismissed for cause and employees who resign without sufficient notice will not receive the earned medical leave, unless specifically approved by the County Administrator or designee.

A3.10 Medical Leave Pool

- A. Medical Leave Pool is a voluntary program designed to extend benefits to participating employees who experience a personal prolonged illness or non-work-related injury. It is not intended for persons on leave without pay for disability leave or because of illness among family members. The Medical Leave Pool is not intended to be used for pre-existing conditions immediately upon an employee joining. The intent is to prevent a hardship for an employee due to unforeseen circumstances.
- B. Eligibility:
 - (1) Participant must be a full-time employee of Pasco County.
 - (2) Participant must have a minimum of 80 hours (112 hours for FRD shift employees) of accrued medical leave on the books.

- (3) Participants must donate 40 hours (56 hours for FRD shift employees) of accrued medical leave to the pool to enroll in the program.
- (4) Participants may be assessed one day each calendar year thereafter if the pool time is significantly depleted (less than 40 percent of the donated time).
- (5) Participants must wait a minimum of 90 days following the initial donation before submitting a request for withdrawal.

C. Procedure:

- (1) Participants who experience a prolonged illness or non-work-related injury and have used all of their accrued medical leave must submit:
 - (a) A written request giving the details of the situation; and
 - (b) A physician's current statement of the illness and estimation of amount of time before the participant will be allowed to return to work.
- (2) An ad hoc committee consisting of five members of the Medical Leave Pool, selected at random by the Human Resources Director or designee, will be established within five working days of receipt of the request to examine, verify, and act upon the request.
- (3) Upon approval of the majority of the ad hoc committee, participating employees may receive up to 240 hours (336 hours for FRD shift employees) of continued full pay, after exhausting their own accrued medical leave.
- (4) Should an emergency occur requiring an extension of the time originally granted by the ad hoc committee, the employee may petition the same committee members for the extension. The original grant and all extensions may not exceed 240 hours (336 hours for FRD shift employees). This is the maximum amount of time available to any employee under this program.

A3.11 Attendance Award Program - Medical Leave Conversion

- A. In accordance with the provisions of this section, an employee may convert portions of their accrued medical leave and receive reimbursement from the County for such conversion on an hour-for-hour basis.
- B. Prior to November 1st, each qualified employee must request, in writing to the Human Resources Director, that this conversion be granted. The

Human Resources Director will certify that all conditions of this awards program have been met. The employee found certified, who is on the active payroll, will receive this award with their first paycheck in December.

- C. Qualified employees (those who served the full payroll year prior to November 1) will be entitled to convert medical leave to a cash award on an hourly basis at their current rate of pay up to 48.75 hours (65 hours for FRD shift employees). To qualify for the conversion, employees must have a minimum balance of 48 hours after conversion as to not deplete their accrued medical leave.
- D. Hours contributed to the medical leave pool shall not count as hours used for the purpose of computation.
- E. Medical leave not converted or used shall remain credited to the employee and will be subject to the provisions contained in Section A3 of the Career Service Manual.

SECTION A4

HOLIDAYS

A4.01 Holidays Observed

- A. The following, and any other days the Board of County Commissioners may declare, are designated as official holidays for County employees:

New Year's Day
Martin Luther King's Birthday
Good Friday
Memorial Day
Independence Day
Labor Day
Veterans Day
Thanksgiving Day
Day after Thanksgiving
Christmas Day

- B. When a holiday falls on a Saturday, the preceding Friday shall be designated a substitute holiday, and when a holiday falls on a Sunday, the following Monday shall be designated a substitute holiday. Both substitute holidays will be observed as the official holiday for that year. When Christmas and New Year's Day fall on a Tuesday, the preceding Monday shall be recognized as a holiday also. When Christmas and New Year's Day fall on a Wednesday, the preceding Tuesday shall be recognized as a holiday also. When Christmas and New Year's Day fall on a Thursday, the following Friday shall be recognized as a holiday also.
- C. For Fire Rescue Department employees, holidays may be observed on the actual day of the holiday at the discretion of the department director. Other department directors may designate that some holidays be observed on the actual day of the holiday based on operational needs. Any holiday observed on the actual holiday instead of the day observed by the County must be clearly defined by the department director, including an indication of which job classification(s) and divisions observe the actual holiday. Affected employees must be notified prior to the beginning of the calendar year.

A4.02 Eligibility for Holiday Pay

- A. All regular full-time and part-time employees who are scheduled to work on a holiday and who are told not to work shall receive pay for their normally scheduled hours for each of the holidays earned.
- B. All regular full-time employees assigned to a workweek schedule of 24 hours on and 48 hours off shall earn 12 hours for each of the holidays observed as provided for in Section A4.01.
- C. Seasonal and temporary employees will not be entitled to holiday pay regardless of the number of hours worked.
- D. An employee must be in an active pay status for the full day on both the regularly scheduled workday immediately prior to a holiday and the regularly scheduled workday immediately following a holiday in order to qualify for the holiday pay.
- E. Whenever a holiday falls on a full-time employee's regularly scheduled day off, the employee shall receive pay for their normally scheduled hours at time and one-half rate for holiday compensation, or they shall receive another day off from their regularly assigned workdays for holiday compensation. Once earned, the time off for holiday compensation must be taken prior to the end of the same fiscal year of the holiday with the permission of their department director. The determination of pay or time off will be subject to departmental policies and with approval of the department director.

A4.03 Holiday on a Scheduled Workday

- A. All regular full- and part-time nonexempt employees who are scheduled to work on either the official holiday or the day observed by the County as a substitute holiday shall be paid at the rate of time and one-half for the number of hours worked, in addition to their earned holiday pay. Holiday pay will be paid based on scheduled hours for that day.
- B. All FRD shift employees who are required to work on an official holiday shall be paid at the rate of time and one-half for the numbers of hours worked, in addition to their earned holiday pay.

- C. An employee who was scheduled to work on a day observed as a holiday and reports sick will be credited with holiday time for that day. This time will not be counted as time worked in computing overtime.

A4.04 **Holiday on a Leave Day**

Employees on annual leave, funeral leave, or military leave must use the holiday on the day it is earned. Holidays that occur during such leave will be compensated as holiday time and not as leave.

SECTION A5

OTHER LEAVES OF ABSENCE

A5.01 **Funeral Leave**

- A. Funeral leave is only granted, when approved by the department/ division director, in the event of a death of an employee's immediate family (see definition of immediate family in Section B14).
 - (1) Regular full-time employees, working a basic 40-hour workweek, may be granted time off with pay not to exceed three consecutive workdays.
 - (2) FRD shift personnel may be granted time off with pay not to exceed one (1) 24-hour shift.
 - (3) Part-time employees will be entitled to leave in proportion to the ratio of the number of hours worked per week divided by 40 hours.
- B. Funeral leave will not be charged to vacation or medical leave unless the approved leave exceeds three consecutive workdays.
- C. The employee may be required to provide the department/division director with proof of death in the immediate family before compensation is approved.

A5.02 **Court Leave**

- A. All regular employees summoned or subpoenaed to attend court as a witness for reasons connected with their official capacity as a County employee or for jury duty during their normal work day shall receive full pay equal to their normal work schedule for the hours they attend court. This time shall be considered leave with pay.
- B. Employees attending court as a witness for reasons not connected with their official capacity as a County employee, or employees who become plaintiffs or defendants in personal litigation, are not eligible for court leave. Time used will be charged to earned annual leave, administrative leave, if eligible, or leave without pay.
- C. Employees required to attend court in an official County capacity while on approved annual leave will be permitted to take additional leave with pay for that court time.

- D. Employees who attend court for only a portion of a regularly scheduled workday must return to work and complete the remainder of their regularly scheduled hours when excused or released by the court.
- E. Employees required to attend court on their day off for County-related items will be entitled to extra time off at the rate of time and one-half or overtime pay at the rate of time and one-half, at the department director's discretion. Employees required to attend court on their day off for non-County-related items will not be entitled to extra time off.
- F. All pay or fees received from the court for jury duty, County-related appearances, or non-County-related appearances shall be retained by the employee.

A5.03 Conference and Educational Leave

The County Administrator may grant conference leave with pay, together with the necessary travel expenses, in order that employees may attend conferences and schools designed to improve their efficiency, if considered to be in the best interest of the County. Time and expenses will be recommended by the department/division director subject to approval of the County Administrator or designee in accordance with established administrative procedures.

A5.04 Maternity or Other Medical Leave

An employee who is required to be absent from work for maternity or other medical reasons may request a leave of absence without pay as outlined in Section A5.09 of the Career Service System.

A5.05 Military Leave

- A. An employee may be granted a leave of absence, with full pay, to perform field or encampment duty, such as National Guard, provided 1) the employee is required to perform such duty in order to maintain their status in the State or Federal military organization and 2) upon completion of such duty the employee presents to the County a statement from the commanding officer of the unit which shows the time spent on duty and the total amount paid for such duty by the Government. This supplemental compensation for field or encampment duty, usually classified as active or inactive duty training, is limited to 240 hours in any one annual period:

- B. The employee shall be required to submit an order or statement from the appropriate military commander as evidence of such duty. The order or statement must accompany the formal request for military leave.
- C. An employee enlisting in, drafted, or conscripted for military service in defense of the United States, or any employee drafted or conscripted by act of Congress for military training, shall retain their reinstatement rights.
- D.
 - (1) Each employee who is a member of a military reserve and who is ordered to active military duty other than the duty required to maintain his status in the reserves will receive compensation equal to full salary for 30 calendar days.
 - (2) For members of a military reserve who are called to active duty (excluding A5.05A), the County will provide supplemental compensation for up to 180 calendar days after compensation referenced in A5.05D(1) if the military pay is less than the County pay (based on monthly compensation). The employee will not be eligible to be paid accrued medical or annual leave unless approved by the County Administrator or designee.
- E. Upon expiration of conscripted or drafted military service, reserve activation, or enlisted military service in defense of the United States, an employee who wishes to return to work shall report to the County within 90 days from the date of discharge. Supplemental compensation as referenced in A5.05D(2) is not applicable during this 90-day period; however, annual leave up to the amount accrued may be used. In the event of temporary or partial disability, the County will provide an appropriate extension of time.
- F. An employee will not be considered eligible for reinstatement if the employee:
 - (1) Has other than an honorable discharge.
 - (2) At any time, voluntarily elected to remain in the military service.
 - (3) After being discharged upon completion of the military service, the employee decides to re-enlist voluntarily. The employee shall not be eligible to be granted military leave or to be continued on military leave for such extended service.
- G. Before employees are allowed to return to work, the employees may be required to submit to a physical examination to establish the fact that they are physically and mentally able to perform the duties of the position.

- H. An employee returning to work shall start at the salary they would have received, including all adjustments including merit increases, had the employee remained continuously in the service of the County instead of entering the armed services.
- I. If the position left by the employee to enter the military service has been reclassified or renamed during the period of military service, the employee shall be entitled to be reinstated in the position according to its existing classification or name.
- J. If the employee is not capable of satisfactorily performing the duties of the position, they will be entitled to reinstatement in a position as nearly comparable as possible in salary and duties of the one the employee left, if available. If the employee's former position has been abolished, they shall be entitled to be placed in another position as nearly comparable to it as possible, provided a vacancy is available.

A5.06 Examination Leave

- A. An employee who is ordered to appear for a physical examination for induction into the military service shall be granted leave with pay for this purpose.
- B. An employee may be granted leave with pay while taking examinations before a Federal, State, or other governmental agency, provided such examinations are pertinent to their County employment.

A5.07 Administrative Leave

- A. Executive, Management, and Professional Midmanagement personnel may be permitted additional leave time at the discretion of the County Administrator or designee.
- B. Positions designated as Executive, Management, and Professional Midmanagement will be specified by the County Administrator or designee.
- C. Days off must be approved in advance by the County Administrator or designee.

A5.08 Workers' Compensation

The employees of Pasco County are covered by the Workers' Compensation Law of the State of Florida.

A5.09 Leave Without Pay

- A. The decision to grant a leave without pay (leave of absence) is a matter of Administrative discretion. The employee must submit

his leave request in writing through his division manager, department director, and the Assistant County Administrator to the County Administrator for final approval/disapproval.

It shall be incumbent upon each division manager, department director, and Assistant County Administrator to weigh each case on its own merits. Each request must be accompanied by a full explanation of the justification for the requested leave. Leaves shall not be automatically approved.

- B. In each case, the County shall make a reasonable effort to return the employee to his former position or a similar position in the same classification in another department. If no opening exists, the employee shall be placed on the reinstatement eligible list.
- C. All departments/divisions are required to adhere to the following practices:
 - (1) Only regular employees are eligible for leave without pay.
 - (2) Assistant County Administrators/department/division directors must submit personnel forms placing employees on a leave of absence for any period of time. The leave of absence will be effective beginning with the first day of absence. Department directors may approve leave without pay for a maximum of two weeks.
 - (3) Prior to requesting a leave of absence without pay for medical reasons, the employee must utilize any accumulated medical leave and may utilize any accumulated annual leave.
 - (4) Prior to requesting a leave of absence without pay for nonmedical reasons, the employee must utilize any accumulated annual leave time.
 - (5) Leave without pay for any pay period two weeks or longer will result in a corresponding adjustment of anniversary and classification dates. This includes leave without pay for a suspension and workers' compensation as well as other definitions previously mentioned. If an employee is not on the job or in a pay status; i.e., leave, the assumption will be that they were not available to be observed and evaluated; therefore, the anniversary date will be adjusted accordingly. This will not include military activation.

- (6) An employee granted a leave of absence must keep the department/division informed every three months of his current activity (school, medical, military, etc.). In addition, the employee must keep the department advised of his current address at all times.
 - (7) An employee wanting to work either part-time or full-time for another employer or become self-employed while on an authorized leave of absence shall request permission to do so from the Assistant County Administrator/department/division director, in writing, prior to accepting or performing such work. The request shall be forwarded to the Human Resources Director for final approval.
 - (8) Failure to comply with all of the above items will result in the employee being dropped from leave of absence status; in which case he must return to duty or be dismissed.
 - (9) Any employee granted a leave of absence shall contact his department/division director at least two weeks prior to the expiration of the approved leave in order to facilitate the reinstatement process.
 - (10) Failure to return to work at the expiration of the approved leave shall be considered as absent without leave and grounds for dismissal.
 - (11) The employee will return to the same salary rate as received at the start of the leave.
 - (12) No medical leave or annual leave will be earned by an employee for the time that the employee is on leave without pay.
 - (13) Anniversary salary increments shall not be credited during leave without pay.
- D. Retirement credit may be maintained only if allowed in the pension plan in operation, provided the employee pays the full share of the premiums.
- E. Group Life and Hospitalization Insurance coverage, for both the employee and dependents, may be continued while on authorized leave of absence, provided all premium payments for both employee and dependents are kept current by the employee.

A5.10 Absence Without Leave

- A. An absence of an employee from duty, including any absence for a single day or part of a day, that is not authorized by specific grant of leave of absence under the provisions of these rules shall be deemed to be an absence without leave. Any such absences shall be without pay and may be subject to disciplinary action.
- B. Any employee who is absent for three consecutive workdays or one 24-hour shift without proper authorization shall be deemed to have resigned. Such action may be reconciled by a subsequent grant of leave if the conditions warrant. A memorandum from the Assistant County Administrator/department/division director recommending implementation of this section is to be forwarded to the Human Resources Director for review and approval by the County Administrator or designee.

A5.11 Inactive Status

- A. The intent of this subsection is to provide for the filling of critical vacancies in those cases where an employee is placed on leave without pay, workers' compensation, or suspension for a period exceeding 30 calendar days.
- B. Employees who are placed in one of the above categories may be removed from the active Payroll Register and be placed on inactive status. This would permit the filling of the vacated position, where necessary.
- C. The decision to place an employee on inactive status is a matter of administrative discretion. Each Assistant County Administrator/department/division director must weigh each case on its individual merits and circumstances so as to determine likely length of absence and need for replacement of employee. Any decision to place an employee in the inactive status must have the approval of the County Administrator or designee.
- D. If the work of the absent employee cannot be accomplished by utilizing existing personnel within the department/division, a temporary or regular replacement may be hired. The determination of whether to hire a temporary or regular replacement is an administrative one to be determined on the availability of replacements. A temporary replacement may be hired with the stipulation that they shall be terminated upon the return of the regular employee.
- E. Placement of an employee on inactive status will not affect provisions elsewhere in the Rules and Regulations regarding the employee's status on leave without pay, workers' compensation, or suspension.

- F. The maximum amount of time that an employee may be on inactive status is one year. At the end of one year, the employee will be removed from inactive status and terminated from the County. The employee may be paid for any accrued benefits, and their group life and health insurance benefits may be continued in line with the applicable State and Federal regulations.

A5.12 Overtime Disclaimer

Leaves of absence may not be counted as time worked for the purpose of computing eligibility for overtime pay. See Section B12.03(C) for further clarification.

A5.13 Time Shifting

- A. All employees will be allowed flexibility in their work schedules (at the discretion of the department/division) through the practice of time shifting. Denial of such request shall not be arbitrary and capricious.
- B. Time shifting will be used on an ad hoc basis. It is not intended to replace annual leave or medical leave, nor is it intended to replace regular scheduling of employees' time. It is intended to allow the organization the ability to adjust its schedules so that it can continue to perform efficiently while taking into consideration the needs of our workforce.
- C. Employees shall notify their immediate supervisor or department/division director of their request for time shifting within the time limit established for such notification by the department/division.
- D. The time shift must be requested and preapproved through the employee's department/division chain of command.
- E. Time shifting must be completed during a single pay week. Hours cannot be "carried over" from one pay week to the next.
- F. Acceptable uses of time shifting are as follows:
 - (1) Absences for transactions of personal business which cannot be conducted during off-duty hours.
 - (2) Any instance when a special event requires staffing and is conducted during normal off-duty hours.
 - (3) Any absences from work not covered by other types of leave provisions established by these rules.

A5.14 Emergency Closure Leave

- A. The County Administrator may grant emergency closure leave when some or all County offices are closed for a specified time period due to an Emergency Operations Center (EOC) activation, inclement weather, or intolerable office conditions including, but not limited to, a lack of electricity, water, or air conditioning. When the County Administrator approves an emergency closure, department heads shall have the responsibility for determining those employees necessary to provide mission essential services. Employees should assume they are working their normal schedule. In some instances, employees from closed facilities may be assigned alternate work stations and/or job duties. Employees already on leave will remain in their same leave status unless they are asked to return to work and they return. Emergency closure leave will not count toward overtime.
- B. When an emergency is declared by BCC, or the EOC is activated by the County Administrator, all employees are expected to work. Employees who are held over or called back for emergency assignment should be compensated from the budget of the employee's assigned department.
- C. If an employee works during an emergency closure, they will be paid for the hours worked in accordance with the Fair Labor Standards Act (straight time for regular schedule and overtime if more than 40 hours worked in the work week).
- D. If the employee is mission essential, as determined by their department head, they are expected to work unless:
 - (1) They are on previously approved leave or have a previously approved exemption. In that case, they may use appropriate leave, or
 - (2) They are told by a member of management not to report to work or they are sent home. In that case, they shall be paid for their normal working hours.
- E. If the employee is not mission essential as determined by their department head, they are expected to work unless:
 - (1) They are on previously approved leave or have a previously approved exemption. In that case they may use appropriate leave, or
 - (2) They are told by a member of management they may elect not to report to work. If they choose not to work under those circumstances, they may request accrued annual leave or leave without pay. If they choose to work, they will be assigned as needed

- (3) If the County Administrator deems it unsafe for employees to report to work, they will be paid their normal working hours for that time period.
- F. Any employee who does not report to work when needed, who has not been granted leave, may be subject to discipline up to and including termination.
- G. All employees are expected to work during an activation unless they have a preapproved exemption based on one of the following:
 - (1) If an employee and spouse both work for Pasco County, only one will be required to work during a disaster, or
 - (2) If an employee's spouse works for another primary response agency (such as law enforcement), the employee may be excused from disaster duty, or
 - (3) If an employee has a medical condition that would prevent them from working, they may be excused.

SECTION A6

SALARY PLAN

A6.01 Purpose

The Salary Plan shall be directly related to the Classification Plan and provides the basis of compensation for employees in the County Service. The Salary Plan is constructed to reflect the following:

- A. Relative difficulty and responsibility existing between the various classes of work within the County employment.
- B. Prevailing rates of pay for similar types of work in private and public employment in the labor market where the County recruits for employees.
- C. Availability of applicants to fill positions in the County Service.
- D. Economic conditions of the area.
- E. Financial policies of the County.

A6.02 Use

The Salary Plan is used to reward employees for job performance, to develop incentives for employees, and to improve their productivity and quality of work.

A6.03 Content

- A. The Salary Plan consists of the basic Salary Schedule as adopted by the Board of County Commissioners.
- B. The Salary Schedule indicates salary ranges and compensation attached to the ranges.

A6.04 Amendment and Maintenance

- A. Amendments to the Salary Plan shall be considered when changes of responsibilities of work or classes, availability of labor supply, prevailing rates of pay, the County's financial condition and policies, or other pertinent economic consideration warrant such action.
- B. The Human Resources Director, after consultation, should recommend amendment of the Salary Plan to the County Administrator for appropriate action.

A6.05 Appointment and Starting Rate

- A. The minimum salary established for a position is considered the normal appointment rate for new employees.
- B. Appointments above the minimum salary, other than with the County Attorney's staff, subject to the request of the employing department/division head, may be authorized by the County Administrator or designee if the applicant's training, experience, or other qualifications are substantially above those required for the position, or there are not qualified applicants available who are willing to accept the minimum rate.
- C. Appointments above the minimum salary with the County Attorney's staff may be authorized by the County Attorney if the applicant's training, experience, or other qualifications are substantially above those required for the position, or there are not qualified applicants available who are willing to accept the minimum rate.

A6.06 Merit Salary Increase

- A. Merit salary increases are not automatic, but are to be earned based upon job performance. Evidence of satisfactory service or above must be reflected in the employee's performance evaluation prior to approval of a merit increase, in accordance with established procedure.
- B. Supervisors are responsible for accurate and prompt submission of employee performance evaluation reports, in accordance with established procedure.
- C. Employees, including FRD shift employees, will become eligible for consideration for a merit salary increase at one-year intervals on their merit anniversary date until the maximum salary is reached.

A6.07 Career Advancement, Promotion, Reclassification

- A. Vacancies in positions above the lowest rank in any classification in the County shall be filled as far as practical by the career advancement, promotion, or reclassification of employees in the County Service.
- B. Examinations for upgrading may be held for specific classes or occupations when it is in the best interests of the County.

- C. Examinations for upgrading are open only to employees in the County Service. An examination for upgrading may include employees in specific classes in all departments/divisions or only in the department/division in which the vacancy occurs, and determined by the department/division director and the Human Resources Director.
- D. Career advancements, promotions, and reclassifications shall receive the pay increases as shown below. Exceptions to the salary adjustment may only be approved by the County Administrator or designee.

(1) Career Advancement (Upgrade)

The advancement of an employee to a higher pay grade within his career field; i.e., Clerk Typist to Senior Clerk, to Secretary, etc. A career advancement (upgrade) shall receive a pay adjustment in accordance with the following or the minimum amount specified for the new classification, whichever is greater:

Pay Grade Adjustment	Maximum Increase
1 grade	5%
2 grades	7½%
3 grades and over	10%
Firefighter to Driver Engineer	5%
Driver Engineer to Captain	10%
Captain to Battalion Chief	10%
Paramedic Incentive	15%

(2) Reclassification (Upgrade)

The reclassifying and advancement of an employee from one career field to another career field in a higher pay grade; i.e., Clerk to a Meter Reader or to an Equipment Operator I. A reclassification (upgrade) shall receive a minimum of a five percent pay increase or the minimum amount specified for the new classification, whichever is greater.

(3) Promotion

The elevating of an employee to a position of supervision or management in which they are responsible for other employees. An employee who is promoted shall receive a minimum of a ten percent pay increase or the minimum amount specified for the new classification, whichever is greater. An employee is only entitled to this increase once during his career.

(4) In instances where the overall salary schedule is adjusted by the County or where total classes are adjusted, the method of implementation will be established by the County Administrator or designee.

E. Classification Date and Merit Increases

(1) Career advancements, promotions, and reclassifications shall establish a new classification anniversary date.

(2) Employees shall be eligible for consideration for a merit salary increase one year following the effective date of their employment or career advancement, promotion, or reclassification upgrade.

(3) Should a career advancement, promotion, or reclassification upgrade be made within 60 calendar days of an employee's regularly scheduled merit anniversary date, the employee shall receive a merit increase of five percent unless the maximum salary is reached.

After the merit increase is given, the career advancement, promotional, or reclassification upgrade pay increase will be given.

Both actions will be effective the same date and will establish a new merit anniversary date.

A6.08 Demotion

A. Reasons for Demotion

(1) When an employee would otherwise be laid off because the position is being abolished, the position is being reclassified to a lower pay grade, lack of work, lack of funds, or because of the return to work from authorized leave of another employee to such a position in accordance with the rules on leave.

- (2) When an employee does not possess the necessary qualifications to render satisfactory service in the position he holds.
- (3) Rejection of probation.
- (4) If an employee voluntarily requests a demotion.

B. Effect of Demotion on Pay

The pay of an employee demoted to a classification having a lower pay grade than their present classification shall be based upon the following guidelines:

- (1) Demotion will not result in a pay increase. Employees demoted to a lower classification will suffer a minimum of a five percent reduction in pay rate. The pay rate will be determined by the hiring department director with the approval of the Human Resources Director.
- (2) Pay will not exceed the maximum rate of the pay grade designated for the lower position.
- (3) Demotions will establish a new merit anniversary date.
- (4) Should a voluntary demotion be made within 60 calendar days of an employee's regularly scheduled merit anniversary date, the employee shall receive a merit increase of five percent unless the maximum salary is reached. After the merit increase is given, the voluntary demotion will be given. Both actions will be effective the same date.

C. Effect of Demotion on Classification Date

An employee who is demoted to a classification they held immediately prior to being upgraded will have the date in classification adjusted to reflect the time served in that classification. All other demotions will establish a new classification date.

D. Probationary Status Due to Demotion

An employee who is demoted to a classification they held immediately prior to being demoted will not have to serve any probationary period unless the previous classification was a probationary classification. In that case, the demoted employee would be required to complete the probationary period.

An employee who is demoted to a classification not previously held shall be required to serve a three-month probationary period. If, during this probationary period, the employee is found to be unqualified for the position, the employee may be dismissed in accordance with established procedures.

A6.09 Transfer

An employee on permanent or probationary status may, with the approval of the Assistant County Administrator/department/division directors concerned and the Human Resources Director, be transferred. Prior to accepting the transfer, employees should carefully consider the rules by which a transfer is accomplished.

A. Department/Division Transfer

- (1) An employee may be transferred to another department/division with the same job classification and such transfer shall not change the employee's pay grade, pay rate, or anniversary or classification date.
- (2) An employee may receive a transfer to another department/division under a different classification but in the same pay grade. Such transfer shall not change the employee's pay rate or merit anniversary date. The classification date shall be the date of transfer.
- (3) The transferred employee shall serve a three-month trial period plus any time remaining on his initial probationary period in the new department/division.
- (4) If, during the trial period, the employee is found to be unqualified for the position or incompetent in performing the duties of the new position, he may be returned to the position from which he was transferred with the approval of the Human Resources Director only if a vacancy exists.
- (5) If the former position is filled, every effort will be made to place the employee in a comparable position. If a vacancy does not exist and if it is impossible to create a new position, the employee will

be released and placed on an appropriate reinstatement eligible list.

B. Transfers from Career Service to Exempt Service

The County Administrator or designee shall have the authority to appoint personnel from the Career Service to the Exempt Service to fill an existing position vacancy in accordance with Section A6.14.

A6.10 Trainee

- A. When an applicant for any position does not meet the minimum qualifications but is otherwise qualified for the position, the department/division director may request the appointment as a "trainee." In such cases, the employee will be hired at a rate 10% below the minimum salary until the minimum qualifications have been satisfied.
- B. This category is to be used only when no qualified applicants are available and to train, on-the-job, those who have the potential to do the work but lack some of the skills, experience, license, or certification required.
- C. The time a person remains in a trainee category would depend on the skills or experience needed in individual cases. Length of the training period will be requested by the Assistant County Administrator/department/division director to the Human Resources Director for approval. Training periods will normally be six months but may be extended based upon circumstances.

A6.11 Standby

- A. In order to provide coverage for services during off-duty hours, it may be necessary to assign and schedule certain employees to standby duty. A standby duty assignment is made by an Assistant County Administrator/department/division director who requires an employee to be available for work due to an urgent situation on off-duty time which may include nights, weekends, or holidays.
- B. The department/division will seek volunteers whenever possible, consistent with equitable distribution of standby time within a work area, classification, shift, and consistent with skill and ability. In the event volunteers are not available, qualified employees will be required to take the assignment in order to maintain effective, proper, and superior service to the community.
- C. Employees assigned to standby duty by their supervisors are entitled to standby pay of one hour's pay at their regular straight

time hourly rate for each eight-hour increment of standby time assigned. This payment will be in addition to any payment received for call out work. Employees assigned to standby duty for less than an eight-hour increment are entitled to standby pay in the same proportion.

- D. In the event any employee who is officially on standby duty fails to respond to a call to work, he will be subject to disciplinary action.
- E. Standby time away from work shall not count as hours "worked" for the purpose of computing overtime pay.

A6.12 Call-Out Pay

- A. In cases where off-duty employees are called out to assist in an emergency, they shall receive a minimum of two hours pay for each emergency call-out and will be compensated at the rate of time and one-half for time worked on a portal-to-portal basis.
- B. If the employee is called back on a holiday or while on authorized paid leave, he shall be paid in accordance with the rule shown above and receive the equivalent hours off to replace the hours worked on the holiday or leave day on a straight time basis.
- C. Any employee required to continue working after completion of their regular scheduled shift shall be ineligible for call-out pay but may be eligible for compensation at the overtime rate of pay.

A6.13 Shift Differential Pay

- A. A shift differential of five percent of base pay shall be paid to those employees who are assigned and regularly work a shift wherein a majority of the hours worked fall after 5:00 p.m. The five percent shift differential shall be paid for all hours worked on the assigned and regularly worked shift.
- B. A shift differential of ten percent of base pay shall be paid to those employees who are assigned and regularly work a shift wherein a majority of the hours worked fall after midnight and before 6:00 a.m. The ten percent shift differential shall be paid for all hours worked on the assigned and regularly worked shift.

- C. Employees assigned to a work schedule of 24 hours on and 48 hours off are not considered shift workers.

A6.14 Temporary Work at a Higher Classification

In the event there is a vacancy at a higher classification, an employee may be required to work in this higher classification on a trainee, temporary, incidental, or emergency basis and shall do so at no increase in pay. If the employee is required to perform the duties for a period exceeding 21 consecutive calendar days, the County Administrator or designee shall give the employee a temporary assignment to a higher classification and the employee shall be paid the appropriate rate for the higher classification retroactive to the first day of such temporary work at a higher classification. At the conclusion of the assignment, the employee's pay shall revert to the authorized rate established for the employee's regular position, and any such temporary increase granted shall not affect the employee's eligibility for normal merit advancement.

If an FRD shift employee works a temporary assignment at a higher classification, he shall be compensated at the appropriate rate for the higher classification at the conclusion of the assignment as long as time served in the higher classification is two or more consecutive shifts. The pay adjustment may be made during the assignment if the temporary work is of an extended duration as determined by the Emergency Services Director.

SECTION A7

EMPLOYEE RELATIONS

A7.01 Employee Development and Training

- A. It is the responsibility of the County Administrator, in conjunction with Assistant County Administrators/department/division directors and the Human Resources Director, to foster and promote in-service training of employees. The purpose of this training is to improve the level of service rendered to the public, the quality of personnel, and to assist employees in preparing themselves for advancement in the County service.
- B. Assistant County Administrators/Department/Division directors, in cooperation with the Human Resources Director, will establish standards for training programs, assure that training is carried out as approved, and prepare certificates or other forms of recognition to persons who satisfactorily complete approved courses and programs.
- C. The Human Resources Director will provide assistance to Assistant County Administrators/department/division directors in developing and conducting training to meet specific needs of their departments/divisions and to ensure that supervisory and management training are available to all departments/divisions.

A7.02 Tuition Reimbursement Program

The County may, within available funds, reimburse up to 100 percent of the approved tuition cost, not to exceed the tuition cost charged per hour in schools under the State of Florida University System, incurred by an employee taking a course(s) of instruction at an approved educational institution (see Tuition Reimbursement Program Manual for procedures).

A7.03 Employee Suggestion Award Program

An Employee Suggestion Award Program may be established to encourage the participation of all County employees in the management of County resources and to provide an incentive toward excellence and creativity.

A7.04 Employee Service Award

The County may establish an Employee Service Award Program which recognizes those employees who are making a career with the County.

A7.05 Group Insurance

- A. Benefits of the health insurance plan will be found in the insurance booklet issued to employees. Information about these plans will be maintained in the Insurance Section.
- B. Employees must notify the Insurance Section of any change in their status so that appropriate steps, necessary to change insurance coverage, may be completed. Notification of any change of status is the employee's responsibility.

A7.06 Payroll Deductions

Federal Withholding and Social Security are deducted from paychecks in accordance with law. Any other deductions, including U.S. Savings Bonds, etc., are made only by written request of the employees.

A7.07 Employee Performance Evaluation

- A. The County utilizes a program for evaluating the work of employees that is designed to permit the evaluation of the employee's performance as accurately and as fairly as possible.
- B. Performance Evaluations will be completed on all employees. The initial evaluation will be completed by the employee's supervisor and reviewed by the division head, department head, or Assistant County Administrator upon completion of the employee's initial probationary period (normally six months). The second evaluation is for merit increase consideration and will be completed when the employee completes one year of County service. Subsequent Performance Evaluations shall be completed on the employee on an annual basis.
- C. If an employee is required to complete a one-year probationary period, the initial evaluation will be prepared one year from the date of hire and annually thereafter.
- D. All promotions will establish a new anniversary date and a new probationary period. This will require the preparation of new Performance Evaluation forms at the end of the employee's new probationary period and on the date the employee completes one year in the new grade.

- E. Employees shall be given a copy of their Performance Evaluation form and shall be entitled to discuss it with their supervisor in accordance with established procedures.

SECTION A8

DISCIPLINARY ACTION

A8.01 INTENT

- A. It is the intent of the Career Service System that effective supervision and employee relations will avoid most matters which necessitate disciplinary action. The purpose of the rules, and disciplinary action for violation of the rules, is not intended to restrict the rights of anyone but to insure the rights of all and secure cooperation and orderliness throughout the Career Service System.
- B. In recognition of the fact that each instance differs in many respects from somewhat similar situations, the County retains the right to treat each occurrence on an individual basis and without creating a precedent for other cases which may arise in the future. The County retains the right to suspend any disciplinary action which it may take, during good behavior for a specified term, at its exclusive discretion.
- C. Examples given in any rule do not limit the generality of the rule. The rules and regulations are not to be construed as a limitation upon the retained rights of the County, but merely a guide and provide recommended standard penalties to apply for specific offenses. This is intended to mean that a more severe penalty may be issued than that which appears in the standard procedure if it is felt necessary.
- D. The types of offenses requiring disciplinary action are divided into three types to reflect degree of severity of offenses.
- E. In each group and for each rule, consideration will be given to the severity of the offense, the cost involved, the time interval between violations, the length and quality of service records, and the ability of the employee concerned. In each case where the penalty is modified from the recommended standard penalties, the reasons for such modifications will be noted in writing.
- F. In addition to the general types of offenses, an employee may be subject to disciplinary action for infractions of departmental/divisional rules and regulations which are filed with the Human Resources Department after approval of the County Administrator or designee.

A8.02 Authority and Procedure

- A. Removals and demotions for cause are effected by department heads with the permission of the County Administrator or designee.
- B. Whenever the department head determines that there are reasons for the dismissal, suspension, or demotion of a regular employee under his supervision in the Career Service, the department head shall notify the Human Resources Director in writing thereof as quickly as is practical. The Human Resources Director will request approval from the County Administrator or designee in all instances involving dismissal.
- C. In the event employees are relieved of their duties with pay pending suspension, reduction, or dismissal, immediate notification shall be given to the Human Resources Director. Under no circumstance shall an employee be relieved of his duties without pay prior to approval of the County Administrator or designee.

D. Predisciplinary Hearing

Prior to any suspension, demotion, or dismissal, an employee shall be given a predisciplinary hearing to grant due process. This hearing shall take place within one working day after receipt of the department head's intent to suspend, demote, or dismiss an employee.

All predisciplinary hearings shall be heard by the Human Resources Director or designee, and determination given within one working day.

- E. Within not more than 30 days after the giving of the notification required above, written notice of suspension, reduction, or dismissal, stating the reasons therefore, and the date from which such action is effective, shall be given to such employee or mailed to the usual place of residence. A copy of such notice shall be submitted to the Human Resources Department.

In the event that good and sufficient reasons exist, making it impractical or impossible to give or mail such written notice to the employee within the 30-day period, the Human Resources Department,

showing good cause, may extend the period for giving notice for an additional period not to exceed 30 days.

- F. Any regular, full-time employee may appeal such disciplinary action within ten working days after delivery or mailing of such written notice by filing a written request for a hearing to the Personnel Board in the Human Resources Department.

A8.03 Written Reprimand

- A. Whenever employee performance, attitude, work habits, or personal conduct at any time fall below a desirable level, supervisors shall inform employees promptly and specifically of such lapses and give counsel and assistance. If appropriate and justified, a reasonable period of time for improvements may be allowed before initiating disciplinary measures.
- B. In situations where an oral warning has not resulted in the expected improvement, a written reprimand shall be issued defining the nature of the infraction under the Rules. The written reprimand will be sent to the employee and a copy shall be placed in the employee's permanent personnel folder in the Human Resources Department. The employee's immediate supervisor usually initiates a written reprimand; however, it must be signed by the department/division head before it is placed in the personnel file.

A8.04 Suspensions

- A. For disciplinary purposes, a department head may recommend suspension of an employee with or without pay for a length of time he considers appropriate, not exceeding 20 working days in any 12-month period (see Section A8.02 for authority and procedures).
- B. In cases where an employee is charged with a crime and the department head determines that the charge has some bearing on the employee's employment if found guilty, the department head shall make a review of the matter and may recommend suspension with or without pay until the final determination of the Court, subject to Section A8.02.

A8.05 Types of Offenses

The three groups of offenses and a guide for standard penalties recommended are as follows:

GROUP I OFFENSES

FIRST OFFENSE	— INSTRUCTION AND CAUTIONING
SECOND OFFENSE	— ONE (1) DAY SUSPENSION
THIRD OFFENSE	— UP TO FIVE (5) DAYS SUSPENSION
FOURTH OFFENSE	— UP TO AND INCLUDING DISCHARGE

- (1) Operating, using, or possessing tools, equipment, or machines to which the employee has not been assigned, or performing other than assigned work.
- (2) Quitting work, wasting time, loitering, or leaving assigned work area during working hours without permission.
- (3) Washing up or changing clothes during working hours without specific permission of supervisor.
- (4) Taking more than specified time for meals or rest periods.
- (5) Productivity or workmanship not up to required standards of performance.
- (6) Provoking or instigating a fight or fighting on County property.
- (7) Reporting to work or working while unfit for duty, either medically, mentally, or physically.
- (8) Posting or removal of any material on bulletin boards or County property unless authorized.
- (9) Distributing written or printed material of any description on County premises unless authorized.
- (10) Discourtesy to persons with whom the employee comes in contact while in the performance of duties.
- (11) Violating a safety rule or safety practice.
- (12) Engaging in horseplay, scuffling, wrestling, throwing things, malicious mischief, distracting the attention of others, "catcalls," demonstrations on the job, or similar types of disorderly conduct.

- (13) Creating or contributing to unsafe or unsanitary conditions.
- (14) Causing loss of time and effort to the County or County employees because of failure to pay just debts due or failure to make reasonable provision for the future payment of such debts.
- (15) Failure to report the loss of a County identification card immediately to the department/division director.
- (16) Failure to keep the department/division and the Human Resources Department notified of proper address or telephone number (if any).

GROUP II OFFENSES

	INSTRUCTION OR UP TO TWO (2) DAYS
FIRST OFFENSE	— SUSPENSION
SECOND OFFENSE	— UP TO FIVE (5) DAYS SUSPENSION
THIRD OFFENSE	— UP TO AND INCLUDING DISCHARGE

- (1) Failure to work overtime, special hours, or special shifts after being scheduled according to overtime and standby duty policies.
- (2) Leaving their post at the end of the scheduled shift without being relieved by the supervisor or the relieving employee on the incoming shift, for those units operating on a 24-hour basis.
- (3) Negligence or omission in complying with the requirements as set forth in departmental rules and standards of conduct.
- (4) Absent without permission or leave.
- (5) Failure to report an accident or personal injury in which the employee was involved while on the job.

- (6) Mistakes due to carelessness which affect the safety of County personnel, equipment, tools, the public, or property.
- (7) Failure to report a request for information or receipt of a subpoena from a law firm or an attorney for a matter relating to County business.
- (8) Vending, soliciting, or collecting contributions for any purpose whatsoever at any time on County premises, unless authorized.
- (9) Violation of any or all of the steps outlined in the grievance procedure.
- (10) Knowingly harboring a serious communicable disease which may endanger other employees.
- (11) Disregarding job duties by loafing or neglect of work during working hours.
- (12) Failure to punch own time card, where applicable. (Guide: Three times in any 30-day period.)
- (13) Tardiness. (Guide: Three times in a 30-day period.)
- (14) Chronic absenteeism. (Guide: Three times in a 30-day period.)

GROUP III OFFENSES

FIRST OFFENSE — UP TO AND INCLUDING DISCHARGE

- (1) Wanton or willful neglect in the performance of assigned duties.
- (2) Deliberate misusing, destroying, or damaging any County property or property of an employee.
- (3) Receipt from any person, or participation in, any fee, gift, or other valuable thing in the course of work, when such fee, gift, or other valuable thing is given in the hope or expectation of receiving a favor of better treatment than that accorded other persons.

- (4) Knowingly punching the time card of another employee, having one's time card punched by another employee, or unauthorized altering of a time card.
- (5) Falsification of personal or County records, including employment applications, accident records, work records, purchase orders, time sheets, or any other report, record, or application.
- (6) Making false claims or misrepresentation in an attempt to obtain sickness or accident benefits or workers' compensation.
- (7) Insubordination by the refusal to perform work assigned or to comply with written or verbal instructions of a supervisor.
- (8) Unauthorized use or display of firearms, explosives, or weapons on County property.
- (9) Theft or removal from County locations without proper authorization of any County property or property of any employee.
- (10) Immoral, unlawful, improper conduct or indecency, either on or off the job, which would tend to affect the employee's relationship to their job, fellow workers, reputation, or goodwill in the community.
- (11) Being absent from duty for a period of three consecutive working days without proper authorization.
- (12) Failure to return from an authorized leave of absence.
- (13) Misuse or alteration of a County I.D.
- (14) Incompetence or inefficiency in the performance of assigned duties in an employee's position.
- (15) Purchasing or drinking intoxicating liquor while on duty or habitual use or abuse of controlled dangerous substances.
- (16) Use or attempted use of political influence or bribery to secure an advantage of any manner.

- (17) Conviction of a felony or of a misdemeanor of the first degree involving moral turpitude, while either on or off the job.
- (18) Concerted curtailment, restriction of production, or interference with work in or about the County work stations including, but not limited to, instigating, leading, or participating in any walkout, strike, sit-down, stand-in, slowdown, or refusal to return to work at the scheduled time for the scheduled shift.
- (19) Participation in a strike against the County as established in Florida Statutes.
- (20) Threatening, intimidating, coercing, or interfering with fellow employees or supervision at any time, including abusive language.
- (21) Sleeping during duty hours, unless otherwise authorized, as in some public safety occupations.
- (22) Gambling, lottery, or engaging in any other game of chance at County work stations at any time.
- (23) Making or publishing false, vicious, or malicious statements concerning any employee, supervisor, the County, or its operation.
- (24) Reporting for work while obviously under the influence of alcohol or drugs.

SECTION B1

RECORDS AND REPORTS

B1.01 Responsibility

The Personnel Department is responsible for establishing and maintaining comprehensive, central personnel records of all County employees.

B1.02 Annual Report

The Personnel Director shall make an annual report to the County Administrator regarding the work of the Personnel Department and the status of the Personnel System.

B1.03 Records

- A. All personnel records of employees of the County Government covered under the Personnel System and all other records and materials relating to the administration of the system shall be considered the property of the County. The decision of the Personnel Director relating to the use, maintenance, and disposition of such records and material, and as to whether or not any information contained therein may be disclosed in accordance with applicable laws shall be final.
- B. Employees should be aware of the importance of keeping their personnel records current. This means immediately notifying the Personnel Department of any changes, such as changes of address (even if temporary); telephone number; beneficiary; number of dependents; divorce; marriage; or any change of status not previously reported that was originally given at time of employment. This is the responsibility of the employee and failure to comply may result in loss of employee benefits.
- C. The Personnel Department should be informed of any special training courses completed by an employee. Copies of diplomas or certificates are to become a permanent addition to the employee's personnel file.

B1.04 Records Retention and Disposition

The Personnel Director shall determine the time limit that any personnel records shall be kept on file and the final disposition of such records, in accordance with applicable laws.

SECTION B2

STANDARD OF CONDUCT

B2.01 Policy of the County

- A. One objective of the County is to establish and administer a system of personnel management consistent with the goal of providing superior service to the community by employing and retaining individuals of the highest caliber who display pride and dignity in the performance of their duties.
- B. The County advocates the concept that the quality of public service can attain maximum efficiency and effectiveness through a personnel management system based on merit principles.
- C. Employees are encouraged to develop skills and seek formal training that will enhance their personal development and add to their overall expertise within the organization. Any employee who obtains a college degree (two-year, four-year, or advanced), a P.E. certification, or a CPA certification that is higher than the educational requirements outlined in their current job description may be eligible for a one-time increase of five percent in pay. The degree must be from an accredited college or university and must be in the employee's related field or a career field of Pasco County Government. The employee must provide documentation to the Personnel Director or the County Administrator within 60 days of having the degree or certification conferred upon them. Under no circumstances will the employee's rate of pay exceed the maximum pay allowed for their position.
- D. It is the policy of the County to expect from its employees compliance with all Rules and Regulations, State Statutes, and Federal Regulations in the performance of their duties, as well as compliance with all safety rules and standards. An employee who violates any of these Rules and Regulations will be subject to disciplinary action.
- E. The County retains the rights, in accordance with applicable laws, regulations, and provisions of the Career Service System, including, but not limited to, the following:
 - (1) To determine the organization of County government.
 - (2) To determine the purpose of each of its constituent agencies.
 - (3) To exercise control and discretion over the organization and efficiency of operations of the County.
 - (4) To set standards for services to be offered to the public.
 - (5) To manage and direct the employees of the County.
 - (6) To hire, examine, classify, promote, train, transfer, assign, schedule, and retain employees in positions with the County.

- (7) To suspend, demote, discharge, or take other disciplinary action against employees for just cause.
- (8) To increase, reduce, change, modify, or otherwise alter the composition and size of the work force, including the right to relieve employees from duties because of lack of work, funds, or other legitimate reasons.
- (9) To determine the location, methods, means, and personnel by which operations are to be conducted, including the right to contract and subcontract existing and future work.
- (10) To determine the number of employees to be employed by the County.
- (11) To establish, change, or modify the number, types, and grades of positions or employees assigned to an organization, unit, department, division, or project.
- (12) To establish, change, or modify duties, tasks, responsibilities, or requirements within job descriptions in the interest of efficiency, economy, technological change, or operating requirements.

- F. County employees shall have the right to form, join, and participate in, or to refrain from forming, joining, or participating in, any employee organization of their own choosing in accordance with State law.
- G. Employees covered by collective bargaining agreements will be covered by all provisions of the Rules and Regulations except for sections specifically covered by the collective bargaining agreement.

B2.02 Equal Opportunity and Affirmative Action

- A. Pasco County will not discriminate in employment, employee development, or employment advancement because of religious or political opinions or affiliations, race, color, national origin, sex, age, physical handicap, or other nonmerit factors, except where such factor is a bona fide occupational qualification or is required by State and/or Federal law.
- B. The County will take affirmative action to expand opportunities for minority groups and women through employment and promotion on a completely nondiscriminatory basis.

- C. The County is morally and ethically committed to a policy of fairness and equity for all employees and will give every employee the opportunity to achieve maximum potential as an employee and as a human being.
- D. Handicapped persons will be given full consideration for employment in all departments and divisions. Every effort shall be made to employ and retain handicapped persons in positions where a handicap will not impair performance. Physical standards will be fair, reasonable, and adapted to the realistic requirements of jobs. Such standards will be based on complete, factual information regarding working conditions, hazards, and essential physical requirements of each job. Physical standards will not be used to arbitrarily eliminate handicapped persons from consideration.
- E. The Personnel Director is designated the Equal Employment Opportunity (EEO) Officer to administer, coordinate, and supervise all equal employment opportunity projects and concepts.

B2.03 Conflict of Interest

To avoid misunderstandings and conflicts of interest which could arise, the following policy will be adhered to by employees of the County. This policy is in accordance with Florida Statutes entitled "Public Employees: Code of Ethics."

- A. Employees shall not accept any gifts, including Christmas gifts, favors, or services that might reasonably tend to improperly influence them in the discharge of their official duties.
- B. Employees shall not use or attempt to use their position to secure special privileges or exemptions for themselves or others, except as may be provided by policy and/or law.
- C. Employees shall not accept employment or engage in any business or professional activity which they might reasonably expect would require or induce them to disclose confidential information acquired by them by reason of their official position.
- D. Employees shall not disclose confidential information gained by reason of their official position, nor shall they otherwise use such information for their personal gain or benefit.
- E. If an employee of the County is an officer, director, agent or member of, or owns controlling interest in any corporation, firm, partnership, or other business entity which is subject to the

regulation of, or which has substantial business commitments with the County, he shall file a sworn statement to this effect with the County Administrator.

B2.04 Political Activity

- A. County employees shall not use their official authority or influence for the purpose of interfering with an election or a nomination for office, for influencing another person's vote, or affecting the result thereof.
- B. No employee, official, or other person shall solicit orally, by letter, or be in any other manner concerned in obtaining any assessments, contributions, or services for any political party from any employee during hours of duty, service, or work with the County.
- C. Nothing herein contained shall be construed to restrict the right of the employee to hold membership in and support a political party, to vote as they choose, to express opinion on all political subjects and candidates, to maintain political neutrality, to attend political meetings after working hours, or to campaign actively during off-duty hours in all areas of political activity.
- D. Any employee who wishes to accept or seek election or appointment to the Board of County Commissioners must resign from County employment immediately upon indicating such intention by formal declaration or other evidence of candidacy subject to State Statutes dealing with elections.
- E. This section shall not apply to members of the County Commission or any other elected County official or to members of any County Board or Commission.

B2.05 Employment of Relatives

- A. In accordance with Florida Statute 116.11, a public official may not appoint, employ, promote, advance, or advocate for appointment, employment, promotion, or advancement in or to a position in the County or agency in which he is serving or over which he exercises jurisdiction or control, any individual who is a relative of the public official. An individual may not be appointed, employed, promoted, or advanced in or to a position in the County if such appointment, employment, promotion, or advancement has been advocated by a public official serving in or exercising

jurisdiction or control over the agency who is a relative of the individual.

(1) "Public Official" means an officer or employee of the County in whom is vested the authority by law, rule, or regulation, or to whom the authority has been delegated, to appoint, employ, promote, or advance individuals for appointment, employment, promotion, or advancement in connection with the employment in the County.

B. All employees working under past policies will be retained where employed. However, without expressed written consent of the County Administrator's Office, no member of a family may be employed, transferred, or promoted to a position in a department where another member of that family is employed.

B2.06 Outside Employment

A. Full-time employees are discouraged but not restricted from engaging in other employment during their off-duty hours. However, County employment shall be considered the primary employment and no employee may engage in outside employment which would interfere with the interest of the County service.

B. No employee shall accept or begin any outside employment prior to requesting approval from their department/division director to engage in outside employment. The request shall state the type of employment, the hours of work, the name of the prospective employer, and the place of employment. The request will then be forwarded to the County Administrator or designee.

C. The County Administrator or designee may approve or reject the request. Any notice to engage in outside employment granted as hereinbefore provided may be cancelled or terminated at any time by the County Administrator, with cause, upon giving written notice to the employee to whom said permission was granted.

D. No employee granted permission to engage in outside employment shall work at said outside employment for a longer period of time than stated in the request, nor at a different place of employment than that set forth in the request.

E. Any employee accepting outside employment under the terms of this rule shall make arrangements with the outside employer to be relieved from duty if and when called for emergency service by the County. Every employee granted permission to engage in outside

employment under this rule shall agree to and shall respond immediately to any emergency call to duty by the County whenever the department director or the County Administrator shall determine their services to be necessary.

- F. Equipment, facilities, vehicles, or property of the County shall not be used by employees for outside employment, nor for travel to such employment.
- G. Employees cannot hold two paid Board of County Commissioner jobs.
- H. No employee shall work for any outside employer, for themselves, nor perform any volunteer work while they are on medical leave. Permission to work for an outside employer will be temporarily rescinded when the employee is on medical leave.

B2.07 Release of Information

- A. The employee shall at all times be courteous and helpful to those members of the public who seek information.
- B. Employees are cautioned that information concerning subjects under discussion or consideration often change in content and meaning before becoming accomplished decisions.
- C. Unless release of information is a normal part of his duties, an employee will decline courteously to reveal information and shall direct such inquiry to the department/division director or County Administrator. It is not the intent of the County to be secretive or to withhold valid information, but to assure that all information released is true and accurate.
- D. Nothing contained in this section shall be interpreted as being in violation with the Public Records Law.

B2.08 Solicitation and Distribution

- A. Employee contributions to recognized charitable organizations are purely voluntary. No coercion of an employee to make contributions shall be permitted.
- B. County employees are prohibited from soliciting any other employee of the County on behalf of any organization, including any labor union, labor organization, or employee organization, during their working hours, excluding authorized break time and meal time, or the working hours, excluding authorized break time and meal time,

of the employee sought to be solicited, without the expressed approval of the County Administrator.

- C. County employees are prohibited from distributing literature which tends to promote any organization, including any labor union, labor organization, or employee organization, during working hours, excluding authorized break time and meal time, in any area where County work is performed, without the expressed approval of the County Administrator.
- D. County employees are prohibited from being associated with any fund-raising activity which would infer that Pasco County was the recipient of the said funds without the expressed approval of the County Administrator or designee.

B2.09 Employee Debts

An employee's financial transactions are the employee's personal affair. The County will not act as a collection agent for an employee or for collection agencies.

B2.10 Use of County Property

An employee shall not use County property, equipment, or vehicles, except in the performance of official duty, nor permit their use by an unauthorized person, either on- or off-duty.

B2.11 Dress and Appearance

- A. County employees are expected to maintain high personal, moral, and ethical standards. One of the most noticeable expressions of these personal standards is dress and appearance.
- B. What is appropriate for employees in one department/division may not be appropriate in another. Work clothes and uniforms which are provided for many departmental employees generally set the standards for their functions. Issued work clothes or uniforms must be worn by the assigned employee. Determination of an employee's specific dress and appearance is a supervisory responsibility and will be treated as such. Personal appearance standards are to be established in departmental rules, subject to approval by the Personnel Office.

B2.12 General Prohibitions

- A. No person shall, directly or indirectly, give, render, pay, offer, solicit, or accept any money, service, or other valuable consideration for any appointment, proposed appointment, promotion, or proposed promotion to, or any advantage in, a position in the County service.
- B. No employee of the Personnel Department, an examiner, or other person shall deceive or obstruct any person in their right to examination, eligibility, certification, or appointment under these rules, or furnish to any person any special or confidential information for the purpose of affecting the rights or prospects of any person with respect to employment in the County service.
- C. No official or employee whose duties involve the use of a badge, card, or clothing insignia as evidence of authority or for identification purposes shall permit such badges, cards, or insignias to be used or worn by anyone who is not authorized to use or wear the same, nor permit the same to be out of his possession without good cause. Such badge, card, or insignia shall be used only in the performance of the official duties of the positions to which they are related.
- D. Any County employee participating in a strike against the Pasco County Government, as defined in the Public Employees Relations Act, shall be terminated from the County service.

B2.13 Sexual Harassment

It is the policy of Pasco County to discourage and take appropriate actions against individuals suspected of sexual harassment.

SECTION B3

RECRUITMENT AND APPLICATIONS

B3.01 Recruitment

- A. Individuals shall be recruited from a geographic area as wide as is necessary to assure obtaining well-qualified candidates for the various types of positions. In cases where County residents and nonresidents are equally qualified for particular vacant positions, the County residents shall receive first consideration in filling vacancies.

B3.02 Acceptance of Applications

- A. No person responding to public notice shall be denied the opportunity of filing an application for employment with the County, and all such applications shall be made on standard forms designed and prepared by the Personnel Department.
- B. Applications for County Service positions shall be active and considered by the Personnel Department for a term of one year from date the application is filed, unless the application becomes void by virtue of some other rule.
- C. After the expiration of a two-year period, the application may be destroyed.
- D. All applicants must be citizens of the United States or lawfully admitted resident aliens with a valid Alien Registration Receipt Card.

B3.03 Rejection of Applications

- A. The Personnel Department may reject any application which indicates that the applicant does not possess one or more of the minimum requirements as specified in the public announcement.
- B. An applicant may also be rejected if he is physically incapable of performing the duties of the position to which he seeks appointment; has prior conviction for a crime if the crime was a felony or first-degree misdemeanor and directly relates to the position of employment sought; has submitted an incomplete application; has made false statements of any material fact in the application; has ever been a member and had knowledge of the nature

and purpose of any organization which advocates the overthrow of the Government of the United States of America by force or violence; or whose past employment record is "unsatisfactory" as determined by the Personnel Director and the department/division director.

B3.04 **References**

As part of the pre-employment procedure, former supervisors, employers, references provided by candidates, education, and health records, where appropriate, shall be checked by the Personnel Department as a precaution against employing undesirable employees. Reference checks made by personal or telephone contact will be documented and made part of the applicant's file. In order to expeditiously hire an employee, reference checks shall be completed by the Personnel Department after the date of hire. If desired, the employing office can complete a pre-employment reference check.

SECTION B4

EXAMINATIONS

B4.01 Announcement of Examinations

- A. Unless vacancies are filled by demotion, transfer, or by certification from layoff eligible lists, they shall be filled insofar as practical by the promotion, transfer, or career advancement of qualified County employees. The Personnel Department shall, after consultation with the department director concerned, determine whether a competitive examination shall be conducted among the eligible individuals of the division, department, other County departments, or the general public, in that order.
- B. If the vacancy cannot be filled through promotion, transfer, or career advancement, the Personnel Department shall make public announcement of open competitive examination in advance of the date fixed for closing the filing of applications thereof, and the examination will be advertised in the news media of general circulation. The Personnel Department may also give public notice of examinations for County employment through radio, television, the posting of bulletins, or through other appropriate means of advertising necessary to bring the notice of examination to the attention of the prospective applicants. Such notice shall set forth the job requirements and the time and place at which applications for employment may be filed.
- C. When there is a need to fill a critical position, a "continuous until filled" announcement shall be posted. Selection will be made from qualified application(s), as received.

B4.02 Examination

- A. All appointments to County positions, either at the entrance or promotional level, shall be made on the basis of merit and fitness, to be determined as far as practical and possible by competitive examination.
- B. Whenever vacancies exist or are contemplated, the Personnel Department, in conjunction with the appropriate department/division director, shall prepare and administer examinations. These examinations will be designed to fairly and impartially test the merit, fitness, aptitude, experience, and other relative qualifications of an applicant to discharge the duties of the classification in which they

seek appointment. These may consist of any, all, or a combination of the following:

- (1) Written test.
- (2) Oral test.
- (3) Performance test.
- (4) Physical or medical test.
- (5) Evaluation of training and experience.
- (6) Length of time in present classification.
- (7) Physical agility examination.
- (8) Any other applicable criteria which will fairly measure the relative abilities of individuals competing in examinations.

B4.03 Postponement or Cancellation of Examinations

Any examination may be postponed, cancelled, rescheduled, or re-announced at the direction of the Personnel Director. Each applicant shall be notified of the postponement or cancellation and the reasons for the action.

B4.04 Type of Examinations

A. Open Competitive

When positions are to be filled from outside of the County Service, they shall be filled through examination open to the public. All appointments to the County Service shall be made according to the merit and fitness of the individual, ascertained by examinations which shall be prepared by or under the direction of the Personnel Department. All examinations shall be impartial and shall relate to those matters which will test fairly the capacity and fitness of the applicant to discharge efficiently the duties of the position to be filled.

B. Examinations for Career Advancement, Promotion, Reclassification

Vacancies in higher positions shall be filled by promotion from lower classes whenever it is in the best interests of the County to do so.

When there are less than three potentially qualified eligibles within the County Service, the Personnel Department, in consultation with the department/division head, may direct either that the competitive examination for such positions be open not only to members of the County Service but also to all other qualified persons.

When it is determined that there will be a promotional examination, the Personnel Department shall designate the lower class or classes from which the promotion is to be made and shall establish the required period of service in these classes.

C. Unassembled

The Personnel Department may determine that possible applicants are unavailable in sufficient numbers to justify holding assembled examinations and may conduct examinations for such classes on an unassembled basis.

The Personnel Department may determine that instead of numerical ratings, particularly when oral tests, qualification inquiries, or personal investigations are used, eligible lists will be listed in their groups alphabetically. The department/division head may select from each group certified without regard to an eligible standing in a group.

Unskilled and semiskilled positions may be filled based upon appropriate experience.

B4.05 Method of Rating Examinations

A. Prior to an examination(s), evaluating procedures shall be established by the Personnel Department in cooperation with the department concerned.

B. Before administering any tests, the minimum performance by which eligibility is achieved shall be established by the Personnel Department. A minimum performance shall also be established for the ratings of all parts of the test which consist of several parts. Candidates shall be required to attain at least minimum performance

on each part of the test in order to receive a passing grade or to be rated on the remaining parts of the test.

- C. Final examination grades shall be expressed on a scale of 100 for maximum possible attainment and 70 the required passing grade.
- D. Final ratings of successful competitors who have attained a passing score shall be rounded off to the nearest hundredth.

B4.06 Medical Examinations

- A. Medical standards may be established for all positions. Applicants may be required to undergo a medical examination to determine physical fitness to perform work in the position to which the appointment is to be made. Costs for such examination shall be borne by the County.
- B. Employees of the County Service, during their period of employment, may be required by their department/division head, with the approval of the Personnel Director and at County expense, to undergo periodic medical examinations to determine their physical and mental fitness to perform the work of the position in which they are employed.
- C. Determination of physical or mental fitness will be by a physician or physicians designated by the Personnel Director.
- D. A prospective employee may be requested to submit a doctor's certificate of good health, in lieu of the examinations, with the job application. Applicants and eligibles determined to be physically or mentally unfit for County service shall not be considered for appointment.
- E. An employee finally determined to be totally or partially disabled or physically or mentally unfit to continue in the position in which he is employed may be demoted or dismissed from the County Service in accordance with provisions of these rules.

B4.07 Veterans Preference

Preference on entrance examinations, but not on promotional examinations, may be granted to qualified persons who have been members of the Armed Forces of the United States and who seek to enter the County Service. Such preference shall be in the form of points added to the final grades of such persons, provided that they first achieve a passing grade. The preference will be five points added to the passing earned

rating for nondisabled veterans and ten points for persons currently receiving compensation from the U.S. Veterans Administration for war service incurred disabilities. The rank order of such persons among other eligibles shall be determined on the basis of their augmented rating. Veterans must submit proof of their veterans' status.

B4.08 Employment of Physically Handicapped

Physically handicapped persons will be considered for employment provided they can satisfactorily perform the duties of the position. This provision, in no instance, shall be used to discriminate against the handicap. The County will continue its policy to comply with State and Federal regulations regarding equal employment of the handicapped.

B4.09 Results and Review of Examinations

- A. The identity of each candidate shall be concealed during the examination process. After the grading of examinations, the Personnel Department shall advise each candidate as to the result of his examination. Within ten days after the receipt of the said notice, a candidate receiving such notice may, in the presence of the Personnel Department or designated representative, review his examination papers.
- B. Only where reasonable, extenuating circumstances exist, as determined by the Personnel Department, will a candidate be allowed to review his examination papers after the above-specified ten-day time limit has elapsed. Employees in the Career Service who are unable to review their examination papers in the above-specified ten-day time limit because of being on sick or annual leave, or other approved leave, with or without pay, may review their examination papers within ten days after their return to duty.

B4.10 Appeals

- A. Should an employee or applicant feel adversely affected or discriminated against in the opportunity for promotion or employment or if, in his opinion, an injustice has been done in the grading of the examination papers, an appeal may be made to the County EEO Officer (Personnel Director).
- B. Should the matter not be resolved by the EEO Officer, the applicant or employee may appeal to the Personnel Board, sitting as the EEO Committee.

- C. The Personnel Board, sitting as the EEO Committee, shall hear the appeal, investigate the charges, and render advisory recommendations to the County Administrator.

SECTION B5

ELIGIBLE LISTS

B5.01 Establishment of Eligible Lists

The Personnel Department shall establish and maintain such eligible lists for the various classes of positions as are necessary to meet the needs of the County. Each such list shall contain the names of those persons who have successfully qualified in the examinations, ranked in the order of their numerical ratings. Eligible applicants attaining the same score shall be considered to have the same ranking on the eligible list.

B5.02 Eligible List Sections

A. Open Competitive

That part of the eligible list containing the names and grades in order of rank, for those candidates attaining a minimum passing score on the open and competitive examinations.

B. Promotional

That part of the eligible list containing the names and final grades of employees attaining qualifying grades in promotional competitive examinations for the various classes. The names of all employees attaining the minimum final rating shall be placed on the register in the order of their final grades.

C. Layoff

That part of the eligible list containing the names of former employees who were separated through layoff procedures. The names of such former employees shall be placed on the register in order of seniority in the respective class.

D. Appropriate or Related List

In the absence of an eligible list for a particular class within which a vacancy exists, the Personnel Department, in consultation with the department head, may certify from a list of a related class. Such appropriate or related list should be for a class having substantially the same requirements as the class in which the vacancy exists, and the pay grade should be commensurate between the classes.

B5.03 Availability of Eligibles

It shall be the responsibility of eligibles to notify the Personnel Department in writing, of any change of address or other change affecting availability for employment. Whenever an eligible submits a written statement restricting the conditions under which he will be available for employment, the person's name may be withheld from all certification which does not meet the conditions which he has specified.

B5.04 Duration of Eligible Lists

The duration of each eligible list and the names appearing thereon shall be for six months. The Personnel Department may extend such period before the expiration of the list, in increments of six-month extension periods. No list shall be extended to a time more than one year from the original establishment of the list, and a statement of the reasons for any extension shall be entered in the records of the Personnel Department. The eligible lists shall be maintained in the Personnel Department.

B5.05 Removal of Names from Eligible Lists

The names of candidates may be removed on the basis of the following:

- A. Appointment through certification from the register to fill a vacant position.
- B. Having been interviewed and rejected for appointment or having declined the opportunity to be interviewed for a combined total of three times.
- C. Failure to respond or report, within the time specified in the notice, to any inquiry of the Personnel Department concerning availability for employment.
- D. Separation from the County Service.
- E. Notice by postal authorities of their inability to locate the candidate at the last known address.
- F. Discovery that the candidate lacks any of the minimum qualifications prescribed as requirements for admission to the examination for the class or appointment to the position.
- G. False statement of any fact or the practice or attempt to practice deception or fraud in the candidate's application or in his examination or otherwise in securing appointment or eligibility thereof.

- H. If the candidate is physically unfit for the performance of duties of the position to which he seeks appointment; judged by a doctor to be addicted to the habitual, excessive use of drugs or intoxicating liquor; has prior conviction for a crime if the crime was a felony or first-degree misdemeanor and directly relates to the position of employment sought; has submitted an incomplete application; has ever been a member and had knowledge of the nature and purpose of any organization which advocates the overthrow of the Government of the United States of America by force or violence; or whose past employment record is "unsatisfactory" as determined by the Personnel Department and the department/division director.
- I. Disability which prevents the candidate from satisfactorily performing the duties of the position. This provision, in no instance, shall be used to discriminate against the handicapped. The County will continue its policy to comply with State and Federal regulations regarding equal employment of the handicapped.

B5.06 Restoration of Names to Eligible Lists

Whenever a person's name is removed from an eligible list for any one or more of the causes mentioned in the preceding section, the person shall be notified unless his whereabouts is unknown. Such person may, within five days from the date of removal, make written request to the Personnel Department for the restoration of his name to such list for the duration of eligibility. The request shall set forth the reasons for the conduct resulting in the removal of his name from the list and shall further specify the reasons advanced for restoration of his name. The Personnel Department, after full consideration of the request, may restore the name to the eligible list or may refuse the request, and the person shall be sent written notification of the action.

SECTION B6

POSITION CLASSIFICATION PLAN

B6.01 Purpose

The Position Classification Plan provides a systematic arrangement and inventory of Career Service and Exempt Service positions. The plan groups the various positions into classes indicative of the range of duties, responsibilities, and level of work performed. The Class Titles standardize the meaning, allocation, and usage of the plan based upon the similarity of work and duties performed.

B6.02 Use

The Classification Plan will be used to:

- A. Determine qualifications and to prepare examination announcements and contents.
- B. Standardize salary ranges to be paid for the various classes of work.
- C. Establish lines of promotion and career ladders.
- D. Assist in developing employee training programs.
- E. Provide uniform job terminology.

B6.03 Content

The Classification Plan consists of:

- A. A grouping of positions into classes on the basis of approximately equal difficulty and responsibility, which require the same general qualifications and which can be equitably compensated within the same pay grade.
- B. A Class Title, indicative of the work of the class, which shall be used on all personnel, accounting, budget, and related official records. No person shall be appointed to a position in the County personnel structure under a title not contained in the Classification Plan.

- C. Written Class Descriptions for each job classification containing the major function of the work, relative responsibilities, and illustrative duties found in the class. Included are requirements of the class, setting forth the knowledge, abilities, and skills required for performance of the work, and the training and experience needed for recruiting to the class.

B6.04 Administration and Maintenance

- A. The Personnel Director is charged with maintenance of the Classification Plan so that it will reflect the duties performed by each employee and the class to which each position is allocated.
- B. It is the duty of the Personnel Director to have the nature of the positions examined as they are created, to have them allocated to an existing class or to create new classes, to make changes in the Classification Plan as are made necessary by changes in the duties and responsibilities of existing positions.
- C. The Personnel Director will maintain the entire plan and recommend to the County Administrator appropriate changes in allocation or in the Classification Plan as needed.

B6.05 Allocation of Positions

- A. Whenever a new position is established or duties of an old position changed, the department/division director shall prepare and submit a comprehensive position description describing the current duties of the position.
- B. The Personnel Director shall study and analyze the appropriateness of suggested duties of a position and assign the position to an existing class or establish a new class and submit the recommendation to the County Administrator for approval.

B6.06 Position Audit and Reclassification

- A. The Personnel Director is charged with the responsibility of having audits made of positions. Position audits may be initiated by written request to the Personnel Department from:
 - (1) The County Administrator.
 - (2) The department/division director where the position is located.

- (3) The incumbent of the position to be audited. The employee must process the employee request through the department/division director for review and comments.
- B. Position information will be gained through completion of a Position Classification Questionnaire, which will be supplied by the Personnel Department, by the incumbent or by the supervisor of the position (if the position is vacant) and through study of the position by the staff of the Personnel Department.
- C. The department/division director should review and make recommendations to the Personnel Director for all proposed new positions, changes, and Class Descriptions.
- D. The employee in the position to be audited will be notified that the audit is to be conducted.

B6.07 Reclassification

- A. When the incumbent of a position, through diligent application of the work, is officially assigned more difficult and significant additional responsibilities and duties so that it appears that the position warrants reallocation to a higher pay grade, the Personnel Department shall perform a study of the duties and responsibilities of the position.
- B. If it is determined that the position should be reallocated to a higher level class, the Personnel Director may require that the incumbent undergo a prescribed test of fitness, depending on the conditions of the reclassification and the nature of the position to be reclassified. Tests may include written or oral examination, interview, or performance test.
- C. Should the employee fail the examination, or for some other valid reason is not selected to fill the vacancy, the employee shall remain in his current position.
- D. Should the position be reclassified to a job classification with the same pay grade as that of the original classification, the incumbent employee shall receive a corresponding change in title without the benefit of examination, provided the reclassified position is in the same line and character of work involving the same basic duties, responsibilities, and skills.
- E. Should the position be downgraded to a job classification with a lower pay grade than that of the original classification, the

incumbent employee shall be offered transfer to a vacancy, if one exists, in the original classification in the same or other department/division. If the transfer is not accepted, the employee will remain in the existing position at the downgraded title and pay grade.

B6.08 Position Control

All positions in the County are established and maintained through a personnel budget each fiscal year in accordance with established budget and accounting procedures. The establishment of new or additional positions will be accomplished at the discretion of the County Administrator upon approval of the Board of County Commissioners.

SECTION B7

FILLING VACANCIES

B7.01 Procedure for Filling Vacancies

- A. Whenever a vacancy is to be filled, the department/division head shall make requisition to the Personnel Department for approval to fill the vacant position. Requisitions shall be made on the forms provided by the Personnel Department.
- B. If the position is permanent, the Personnel Department shall certify to the department/division head the names from the appropriate eligible list or authorize some other kind of appointment as provided in these rules.

B7.02 Certification and Consideration of Eligibles

Upon receipt of a valid requisition to fill a vacancy, the Personnel Department will certify to the requesting department/division head the name(s) of the eligible applicants on the appropriate class listing who have indicated a willingness to accept the appointment

- A. **For All Positions Below Division Level:** The names of the "top three" eligibles will be submitted to the department/division head for consideration. If the individuals whose names have been submitted are not acceptable, a written explanation must be made to the Personnel Department justifying the decision. If the justification is determined to be valid, the department/division head will be furnished the names of the next eligibles on the list.
- B. **For Positions at the Division Level:** The names of the "top five" eligibles will be submitted to the department head for consideration. If all these individuals are not acceptable to the department head, the same procedures will be followed as those in Paragraph A above. Appointment of division heads is subject to approval by the County Administrator or designee.
- C. **For Positions at the Department Level:** The choice of selection of an Assistant County Administrator or a department head is non-restrictive to the County Administrator. Appointment of Assistant County Administrators or department heads is subject to confirmation by the Board of County Commissioners.

In the case of an insufficient number of qualified candidates on a promotional list, the Personnel Department may augment these people by a sufficient number from the appropriate employment list in order to make a complete certification.

The County is bound by the provisions of Florida Statutes, Section 116.11, regarding restrictions on employment of relatives. If one or more of the eligibles under consideration falls within the provisions of this statute, that person(s) shall be removed from the list and the name(s) of the next eligible(s) will be substituted.

All employees working under past policies will be retained where employed. However, without expressed written consent of the County Administrator's Office, no member of a family may be employed, transferred, or promoted to a position in a department where another member of that family is employed.

B7.03 Order of Lists for Certification

Consideration of qualified candidates by the department/division head shall be made from the eligible class lists in the following order:

- A. Names of former employees of the department/division from the layoff section of the list.
- B. Names of former employees of other departments/divisions from the layoff section of the list.
- C. Names of eligibles from the promotional list, if any.
- D. Names of eligibles from the open competitive list.
- E. In the absence of an eligible list for the class and at the discretion of the Personnel Department, the names of eligibles from an appropriate or related list as provided in Section B7.05.

B7.04 Incomplete Certification

When the number of names available for filling any vacancy is fewer than three, the department/division head may decline certification for that vacancy and request that a new list be established and, in the interim, that the vacancy be filled by an emergency appointment or in any other manner provided by these rules.

B7.05 Appropriate Alternate Eligible Lists

Certification shall ordinarily be made from a list established for the particular class in which the vacancy exists. If no such list exists or the list contains an insufficient number of eligibles for certification purposes, the Personnel Department may certify names from an appropriate alternate eligible list if such a list is available. Such a list shall be for a class of the same or higher pay level with the qualification requirements equal to or superior to the class in which the vacancy exists.

B7.06 Processing Applicants

- A. When it has been determined that a successful applicant has the necessary qualifications, an interview may be scheduled with the appropriate department/division head or designee.
- B. The department/division head will notify the Personnel Department if the applicant is or is not to be employed.
- C. Before final processing, the applicant:
 - (1) May be required to pass an appropriate physical examination relative to job requirements.
 - (2) Must present a Social Security Card
 - (3) May be required to present proof of education.
 - (4) May be required to present certificate of separation from the Armed Forces.
 - (5) May be required to present verification of date of birth.
 - (6) Will have personnel history reviewed and verified.
 - (7) Will have workers' compensation record verified.
 - (8) Will have to produce a valid and appropriate Florida Drivers' License.
 - (9) Other requirements.
- D. Any exception to this procedure must be approved by the Personnel Department.

B7.07 **Types of Appointments**

A. **Probationary**

Any new or promotional appointment made from a certified eligible list shall be a probationary appointment subject to the completion of a satisfactory probationary period in accordance with the provisions established in Section B8 of these rules.

B. **Regular** (We changed from "permanent".)

A County employee who has satisfactorily completed the probationary period of service as required by Paragraph A above.

C. **Temporary**

Positions (whether part-time or full-time) anticipated to be of comparatively short duration or definitely limited in duration for special projects or programs. Appointments to temporary positions will not exceed a six-month period unless specified by the project program. All persons in this category will serve in an exempt status and meet the requirements as set by the Personnel Department.

D. **Part-Time**

Such appointments may be granted for work which requires the services of an employee for less than 30 hours per week.

E. **Substitute**

Such appointments may be allowed to fill regular, vacant positions open due to extended leave of absence. Such appointments shall be made from appropriate eligible registers or, in the case of a promotional position, from the lower related class. The substitute appointment shall confer no status, appeal, or related provision under these rules. The substitute appointment shall be for a period not to exceed six months upon approval of the Personnel Department.

F. **Seasonal**

Employees are appointed in the same manner and subject to the same procedure as regular employees, except that they will be terminated at the close of the season for which they were appointed.

G. **Student/Intern**

Student/Intern appointments have the purpose of affording students of public administration and other professional areas an opportunity to gain actual work experience. Such appointments are for a definite period of time and require the approval of the County Administrator.

H. **Emergency**

In order to prevent stoppage of public business or loss or serious inconvenience to the public, emergency appointment of employees on a temporary basis may be authorized by the County Administrator. In no event shall the emergency appointment continue for more than 90 calendar days in any 12-month period, unless approved for an additional 90 days by the County Administrator.

B7.08 **Reinstatements**

- A. An employee who has resigned with a good record may be rehired, if a vacancy exists, to the same position by the same department/division from which the employee resigned within one year of the date of resignation. Such action originates only from department/division request and must be submitted to the Personnel Department for approval by the County Administrator or designee.
- B. An employee may be reinstated at the same pay rate previously received, or may revert to a lower rate within the range, at the recommendation of the department/division head and with the recommendation of the Personnel Department and approval by the County Administrator or designee.
- C. Reinstated employees are considered new employees for the purposes of medical leave, vacation leave, longevity, and salary increases.

SECTION B8

PROBATIONARY PERIOD

B8.01 Purpose

The purpose of the probationary or "working test" period is to closely observe an employee's performance and work habits, to secure the most effective adjustment of a new employee to the position, and to reject any employee whose performance does not meet the required work standards.

B8.02 Duration

- A. The initial probationary period shall normally be for a period of six months from the first day of work for a new employee. However, the department/division director may extend the probationary period of a new employee for a maximum of six additional months. If the probationary period is to be extended, the department/division director will coordinate this action with the Personnel Department and inform the probationary employee of the reason(s) for the extension.
- B. The length of the initial probationary period for new employees is subject to vary in departments/divisions where a specific position demands a longer period of training and/or the evaluation of specific qualifications which cannot sufficiently be evaluated within a six-month period. This action requires prior approval by the Personnel Department.
- C. The probationary period of an employee who is promoted to a higher classification and pay grade, within the same department/division, shall be for a period of six months with no extensions.
- D. The probationary period for an employee promoted to a higher classification and pay grade, and transferred to a new department/division, shall be for a period of six months. However, the department/division director may extend the probationary period for a maximum of three additional months. If the probationary period is to be extended, the same rules as those outlined in Section B8.02, A will apply.
- E. When an employee successfully completes the probationary period, a written evaluation will be submitted to the Personnel Department, after which the employee will be placed on regular status.

B8.03 Evaluation of Performance

During the probationary period, the department/division director shall receive a report of the supervisor's observation of the probationary employee's performance and a judgment as to the employee's willingness and ability to perform the job duties satisfactorily. During the probationary period, the employee's supervisor will notify the employee, in writing, when performance is not satisfactory and the probationary test period requirements are not being met. An employee Performance Evaluation Report form must be completed and received by the Personnel Department at least two weeks prior to the end of the probationary period.

B8.04 Dismissal or Demotion of Probationary Employees

- A. If a newly hired probationary employee has been found to be unqualified to perform or does not properly perform the duties of the position, the employee shall be dismissed.
- B. The department director or designee must coordinate this action with the Personnel Department. The employee does not have the right of administrative appeal.
- C. If an employee who is serving a promotional probationary period is found to be unqualified to perform the duties of the higher classification, every effort will be made to return the employee to the classification and pay status held immediately prior to promotion, if the position is vacant. If the position is filled, the employee may be transferred to a vacant position with the same or similar level job classification for which they are qualified, subject to the approval of the department/division director. Employees transferred to another department under these provisions shall serve a probationary period of three months. If there are no vacancies, the employee will be released and placed on the reinstatement eligible list for one year.

The department director or designee concerned must provide written notice to the employee specifying the reason(s) for the demotion or dismissal. This action must be coordinated with the Personnel Department

B8.05 Disciplinary Probation

- A. Whenever an employee's performance becomes questionable, due to any violation of these rules and regulations, the employee may be placed on a Disciplinary Probation for a period of three months.
- B. During this Disciplinary Probation, the employee will not be eligible to receive a merit increase.

- C. At the completion of this probation, the employee's merit date will be adjusted by three months and the employee will be eligible to receive a merit increase on the new merit date.

SECTION B9

SAFETY

B9.01 Accident Prevention

- A. The development of safe working conditions, practices, habits, and thinking are the objectives of the County Safety Program. Reaching those objectives will result in benefits to all employees and to the County. Accidents, injuries, disabilities, damage, lost time and pay, claims and medical expense, and improper and dangerous use of equipment are all operational problems which will be improved by efforts of all employees.
- B. All department/division directors, supervisors, and employees must recognize their responsibility for a successful Safety Program and will participate in the development, implementation, and improvement of this program.

B9.02 Accident Reporting

- A. All employees shall be advised of their responsibility to immediately report to their supervisor all injuries that occur on the job. Delay in reporting injury can cause complication of the injury and delay recovery. In case of serious injury or fatality, the appropriate law enforcement agency and the County Safety Officer shall be notified immediately.
- B. Accident reports must be submitted within 24 hours after the accident or the report of the injury to the employee's immediate supervisor. If the accident occurs over a holiday or weekend, the accident report should then be submitted within 24 hours from the time the work period starts after the weekend or holiday. This also applies to industrial accidents and first aid injuries, as well as to anyone injured in a vehicular accident involving County vehicles. A vehicular accident report will be submitted and, if an employee is injured, a report of injury to employee will also be required.
- C. In the case of vehicular accidents, employee, if capable, shall notify Central Dispatch for further notification of the appropriate law enforcement agency, the employee's supervisor, and the County Safety Officer.

B9.03 Workers' Compensation

Payment of workers' compensation to eligible employees who are disabled because of an injury arising out of and in the course of performing their duties with the County will be governed by the Florida State Workers' Compensation Law.

B9.04 Safety Equipment

The County will provide proper and necessary safety equipment and devices for employees engaged in work where such special equipment and devices are necessary. Such equipment and devices, where provided, must be used. Employees who fail to utilize provided equipment or devices will be subject to disciplinary measures.

B9.05 Employee Safety Awards

The County may institute an Employee Safety Award Program. Safety awards may be made either to groups or individuals and will be made in recognition of praiseworthy or outstanding safety performance.

SECTION B10

EMPLOYEE GRIEVANCE PROCEDURE

B10.01 Purpose

This Grievance Procedure is established to provide full opportunity to Career Service employees to bring to the attention of management complaints, grievances, or situations that the employee feels need either adjustment or information. It is the intent and desire of the County to adjust complaints or grievances informally, and both supervisors and employees are expected to make every effort to resolve problems as they arise. However, it is recognized that there will be grievances which will be resolved only after discussion and review. The submission of a grievance by an employee shall in no way adversely affect employees or their employment with the County.

B10.02 Definition of a Grievance

- A. A grievance is a complaint, a view, or opinion pertaining to employment conditions, to relationships between employees and supervisors, or to relationships with other employees.
- B. Disciplinary actions, dismissals, demotions, suspensions, reduction in pay, position classifications, performance evaluations, and allocations shall not be subject to review as grievances.
- C. Only full-time, regular employees are eligible to file grievances under this procedure.

B10.03 Grievance Procedure

Step 1

Aggrieved employees shall, within three working days of the incident, submit a written grievance on the prescribed form to their immediate supervisor who may call higher level supervision into the discussion in an effort to achieve a prompt, satisfactory adjustment.

The written grievance at all steps shall contain the following information:

- (1) A statement of the grievance, including date of occurrence, details, and facts upon which the grievance is based.

- (2) The article and section of the Career Service System alleged to have been violated.
- (3) The action, remedy, or solution requested by the employee.
- (4) Signature of aggrieved employee.
- (5) Employee's reason for rejection of management's answer, if grievance is to be appealed to next step.
- (6) Date submitted.

The supervisor, if not division head, may contact the division head for advice and counseling. An answer shall be given to the employee within five working days.

The written response at all steps shall contain the following information:

- (1) An affirmation or denial of the facts upon which the grievance is based.
- (2) An analysis of the alleged violation of the Career Service System.
- (3) The remedy or solution to be made.
- (4) Signature of the appropriate management representative.
- (5) Date of response.

Step 2

If the aggrieved employee feels that the matter has not been settled or adjusted to his satisfaction by the immediate supervisor, the employee may appeal the matter to the division head within five working days from receipt of the answer in Step 1.

The division head shall schedule a meeting with the employee within five working days after receipt of the grievance to discuss and seek a solution to the grievance. The division head shall give a written decision within three working days after the scheduled meeting.

Step 3

If the matter is not resolved by the decision of the division head, the employee may appeal to the department director in writing, within three working days from receipt of the answer in Step 2.

The department director shall schedule a meeting with the employee within five working days after receipt of the grievance to discuss and seek a resolution of the grievance. The department director shall give a written decision within three working days after the scheduled meeting.

Step 4

If the grievance is not resolved by the decision of the department director, the employee may file an appeal to the County Administrator, in writing, within three working days.

Step 5

The County Administrator shall reply in writing within a reasonable period of time indicating the decision rendered and shall send one copy of the reply to the department director, one copy to the employee, one copy to the employee's personnel file, and one copy to a permanent grievance file.

The decision of the County Administrator shall be final, and the employee shall have no further right of administrative appeal.

B10.04 General Provisions

- A. The time limits of this grievance procedure may be extended by management due to illness, vacations, business trips, or emergency. If an extension is required, the employee will be notified of the reason for the delay by the appropriate reviewing supervisor.
- B. Under this grievance procedure, the employee and management have the opportunity to call witnesses at the Step 2 level and thereafter for each step in the grievance procedure.
- C. Grievants will have three working days to appeal the decision given in any step to the next higher step in the grievance procedure.
- D. Any grievance shall be considered settled at the completion of any step, unless it is appealed within the time limits set forth.

- E. It is the intent of these rules that the majority of grievances will be satisfactorily settled in the first or second step.
- F. Copies of all grievances filed shall be forwarded to the Personnel Department on the day of receipt in all steps.
- G. At their conclusion, all grievances shall be forwarded to the Personnel Department for coordination, analysis, and filing.
- H. In some cases, steps in the grievance procedure may be waived at the discretion of the department/division director to allow more severe matters to progress more rapidly.
- I. The Personnel Department will be available at any step in the procedure for advice, rule interpretation, or to assist in any way in resolving the grievance.

SECTION B11

EMPLOYEE APPEALS

B11.01 Notice of Appeals

A written notification shall be submitted to a regular employee who has been dismissed, suspended, or demoted notifying him of the right to appeal the action to the Personnel Board.

B11.02 Appeals to the Personnel Board

- A. The Personnel Board shall hear appeals in cases involving disciplinary actions of permanent employees who have satisfactorily completed their probationary period.
- B. The appeal by the employee shall be made within ten calendar days after delivery or mailing to him of the written notice, by filing a written request for a hearing to the Personnel Board in the Personnel Department.
- C. The Personnel Board shall set a time and a place for a hearing to be held at the earliest practical date, within 30 days after the receipt of the appeal. The Board shall notify its members, the employee, the department/division head, the Legal Department, and the Personnel Director of the time and place scheduled for the hearing.
- D. Hearings before the Personnel Board shall be conducted informally in accordance with the procedures established by the Board and shall not be bound by formal rules of evidence.
- E. The Personnel Board shall have the power to administer oaths, call witnesses, and may compel the presentation of books, records, and papers pertinent to any investigation or hearing authorized under these Rules and Regulations.
- F. The Personnel Board shall transmit its findings and advisory opinion to the County Administrator within three working days of the completion of the hearing.
- G. Upon receipt of the findings and advisory opinion of the Personnel Board concerning the appeal, the County Administrator shall put in writing the course of action to be followed.

- H. The decision of the County Administrator, with due consideration to the findings and advisory opinions of the Personnel Board, shall be final, and employees shall have no further right of administrative appeal.

- I. In cases of disciplinary actions, the County Administrator may decide, after consideration of the Board's findings and opinion, that the disciplinary action was unfounded or too severe and may direct that it be cancelled or modified. In the event that cancellation is directed by the County Administrator, the affected employee may be paid in full for such portion of time as he was unjustly suspended, reduced in grade or pay, or removed. In the event that the disciplinary action taken was removal or reduction in grade or pay, the affected employee may be restored to his former position and pay status, or to a position in the same class and pay status. In the event that modification is ordered, the County Administrator's decision will include directives as to pay.

- J. The employee and all parties affected shall be promptly notified in writing of the final decision of the County Administrator.

SECTION B12

WORK SCHEDULE

B12.01 **Hours of Work**

- A. The County Administrator shall establish the hours of work, which, insofar as practicable, shall be uniform within occupational groups, shall be determined in accordance with the needs of the County Service, and shall take into account the needs of the public who may be required to do business with various departments/divisions. Flexible work hours may be adopted upon approval of the County Administrator.
- B. The normal business hours for County offices are from 8:00 a.m. to 5:00 p.m., Monday through Friday.
- C. Employees working on a shift basis will work the hours as determined by departmental/divisional policy.
- D. Lunch breaks are scheduled at the discretion of the department/division director.

B12.02 **Attendance**

- A. Each department/division director shall be responsible for the punctual attendance of all persons in his department.
- B. All employees are required to report for duty at their scheduled time.
- C. If an employee is unable to work for any reason, the employee must notify his immediate supervisor within 30 minutes of the scheduled reporting time, where possible.
- D. Where applicable, departments may require notification prior to the beginning of a shift.
- E. Habitual or unjustified absenteeism or lateness is sufficient cause for disciplinary action (See Section A8.05, Groups II and III Offenses).

B12.03 Overtime

- A. Overtime will be authorized or directed by the department director, contingent upon availability of funds, only when it is in the interest of the County and is the most practicable and economical way of meeting workloads or deadlines.
 - B. Excluding those employees assigned to a 24-hour work shift, all authorized and approved work performed in excess of the basic 40-hour work schedule in any one workweek by a nonexempt (hourly) employee shall be considered as overtime and shall be compensated:
 - (1) At the rate of time and one-half the employee's regular hourly rate of pay.
 - (2) By receiving time off in the second week of the biweekly pay period at the rate of time and one-half the number of hours worked in excess of 40 in the first week. This time off shall be reflected as a layoff. This is in accordance with the Fair Labor Standards Act.
- If the overtime is worked in the second week of a biweekly pay period, all such hours in excess of 40 shall be compensated at the rate of time and one-half the employee's regular hourly rate of pay.
- C. Holiday leave, annual leave, funeral leave, military leave, storm leave, and court leave will be considered for the purpose of computing overtime compensation for nonexempt (hourly) employees and Emergency Services Department (ESD) shift personnel. ESD shift personnel must work a minimum of one shift in a work cycle to be eligible for overtime at the end of the 28-day work cycle.
 - D. Employees shall be required to work overtime when assigned unless excused by their supervisor. In the event an employee is assigned to work approved overtime, he will not be required to use annual leave during the basic workweek in order to offset the overtime hours worked or to be worked.
 - E. An employee desiring to be excused from overtime work assignments for good and sufficient reasons shall submit, in writing, a request to his immediate supervisor. The written request, if approved, shall remain in force until rescinded, in writing, by the employee to his immediate supervisor or until it becomes required and necessary to assign and schedule this employee to overtime work. A copy of the approved request shall be placed in the employee's personnel file.

- F. If the time overtime work is required and necessary, the work shall be performed by employees who have not requested, in writing, to be excused from such assignment. In the event overtime work is required and the department/division cannot schedule the required number of employees, then those employees who have approved requests on file excusing them from overtime work shall be assigned and required to work such overtime.
- G. Exempt (salaried) employees are not eligible for overtime compensation regardless of the number of hours worked.
- H. For ESD shift personnel, all authorized and approved work performed in excess of 212 hours during a 28-day work cycle shall be compensated at time and one-half the employee's regular straight hourly rate.

B12.04 Compensatory Time

Accumulating extra work time from one pay period to another, commonly called compensatory time, will not be permitted. In accordance with the Fair Labor Standards Act, extra work time may, under extreme circumstances, be carried forward from the first week of a pay period to the second week. Time off in the second week shall be one and one-half times the extra hours worked in the first week.

(Changed from, "Compensatory time will not be permitted.")

SECTION B13

NONDISCIPLINARY SEPARATIONS

B13.01 **Resignation**

- A. Resignation is the separation of an employee from the County Service through the submittal of a notice that he wishes to resign.
- B. Employees wishing to leave the County Service in good standing shall notify their immediate supervisor at least 14 calendar days before leaving. Failure to do so may be cause for denying such employee re-employment by the County.
- C. Unauthorized absences from work for a period of three days may be considered as the employee's voluntary resignation by the department/division director.
- D. Employees who terminate from County employment will not be eligible for re-employment for a period of six months following their date of termination, unless approved by the County Administrator.

B13.02 **Retirement**

Employee benefits upon retirement shall be based upon the regulations of the retirement system in effect at the time.

B13.03 **Disability**

For any good reasons, a department/division director may request that the Personnel Director have an employee under his jurisdiction examined by a physician designated by the County. If a disability of any kind is discovered which impairs the effectiveness of an employee or makes continuance on the job a danger to himself or others, the following action shall be taken.

- A. If the disability is correctable, the employee will be allowed a specified period of time to have it corrected. This period of time is the time allowed by the physician, subject to the approval of the Personnel Director. If the employee fails to take steps to have the disability corrected within the specified time allowed by the physician, the employee shall be subject to dismissal.
- B. If, in the opinion of the examining physician, the disability cannot be corrected, the County will attempt to place the employee

in another position which he is qualified to hold and which he can perform satisfactorily. If that step cannot be accomplished successfully, the County shall take steps to separate the employee from the County Service either through retirement or dismissal.

B13.04 Death

Separation shall be effective as of the date of death. All compensation and benefits due to the employee as of the effective date of separation shall be paid to the beneficiary, surviving spouse, or to the estate of the employee as determined by law or by executed forms in the employee's personnel folder.

B13.05 Reduction in Force (Layoff)

- A. The County Administrator can authorize the layoff of an employee or employees when it is necessary by reason of shortage of funds or work, the abolition of the position, material changes in the employee's duties, material changes in the County's organization, or for related reasons which are outside the employee's control and which do not reflect discredit upon the service of employees.
- B. The duties performed by any employee laid off may be reassigned to other employees already working.
- C. Whenever it becomes necessary to separate employees from the County Service, the County Administrator shall determine the organizational unit and the class or classes in which the reduction can best be accomplished. The order in which the layoff will be made is as follows:
 - (1) Temporary, provisional, emergency, inactive, and seasonal employees.
 - (2) Part-time employees.
 - (3) New probationary employees.
 - (4) Probationary employees promoted from a lower class shall be returned to such lower class, if possible.
 - (5) Regular employees.
- D. Employees shall be laid off on the basis of the following factors: length of service with the County; performance evaluations for the past five years; additional skills or training; disciplinary actions, if any; and veterans' preference, if applicable.
- E. A retention matrix will be used to determine the scoring of the factors outlined in Section B13.05.D.

- F. When a department/division head believes that a certain regular employee is essential to the efficient operation of the department/division because of special skills or abilities and wishes to retain this individual in preference to a person with a higher rating as provided above, the department/division head must submit a written request to the Personnel Director for permission to do so. This request must set forth in detail the specific skills and abilities possessed by the individual and the reasons why such an individual is essential to the effective operation of the department/division. If the Personnel Director and the County Administrator approve the request, the individual may be retained.
- G. Any employee who is to be laid off will be given a minimum of ten working days notice of the pending layoff.
- H. Regular employees who are laid off shall have their names placed in the layoff section of the eligible register for no more than one year, and they shall be given first opportunity for re-employment in the class and department from which they are laid off in the reverse order from which the layoffs occurred.
- I. Laid-off employees who are re-employed in the same class within one year from the date of layoff shall not have their eligibility for earning longevity annual leave interrupted and shall be placed in the same pay grade and pay rate they were in at the time of layoff. If changes in grade have occurred during the time of layoff, appropriate adjustments shall be made for the employee.
- J. The County will offer recall to laid-off employees by certified mail to the last known address. If the laid-off employee fails to report to the Personnel Department his intentions of returning to work within five calendar days after receipt of the certified notice, his tenure of service shall be broken.

- K. Recall will be offered to laid-off employees provided they are physically and otherwise qualified to perform the duties of the job. A laid-off employee who is temporarily unable to accept due to medical reasons when offered re-employment may request a leave of absence not to exceed 30 days. Prior to returning to work, the employee must present a signed authorization form from his attending physician stating he may return to work with no restrictions.

B13.06 Exit Interviews

- A. The purpose and intent of the Exit Interview is to provide the County with information as to why and in what areas employees are leaving their jobs. This information will, in turn, improve the system and reduce the turnover rate.
- B. Where possible, each employee who resigns from the County will be interviewed by the staff of the Personnel Department and must complete an Exit Interview form.

B13.07 Return of County Property

At the time of separation and prior to receiving final monies due, all records, insurance, and prescription I.D. cards, books, uniforms, keys, tools, and other items of County property in the employee's custody shall be transferred to the department/division, and certification to this effect shall be by the department/division supervisors. Any monies due the County because of any shortages shall be collected through appropriate action.

SECTION B14

DEFINITION OF TERMS

Allocation: The assignment of a position to its appropriate class in relation to duties performed.

Anniversary Date: The date an employee begins employment and the same date in following years. This is also the date from which vacations and sick leave are computed. (This date changes only if an employee is in a nonpay status for one pay period or more, and then the anniversary date is deferred by an equivalent amount of time.)

Appeal: An application for review of a disciplinary action submitted or instituted by an employee to the Personnel Board.

Applicant: An individual who has completed and submitted an application for employment with the County.

Appointment: The offer and acceptance by a person of a position either on a regular or temporary basis.

Career Advancement (Upgrade): The advancement of an employee to a higher pay grade within his career field.

Career Service Employee: A full-time employee who has successfully completed an initial probationary period and is filling a Career Service position. A Career Service employee is an employee who has attained an initial classified status and is subject to and receives all benefits and rights as provided by the Rules and Regulations.

Certification: Endorsement as meeting required minimum standards for a vacant position.

Class: A group of positions which are sufficiently alike in general duties and responsibilities to warrant the use of the same title, class specifications, and pay range.

Classification: The act of grouping positions in classes with regard to duties and responsibilities; requirements as to education, knowledge, experience, ability; tests of fitness; and ranges of pay.

Classification Date: The date an employee entered, transferred, or was promoted to his current position classification. This is the date from which length of service in classification is computed for determination of probationary periods,

order of layoff, and eligibility for merit increases. (This date will be adjusted an equivalent amount for a leave of absence without pay for one pay period or more.)

Classification Plan: The official or approved system of grouping positions into appropriate classes.

Class Specification: A written description of a class consisting of a class title, a general statement of the level of work and of the distinguishing features of work, examples of duties, and the qualifications for the class (also called Class Descriptions).

Class Title: The title in the Classification Plan which describes the nature of work performed by an employee.

Classified Status: Final appointment as a Career Service employee and successful completion of the required probationary period in a particular classification.

Compensation: The standard rates of pay which have been established for the respective classes of work, as set forth in the Compensation Plan.

Compensation Plan: The official schedule of pay assigning rates of pay to each class title.

Compensatory Leave: Time off from work in lieu of monetary payment for having worked in excess of the regularly scheduled workweek.

Continuous Service: Employment which is uninterrupted, except for authorized leaves of absence, suspension, or separation due to reduction in work force. Authorized paid leaves of absences shall be included as part of continuous service.

Demotion: Assignment of an employee from one class to another which has a lower maximum rate of pay.

Dismissal: Separation from County employment for cause.

EEO Officer: The County's designated Equal Employment Opportunity Officer.

Eligible: A person who has successfully met required qualifications for a particular class.

Eligible List: Employment, promotional, or other list of qualified applicants.

ESD Shift Personnel: Employee appointed to a position in the Emergency Services Department below the rank of Battalion Chief with the usual work schedule of 24 hours on-duty and 48 hours off-duty.

Examination: The process of testing, evaluating, or investigating the fitness and qualifications of applicants and employees for positions.

Exempt Employee: Employees in Pay Grades Executive, Management, or Professional and Mid-Management. Employees in this category are not eligible for overtime payment for hours worked in excess of their scheduled workweek.

Exempt Service: Employees and positions which are exempt from the Career Service employment appeal provisions of the Rules and Regulations.

Full-Time: Appointment to a position that requires an employee to work the full amount of hours scheduled for employees of the unit.

Grant Employee: An employee in a position funded by Federal, State, or other types of grants extending for more than a six-month period. Except for permanent status, employees have the same rights, privileges, benefits, and obligations as permanent employees.

Immediate Family: Includes spouse, children, parent, grandparents, grandchildren, brother, sister, father-in-law, mother-in-law, son-in-law, daughter-in-law, legal guardian, or any relative living in the same household. (This definition is for purposes of medical leave and funeral leave.)

Insubordination: The unwillingness on the part of an employee to submit to the authority vested in supervisors, department/division heads, and County Administrator as outlined in the Personnel Rules and Regulations.

Job Analysis: A study of the duties and responsibilities of the position.

Job Description: A written description of a job or position and its characteristics.

Layoff: A reduction of the number of employees due to lack of work, funds, or other similar causes.

Leave: An approved type of absence from work as provided by these rules.

May: The word "may" shall be interpreted as permissive.

Merit Pay Increase: An increase in compensation established in the Compensation Plan which may be granted to an employee based on job performance.

Nonexempt Employee: Employees in Pay Grade Nonexempt (N). Employees in this category are eligible for overtime payment for hours worked in excess of their scheduled workweek. (We eliminated Water and Wastewater Operators [W].)

Oral Examination: An examination where a candidate spends time in the presence of a three-member panel who are selected by the Personnel Director. The members of the panel rate the candidate based on the oral testing or interviewing of the candidate.

Overtime: Time worked in excess of the regularly scheduled work periods for those persons not working on an unlimited basis.

Part-Time: Appointment to a position that requires the employee to work fewer hours than normally designated for others in the same classification, usually less than 30 hours per week. Employees serve in an exempt status and must meet the requirements set by the Personnel Director.

Pay Range: The salary range which is assigned to a particular classification title, sometimes expressed as a pay range number.

Pay Rate: A specific dollar amount, expressed as either an annual rate, a biweekly rate, or an hourly rate.

Performance Evaluation: A report relative to the job performance and capacity of employees, made by supervisors.

Regular Employee: A County employee who has satisfactorily completed their initial probationary period.

Position: A group of current duties and responsibilities assigned and budgeted by competent supervision, requiring the full-time or part-time employment of one person.

Probationary Employee: A full-time employee or a part-time employee, working 30 or more hours per week, serving a probationary period prior to final appointment in that Career Service position.

Probationary Period: A period of time provided to allow the department/division director an opportunity to evaluate an employee's performance and ability, and to decide whether or not the employee is to be retained.

Promotion: Assignment of an employee from one class to another which has a higher maximum rate of pay and requires supervision of other employees.

Promotional Examination: An examination or a group of examinations for a position in a certain class, admission to which is limited to employees in the County service who hold positions in another class.

Promotional List: A list of persons who have been found qualified by a promotional examination for appointment to a position in a particular class.

Provisional Employee: Any employee filling a position in the Career Service without competition pending the establishment of an eligible list.

Qualified Employee: Medical Leave Conversion: An employee who has served the full payroll year between the Sunday prior to the last payday in September and ending the Saturday prior to the last payday in September of the following year.

Reclassification (Transfer): The reclassifying of an employee from one career field to another career field at the same pay grade.

Reclassification (Upgrade): The reclassifying and advancement of an employee from one career field to another career field in a higher pay grade.

Regular Appointment: An appointment to a regular position authorized to be filled and made as a result of a certification as prescribed by these rules.

Reinstatement: Rehiring of a former employee who resigned in good standing.

Relative: Father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister (as defined in State Statutes).

Removal: Separation of an employee for failure to meet requirements of employment.

Resignation: An act of voluntarily withdrawing from County employment.

Retirement: Whenever an employee meets the conditions set forth in the Retirement Plan regulations, the employee may elect to retire and receive all benefits earned under the Retirement Plan.

Shall: The word "shall" will be interpreted as mandatory.

Standby Assignment: An assignment made by a department or division director which requires an employee to be available for emergency work on off-duty time which may include nights, weekends, or holidays.

Suspension: Employees may be suspended from work without pay under the Standards of Conduct rules.

Temporary Employee: An employee appointed for a special project or other work of a temporary or transitory nature. Appointment will not exceed a six-month period unless specified by the project program or grant. All candidates will serve in an exempt status and meet requirements set by the Personnel Director.

Trainee: Employee undergoing a training period to learn the job duties or to attain education or certification level.

Transfer: That action in which the employee moves from one budgeted position to another with no resulting title change, or if a title change does take place, there is no change in the pay range.

Unassembled Examination: An appraisal program where it is not necessary for the applicants to present themselves in person at a designated time and place in order that the appraisal information be obtained.

Unlimited Time Status: Employees who are on an unlimited schedule and time status and are not eligible for overtime pay.

Work Cycle: Number of hours regularly scheduled to be worked during the established 28-day cycle.

Work Period: Scheduled period of time an employee is required to work.

Workday: Scheduled number of hours an employee is required to work per day.

Workweek: Number of hours regularly scheduled to be worked during any seven consecutive days, beginning with Sunday and ending with Saturday.