

**ORDINANCE NO. 431**

**AN ORDINANCE RELATING TO PERSONNEL POLICIES OF THE CITY OF MEXICO BEACH, REPEALING ANY AND ALL PRIOR ORDINANCES, RESOLUTIONS, MOTIONS OR OTHER ACTIONS PERTAINING TO CITY PERSONNEL POLICIES; AND, PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City Council of the City of Mexico Beach, Florida has determined that it is in the best interests of the citizens of the City of Mexico Beach that an ordinance amending the present personnel policies and establishing personnel policies for its employees be enacted and passed, now, therefore,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MEXICO BEACH, FLORIDA:**

Section 1. The City hereby enacts and creates personnel policies for the employees of the City of Mexico Beach, Florida, and hereby repeals any existing personnel policies, amendments thereto, and replaces such existing personnel policies with the personnel policies attached to this ordinance. The attached personnel policies are incorporated herein as if fully set forth herein. All existing personnel policies are hereby repealed and the new policies attached hereto enacted.

Section 2. If any section, portion or clause of this ordinance, for any reason, shall be held invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the remaining sections or provisions.

Section 3. This ordinance shall take effect immediately upon passage .

Section 4. All ordinances, motions, resolutions or other previous actions in conflict herewith are hereby repealed.

INTRODUCED at a Regular Meeting of the City Council on October 8, 2002, and ADOPTED at a Meeting of the City Council on Nov. 12<sup>th</sup>, 2002.

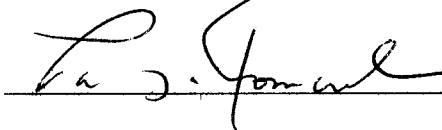
**CITY OF MEXICO BEACH, FLORIDA**

  
Kathy Kingsland, Mayor

ATTEST:

  
Henry Flack, Clerk

Approved As To Form:

  
\_\_\_\_\_

**PERSONNEL POLICIES FOR  
EMPLOYEES OF THE  
CITY OF MEXICO BEACH**

**(Edition 11-13-02)**

## WELCOME

It is my pleasure to welcome you as an employee of the City of Mexico Beach. I am sure that the skills and ability you bring to us will make you a valuable member of our City team.

This manual will help you get started in your new job and will explain some general facts you need to know about City rules, your pay, work hours, benefits and your responsibilities and rights as an employee. Please read your manual carefully and discuss any questions you might have with your Supervisor or myself.

Our primary job as City employees is to give prompt, courteous and efficient service to our fellow citizens. As we share in the experience of working together, you will be making an important contribution to the growth and well-being of the City of Mexico Beach.

I hope that you will take pride in your new job and that you will find your work interesting, satisfying and rewarding.

I wish you every success in your career with the City of Mexico Beach.

Sincerely,

A handwritten signature in black ink that reads "Paul Sabiston". The signature is written in a cursive style with a prominent loop at the end of the last name.

Paul Sabiston  
City Administrator

## MESSAGE FROM THE CITY OF MEXICO BEACH COUNCIL

The policy of the City of Mexico Beach Council has been and will continue to be one of an open door policy, under which all employees have the right, and are encouraged, to deal directly with their supervisors and department heads on matters pertaining to working conditions. Employees of the City of Mexico Beach are important individuals and we will always strive to ensure equitable treatment.

The Council Members feel that the working environment within the organization of the Council is good. Our philosophy includes goals of maintaining a climate of excellent employee relations showing respect for the rights and dignity of employees, as well as striving for employee satisfaction through merit compensation, comprehensive benefits and job security. We continually work to treat all employees fairly and as individuals.

The personnel policies and procedures contained in the manual are designed to provide employees of the City of Mexico Beach with a sound and equitable system of personnel management.

## FORWARD

This Employee Manual is to serve as an outline of the Personnel Rules and Regulations for employees of the City of Mexico Beach. This Manual was approved on November 12, 2002, with an effective date of November 12, 2002, and replaces Personnel Policies, Rules and Regulations, Ordinances, Resolutions, and amendments or changes thereto, previously published or adopted.

Specific paragraphs or portions of these policies may be changed, altered, modified, updated, or deleted by authorization of the City Council or City Administrator.

Employees should contact the City Administrator to obtain a specific interpretation of the Personnel Rules.

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## SECTION I

### POLICY STATEMENTS

#### THE OBJECTIVES OF THE PERSONNEL POLICIES ARE:

- A. To provide efficient and friendly service at all times to all the citizens of the City of Mexico Beach.
- B. To attract and retain employees of the highest caliber.
- C. To select employees based on qualifications, knowledge and skill.
- D. To provide training for supervisory personnel which will ensure their ability to lead and motivate their employees in an effective manner.
- E. To provide a pay plan and employee benefits which are fair and competitive.
- F. To provide clean, safe, and pleasant working conditions.
- G. To promote a grievance procedure which will provide prompt and appropriate settlement of employee grievances.
- H. To provide opportunities for employees to increase their skills and job potential through training and educational opportunities.
- I. To promote from within based upon qualifications, performance, knowledge, skills, and potential to handle increased responsibilities.
- J. To encourage the development of individual acceptance of responsibility for the attainment of outstanding public service.



## **EQUAL OPPORTUNITY AND NON-DISCRIMINATION POLICY**

There shall be no discrimination exercised on account of race, national origin, color, religion, creed, age, marital status, sex, political affiliation, or the presence of any sensory, mental, or physical disability unless such disability effectively prevents the performance of the essential duties required of the position and which are bonafide occupational qualifications which cannot be accommodated without undue hardship, with respect to the recruitment, examination or appointment of applicants, or in any personnel actions affecting employees, including training, promotions, educational opportunities, transfers, demotions, layoffs and disciplinary transactions.

## **AMERICANS WITH DISABILITIES ACT**



The City of Mexico Beach will provide equal opportunities for disabled persons seeking employment and will provide a bias free work environment for disabled employees. The Board, upon request, will provide reasonable accommodation in compliance with the Americans with Disabilities Act (ADA).

## **SEXUAL HARASSMENT POLICY**

The City of Mexico Beach is absolutely opposed to and will not tolerate sexual harassment. The City is also equally opposed to bad faith claims of sexual harassment which have no rational basis in fact or justifiable employee perception, and are deliberately designed to affect adversely the employment or personal relationships of persons against whom the complaint is made. The City of Mexico Beach takes this strong stand because such claims often affect the future employment and important family relationships of not only the claimant, but also the person against whom the claim is made.

The Equal Employment Opportunity Commission guidelines with regard to sexual harassment in the work place define, very generally, what type of conduct that will be considered "sexual harassment", and thus violate Title VII of the Civil Rights Act of 1964. The guidelines set out three (3) basic circumstances in which "unwelcome sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature" will be considered sexual harassment. Those three (3) circumstances are:

- A. Where submission to the conduct is an explicit or implicit term or condition of employment;
- B. Where employment decisions concerning an individual are based

on whether he/she submitted to or rejected sexually harassing actions;

- C. Where such conduct has the purpose or effect of "unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment".

The City of Mexico Beach encourages any employee who feels that he/she is being subjected to sexual harassment to notify the City Administrator. A formalized method of investigating and resolving such complaints has been established to:

- A. Assure thorough and prompt investigation;
- B. Eliminate sexual harassment and bad faith claims of sexual harassment in the work place;
- C. Treat as confidentially as possible with minimal effect on personal, work and family relations;
- D. Ensure against retaliation; and
- E. Ensure ultimate resolution of each claim that is fair to all, effectuates the policies of Title VII, preserves sound business operations and adequately protects the City of Mexico Beach.

Employee claims under this policy are to be made directly with the City Administrator either in writing or by telephone (Area Code 850-648-5700).

#### **ALCOHOL/DRUG ABUSE POLICY**

The purpose of this policy is to define the City of Mexico Beach's position regarding employees whose job performance is adversely affected by alcohol/drug abuse, or engaging in illegal drug activity.

Illegal drug use, whether on or off the job, may adversely affect an employee's job performance, jeopardize the safety of other employees, the public and the reliability of the City's operations and/or equipment.

Possession of, or being under the influence of alcoholic beverages, or possession or being under the influence of illegal drugs<sup>1</sup> on County property or any work site, or while on duty is a serious violation of this policy, and will subject the employee to immediate termination.

An employee will be required by his or her Supervisor to submit to a blood/urine or other test for alcohol or illegal drugs<sup>1</sup> **if reasonable suspicion** exists to believe the employee is under the

influence of alcohol or drugs. Other testing may be required as set forth in any separate drug testing policy or program implemented and approved by the City. Employees who are directed to submit to tests for alcohol or illegal drugs under these circumstances and who test positive, as determined by the City, or refuse or fail to submit to these tests when and as directed, will be subject to immediate termination.

Employees who are convicted or sentenced for on or off the job illegal drug activity will be considered in violation of this policy and subject to termination of employment.

Employees must notify their Supervisor when under medically prescribed treatment with a controlled substance that may limit their ability to perform their job. Verification of required medication under these circumstances will be submitted by providing a prescription copy or physician's statement showing medication required and dates of use. Failure to do so will result in appropriate disciplinary action.

<sup>1</sup> any drug which (a) is not legally obtainable; (b) may be legally obtainable but which has not been legally obtained; or (c) is being used in a manner or for purposes other than as prescribed or intended.

#### **SMOKING POLICY**

Smoking will be restricted to designated areas as established by State law in compliance with the Florida Clean Indoor Air Act. Signs prohibiting smoking shall be conspicuously posted in every facility and major work area where smoking is prohibited. Ashtrays will not be kept in nonsmoking areas. Ashtrays will be made available in the designated smoking areas and are to remain in the designated areas at all times.

Complaints of violation of this policy should be directed to the Supervisor responsible for the particular work area or facility involved in the complaint. The responsible Supervisor shall be charged with notifying the violator of the pertinent portions of this policy.

#### **SAFETY AND LOSS CONTROL POLICY**

The City of Mexico Beach recognizes the necessity for a safe and healthful work place, through the adherence to sound safety and health principles. With the assistance of City employees, the Management will work to provide a hazard free work environment.

Safety rules are published, or will be published, in the Risk Management Program Policies and Procedures Manual to be provided at the time of hiring upon publication. The City will continually strive to improve the guidelines and the published rules; your support in this endeavor is requested through compliance with the rules and by providing suggested improvements.

#### **WORKPLACE VIOLENCE POLICY**

Violence, or the threat of violence, by or against any employee of the City of Mexico Beach is unacceptable and contrary to City Policy, and will subject the perpetrator to serious disciplinary action and possible criminal charges. The City will work with law enforcement to aid in the prosecution of anyone outside of the organization who commits violent acts against employees.

Unauthorized possession, use, or threat of use, of weapons or firearms is not permitted at work, or on City property, including in a City vehicle, unless such possession or use of a weapon is a necessary and an approved requirement of the job.

Employees' conduct toward co-workers, supervisors or the public must be courteous, positive and appropriate for the work situation.

The following behavior is prohibited, however, this is not intended to be an all-inclusive listing of prohibited behavior:

- ◆ Fighting or malicious behavior while on or in City property.
- ◆ Fighting or assaulting a fellow employee or citizen.
- ◆ Threatening or intimidating management, supervisors, security guards or fellow workers, including making statements while working which tend to threaten or intimidate other employees or supervisors.
- ◆ Engaging in any form of racial, sexual, ethnic, or religious harassment.
- ◆ Engaging in horseplay, fighting, violence or any other action interfering with the work of other employees or service to the public.
- ◆ Using threats or profane or abusive language in dealing with the public, co-workers, supervisors or other persons contacted in business relationships, or otherwise provoking or abusing others in any way.
- ◆ The unauthorized possession, use or threatened use of

weapons or firearms while on duty.

- ◆ Harassing, terrorizing, threatening with physical violence or punishment, or otherwise forcing an employee to suffer embarrassing or degrading experiences.

Employees engaging in prohibited behavior are subject to disciplinary action up to and including termination from employment.

No employee acting in good faith, who reports actual or threatened violent behavior, shall be subjected to retaliation or harassment because of their report.


The Chief of the Department of Public Safety is the Workplace Critical Incident Coordinator. The Chief may be contacted at any time and will ensure that available resources are coordinated as needed in the response to reported incidents of workplace violence. A copy of the Workplace Violence Prevention Program guidelines is available, or upon adoption will be available, in the Office of the Department of Public Safety.

#### **CONFLICT OF INTEREST POLICY**

- A. No employee shall accept gifts, gratuities or loans from organizations, business concerns, or individuals with whom he/she has official relationships on City business. These limitations are not intended to prohibit the acceptance of articles of negligible value which are distributed generally nor to prohibit employees from accepting social courtesies which promote good public relations, nor to prohibit employees from obtaining loans from regular lending institutions.
- B. No employee shall solicit contributions from another employee for a gift to an employee in a superior official position nor shall such superior accept a gift presented as a contribution from employees receiving less salary than himself/herself. This does not, however, prohibit a voluntary gift of nominal value when made on a special occasion.
- C. No person seeking appointment to or promotion within the City shall either directly or indirectly give, render or pay any money or other thing of value to any person in connection with an appointment, promotion or proposed appointment or promotion. This prohibition is not intended to prevent payment to a legitimate employment agency.
- D. 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 written policy or law.

- E. 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. Employees are expected to remain mindful of the confidential nature of many aspects of the work of some departments of the City. City Administrator permission is required for release of sensitive or privileged information.
- F. Employees shall not transact any business in their official capacity with any business entity of which they own a substantial interest.
- G. Employees shall not have personal investments in any enterprise which will create a substantial conflict between their private interest and the public interest.
- H. If an employee of the City is an officer, director, agent or member of, or owns controlling interest in any firm, corporation, partnership or other business entity which is subject to current proceedings of the City, they shall file a sworn statement to this effect with the City Administrator.

#### **EMPLOYEES POLITICAL ACTIVITY POLICY**

 Political action by employees of the City of Mexico Beach shall be governed by Chapter 104.31 of Florida Statutes. Nothing herein shall be construed to limit or restrict the right or ability of an employee to be involved in political campaigns or other community or political issues during the time an employee is not at work.

#### **NEPOTISM POLICY**

To ensure the reality and appearance of fairness in the best interest of the City of Mexico Beach, immediate relatives as defined in FS 112.3135 will not be employed in any position where:

1. One relative would have the authority to supervise, appoint, remove, discipline or evaluate the performance of the other.
2. One relative should be responsible for auditing the work of the other.
3. Other circumstances may exist which would place the relatives in a situation of actual or reasonably foreseeable conflict between the City's interest and their own.

#### **STATEMENT ON GENERAL LAW**

Any State, Federal or local issues which become law will be enforced and/or administered according to provisions of the act. Copies of said policy will be provided to all employees and these Personnel Policies may be amended by the City Administrator to conform to such law(s).

## SECTION II

### AUTHORITY AND ADMINISTRATION

#### DEFINITIONS

##### **Work Week**

Work Week refers to the number of hours regularly scheduled to be worked during any seven (7) consecutive days.

##### **Work Day/Shift**

Work Day/Shift refers to the number of hours regularly scheduled to be worked in one 24-hour period.

##### **Hours of Work**

Hours of Work refers to the number of hours an employee is scheduled to work in any 24-hour period. Employees shall be paid only for the time actually worked.

##### **Working Days**

The term "Working Days" generally refers to the 5-day period, Monday through Friday, except where 7-day or around-the-clock coverage is required.

##### **Overtime Pay**

Overtime Pay means the compensation paid for the work performed in excess of the standard (40 hours) specified for the work week.

##### **Regular Employee**

A regular employee is one who is assigned to a budgeted position, has satisfactorily completed his/her period of probation, and is eligible for all benefits and pay increases in accordance with policies and procedures of the City of Mexico Beach.

##### **Probationary Employee**

A probationary employee is one who does not have regular status - has less than six (6) months continuous service with the City of Mexico Beach or has been promoted and is serving a six (6) months probationary period.

**Temporary Employee**

A temporary employee is one employed for a specific period of time, normally limited in duration to six (6) months or less, and does not receive any benefits nor is eligible for pay increases.

**Part-Time Employee**

A part-time employee is one who works less than the standard (40 hours) specified for the work week or as otherwise determined by the City Administrator.

**Immediate Family**

"Immediate Family" and "Relative" are as defined in FS 112.3135(1)(d). Except for appointed positions or as may be otherwise set forth herein, only the City Administrator shall have the authority "to appoint, employ, promote, or advance individuals or to recommend individuals for appointment, employment, promotion, or advancement in connection with employment", for purposes of FS 112.3135.

**May**

The word "may" shall be interpreted as permissive.

**Shall**

The word "shall" shall be interpreted as mandatory.

**Continuous Service**

This is service credit which determines eligibility for employee benefits such as vacations, leaves of absence, etc. If a regular employee works for the City of Mexico Beach, then resigns in good standing and returns within 30 days, a continuous service will be reflected upon the recommendation of the responsible Supervisor and Department Director with approval of the City Administrator.

**Termination or Leave of Absence Dates**

When completing the Personnel Requisition or Change in Status form, the effective date of a termination (voluntary, involuntary, compulsory, or failure to return from an approved leave of absence) shall be the last day worked or the last day for which pay was received (e.g., time off with pay for personal illness). The start date of a leave of absence shall be the date following the last day worked or the last day for which pay was received, as in the preceding example. The leave ending date shall be the last day of the authorized leave period. Refer to Section V, for types of leaves of absence.

**SCOPE**

These policies shall apply to and govern all employees of the City of Mexico Beach unless exempted or amended by written employment contract approved by the City Council.



## **AUTHORITY FOR ESTABLISHMENT OF POSITIONS**

All new positions or offices in the City organization, together with rates of pay, are established by the City Administrator and require final approval by the City of Mexico Beach Council. Once positions are established, the City Administrator is vested with the power to hire and terminate all persons filling such positions except for those positions appointed directly by the City Council.

## **REQUEST FOR PERSONNEL**

The requesting Department shall submit a personnel requisition to the appropriate Department Head when a vacancy exists. Requests for personnel shall be made as far in advance of actual need as circumstances permit.

## **REQUEST FOR NEW POSITIONS**

The requesting Department shall provide the following recommendations and supporting data to the appropriate Department Head:

### **A. Recommendations**

1. Position title
2. Position description
3. Reporting relationship

### **B. Supporting Data**

1. Physical location of workspace for the position;
2. Support furniture/equipment requested or available;
3. Justification statement to reflect increased efficiency, productivity, cost savings, or more effective and responsive service; and
4. Source of funds for salary and benefits.

## **ADMINISTRATIVE AND APPOINTIVE AUTHORITY**

With the exception of appointments reserved to the City of Mexico Beach Council, general authority and responsibility for personnel administration is vested in the City Administrator. Final authority in personnel matters is reserved for the City Administrator with regard to all matters and subjects covered by these policies. However, if a conflict arises between these personnel policies and

the City Charter, the City Charter shall prevail. The City Administrator may delegate his/her authority to Department Heads.

#### **CITY ADMINISTRATOR DUTIES AND RESPONSIBILITIES**

The City Administrator shall be the chief administrative officer of the city and may head one or more departments and shall be responsible to the city council for the proper administration of all affairs of the city except those delegated to other appointed officials of the city.

The City Administrator, under these Personnel Policies and when necessary, shall hire as needed, suspend, remove or discipline any officer or employee of the city, unless otherwise provided in the City Charter. The City Administrator may delegate such power(s) to a department head. The City Administrator shall not have the right to appoint, suspend, or remove the officers provided for appointment in the City Charter or Code to be appointed by the City Council.

The Mayor and City Council members shall conduct the business of the city as set forth in the City Charter and Code, including special and regular meetings. The Mayor, with City Council approval, also may establish committees and boards to make recommendations to the council to assist in the conduct of business for the city. However, no elected official shall instruct or direct any city employee(s) in the performance of their daily job tasks but shall act through the City Administrator and only with approval of the city council by majority vote. The Mayor and City Council may make inquiry to the City Administrator or the appropriate department head regarding the status of a project or activity but shall not individually direct or instruct any employee to take any action(s).

#### **ADMINISTRATION OF PERSONNEL POLICIES**

Administration of these rules and policies shall be the staff responsibility of the City Administrator. Supervisory personnel shall be responsible for the effective administration of these rules and policies within their respective operations.

#### **AUTHORITY FOR VARIANCE FROM POLICY**

Department Heads and shall have the right to request, in writing, a variance from these policies when individual circumstances so justify. This request shall be submitted to the City Administrator for final decision.

## **CHANGES/AMENDMENTS TO PERSONNEL POLICIES**

Specific paragraphs or portions of Personnel Policies may be changed by the City of Mexico Beach Council, providing Council approval is given by resolution or ordinance, or by the City Administrator as amendments/additions are deemed appropriate. These changes will be distributed to all Department Heads and all others who have need for copies of the policies.

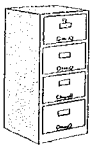
The entire Personnel Policy booklet shall be up-dated periodically to incorporate all changes which have been made in the interim, normally every three to five years and a copy of the current Personnel Policy booklet shall be on file with the City Clerk.

## **ACCOUNTING RESPONSIBILITIES**

Department Heads and other Supervisory personnel are responsible for maintaining complete and accurate attendance records for employees within their respective operations. Such records constitute the basis for preparation of Departmental payrolls, and will be preserved for future auditing purposes as needed or required.

The Public Works Director is responsible for monitoring the compliance of Departments with the requirements and policies established by the official job classification and pay plan, as well as Departmental conformity with the established policies and rules governing wages, hours of work, and working conditions.

## **PERSONNEL RECORDS**



The City of Mexico Beach maintains a permanent record of your employment with the City. An optional file may be held in your Department with the express consent of the City Administrator. Your personnel file contains your complete employment history, such as salary, advancements, promotions, commendations and reprimands. Employees should be aware of keeping their personnel file current. The Office Staff should be notified promptly of any changes of address, phone numbers or the person(s) to notify in case of emergency. This is the employee's responsibility and failure to do so may result in loss of benefits. The Office should also be advised of any special education classes or training courses completed. Copies of diplomas or certificates should be forwarded to become part of the permanent file. Such information is valuable when seeking a promotion in the service of the City of Mexico Beach.

Chapter 119 of the Florida Statutes requires public agencies (this includes the City of Mexico Beach) to permit public access to the

personnel records of their employees and this will be done in accordance with law. Personnel files may be copied, to the extent permitted by law, but may not be removed from City Hall or the presence of the City Clerk or City Administrator, or Department Head if such files are maintained by a Department Head, except by the employee, and in the case of an employee, only a copy of his/her file(s).

### SECTION III

#### EMPLOYMENT INFORMATION AND REQUIREMENTS

##### **STANDARDS OF CONDUCT**

Employees of the City of Mexico Beach are goodwill ambassadors, and such status involves a degree of duty and obligation regarding public and private conduct which is not common to many other classes of employment. The attitude and deportment of an employee should at all times be such as to promote goodwill and a favorable attitude of the public toward the City's administration and its programs and policies. Each employee shall conduct himself/herself in a manner which could not be construed to be in conflict of this interest. Employees who fail to comply with the City's standards of conduct may be disciplined up to and including termination.

##### **EMPLOYEE APPLICATIONS FOR WORK**

Each applicant shall answer all questions and furnish all information required in the application form established by the city. In addition, the applicant shall be required to give consent for a criminal history check and background investigation. Any false statement or failure to comply with all of the requirements set forth in the application shall be sufficient reason for disqualification prior to employment or immediate termination after an applicant has been hired.

Applicants for employment shall be at least 18 years of age, except for part-time work or summertime employment on an as needed basis. All appointments or promotions shall be made by the City Administrator on the basis of merit and fitness as indicated by work performance, evaluations and/or skill and experience of a new applicant. All new city employees shall serve a six (6) month probationary term as further set forth in this Personnel Policy.

These Personnel Policies are not intended to nor shall create any rights or additional rights to employment by the City of Mexico

Beach. Any employee(s) who have a written contract approved by the City Council shall be subject to the terms of such contract and such contractual terms shall control if they differ from the provisions of these Personnel Policies.

#### **PERSONAL APPEARANCE**

It shall be the responsibility of all employees to represent the City of Mexico Beach to the public in a manner which shall be courteous, efficient, and helpful. City employees should always be well-groomed and dressed in a manner suitable for the public service environment and to reflect favorably the City's image. Department Head's shall establish a suitable dress code for each Department to follow. The employee's Department Head will discuss the subject of personal appearance with the employee if it is felt it does not positively reflect the image of the City of Mexico Beach.

#### **EMPLOYEE ORIENTATION**

The Department Head shall review the manual with each new employee for use as a general guide to policies, procedures, benefits, and organizational structure of the City of Mexico Beach. Upon employment, the new employee will be furnished a copy of the manual and, after reviewing, will sign a statement that he/she understands the rules, regulations and benefits.

#### **WORK SHIFT ASSIGNMENTS**


When employed, each employee is assigned a work shift in accordance with the particular operational requirements of his/her Department(s). Any changes to those shifts, except where specially noted otherwise, shall be at the sole discretion of management. A minimum 24-hour notice will be attempted to be given, but not required, in order to allow the employee to make the necessary personal arrangements.

#### **AUTHORITY FOR ABSENCE**

No employee shall be absent from his/her regularly scheduled duties except by authority of his/her Department Head. Employees absent due to reasons beyond their control will be responsible for explaining their absence to their Department Head, or the Department Head's designee, prior to the beginning of their shift, if at all possible; but no later than one hour into their shift. In cases where an extended absence or illness is expected, the Department Head shall have the authority to modify the above daily reporting requirements. Except in cases of leave incident to

vacation, occupational disability, illness, jury duty, military training, maternity or academic, all absences in excess of one week must be approved by the City Administrator and as otherwise set forth in this Personnel Policy.


#### **DRIVING RECORDS**

Driving records of employees required to drive in performance of duties are subject to be periodically reviewed. Should this review identify an unfavorable record, it may result in the employee being transferred to a non-driving position or terminated. 

#### **SECONDARY EMPLOYMENT**

Employees of the City of Mexico Beach must consult with their Department Head prior to accepting secondary employment. Such work should be regarded as having a lower priority than the requirements of the employee's regular employment with the City of Mexico Beach and must not interfere with or impede the performance of work responsibilities for the City. The secondary employment cannot adversely affect the impartial, objective and efficient performance of assigned duties. Nor can the secondary employment create a conflict of interest with employment by the City of Mexico Beach. An employee's failure to disclose secondary employment may be grounds for dismissal. Final permission for secondary employment must be obtained from the City Administrator.

#### **EXIT INTERVIEWS**

 Exit interviews will be conducted to determine the reason for an employee's departure and possible causes and solutions to help reduce turnover among personnel, and to gain information which will improve or enhance employment conditions. The employee's Department Head will schedule an exit interview for the employee with the City Administrator prior to the last day of employment.

### **SECTION IV**

#### **COMPENSATION PLAN**

#### **SALARY AND WAGE SCHEDULE**

The salaries of employees of the City of Mexico Beach shall be on the basis of grade schedules prescribed in the Job Classification and Pay Plan adopted by the City Council and as may be updated from time to time. A copy of the pay plan program is available in the City Administrator's Office.

#### **ANNUAL EVALUATION**

Employees shall be evaluated annually on his/her overall performance. Salary increases will be computed on the basis of a percentage determined annually and in accordance with the merit evaluation program adopted by the City of Mexico Beach. However, upon reaching the maximum of his/her pay range, employees are eligible only for a merit type raise or bonus of up to five percent (5%) annually.

#### **ENTRANCE PAY RATE**

The pay rate at time of appointment to any position shall be the minimum for the position grade. Compensation at higher rates may be considered when experience, skill, training or conditions of the labor market justify such action. The City Administrator is authorized to hire and re-position employees, and, upon recommendation of the responsible Department Head, is authorized to make salary offers up to the midpoint of the position grade. Salary offers above the midpoint of the position grade shall be made or approved by the City of Mexico Beach Council. Except as otherwise provided herein, advancement from the entrance rate to the maximum rate within a grade shall be by merit only.

#### **PAY RATES AFTER LEAVE OF ABSENCE, RECALL OR REINSTATEMENT**

When an employee returns to duty in the same or comparable position after a leave of absence or recall, he/she shall receive the rate in the grade schedule corresponding to the rate received at the time of departure, or a higher rate if the range for the position has been upgraded due to a cost-of-living increase, general increase or position re-evaluation. Pay rates for reinstated employees shall be treated in the same manner as a new hire. Consideration for a higher grade or rate shall be given if the qualifications of the employee have been increased. He/she shall be paid that rate for at least the length of time normally required for consideration of a merit increase. The time served at the rate immediately preceding his/her departure shall be taken into consideration when determining his/her next merit review date.

#### **RATE OF PAY ON PROMOTION**

When an employee is promoted to a position with a higher grade schedule, the employee shall receive a salary increase at the

discretion of management, however at least to the minimum rate of the new pay grade.

#### **RATE OF PAY ON DEMOTION**

When an employee is demoted to a position with a lower pay grade schedule, the employee's new salary rate shall not exceed the maximum rate established for the lower pay grade.

#### **RATE OF PAY ON TRANSFER**

Employees transferred to another position in the same job classification or to a different position with the same pay grade shall not be eligible for a pay increase. Employees transferred to another position in a lower job classification or pay grade shall be handled in accordance with the policy established for Demotions.

#### **RATE OF PAY ON RECLASSIFICATION**

When a position is reclassified to a higher class or grade, adjustments to salary shall be handled in the same manner as Promotions. When a reclassification results in assignment to a lower class or grade, adjustment shall be made in accordance with the rules for Demotions.

#### **OTHER INCREASES**

Cost-of-living/general increases may be recommended by the City Administrator for the City of Mexico Beach Council approval when appropriate. Such increases may result in the pay grade ranges (minimum/maximum) being adjusted. The employee's merit cycles shall not be affected by these adjustments.

#### **OVERTIME WORK AND PAY**

The City shall seek to limit overtime work to essential operations and emergency operations, and the City shall seek to limit and reduce overtime pay. Overtime work will be performed and paid only with prior approval of the responsible Department Head and City Administrator to the extent necessary to meet essential operation requirements or for emergency operations. Special and separate provisions for overtime and related benefits will apply to certified law enforcement employees in the Department of Public Safety.

The responsible Department Head shall maintain accurate records of all overtime worked and justification for same. Each responsible Department Head shall submit a statement to the City Administrator reflecting all overtime at least monthly. The City Administrator



shall have the responsibility to monitor the overtime reported and to investigate any unusually large amounts.

Employees may be required to work overtime, or work on days off, in order to meet special situations, emergencies, or demands. Employees of the City of Mexico Beach serving the public are expected to work the extra hours when required. Employees who refuse to work overtime will be subject to disciplinary action.

Employees are eligible for overtime pay in accordance with the Fair Labor Standards Act (FLSA). This provides for eligible employees to be paid overtime at a rate of not less than one and one-half times regular pay for all hours worked in excess of the standard (40 hours) specified for the work week.

- A. For purposes of computing overtime of less than one hour, increments in tenths of an hour will be used. Six minutes is established as the minimal amount of work performed to be eligible for overtime.
- B. Pay for working holidays will be at twice the regular pay.

## SECTION V

### EMPLOYEE BENEFITS

#### **SICK LEAVE**

Six hours of sick leave allowance shall be granted for each month of service completed. Sick leave may not be used until probationary status is completed and regular status is attained. Sick leave does not accumulate while on leave without pay (over 30 calendar days). Temporary employees are not eligible for this benefit.



Sick leave is to be used for employee's illness or illness of employee's spouse, children or a parent in which the employee is needed to provide care (limited to 3 consecutive work days for spouse, children or parents, not to exceed 6 working days in a calendar year). SUBMISSION OF PROOF MAY BE REQUIRED.

- A. Employees who are absent two or more consecutive scheduled working days due to employee's illness may be required by the responsible Department Head to submit a physician's statement of the illness.
- B. Responsible Department Head or the City Administrator are authorized to make any investigation of benefits claimed under this rule which they deem necessary and to disapprove any

claims not properly substantiated.

- C. (Reserved.)
- D. For purposes of reporting sick leave, increments in tenths of an hour will be used. Six minutes is established as a minimal amount of sick leave to be reported.
- E. Frequent claiming of benefits under this rule can provide the basis for the responsible Department Head or City Administrator to determine that the physical condition of the employee is below the necessary standards for the proper performance of his/her duties. Likewise, if reasonable suspicion exists that an employee is malingering or abusing this benefit, the responsible Department or City Administrator may require a statement as to the physical condition of the employee. Such abuse of this benefit may result in disciplinary action up to and including discharge.
- F. Employees must exhaust all sick leave prior to requesting leave without pay, except while out on Workers' Compensation.
- G. Sick leave earned during any pay period will be credited to the employee on the last day of the pay period and shall not be used until accrued.
- H. When an employee finds it necessary to request sick leave, such request will be made to the Department Head as soon as possible. Continued or willful failure to report will be cause for a Department Head to deny a sick leave request.
- I. An employee who separates from the city employment with less than (10) years of creditable service shall not be paid for any unused sick leave. An employee with over ten (10) years who is eligible for payment for unused sick leave credits shall be compensated at the employee's current regular hourly rate of pay for one-fifth (1/5) of all unused sick leave credits accrued.

#### **ANNUAL LEAVE**

Each employee shall accumulate annual leave with pay at the rates shown in the schedule below unless modified by contract approved by the city council. Annual leave may not be taken until six months service is completed. In extenuating circumstances, this may be waived at the request of the responsible Department Head and approval of the City Administrator. Annual leave does not accumulate while on leave without pay. Temporary employees are not eligible for this benefit. Rates of accumulation are as set forth below:

6 to 12 months of service - 6 work days per year

1 - 5 years service	- 10 work days per year
5 - 10 years service	- 14 work days per year
11 - 14 years service	- 18 work days per year
15 or more years service	- 20 work days per year

(Example of accumulation: When an employee completes 5 years of service and starts his/her sixth year, he/she accumulates at the rate of 14 work days per year.)

Annual leave credit may be accumulated to a maximum of 25 working days (200 hours) in a calendar year. Amounts in excess of that authorized shall be lost unless an approved deferral is received in advance. Leave shall normally be granted in accordance with the preference of the employee if and when, in the opinion of the Department Head, it will not be detrimental to Departmental operations.

- A. Upon completion of probation, employees in regular positions will be eligible for payment of accumulated annual leave not to exceed 200 hours in cases of separation from employment with the City of Mexico Beach by voluntary resignation, involuntary reduction in force or occupational disability. An employee with less than six months service is NOT eligible for annual leave pay upon separation.
- B. Annual leave pay may be used to supplement absence on account of sickness or injury in the event accumulated sick leave is not sufficient to cover the length of sickness or injury.
- C. In the event of an employee's death, his/her beneficiary shall be paid for accumulated annual leave not to exceed 240 hours.
- D. Employees must exhaust all annual leave prior to requesting leave without pay.
- E. Holidays which occur during the period selected by the employee for his/her annual leave shall not be charged against such annual leave. However, normal Holiday leave due the employee will be charged during this period.
- F. The period selected by the employee for his/her annual leave must have the prior approval of the responsible Department Head.
- G. All Supervisory personnel shall make every effort to provide their respective employees with the opportunity to take their accumulated annual leave at least once a year to remove themselves from the work atmosphere for relaxation and rest in order to return to their jobs refreshed and ready to perform at their maximum efficiency.
- H. Each employee after the first year of employment may elect to receive in lieu of vacation days a dollar amount equal to the

employee's hourly rate of pay times a maximum of fifty percent (50%) of the employee's annually accrued vacation time up to sixty (60) hours per year.

- I. Annual leave will be scheduled for the convenience of the city as established by the Department Head. Request for annual leave must be made at least one week in advance of the requested beginning of the leave period.

#### **FUNERAL LEAVE**

In the event of a death to a member of an employee's immediate family the employee shall be allowed a maximum of three (3) consecutive work days to attend the funeral without loss in regular pay, provided adequate notice is given to his/her Department Head; and such leave is approved by the responsible Department Head. Probationary and regular part-time employees are eligible for this benefit, however, temporary employees are not eligible.

#### **MILITARY LEAVE WITH PAY**

An employee who is a member of the United States Armed Forces Reserve, including the National Guard for Florida, shall be entitled to up to 15 days of paid leave upon presentation of his/her formal orders or appropriate certification for training or service. Such employee will be entitled to up to 15 days of paid administrative leave per calendar year. Such military leave shall accrue without loss of time on the job or efficiency rating.

#### **LEAVE WITHOUT PAY**

A "leave without pay" is time off without pay for a period of time appropriate to the circumstances as hereinafter defined, unless otherwise specified. Any renewal must be by mutual written agreement.

Health and life insurance benefits may be continued on the employee for the term of the authorized leave if the employee so desires. One hundred percent of the cost of the coverage shall be paid in advance by the employee.

An employee will not accumulate sick leave nor annual leave while on leave without pay.

A leave without pay of less than 30 calendar days will not constitute a break in service.

#### **A. Eligibility for Leave Without Pay**

Full-time, regular employees who have completed six months of satisfactory service are eligible to be considered for leave without pay unless otherwise specified.

**B. Application for Leave Without Pay**

No application for leave without pay will be considered unless it is applied for in writing, on forms provided for that purpose. In all cases, the forms shall be completed at least two weeks prior to leave; shall specify the type of leave; and, will be signed by the employee to signify his/her understanding and acceptance. No leave without pay request is considered granted unless recommended by the responsible Department Head and with the City Administrator's approval.

**C. Employees returning from a leave without pay must:**


1. No later than two weeks prior to their scheduled date of return, confirm to their responsible Department Head their date of intended return to active employment. Any request to change their scheduled date of return or intention to resign should be reported as soon as known.
2. Those employees returning from a medical leave of absence shall furnish a signed letter from their personal or "treating" physician, indicating the employee can resume his/her employment. Arrangements may be made with the City Administrator, through their Department Head, to have them examined by a designated City physician before returning to work.

**D. Employees on leave without pay will be terminated if they have:**

1. Failed to furnish a true statement of the reason for leave or required official documentation.
2. Accepted other employment while on leave, unless a specific request has been applied for and approved in writing.
3. Failed to return to work at the expiration of leave.

**TYPES OF LEAVE WITHOUT PAY**


**A. Academic Leave**

Time off without pay, for a period not to exceed two years, recommended by the responsible Department Head and with the City Administrator's approval. Two years of  continuous service are required before an employee is eligible. Reinstatement in a comparable position shall be considered, but not required, depending on budgeted vacancies. Such education must be of definite value to the employee in connection with his/her job assignments.

**B. Military Leave**

Time off for military duty (Armed Forces and National Guard training) will comply with all Federal and State Statutes. An employee who is a member of the United States Armed Forces Reserves, including the National Guard, may be granted leave of absence without pay from assigned duties and without loss of time or rating on all days for which employee is performing ordered inactive duty. Such employee's position will be held as required by law or for one year, whichever is shorter.

**C. Maternity Leave**


Maternity leave will comply with all minimum requirements of Federal and State Statutes. This section may be updated with specific provisions in accordance with Federal and State law or amendments thereto by resolution approved by Council. 

**D. Family and Medical Leave**

Leave will comply with the "Family and Medical Leave Act of 1993" (the "Act"). This section may be updated with specific provisions in accordance with Federal and State law relating to the Act, or amendments thereto, by resolution approved by Council.

**HOLIDAYS**

The following twelve (12) days are the holidays for all employees of the City of Mexico Beach:

1. The first of January - New Year's Day
  2. The third Monday of January - Martin Luther King Jr.'s Birthday
  3. The last Monday of May - Memorial Day
  4. The Fourth of July - Independence Day
  5. The first Monday of September - Labor Day
  6. November 11th - Veterans Day
  7. The fourth Thursday of November - Thanksgiving
  8. The Friday after Thanksgiving - Thanksgiving Friday
  9. The twenty-fourth of December - Christmas Eve
  10. The twenty-fifth of December - Christmas Day
  11. The employee's Birthday
  12. One personal day
- 

Holidays must be taken as they occur. Accumulation of holidays will not be allowed. If, in the opinion of the Department Director or responsible Supervisor, it becomes necessary for an employee to work on a scheduled holiday, he/she shall authorize holiday pay for the employee. If the holiday falls on the normal day off of a shift employee, he/she shall be paid holiday pay at his/her straight time rate. Holidays which fall on a Saturday will

normally be observed on the preceding Friday; and, holidays which fall on a Sunday will normally be observed on the following Monday except as specifically noted above. In order for an employee to receive holiday pay, he/she must have worked the scheduled workday preceding the holiday and the scheduled workday following the holiday, unless the employee has received prior written approval to be off one or both of these days.

Regular part-time employees will be paid for four (4) hours holiday pay at their regular rate of pay.

#### **GROUP HEALTH AND LIFE INSURANCE**

Probationary and regular employees are eligible for the group health program immediately upon being hired. Each employee electing insurance coverage will receive a booklet with pertinent information. The program provides health coverage for the employee and dependents at 75% employer contribution and 25% employee expense. Group health insurance coverage may be continued while an employee is on approved no-pay leave of absence, however, the employee will pay 100% expense for health insurance premiums. The City of Mexico Beach's group health insurance program is continued until the last day of the month in which the employee terminates. However, coverage may be converted to individual policies upon termination in accordance with Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) regulations. Subject to resolution by council, a retired employee may elect to stay under the group coverage by paying 100% of the insurance premium. Employees may be offered additional insurance coverages for life, dental or eye, and such coverages will be paid entirely by the employee unless approved by motion or resolution of the city council. The city council may, by resolution, amend the health insurance coverage amounts paid by the city if the council deems it necessary.

Other insurance programs may be offered to employees from time to time with the employee paying 100% expense.

#### **UNIFORMS**

Employees in certain jobs where uniforms are required, may be furnished uniforms at no cost to the employee as permitted by state law. Employees must return all uniforms when they terminate employment before the final paycheck will be issued.

#### **RETIREMENT**

Employees are provided with a retirement plan through the City of Mexico Beach with contributions being paid by both the employee and the City of Mexico Beach. The amount of retirement received by

individuals is determined by their input into the retirement plan he or she has chosen. All information regarding the retirement plan may be obtained from the City Clerk.

## **AWARDS PROGRAMS**

### **A. Service Awards**

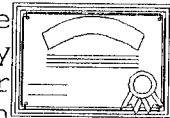
Certificates shall be presented annually, in recognition of years of service with the City of Mexico Beach, to those employees completing five (5) years continuous service and every five (5) years thereafter. Service awards shall also be presented to those employees achieving academic degrees at accredited colleges or universities.

### **B. Employee Suggestion Program**

The purpose of the Employee Suggestion Program is to encourage and recognize employees who propose innovative ideas or procedures that will increase productivity and efficiency, promote effective communications, or improve service, working conditions, or safety. Suggestions must be submitted in writing on the official Employee Suggestion Form and must follow guidelines of the Employee Suggestion Program. These forms can be obtained from the City Clerk's Office or within your Department. Awards to employees may be monetary or non-monetary as deemed appropriate by council and upon recommendation of the City Administrator.

### **C. Employee Of The Quarter**

Every quarter, an "Outstanding Employee of the Quarter" is selected. That employee is formally presented with a "Certificate of Recognition" for outstanding performance by the City of Mexico Beach and awarded an extra Fifty Dollars in a paycheck he/she receives after being recognized as the Outstanding Employee.



## **INCENTIVE PROGRAMS**

### **A. Incentive Leave**

Any employee who has taken no sick leave during the preceding



fiscal year (October 1 through September 30) will receive an additional two (2) days annual leave. Any employee using three (3) or less sick days in a year will receive an additional one (1) day of annual leave. Time taken off for this "bonus" will be at the employee's discretion with their responsible Department Head's approval, and will not be charged against conventional annual or sick leave. The incentive leave must be taken during the following fiscal year.


- B. Other Incentive Programs may be provided as deemed beneficial by the City Administrator and approved by the Council.

#### **COURT DUTY**



An employee who is legally summoned to serve on a jury during a court trial or subpoenaed to be a witness in a legal proceeding may be permitted absence with pay for the time required for such duty up to 10 work days per fiscal year. Employee shall provide written verification as may be required by his/her supervisor or the city clerk indicating the call for jury duty and the time served. When excused or relieved from such service, the employee shall report for his/her regular employment, provided, however, that at least three hours remain during his/her regular work day. Any fees paid for such service may be retained by the employee.

#### **OCCUPATIONAL DISABILITY**

 All cases of injury occurring on the job shall be filed for action under the provisions of Workers' Compensation, however, any employee disabled as the result of a job related injury shall be terminated after a period of one year unless the employee makes application requesting an extension of time, which may or may not be granted.

An employee may choose to utilize 1/3 day of accrued sick leave or may, in absence of sick leave, use 1/3 day of annual leave for each day he/she is determined, by a physician, as disabled because of a work-related injury. This utilization shall include the seven day waiting period as established by Workers' Compensation Law, as well as the remaining period of disability for the work-related injury. Neither sick leave nor annual leave will accumulate during the period of disability.

## SECTION VI

### POSITION CLASSIFICATION PLAN

#### PROMOTIONS

- A. It is the policy of the City to provide employees the opportunity for advancement by promoting from within whenever possible. Promotions to more responsible positions shall be based on demonstrated performance, a cooperative attitude, education, experience, and special qualifications.
- B. Pay increases shall be approved in accordance with "Rate of Pay on Promotion", Section IV, COMPENSATION PLAN.
- C. Announcements of position vacancies shall be made as they occur. Employees who have attained regular status and desire advancement to higher level positions are encouraged to prepare a request for consideration, stating their reasons and qualifications. All job openings must be posted at City Hall for five work-days prior to filling vacancies in order to allow employees the opportunity to make application for advancement. All such requests shall be reviewed by the responsible Department Head and the City Administrator. Applicants shall be notified when selections are made.
- D. The City Administrator shall approve or disapprove all transfers, hirings and promotions in his/her discretion and may seek recommendations of Department Heads if necessary or appropriate.

#### DEMOTIONS

- A. Employees may be demoted to positions in lower classifications upon recommendation of the responsible Department Head with approval of the City Administrator on the following grounds:
  1. Employees who are promoted will serve a six (6) months probationary period. If the employee is unsuccessful, he/she may be demoted to another position or be subject to termination.

2. Due to lack of work, or abolishment of a position. Such action is to be without prejudice and the employee involved is eligible to receive preferential consideration relative to transfer to his/her former position or another for which he/she is qualified.
3. If an employee is not satisfactorily performing the duties assigned to their position.

#### **TRANSFERS**

An employee on regular status may, with the approval of the responsible Department Head and the City Administrator, be transferred as follows:

- A. To another Department in the same position classification;
- B. During the budget preparation cycle, from initial submission until approval, all transfers may be frozen;
- C. Lateral Transfers - Employees transferred to another position in the same job classification or to a different position with the same pay grade shall NOT be eligible for a pay increase. Lateral transfers shall not affect the employee's performance review date or his/her probationary or regular status.

Notices of position vacancies are posted to afford employees the opportunity to request transfers to another Department. Management reserves the right to consider only those transfers which are of mutual benefit. In such cases, the written requests, including reasons for the transfer, must be reviewed by the responsible Department Head(s) concerned and the City Administrator. The position vacancies will be conspicuously posted by at City Hall to assure all employees an opportunity to consider the vacancy. All pertinent information relative to the position will be stated in the posting.

#### **CLASSIFICATIONS OR RECLASSIFICATIONS**

- A. All positions are subject to reclassification. All requests shall be submitted to the Department Head for review, recommendation for approval/disapproval by the City Administrator, and processing. Such requests shall be submitted in the same manner as the "Request for New Positions", Section II, "AUTHORITY AND ADMINISTRATION".
- B. Positions may be reclassified with or without a change in pay grade; conversely, a pay grade may be changed with or without a change in classification.
- C. When a position is reclassified to a job classification with a higher pay grade (significant increase in job requirements/job difficulty), such change shall be processed in accordance with "Rate of Pay on Promotion", Section IV "COMPENSATION

PLAN".

- D. When a position is downgraded, it will result from a determination by the responsible Department Head that the position has been improperly graded. An adjustment in salary rate due to downgrading of a position shall be made in accordance with the rules for Demotions and approved by the City Administrator.

**REDUCTION IN FORCE (RIF)**

In the unlikely event that it becomes necessary to have a reduction in force, employees will be selected for reduction taking into account the following factors:

- A. Knowledge, skill and ability of the employee.
- B. Overall performance record, including attendance.
- C. Seniority.

Should an employee, whose position has been eliminated due to a reduction in force, be selected for a vacancy that exists based upon interest, qualifications, knowledge and skills, the following factors shall apply:

- A. To a position of a higher pay grade schedule - salary adjustment shall be in accordance with Section IV, Rate of Pay on Promotion.
- B. To a position of a lower pay grade schedule - employee will maintain present salary for a period of up to three months. If, during this three month period, employee applies and is selected for a position in a higher pay grade schedule, salary shall be adjusted according to Section IV, Rate of Pay on Promotion. If at the end of the three month period the employee remains in the lower pay grade position, a salary adjustment shall be made in accordance with Section IV, Rate of Pay on Demotion.
- C. To a position of an identical pay grade schedule - shall be in accordance with Section IV, Rate of Pay on Transfer.

## SECTION VII

### DISCIPLINARY PROCEDURES

There are certain standards of common honesty, decent behavior, and job performance which are taken for granted. Employees are expected to adhere to these standards as a good citizen and as a good employee. If an employee should, however, engage in misconduct which violates policies of the City of Mexico Beach, and/or is detrimental to the City and/or to the working atmosphere which we wish to provide for our employees and our citizens, then disciplinary action may be imposed. Such action may include disciplinary warning, suspension and/or discharge.

No employee, however, will be discharged from the employment of the City of Mexico Beach until the facts of his case have been presented to and reviewed by the City Administrator.

#### A. **Suspensions**

A responsible Department Head or City Administrator may, for disciplinary purposes, suspend without pay any employee under their supervision for a period of up to three (3) days. A responsible Department Head may, for disciplinary purposes, recommend to the City Administrator a suspension without pay for any employee under their supervision for a longer period of time, such length of time as the City Administrator considers appropriate. A written statement specifically setting forth reasons for and the length of time of such suspension shall be maintained in the employee's personnel file in City Hall.

#### B. **Compulsory Resignation**

An employee who, without valid reason, fails to report to work for three consecutive days without authorized leave, shall be separated from the payroll and reported as a compulsory resignation. Without the City Administrator's express consent, such an employee may not be eligible to be placed on a re-employment list.

C. **Dismissal During Probationary Period**

Any time during the probationary period, which shall be a six-month period from the beginning work date of any new position or hire, the responsible Department Head, with approval of the City Administrator, or the City Administrator, may terminate an employee if, in their opinion, the working test period indicates that such an employee is unable or unwilling to perform the duties of the position satisfactorily or that his or her habits or lack of dependability do not merit continuance with the service. Probationary employees shall not have benefit of the grievance procedures.

D. **Demotions**

If at any time during the course of employment, it is determined by the responsible Department Head that an employee is not satisfactorily performing the duties of their assigned position, but not considered merit for termination, the responsible Department Head, and with approval of the City Administrator, or the City Administrator, may demote an employee to a position of a different classification and wage schedule for a determined period of time.

**SECTION VIII**

**EMPLOYEE COMPLAINTS AND GRIEVANCES**

**GRIEVANCE PROCEDURES**

Management is interested in hearing and settling any work-related problems employees may have. When an employee receives discipline which he/she believes is unwarranted or too severe for the conduct involved, he/she is encouraged to file a grievance. Employees who contend that a specific written rule, regulation or policy of the City of Mexico Beach has been violated may also file a grievance. However, employees cannot grieve the failure to be promoted or performance evaluations. Any grievance employees express will receive prompt consideration.

A Grievance Committee, consisting of three persons, including Department Head(s), City Clerk and/or Public Safety Director, or a Supervisor of the Water or Sewer Department will be appointed by the City Administrator. Members will elect a Chairman from among themselves and determine the length of chairmanship. The term of appointment will be for one year and automatically renewed unless a new appointment is made by the City Administrator.

The following steps are to be followed in submitting a grievance:

**Step 1. The Responsible Supervisor(s)**

If an employee has a problem he/she should discuss the matter first with his/her responsible Supervisor(s) or Department Head. It is the Supervisor's responsibility to consider and attempt to settle any problems as quickly as possible. Because solutions to problems are most effectively achieved if the matter is discussed promptly, the employee must discuss the matter with his/her responsible Department Head **within three (3) working days** of when the event of concern occurred. *Failure to discuss and explain the grievance or potential grievance with the Supervisor or Department Head within three (3) working days shall waive the employee's right to file a grievance.*

**Step 2. The Department Head**

If an employee is dissatisfied with the decision of the responsible Supervisor(s) at Step 1, he/she may discuss the matter further with the Department Head for his/her consideration **within three (3) working days** of completing Step 1, and in no case later than six (6) working days from the date of the occurrence. The Department Head shall make a verbal decision or take no action within one (1) day of the employee's discussion with the Department Head of the action under consideration.

**Step 3. Written Grievance**

If an employee is dissatisfied with the decision of the Department Head at Step 2, including no action taken by the Department Head, he/she may submit a written grievance to the City Administrator **within three (3) working days of completing Step 2** and in no case

later than ten (10) working days from the date of the occurrence. The employee's written grievance shall be filed on a form prepared by the City Administrator and include the date of the incident in question, a written description of the incident, and other appropriate information. **Failure to timely file a written grievance with the City Administrator by the employee shall waive the employee's right to file a grievance.**

#### **Step 4. The City Administrator**

Upon receipt of the grievance, the City Administrator will request a meeting of the Grievance Committee. The employee will have the opportunity to present his/her grievance personally to the Grievance Committee in the presence of his/her Department Head and/or other Supervisor(s), if necessary, and the Department Head and/or Supervisor(s), in turn, will have the opportunity to present his/her comments relative to the grievance. Grievances may not be filed by Department Heads. Should a Department Head or other person involved with the grieved action serve on the Grievance Committee, he/she shall not serve on the committee for such grievance and shall be replaced by an appropriate member appointed by the City Administrator for the hearing in question.

The Grievance Committee shall conduct such investigation(s) and fact finding(s) as may be necessary. Within three (3) days of the close of the hearing, the Committee will submit its written recommendation to the City Administrator, or temporary appointee acting as City Administrator, who shall issue a final ruling on all grievances as soon as possible but in no event later than thirty (30) days from transmittal of the Committee's recommendation. The decision, upon becoming final, shall be transmitted in writing to the parties concerned within five (5) working days of the final ruling.

Nothing in this policy manual is intended to create any additional state, federal or local right of due process, or any right to litigate a grievance beyond the final step.

We urge employees to speak directly to their Supervisors. Furthermore, employees are urged to raise any problem, personal or otherwise, with his/her immediate Supervisor, and are also free at any time to discuss any matter with the City Administrator.



**PERSONNEL POLICIES ACKNOWLEDGEMENT**

This is an acknowledgement that I have received my copy of the Personnel Policies for Employees of the City of Mexico Beach. I understand and agree that it is my responsibility to read, familiarize myself with, and abide by, the policies and procedures contained herein.

PRINT FULL NAME

\_\_\_\_\_

EMPLOYEE SIGNATURE

DATE \_\_\_\_\_

\_\_\_\_\_

WITNESS SIGNATURE

DATE \_\_\_\_\_

\_\_\_\_\_