



Employee MANUAL

HELPING YOUR LIFE FLOW

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Welcome to the Immokalee Water & Sewer District

The Immokalee Water & Sewer District welcomes you to our team. Our philosophy embraces the fact that we consider our employees to be our most important asset in order to fulfill our vision as a District. We believe each employee contributes directly to the District's growth and success, and we hope you will take pride in being a member of our family.

Our Vision is Excellence in Quality & Service! Our core values are what we believe in and how we are expected to behave with each other, with customers and suppliers, and with our stakeholders.

The District's Core Values are:

1. Teamwork
2. Initiative
3. Accountable
4. Thoroughness
5. Loyalty
6. Commitment
7. Integrity

The District was created by an Act of the Florida Legislature on July 5, 1978, for the purpose of providing water and sewer services to Immokalee, an unincorporated area of Collier County, Florida. The District operates and maintains the water and sewer plants and systems as an Independent Special District of the State of Florida.

In the town of Immokalee, you'll find glimpses of Florida's heritage as well as one of Florida's most elegant casinos. On the outskirts of town, wonderful natural attractions await. Immokalee is roughly 40 miles northwest of the Everglades, 50 miles southwest of Lake Okeechobee, and 45 miles northeast of Naples. Every day, thousands of Immokalee's residents are working the fields to plant and harvest food for Florida and the nation.

Immokalee Water and Sewer District provides equal employment opportunities to all employees and applicants for employment and prohibits discrimination and harassment of any type without regard to race, color, religion, sex, pregnancy, national origin, age, disability, genetic information, marital status, veteran status, sexual orientation, gender identity or expression, or any other characteristic protected by applicable federal, state or local laws. This policy applies to all terms and conditions of employment, including recruiting, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.

The success of our District depends on a mutual understanding of our vision and policies. This Manual was developed to describe some of the expectations of our employees and to outline policies, programs, and benefits available to eligible employees. Employees are to familiarize themselves with the contents of this Manual during their orientation, for it will answer many questions about employment with the Immokalee Water & Sewer District.

ABOUT THIS MANUAL

This Employee Manual (“Manual”) is expressly intended for the use of the employees Immokalee Water & Sewer District (“the District”). This Manual sets forth basic policies and guidelines for employee conduct and also contains important summary information regarding employee benefits. If District employees have specific questions regarding the benefit plans described, they should refer to the plan documents, summary plan descriptions, or contact the Benefits Coordinator.

Unless otherwise specified, the benefits described in this Manual apply only to regular, full-time employees of the District. By contrast, the policies outlined in this Manual apply to all employees — probationary, regular full-time, regular part-time, and temporary. In all cases of interpretation of this Manual, management decisions are final. The District reserves the right to change or delete any part of this Manual at its sole discretion, without prior notice. This Manual supersedes and replaces all previously existing District Manuals or personnel policy manuals. Employees should contact the Executive Director with questions concerning the contents of this Manual.

Nothing contained in this Manual is intended to waive any legal, equitable, or other defense available to the District to any claim, complaint, or cause of action (collectively, “Claims”) asserted by an employee or former employee against the District. To the extent that a particular law, statute, rule, or regulation does not apply to the District as a result of its size, number of employees, or otherwise, nothing in this Manual, nor any other District policies and procedures should be construed as a waiver of any corresponding defense to any Claims asserted under any such law, statute, rule, or regulation.

NOTHING CONTAINED WITHIN THIS MANUAL IS INTENDED TO CREATE A CONTRACT FOR EMPLOYMENT, EXPRESS OR IMPLIED, OR A GUARANTEE OF CONTINUED EMPLOYMENT FOR A SPECIFIC DURATION.

EMPLOYMENT AT THE DISTRICT IS AT-WILL. THE DISTRICT EXPRESSLY RESERVES THE RIGHT TO DISCHARGE AN EMPLOYEE AT ANY TIME FOR ANY REASON WHATSOEVER, WITH OR WITHOUT CAUSE, AND WITH OR WITHOUT NOTICE. NOTHING IN THIS MANUAL OR THE DISTRICT'S POLICIES, PRACTICES, OR PROCEDURES SHALL CONFER UPON THE EMPLOYEE ANY RIGHT TO CONTINUED EMPLOYMENT.

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EQUAL EMPLOYMENT OPPORTUNITY POLICY

Equal Employment Opportunity (EEO)

The District is an equal opportunity employer. The District is committed to the spirit and letter of all applicable federal, state, and local laws and regulations pertaining to equal opportunity. To this end, the District does not discriminate against any individual with regard to race, color, religion, sex, pregnancy, national origin, age, disability, genetic information, marital status, veteran status, sexual orientation, gender identity or expression, or other characteristic protected by applicable law. This policy extends to all terms, conditions and privileges of employment, as well as the use of all District facilities.

No form of unlawful discrimination, including unlawful harassment, will be tolerated.

Disability Accommodations

The District will make reasonable accommodations for qualified applicants and individuals with known disabilities unless doing so would result in an undue hardship or cause a direct threat to the health or safety of the individual or others. This policy governs all aspects of employment including application procedures, hiring, advancement, discharge, compensation, training, or other terms, conditions, and privileges of employment. Individuals should contact the Executive Director with any questions or request(s) for accommodation.

Anti-Discrimination And Anti-Harassment

The District endeavors to provide every employee with a work environment free from harassment and discrimination. Harassment or discrimination in the workplace negatively impacts morale, communication, teamwork, and productivity. All District employees have a right to work in an environment free from forms of discrimination and conduct which may be considered harassing, coercive, or disruptive. Consistent with the District's respect for the rights and dignity of each employee, discrimination or harassment based on race, color, religion, sex, sexual orientation, pregnancy, national origin, age, disability, genetic information, marital status, veteran status, gender identity or expression or any other characteristic protected by applicable law, will not be tolerated.

Employees who believe they have been subject to harassing or discriminatory conduct because of a disability must follow the reporting procedures in the Anti-Discrimination and Anti-Harassment Section.

“Harassment” means verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of any characteristic protected by law, and that:

- has the purpose or effect of creating an intimidating, hostile or offensive work environment;
- has the purpose or effect of unreasonably interfering with an individual's work performance; or
- otherwise adversely affects an individual's employment.

Harassing conduct includes, but is not limited to:

- epithets, slurs, or negative stereotyping;
- threatening, intimidating or hostile acts;
- written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the employer's premises or circulated in the workplace;
- unwelcome propositions or sexual advances;
- sexual innuendo, derogatory remarks, obscenities, or offensive gestures;
- spoken or written abuse related to an employee's protected category; or
- unwelcome nicknames, titles, or references based on a protected category.

Every employee is responsible for assuring that no one is subjected to conduct that constitutes any form of harassment or discrimination based upon any characteristic protected by applicable law.

Employees who engage in conduct that is not considered harassment or discrimination, but who nonetheless engage in aggressive communication or actions aimed at humiliation, social exclusion, teasing, blocking movements or other inappropriate verbal or physical conduct, may also be subject to discipline under this policy.

Reporting Procedure

An individual who believes he or she has been subjected to harassment or discrimination, or other violation of this policy, must immediately report the incident to their Supervisor, and the Benefits Coordinator. In the event an employee complains of an elected official's conduct, the employee must report the conduct to the Executive Director.

When initially reported to a Department Supervisor, the Department Supervisor must immediately forward a written report of the complaint to the Benefits Coordinator for investigation and action. Where the complaint involves the Administrative Department, the Department Supervisor shall forward the written complaint to the Executive Director, who will obtain direction and assistance from the District's employment legal counsel. In the event of a complaint about an elected official's conduct, the District's legal counsel will be consulted for assistance.

Investigation Procedure

Any reported complaint of harassment or discrimination will be promptly investigated. Confidentiality will be maintained throughout the investigatory process to the extent practical and appropriate under the circumstances, subject to Florida's public records laws. Employees should be aware that the District is obligated to investigate the complaints it receives under this policy. As such, the District cannot entertain requests by the reporting employee, or anyone else, that the information received be ignored, be maintained "off the record", or otherwise fail to act upon the information. Investigations will generally be conducted by the Administrative Department, or other appropriate individual designated by the Executive Director.

At the conclusion of an investigation, the employee making the complaint and the person accused of the specified conduct shall be informed of the outcome of the investigation. Where appropriate, the individuals involved may be offered counseling through the District's Employee

Assistance Program.

Prohibition Against Retaliation

The District will not retaliate against an individual who makes a report of harassment or discrimination under this policy and strictly prohibits any Supervisor or other employee from retaliating against a complainant or employees participating in an investigation of a complaint. Retaliation is a very serious violation of this policy and must also be reported immediately. Any person found to have retaliated against an individual for reporting harassment or discrimination or for participant in an investigation will be subject to appropriate disciplinary procedures, including termination.

Penalties For Violation

Individuals found to have engaged in behavior violating this policy, whether or not such behavior constitutes harassment or discrimination as defined by law, will be disciplined, up to and including immediate termination. The appropriate level of discipline will be determined by the Executive Director to ensure consistency in application of this policy. In the rare occasion where the Executive Director is found to be the violator, the District's employment legal counsel will consult with the Board of Commissioners in accordance with applicable laws to discuss and determine appropriate action. In addressing incidents of harassment or discrimination, the District may impose: oral or written reprimands; referral to counseling, training or education; withholding of a promotion; reassignment; temporary suspension with or without pay; reduction in compensation; limitation on contact between the perpetrator and the complainant; termination; any other corrective action necessary to stop the behavior complained of; or, any combination of the above.

Veterans Preference

In accordance with federal and state law, the District provides preferences in employment, retention, and promotion, to eligible veterans and certain family members and spouses of veterans.

EMPLOYMENT POLICIES AND PROCEDURES

At-Will Employment

Employment with the District is “at-will.” This means employees who seek to leave the District to pursue other opportunities may submit their resignation from employment at any time. Similarly, the District may terminate the employment relationship at any time, without prior notice or cause.

Job Description and Probationary Period

Your first ninety (90) days of employment at the District are considered a probationary period, and during that period you will not be eligible for certain benefits, unless otherwise required by law. You will accrue sick time and vacation time, but you will not be entitled to use it until you are a regular employee. Holiday pay will be paid to full-time employees who are in their probationary period.

This probationary period is an opportunity to become familiar with the District, as well as for the District to become familiar with your job performance. During this time, a new employee’s work hours, skills, and general work performance will be formally evaluated. Consistent with your at-will employment status, you may resign at any time during this period and the District may terminate your employment with or without cause or prior notice. Successful completion of the probationary period does not give rise or equate to an employment contract for a specified period of time and does not guarantee continued employment. Again, all employment with the District is at-will.

A former employee who has been rehired is considered a probationary employee during the first ninety (90) days following rehire. Employees that are classified as an Operator Trainee are under a probationary period of three (3) years. If, during this period, your work does not measure up to our standards, we may terminate your employment. If the employee has not received their operator “C” License within three (3) years, or if a trainee misses an exam due to negligence, they may be reclassified into a different position or be dismissed, unless an exception is made by the Executive Director for unusual circumstances.

If a Commercial Driver License (CDL) is required for your position, it will be necessary that it be attained during the probationary period. However, employees whose position is assigned to drive a commercial motor vehicle or perform safety sensitive functions as defined by Department of Transportation Regulations must have a CDL at the time of application for employment to be qualified for consideration.

The District may require that you be bonded. You should have and maintain bonding qualifications or you may be transferred to another position, or subject to termination.

There is a job description for each position in the District. When your duties and responsibilities are changed, your job description will be updated. Please ask your Supervisor or the Benefits Coordinator for a copy of your job description if you have not received one. It must be read, signed, and returned to the Benefits Coordinator at the beginning of your employment. Job descriptions will be reviewed periodically by the District and may be amended and updated in its sole discretion and judgment.

Immigration And Employment Eligibility

In compliance with the Immigration Reform and Control Act of 1986, the District will hire only those individuals who are authorized to work in the United States. As a condition of employment, each new employee must properly complete, sign, and date the first section of the Immigration and Naturalization Form I-9 at the time the offer of employment is accepted, but no later than the first day of employment. The employee must also provide the supporting documents within three (3) business days of the first day of employment, or as otherwise provided by law. Before commencing work, newly rehired employees must also complete the Form I-9 if the employee did not previously do so, if the prior Form I-9 is more than three (3) years old, or if the previous Form I-9 is no longer valid. Rehired employees must also complete the Form I-9 upon acceptance of the position and also have three (3) business days to provide supporting documentation. Any employee whose employment eligibility status changes at any time during employment must notify the Benefits Coordinator immediately.

E-Verify

E-Verify is an Internet-based system that allows an employer, using information reported on an employee's Form I-9, to determine the eligibility of that employee to work in the United States. The District utilizes E-Verify for all new hires as well as re-hires. New hires must be E-Verified within 3 business days of beginning employment. If the employee is required to be E-Verified and presents a List B document, then that List B document must contain a photograph. The List B photograph is to be compared to the individual during the Form I-9 process. If the employee who is required to be E-Verified chooses to present an Employment Authorization Document (Form I 766), Permanent Resident Card (Form I-551) or U.S. passport/U.S. passport card during the Form I-9 process, you must copy such document and keep it with the employee's completed Form I-9 (i.e., upload to the electronic I-9 system). The photo on such document will be compared to a photo displayed by the E-Verify system during the E-Verify process to see if the two photos are reasonably identical.

Employee Personnel Files

It is the policy of the District that personnel records will be maintained and kept in accordance with Florida Statute, Chapter 119, governing public records. Employee files are maintained by the Administrative Department. Supervisors will have limited access to personnel files on an as needed basis and approved by the Executive Director.

A Supervisor considering the hire of a former employee or transfer of a current employee may be granted access to the file, or limited parts of it, in accordance with anti-discrimination laws.

Employee personnel files maintained at the District will be considered the official personnel files. It is the responsibility of each employee to assist in keeping all information in the personnel file up to date, current, and accurate by notifying the Benefits Coordinator immediately if there is a change in status, including but not limited to the following:

- Name and social security number
- Home address
- Home telephone number
- Number of dependents
- Beneficiary(ies)

- Change in immigration status affecting employment eligibility
- Emergency contact
- Emergency telephone number
- Driver's license status
- Additional education or certification

The District is not responsible when incorrect withholdings, wrong beneficiaries, or loss of employee benefits resulting from the failure of an employee to keep personnel records information current.

Employees are required to report any situation or incident that may affect their employment with the District or may have an impact on the image of the District, including but not limited to any violence, alcohol and/or drug-related criminal charges, whether occurring on or off duty, to the Executive Director within three (3) days of the event.

All personnel records are the property of the District. Employees wishing to review their personnel file may schedule an appointment with the Benefits Coordinator. Employees may request copies of their personnel file in accordance with the District's Public Records Request Policy.

Employment Category Classifications

Full-Time, Regular Employees

An employee who has successfully completed the probationary period of employment and who works at least thirty-five (35) hours per workweek is considered a full-time employee.

If you were a full-time employee and were laid off (unrelated to performance or disciplinary issues), you will be considered a full-time, regular employee upon return to work, provided that you were not on layoff for longer than one (1) year.

If you were a full-time, regular employee and have been on an approved leave of absence, upon return, you will be considered a full-time employee, provided you return to work as agreed in the provisions of your leave.

Part-Time Employees

An employee who works less than a regular thirty-five (35) hour workweek is considered a part-time employee. If you are a part-time employee, you are not eligible for benefits described in this Manual, except as required by provision of state and federal laws.

Exempt Employees

The District has full-time employees who are Department Supervisors and who are "exempt" employees for the purposes of overtime under the Fair Labor Standards Act. Additionally, other employees may qualify for exempt status, depending on their job duties, as well as certain requirements as set forth with applicable law. Exempt employees are also not eligible for compensatory time.

Temporary Employees

From time to time, the District may hire employees for specific periods of time or for the completion

of a specific project. An employee hired under these conditions will be considered a temporary employee. The job assignment, work schedule and duration of the position will be determined on an individual basis.

Summer employees, if any, are considered temporary employees.

If you are a temporary employee, you are not eligible for benefits described in this Manual, except as required by provision of state and federal laws.

Job Postings, Promotions, And Transfers

Whenever a position becomes available, efforts will be made to fill it by promoting a qualified District employee. The District may look outside the District for potential employees as well. Previous work history and qualifications will be considered when applicants for positions are evaluated.

Transfer from one position to another, in another Department may be required or requested from time to time, depending on the business and operational needs of the District. Such transfers (up, down, or laterally) will be made with a possible adjustment in pay. Employees transferred to a new position will generally be subject to a 90-day probationary period; however, promoted employees are subject to a six-month probationary period.

A promotion is the advancement of an employee from his/her current job to another open job, with greater responsibilities, in a higher pay grade. A review of the salary of existing employees in that position, and also in that same pay grade shall be reviewed to ensure that pay compression does not occur as a result of raising the promoted employee's salary too high. Increases will be capped at the pay grade maximum for that position. Employee eligibility for promotion will be determined by the requirements of the new job. In addition, to be eligible for promotion, employees must have held their current position for at least six (6) months (unless the promotion is within their current department), have a satisfactory performance record, a satisfactory attendance record, and have no disciplinary actions in their file for the preceding six months.

Any employee who is promoted to a classification having a higher pay grade than his/her current pay grade shall receive a minimum increase of 2% to 8% above their regular rate or the minimum rate of the new classification, whichever is greater. Promotions resulting in a change in pay grade of more than 3 grades shall result in a minimum increase of 5% to 10% or minimum rate of the new classification, whichever is greater. The promotion increase shall be effective the same date as the change in classification. Promoted employees shall be considered as being "on probation" in the new classification for a period of up to six (6) months following the effective date of promotion. No additional increase shall be granted in recognition of the promotion following the completion of the six-month probationary period. If, during the six-month probationary period in the higher classification, the performance of the employee is deemed unacceptable by their supervisor, the employee shall return to the lower classification and pay grade. If an employee's pay is at (or above) the maximum rate for a pay range, the employee shall not be eligible for increase unless the pay range is adjusted.

Utility Maintenance Technician Promotion

A promotion in this department signifies an increase in duties and responsibilities. In order to qualify for a promotion, the employee must meet the requirements listed in the job description,

passed the state exam, and possess certification, if applicable. If, in the future, Florida Water & Pollution Control Operations Association (FWPCOA) offers a Utility Maintenance Technician I certification, the employee must possess that certification as part of the requirements to be considered qualified for the promotion. Additionally, employees must have held their current position for at least six (6) months (unless the promotion is within their current department), have a satisfactory performance record, a satisfactory attendance record, and have no disciplinary actions in their file for the preceding six months. Until an employee has met the criteria referenced above, he/she is not eligible to apply for a promotion.

Water Treatment Plant Operator & Distribution Technician Promotion

A promotion in this department signifies an increase in duties and responsibilities. In order to qualify for a promotion, the employee must meet the requirements listed in the job description, and possess the actual license (issued by the Florida Department of Environmental Protection (FDEP)), and not just pass the state exam. Additionally, employees must have held their current position for at least six (6) months (unless the promotion is within their current department), have a satisfactory performance record, a satisfactory attendance record, and have no disciplinary actions in their file for the preceding six months. Until an employee has met the criteria above, he/she is not eligible to apply for a promotion.

Wastewater Collection Technician Promotion

A promotion in this department signifies an increase in duties and responsibilities. In order to qualify for a promotion, the employee must meet the requirements listed in the job description, passed the state exam, and possess certification. If, in the future, FDEP requires a license, the employee must possess a license to be considered qualified for the promotion. Additionally, employees must have held their current position for at least six (6) months (unless the promotion is within their current department), have a satisfactory performance record, a satisfactory attendance record, and have no disciplinary actions in their file for the preceding six months. Until an employee has met the criteria referenced above, he/she is not eligible to apply for a promotion.

Wastewater Treatment Plant Operator Promotion

A promotion in this department signifies an increase in duties and responsibilities. In order to qualify for a promotion, the employee must meet the requirements listed in the job description, and possess the actual license (issued by the Florida Department of Environmental Protection (FDEP)), and not just pass the state exam. Additionally, employees must have held their current position for at least six (6) months (unless the promotion is within their current department), have a satisfactory performance record, a satisfactory attendance record, and have no disciplinary actions in their file for the preceding six months. Until an employee has met the criteria referenced above, he/she is not eligible to apply for a promotion.

Change of License or Certification Status: Employees are responsible to immediately notify their supervisor and the Benefits Coordinator if there is a change of their license or certification. Failure to do so within one (1) business day of the change can result in disciplinary action.

Nepotism, Relatives, And Personal Relationships

For the purpose of this section, “relative” is defined as: husband, wife, domestic partner, father, mother, father-in-law, mother-in-law, son, son-in-law, daughter, daughter-in-law, uncle, aunt, nephew, niece, brother, sister, brother-in-law, sister-in-law, half-siblings, stepparent, step children, step siblings, first cousins, and domestic partner relatives.

Relatives of District employees may apply and, if qualified, will be considered for employment in accordance with District Policy and Florida law. Under no circumstances will relatives be allowed to work in positions in which one relative directly or indirectly supervises another or has any decisional responsibility with respect to employment, performance reviews, work assignments, transfer, salary, promotion, or discharge of another relative. Moreover, relatives will not be permitted to work in the same work unit or crew. The District also prohibits domestic partners or members of the same household from having any supervisory or decisional authority over one another. These individuals are also prohibited from working on the same work unit or crew.

Specifically, in accordance with Florida Statute § 112.3135, no public official or employee of the District may appoint, employ, promote or advance, or advocate for the appointment, employment, promotion or advancement, in or to a position in the District, in which the public official or employee is serving or over which the official/employee exercises jurisdiction or control over any individual who is a relative of the public official or employee. Additionally, no individual may be appointed, employed, promoted, or advanced in or to a position in the District if such action has been advocated by a District official or employee, serving in or exercising jurisdiction or control over the agency, who is a relative of the individual or if such action is made by the Board of Commissioners of which a relative of the individual is a member.

If employees begin a dating or intimate relationship or become relatives, domestic partners, or members of the same household during employment, and if one party is in a supervisory position, that person is required to inform the Executive Director of the relationship. In the District's sole discretion, the individuals involved may be required to transfer or one may be required to separate employment to ensure compliance with this policy. Any dating or intimate relationships among workers in the same department should be reported to the Executive Director.

To further avoid any appearance of impropriety or potential conflict, the District prohibits employees within management positions in Finance, Employee Relations, and the Executive Director from having relatives, domestic partners or other household members in the workplace or from beginning or maintaining a dating or intimate relationship with others in the workplace.

The District reserves the right to apply this policy to situations where there is a conflict or the potential for conflict because of the relationship between employees, even if there is no direct-reporting relationship or authority involved.

Open Door Policy

The District is committed to open communication. The District wants to ensure that its employees' ideas, suggestions, and concerns are heard by management. It is also the policy of management to attempt to resolve concerns and disputes that may arise between or among fellow employees or between employees and their supervisors. The District encourages any employees who have concerns about the workplace to bring such concerns to the attention of their supervisor or other management. This expectation applies to all employees, whether full-time or part-time, or temporary. Employees should feel free to voice ideas, suggestions, concerns, or complaints without fear of reprisal or retribution.

Search, Theft, And Audit

Property theft or misappropriation of resources of any type will not be tolerated by the District and is subject to disciplinary action, up to and including immediate termination of employment. Among the types of conduct that is prohibited under this policy are the following:

- Use of District printers or copiers for personal use. If you wish to use a District printer or copier for personal use, obtain prior approval from your Supervisor.
- Use of electronic equipment (iPad, laptops, etc.). The District's computers are to be used exclusively for business purposes unless you receive permission from your Supervisor. Permission will be given for the use of personal computers during non-business hours so long as employees supply their own devices
- Taking of District property. No item purchased or supplied by the District should ever be removed from District premises for personal use. This rule applies to all District property.

Employees should not have any expectation of privacy in their use of any property owned and/or provided by the District. Further, employees should have no expectation of privacy for any property located on the workplace or used in the course of the employee's duties, regardless of ownership including items stored in desks, lockers, file cabinets or other areas of the District.

In order to ensure its ability to conduct business efficiently and effectively and to protect itself against the unauthorized use and removal of District property, the District will from time to time conduct internal investigations, including inspections, searches, and audits on District premises.

The District reserves the right to conduct a routine inspection, search or audit at any time for District property or District-related information. The District reserves the right to inspect the following items, including, but not limited to: personal property brought onto or taken from the premises; any work, rest, or storage areas; all District vehicles, desks, cabinets, lockers, computers, satchels, *etc.*, that are within the employee's possession or control. All searches of personal property shall be reasonable and tailored to the business necessity prompting the search.

A routine search or inspection may result in the discovery of personal possessions or those of others. Employees are discouraged from bringing into the workplace items of personal property they do not want revealed to management. Under certain circumstances, the District will generally attempt to obtain employee consent before conducting a search or inspection, but may not always be able to do so.

If an employee becomes aware of any theft, misuse, or unauthorized removal of District property, he/she is directed to notify the Executive Director immediately. The theft, misuse or unauthorized removal of District property is cause for immediate discipline, up to and including termination of employment.

Code Of Ethics

All District employees are required to comply with Florida's Code of Ethics for Public Officers and Employees. As such, District employees may not use their jobs to obtain any special privileges or private gain for themselves or others.

In accordance with Florida law, District employees shall not:

- engage in outside employment, which will interfere with the employee's primary job with the District or create a conflict of interest;
- accept a retainer, commission, consulting fee, or any other fee arrangement or remuneration without full, written disclosure to the Executive Director;
- initiate, either directly or indirectly (including members of the employee's immediate family), to borrow from, lend to, invest in, or engage in any substantial financial transaction with a customer, client, or supplier of the District;
- engage in outside employment during the employee's scheduled working hours at the District; or,
- use District facilities, equipment, labor, or supplies to conduct outside activity.

Violations of the Code of Ethics include, but are not limited to:

- soliciting or accepting anything of value, such as a gift, loan, reward, promise of future employment, favor, monetary gift, or service;
- misusing the employee's public position to obtain any special privilege, benefit or exemption; or,
- disclosing or using information, deemed not available to the general public, for the employee's own benefit or the benefit of others.

Any employee who engages in unethical conduct, as specified above or by Florida's Code of Ethics for Public Officers and Employees shall be subject to discipline, up to and including termination of employment. Employees are encouraged to meet with the Executive Director to discuss any potential ethical issues prior to engaging in conduct that may result in a violation of this policy.

Conflicts Of Interest

In keeping with the District's Code of Ethics, the basic principle of conflict of interest is that employees should avoid any activity, investment, or interest that might reflect unfavorably upon the integrity or good name of the District or in any way damage the business of the District. As such, any employee who wishes to engage in outside professional, business, or volunteer activities must be certain that the proposed activity does not:

- interfere with the employee's effective performance of his/her duties;
- make use of any of the District's proprietary or confidential information;
- violate the District or State of Florida's Code of Ethics; or
- require use of District time, resources, facilities, or equipment.

An employee is required to notify the Supervisor if the employee, his/her spouse, or other member of his/her immediate family is engaged in a business that is similar in nature to the District or that is under contract with the District. Likewise, an employee must notify the Executive Director if a relative is employed by an organization that is under contract with the District.

Whenever there is a possible conflict of interest, it should be discussed with the Executive Director. Violations of this Policy will be considered grounds for termination of employment.

Confidentiality

Although the District is subject to Chapter 119 of the Florida Statutes, under no circumstances should any District employee use information that he/she learned in the course of his/her employment with the District for personal gain, personal use, or personal business. To that end, disclosing confidential information to persons not entitled to such information and/or assisting others in gaining unauthorized access to District records or information are direct violations of this policy. Any violation of this policy may result in discipline, up to and including termination of employment.

This policy is intended to alert employees to the need for discretion at all times and is not intended to inhibit normal business communications.

Employees should direct all requests for interviews and comments regarding the District's position on various matters from members of the news media to the Executive Director or his or her designee and shall not respond to such inquiries.

WORKPLACE SAFETY

Drug & Alcohol-Free Workplace

The District is committed to creating and maintaining a Drug-Free Workplace Policy pursuant to Fla. Stat. section 440.101 *et seq.* This Policy applies to applicants for employment in mandatory testing positions and to all employees in all job classifications once employed.

The District is committed to providing a safe work environment and to fostering the well-being and health of its employees. That commitment is jeopardized when an employee illegally uses drugs and alcohol on the job, comes to work under the influence, or possesses, distributes, or sells drugs and alcohol in the workplace. The following policy is adopted as set forth by section 440.102 of the Florida Drug-free Workplace Program.

- It is a violation of this policy for any employee to possess, sell, trade, or offer for sale or purchase illegal drugs or otherwise engage in the illegal use of drugs on the job.
- It is a violation of this policy for anyone to report to work under the influence of illegal drugs or alcohol.
- It is a violation of this policy for anyone to use prescription drugs illegally. (However, nothing in this policy precludes the appropriate use of legally prescribed medications provided they do not interfere with workplace safety or performance.)
- It is a violation of this policy to unlawfully manufacture, distribute, dispense, possess, or use controlled substances in the workplace.
- It is a condition of employment to abide by the Drug-Free Workplace Policy.
- Violations of this policy subject all employees to disciplinary action up to and including immediate termination.

The goal of this policy is to balance our respect for individuals with the need to maintain a safe, productive, and drug-free environment. The intent of this policy is a drug-free workplace, while sending a clear message that the illegal use of drugs or alcohol, or reporting to work under the influence, is incompatible with employment with the District.

Overview of policy

All District employees are prohibited from:

- a. Selling any drug, including alcohol or prescription drugs, whether on or off duty, unless the employee is legally entitled to sell the substance in question under the circumstances.
- b. Possessing any alcoholic beverage or unlawful drug while on duty or on District's premises at any time.
- c. Using any illegal drug, at any time. ("Illegal drugs" includes prescription drugs prescribed for someone else, or used contrary to prescribed dosages.)
- d. Using any other substance (including legal drugs, prescription drugs, alcohol, or any other substance), which runs an unnecessary risk of adversely affecting job performance. This includes use while on duty and any actual effect on job performance, which occurs or can be demonstrated.

It includes the use of any substance which use creates an unnecessary risk of absenteeism, tardiness, or safety hazards.

Employees taking prescribed drugs must ensure that such use does not pose an undue risk to safety or performance. If a drug is prescribed in connection with treatment of a disability, employees are urged to advise the Administrative Department of the use so that we can protect workplace safety and consider accommodations, where appropriate.

Definitions

As used in this policy, the following definitions will apply:

CONFIRMATION TEST, CONFIRMED TEST, or “CONFIRMED DRUG TEST” – A second analytical procedure used to identify the presence of a specific drug or metabolite in a specimen. The confirmation test must be different in scientific principle from that of the initial test procedure. The confirmation method must be capable of providing requisite specificity, sensitivity, and quantitative accuracy.

DRUG – Alcohol, including distilled spirits, wine, malt beverages, and intoxicating liquors; amphetamines; cannabinoids; cocaine; phencyclidine (PCP); opiates; hallucinogens; methaqualone; barbiturates; benzodiazepines; synthetic narcotics; designer drugs; or a metabolite of any of the substances listed herein.

DRUG TEST or TEST – Any chemical, biological, or physical instrumental analysis administered for the purpose of determining the presence or absence of a drug or its metabolites.

EMPLOYEE – Full-time or part-time employee of the District, whether introductory, regular, or temporary.

EMPLOYEE ASSISTANCE PROGRAM – An established program for employee assessment, counseling, and referral to an alcohol and drug rehabilitation program.

FOLLOW-UP DRUG TESTING – Drug testing which occurs as a follow-up to an employee entering an employee assistance program for drug related problems, or an alcohol and drug rehabilitation program. Follow-up testing must be conducted, without prior notice, on a quarterly, semi-annual, or annual basis for two (2) years thereafter.

INITIAL DRUG TEST – A sensitive, rapid, and reliable procedure to identify negative and presumptive positive specimens. All initial tests will use an immunoassay procedure or an equivalent, or will use a more accurate scientifically accepted method approved by the United States Food and Drug Administration or Agency for Health Care Administration.

JOB APPLICANT – A person who has applied for a mandatory testing position and has been offered employment conditioned upon successfully passing a drug test, and may have begun work pending the results of the drug test.

MANDATORY TESTING POSITION – A position that requires the employee to work with heavy

or dangerous machinery, work as a safety inspector, or a position in which a momentary lapse in attention could result in injury or death to another person.

RANDOM DRUG TESTING – Drug testing based upon a neutral selection process of those employees occupying mandatory testing positions.

REASONABLE SUSPICION DRUG TESTING - Drug testing based on a belief that an employee is using or has used drugs in violation of the District’s policy drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience, or as otherwise defined in sec. 440.102 of the Florida Statutes. Reasonable suspicion drug testing must be approved by the Executive Director. Such facts and inferences may be based upon:

- Observable phenomena while at work, such as direct observation of drug use or of the physical symptoms or manifestations of being under the influence of a drug.
- Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
- A report of drug use, provided by a reliable and credible source.
- Evidence that an individual has tampered with a drug test during his or her employment.
- Information that an employee has caused, contributed to, or been involved in an accident while at work.
- Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on the employer’s premises or while operating the employer’s vehicle, machinery, or equipment.

If the District tests an employee for reasonable suspicion of drug or alcohol use, a management employee will transport the employee immediately to a collection site where a sample will be taken. Such employee may be placed on leave until the results of the drug test have been determined. The Supervisor(s) who observed the employee must document the employee’s actions, which raised suspicion within 24 hours of the incident or before the release of the test results, whichever is earlier. A copy of this documentation shall be given to the Benefits Coordinator, and to the employee upon request, and the original documentation shall be kept confidential by the District and shall be retained for at least 1 year.

Circumstances When Testing Is Required

The District requires employees to submit to tests for the presence of alcohol or illegal drugs under the following circumstances:

- a. Job applicant testing. Testing required of all job applicants for mandatory testing positions. If an applicant refuses to submit to a drug test or a positive confirmed drug test results, the applicant will not be hired. The District may allow a job applicant to begin work pending the results of the drug test. Any applicant with positive test results will be denied employment at that time, but may initiate another inquiry with the District after six months. Any job applicant who refuses to submit to drug testing, refuses to sign a consent form releasing the District from liability, fails to appear for testing, tampers with the test, or fails to pass the pre-employment drug test will be ineligible for hire.

b. Reasonable-suspicion testing. Testing based upon reasonable suspicion is required. Testing may be required after an accident. The District will detail in writing the circumstances which form the basis for such reasonable suspicion. A copy of this document will be given to the employee upon request and the original documentation will be kept confidential and retained for one (1) year.

c. Follow-up testing. If the employee in the course of employment enters an employee assistance program for drug-related problems, or an alcohol and drug rehabilitation program, the employee must submit to a drug test as a follow up to such program. Follow-up drug testing must be conducted on a quarterly, semi-annual, or annual basis for two (2) years thereafter. Advance notice of testing shall not be given to the employee. If an employee who is employed in a mandatory testing position enters an employee assistance program or drug rehabilitation program, the employer must assign the employee to a position other than a mandatory testing position. If a position that is not classified as mandatory testing is not available, the District may place the employee on leave while the employee is participating in the program. However, the employee shall be permitted to use any accumulated vacation or sick leave credits balances before leave may be ordered without pay.

d. Routine fitness-for-duty drug testing. Testing conducted as part of a routinely scheduled employee fitness-for-duty medical examination that is part of the District's established policy or that is scheduled routinely for all members of an employment classification group.

e. Random drug testing. Drug testing based upon a neutral selection process of those employees occupying mandatory testing positions only. Selection for random testing will be conducted as follows:

- (1) Selection of employees for random testing will be a neutral selection process.
- (2) When an employee is selected for random testing, the employee selected will not be notified of the date or time the test is scheduled to occur.
- (3) Employees selected for random testing must submit to the testing site within two (2) hours of notification.

f. Post-accident. Post-accident drug and/or alcohol testing constitutes reasonable suspicion and will be undertaken on all employees if the employee is involved in an accident while working. Tests must be done as immediately or as soon as possible after the accident.

Drugs to be Tested

The District will test for the following: ALCOHOL, AMPHETAMINES, CANNABINOIDS, COCAINE, PHENCYCLIDINE (PCP), METHAQUALONE, OPIATES, BARBITURATES, METHADONE, PROPOXYPHENE, and BENZODIAZEPINES.

Testing Procedures

- a. All specimen collection and testing for drugs will be performed in accordance with the procedure as set forth in Section 440.102(5) of the Florida Statutes. Any positive test results that the District later determines have been refuted will have affixed thereto the subsequent refutation. Test results are considered confidential medical records.
- b. An employee may confidentially report the legitimate use of prescription or non-prescription medications both before and after being tested to the testing laboratory and Medical Review Officer.
- c. Employees have the right to consult the testing laboratory for technical information regarding prescription and non-prescription medication.

Medications, Which May Alter, Or Affect the Drug Test

Some common medications may alter or affect a test result. They are listed below for your information. Due to the large number of obscure brand names and the marketing of new products, this list cannot and is not intended to be all-inclusive.

ALCOHOL	All liquid medications containing ethyl alcohol (ethanol). Please read the label for alcohol content. As an example, Vick's Nyquil is 25% (50 proof) ethyl alcohol, Comtrex is 20% (40 proof), Contact Severe Cold Formula Night Strength is 25% (50 proof) and Listerine is 26.9% (54 proof).
AMPHETAMINES	Obetrol, Biphedamine, Desoxyn, Dexedrine, Didrex, Ionamine, Fastin.
CANNABINOIDS	Marinol (Dronabinol, THC).
COCAINE	Cocaine HCl topical solution (Roxanne).
PHENCYCLIDINE	Not legal by prescription.
METHAQUALONE	Not legal by prescription.
OPIATES	Paregoric, Parepectolin, Donnagel PG, Morphine, Tylenol with Codeine, Empirin with Codeine, APAP with Codeine, Aspirin with Codeine, Robitussin AC, Guaiatuss AC, Novahistine DH, Novahistine Expectorant, Dilaudid (Hydromorphone), M-S Contin and Roxanol (morphine sulfate), Percodan, Vicodin, Tussi-organidin, etc.
BARBITURATES	Phenobarbital, Tuinal, Amytal, Nembutal, Seconal, Lotusate, Fiorinal, Fioricet, Esgic, Butisol, Mebaral, Butabarbital, Butalbital, Phrenilin, Triad, etc.
BENZODIAZEPINES	Ativan, Azene, Clonopin, Dalmane, Diazepam, Librium, Xanax, Serax, Tranxene, Valium, Verstran, Halcion, Paxipam, Restoril, Centrax.
METHADONE	Dolophine, Metadose.
PROPOXYPHENE	Darvocet, Darvon N, Dolene, etc.

Confidentiality

All information, interviews, reports, statements, memoranda, and drug test results, written or otherwise, received or produced as a result of a drug testing program are confidential communications and may not be used or received in evidence, obtained in discovery, or disclosed

in any public or private proceedings, except in accordance with Chapter 440, F. S., or in determining compensability under the workers' compensation or unemployment benefit laws.

The District, laboratories, medical review officers, employee assistance programs, drug and alcohol rehabilitation programs, and their agents who receive or have access to information concerning drug test results shall keep all information confidential. Release of such information under any other circumstances shall be solely pursuant to a written consent form signed voluntarily by the person tested, unless such release is compelled by a hearing officer or a court of competent jurisdiction pursuant to an appeal, or unless deemed appropriate by a professional or occupational licensing board in a related disciplinary proceeding.

Notwithstanding the foregoing, the District and the laboratory conducting a drug test are permitted to have access to employee drug test information when consulting with legal counsel in connection with actions brought under or related to this section or when the information is relevant to the District's defense in a civil or administrative matter.

Refusal to Submit To A Drug Test

Employees who are required by this policy to take a test for the presence of drugs and/or alcohol will sign authorizations releasing the results of such tests to the District. Failure to sign such authorization will subject an employee to immediate termination. Employees who refuse to submit to a drug test shall be discharged. Job Applicants who refuse to test will not be hired. Further, if an injured worker refuses to submit to a test for drugs or alcohol, he or she forfeits his or her eligibility for all medical and indemnity benefits and may be terminated from employment or otherwise disciplined by the employer.

Refuse to submit (to an alcohol or controlled substances test) means that an employee:

- Failed to appear for any test within two (2) hours of being directed to report by the District. This includes the failure of an employee to appear for a test when called by a consortium or third-party administrator;
- Failed to remain at the testing site until the testing process is complete;
- Failed to provide a urine specimen for any drug test, or failed to provide a blood specimen for alcohol testing;
- In the case of a directly observed or monitored collection in a drug test, failed to permit the observation or monitoring of the employee's provision of a specimen;
- Failed to provide a sufficient amount of urine when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure;
- Failed or declined to take a second test that the District or collector has directed the employee to take;
- Failed to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the District;
- Refused to allow collection of specimens for drug and/or alcohol testing by a treating medical facility during the course of treatment following an "accident", or refusal to allow the District access to medical records containing the results of such tests, or any attempt by an employee to block the release of such specimens or medical records;

- Failed to cooperate with any part of the testing process (*e.g.*, refuse to empty pockets when directed by the collector, behave in a confrontational way that disrupts the collection process); or
- Is reported by the MRO as having a submitted or attempted to submit a verified adulterated, diluted, or otherwise altered or substituted specimen.

Challenging Drug Test Results

Within five (5) working days after receipt of a positive confirmed test result from the testing laboratory, the District will inform the employee in writing of such positive test results and the consequences of such results. The District shall provide to the employee, upon request, a copy of the test results.

Within five (5) working days after receiving notice of a positive confirmed test result, an employee or job applicant may submit information to the District explaining or contesting the test results, and explaining why the result should not constitute a violation of this policy. If the employee’s or job applicant’s explanation or challenge is unsatisfactory to the District, the employee will be notified by the District in writing within 15 days of the date the challenge was received and will be subject to discipline under this policy. At that time, the employee will be provided with a copy of the confirmed positive test result and the name and address of the laboratory. Any employee or job applicant may contest the drug test result pursuant to law or to rules adopted by the Agency for Health Care Administration.

All employees or job applicants must notify the laboratory of any administrative or civil action brought pursuant Florida’s Drug-Free Workplace Act.

Employees are solely responsible for all costs associated with any challenge.

Testing Location and Medical Review Officer

Coastal MRO
 Lehigh Acres
 3020 Lee BLVD. Suite 9
 Lehigh Acres, FL 33936
 MRO-Michael E. Collier, M.D.
 *Other locations are available—contact Benefits Coordinator.

Employees may check with the Benefits Coordinator as needed for any updated information.

Employee Rights

The District will not discharge, discipline or otherwise discriminate against an employee solely because the employee voluntarily sought treatment where the employee had not previously tested positive for drug use, entered an EAP, or entered a drug or alcohol rehabilitation program.

Employee Assistance Program

The District maintains an Employee Assistance Program through Cigna – 877-231-1492 or

<https://www.cigna.com/individuals-families/member-resources/employee-assistance-program>, which provides help to employees who suffer from drug and alcohol abuse. However, it is the responsibility of each employee to seek assistance from the Employee Assistance Program before alcohol and drug problems lead to disciplinary actions. The employee's decision to seek prior assistance from the EAP program will not be used as the basis for disciplinary action and will not be used against the employee in a disciplinary proceeding. Once a violation of this policy occurs, subsequently using the EAP on a voluntary basis will not necessarily lessen disciplinary action and may, in fact, have no bearing on the determination of appropriate disciplinary action, including immediate termination.

Employees may also consult other programs such as:

- Collier Narcotics Anonymous Help-line: 888-HELP-301 (866-235-4572)
- Lee Narcotics Anonymous Help-Line: 866-389-1344 (888-404-1019)
- Florida Drug Treatment: 866-531-4569
- Collier Youth Resource Center- free drug testing: 239-252-0900
- Alcoholic Anonymous (Collier County): (239) 262-6535
- Alcoholic Anonymous (Lee County): 239-275-5111
- SalusCare Addiction Services – 239-275-3222 or 239-275-4242

The District does not promote or recommend any specific program or organization for treatment. Other options for treatment can be located online or through various social service organizations.

Consequences of Policy Violations

Any violation of this policy may result in immediate termination of employment.

DOT-Covered Employees Drug & Alcohol-Free Workplace

Employees holding a CDL license who operate commercial motor vehicles for the District are subject to the separate DOT-Covered Employee Drug & Alcohol-Free Workplace Policy (DOT Policy) in addition to the general employee Drug & Alcohol-Free Workplace policy. The DOT Policy is separately provided to employees holding covered positions within the District.

Health Examinations

All newly hired employees working within certain District Departments, including Water Treatment and Distribution, Wastewater Treatment Plant, Wastewater Collection, and Maintenance, must submit to a physical examination during their probationary period. The examination is narrowly tailored to address specific job-related concerns to ensure certain medical issues will not affect their ability to do their job without posing a direct threat. Certain immunizations may be required for different positions. Please contact your Supervisor and/or the Administrative Department for more information.

Workplace Bullying

The District defines “bullying” as repeated inappropriate behavior, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment.

The purpose of this policy is to communicate to all employees, including Supervisors and Board Members, that the District will not tolerate bullying behavior. Employees found in violation of this policy will be disciplined up to and including termination.

Bullying may be intentional or unintentional. However, it must be noted that where an allegation of bullying is made, the intention of the alleged bully is irrelevant and will not be given consideration when administering discipline. The following types of behavior are examples of bullying:

- Verbal bullying: Slandering, ridiculing or maligning a person or his/her family; persistent name calling that is hurtful, insulting, or humiliating; using a person as the target of jokes; abusive and offensive remarks.
- Physical bullying: Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault; damage to a person's work area or property.
- Gesture bullying: Nonverbal threatening gestures or glances that convey threatening messages.
- Exclusion: Socially or physically excluding or disregarding a person in work-related activities.
- Cyber Bullying: a form of bullying or harassment using electronic means.

Employees who believe they have been subjected to bullying behavior must report the incident immediately to their Supervisor, or the Executive Director.

Violence In The Workplace

District employees are prohibited from committing any act of workplace violence. All employees, customers, vendors, and business associates must be treated with courtesy and respect at all times. Employees are expected to refrain from conduct that may be dangerous or threatening to others.

Conduct that threatens, intimidates, or coerces another employee, customer, resident, vendor or business will not be tolerated. District resources shall not be used to threaten, stalk, or harass anyone at the workplace or outside the workplace. The District treats threats coming from an abusive personal relationship as it does other forms of violence.

Workplace violence includes, but is not limited to: any harmful physical act upon another, attempted suicide, and psychological trauma (*e.g.* threats, obscene phone calls, an intimidating presence, being followed, etc.). Examples of behaviors that are strictly prohibited include, but are not limited to:

- causing or attempting to cause physical injury to another person;
- making threatening or intimidating remarks;
- aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;
- intentionally damaging employer property or property of another employee;
- possession of a firearm or weapon in violation of the District's policies; and
- committing acts motivated by, or related to, harassment or domestic violence.

The workplace includes any location, either permanent or temporary, where an employee performs any work-related duty. This includes, but is not limited to, the buildings and their surrounding perimeters, including the parking lots, field locations, all areas throughout the District, attending off-site training or other work-related events, and traveling to and from work assignments.

Indirect or direct threats of violence, incidents of actual violence and suspicious individuals or activities must be reported immediately to the Benefits Coordinator or Executive Director. In certain instances, the employee may need to call 911 before contacting internal staff. When reporting a threat or incident of violence, the employee should be as specific and detailed as possible. Employees should not place themselves in peril, nor should they attempt to intercede during an incident.

Employees should promptly inform their Supervisor and/or Benefits Coordinator of any protective or restraining order that they have obtained that lists the workplace as a protected area. Employees are encouraged to report safety concerns with regard to domestic violence. The District will not retaliate against employees making good faith reports. The District is committed to supporting victims of domestic violence by providing referrals to the District's Employee Assistance Program (EAP).

The District will promptly and thoroughly investigate all reports of threats of violence or incidents of actual violence and of suspicious individuals or activities. The District will not retaliate against employees making good faith reports of violence, threats, or suspicious individuals or activities.

Anyone found responsible for threats of or actual violence or other conduct that is in violation of this policy will be subject to prompt disciplinary action, up to and including termination of employment.

The District encourages employees to bring workplace disputes to the attention of their Supervisor or Executive Director before the situation escalates. The District will not discipline employees for raising such concerns.

If an employee believes that another District employee or elected official may be acting in violation of this policy, he/she must immediately report the violation to their Supervisor or the Executive Director.

Firearms Or Weapons

The District has a "Zero Tolerance" philosophy with regard to the possession by any employee, of any dangerous/deadly weapon on District property or job sites, (including in one's desk, District vehicle, rented or leased equipment or property, lockers, road, drainage works, or park, etc.). This includes, but is not limited to, any firearm, blunt instrument, brass knuckles, exploding devices, or any other object that can cause bodily injury, serious bodily injury, or death. This includes items such as cutting utensils, screwdrivers, pepper spray, and other tools may be considered deadly weapons when these objects are used in a violent, offensive, or threatening manner. *Employees utilizing tools in the course of their day-to-day job duties will not be subject to this policy, unless the tool is used in a violent, offensive, or threatening manner.*

Persons possessing a “Concealed Weapons Permit” shall not be allowed to bring weapons onto District property, facilities, or worksites, *etc.* in accordance with Florida law. Employees are prohibited from carrying firearms and ammunition during and in the course of performing their duties. The only exception to this rule applies to law enforcement personnel acting on behalf of the District.

Cooperation from employees may be requested in agreeing to conduct a search of personal property such as briefcases, purses, and packages brought onto a job site or District facility. Unattended, unidentifiable containers or packages may be subject to removal if thought to be of a suspicious nature. Employees may be asked or directed to move personal property, if the employee is unwilling to agree to a search. Refusal to comply may be grounds for disciplinary action.

All illegal items may be taken into custody and be given to law enforcement authorities.

Any violation of District policy or refusal to submit to a lawful inspection for the presence of a weapon on District property may result in disciplinary action up to and including termination.

This policy is interpreted in compliance with the “Preservation and Protection of the Right to Keep and Bear Arms in Motor Vehicles Act of 2008,” Florida Statute Section 790.251, as amended from time to time.

A license to carry a concealed weapon or firearm lawfully issued under Section 790.06, Fla. Statutes, does not authorize any person to openly carry a handgun or carry a concealed weapon or firearm into any meeting of the District’s Board of Commissioners, pursuant to Florida Statute Section 790.06(12)(a) 7.

Safety And Security

The District fully complies with all applicable state and federal regulations with respect to the safety of its workforce, as well as the surrounding environment. The goal of the District is to operate in a safe and efficient manner. To this end, all employees must become familiar with and abide by the District’s safety policies. Employees should also be aware that First Aid Kits are located in each District vehicle. Employees are expected to wear appropriate safety equipment in the performance of their job duties.

Employees should always keep money and valuables secure. Employees should know the location of all alarms and fire extinguishers, and familiarize themselves with the proper procedure for using them, should the need arise. When leaving District facilities, employees ensure that all entrances are properly locked and secured. You are not allowed to enter the District property after normal working hours for any reason without the approval of a Supervisor.

If you find that a machine is not working properly or in any way appears unsafe, notify your Supervisor immediately so that repairs or adjustments may be made. Employee must use the Lock Out/Tag Out Procedures. Under no circumstances should you start or operate a machine that is unsafe, nor should you adjust or modify the safeguards provided. Employees should reference the safety handbook for further information and instruction.

Visitors are not permitted on District property without prior permission from your Supervisor. No visitors are permitted in working areas without prior Supervisor approval and an authorized escort.

Employees are directed not to use the District's address for personal business. It is the employee's obligation to provide any third-parties, vendors, or delivery companies with their personal mailing address for packages, correspondence, and deliveries.

During the course of your employment, you may have access to District keys, security codes, etc. It is a violation of this manual to provide those to any other non-authorized persons.

Smoke-Free And Tobacco-Free Workplace

The District complies with Florida's Clean Indoor Air Act. In compliance with Florida law, no person may smoke or vape in any enclosed indoor area of the District. It is the policy of the District to provide a smoke-free and tobacco-free indoor workplace in order to provide and maintain a safe and healthy work environment for all employees. The District prohibits smoking, tobacco product use, vaping and certain related behaviors in any enclosed indoor area of the District.

"Enclosed indoor workplace" means any place where one or more persons engages in work, and which place is predominantly or totally bounded on all sides and above by physical barriers, regardless of whether such barriers consist of or include, without limitation, uncovered openings; screened or otherwise partially covered openings; or open or closed windows, жалousies, doors, or the like. A place is "predominantly" bounded by physical barriers during any time when both of the following conditions exist:

- It is more than 50 percent covered from above by a physical barrier that excludes rain; and
- More than 50 percent of the combined surface area of its sides is covered by closed physical barriers. In calculating the percentage of side surface area covered by closed physical barriers, all solid surfaces that block air flow, except railings, must be considered as closed physical barriers.

"Vape" or "vaping" means to inhale or exhale vapor produced by a vapor-generating electronic device or to possess a vapor-generating electronic device while that device is actively employing an electronic, a chemical, or a mechanical means designed to produce vapor or aerosol from a nicotine product or any other substance.

"Vapor-generating electronic device" means any product that employs an electronic, a chemical, or a mechanical means capable of producing vapor or aerosol from a nicotine product or any other substance, including, but not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or other similar device or product, any replacement cartridge for such device, and any other container of a solution or other substance intended to be used with or within an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or other similar device or product..

"Smoking" means inhaling, exhaling, burning, carrying, or possessing any lighted tobacco product, including cigarettes, cigars, pipe tobacco, and any other lighted tobacco product.

“Tobacco products” include, but are not limited to, cigarettes, cigars, chewing tobacco and pipe smoking.

Smoking, vaping, or use of tobacco products in District-owned or leased enclosed indoor workplaces, including vehicles, is NOT permitted by any individual. This applies to all such enclosed indoor workplaces and enclosed parts thereof without regard to whether work is occurring at any given time. Enclosed indoor workplaces include District owned or leased buildings, temporary structures, or other facilities that meet the definition of an enclosed indoor workplace.

To ensure a professional appearance, employees are also prohibited from smoking, using tobacco products, or vaping during working hours unless while on break.

Employees who witness individuals smoking, using tobacco or vaping in an enclosed indoor workplace must request the individual immediately extinguish or remove the smoking device. If the employee is not comfortable confronting another individual about the violation, he or she should immediately seek assistance from the immediate Supervisor or the Benefits Coordinator.

The smoke-free workplace policy applies to:

- All areas of District buildings, equipment, and vehicles.
- All visitors (Board Members, customer and vendors) to the district premises.
- All contractors and consultants and/or their employees working on District premises.
- All employees, temporary employees, volunteers, and student interns.

Employees are only permitted to smoke, use tobacco, or vape outdoors on their break or lunch periods only. Employees who smoke or vape outside a District building are responsible for the proper disposal of the waste.

Employees who violate this policy will be subject to disciplinary action up to and including immediate termination of employment.

Perceived Violations Policy

It is the District's policy to comply fully with the spirit and letter of all federal, state, and local laws and regulations, which apply to the District and its operations. If an employee believes that any employee of the District may be acting in violation of any such law or regulation – or in violation of a District policy – the employee has a duty to report the perceived violation, preferably in writing, to the Executive Director within 24 hours of the observation of such conduct. All inquiries pertaining to perceived violations will be handled in the strictest confidence possible in accordance with applicable law.

Examples of perceived violations of law include violations of child labor laws, wage-hour regulations, and unlawful discrimination or harassment.

Examples of violations of District policy include employee theft or violations of the District's Attire and Grooming Policy.

Compliance with this policy is a term and condition of continued employment with the District. If employees have any questions with regard to this duty to report perceived violations, they may contact the Executive Director. Under no circumstances will the District retaliate against an employee who reports conduct that the employee perceives to be a violation of law or policy.

Whistleblower Policy

The District protects whistleblowers from retaliation where their allegations could legitimately support claims of violations including, but not limited to, False Claims Act violations. The District will comply with all applicable Federal and State laws including, but not limited to, the False Claims Act.

A whistleblower as defined by this policy is an employee of the District who reports an activity that he/she believes to be: (1) a violation of any federal, state, or local law, rule or regulation committed by an employee, agent or independent contractor of the District which creates and presents a substantial and specific danger to the public's health, safety, or welfare; or (2) an act of gross mismanagement, malfeasance, misfeasance, gross waste of public funds, or gross neglect of duty committed by an employee, agent or independent contractor of the District. The whistleblower is protected when he or she reports this activity to one or more of the parties specified in this policy. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate members of management are charged with these responsibilities. However, the whistleblower is responsible for providing all information, including written information, reports, emails, telephone information, *etc.* that led to the belief that a violation may have occurred.

If an employee has knowledge of or suspects violations of laws, rules, gross mismanagement, or fraudulent activity, the employee is to contact his/her immediate Supervisor, the Benefits Coordinator, or the Executive Director. For accusations involving the Executive Director, the employee is to contact the District's legal counsel. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to discipline up to and including termination.

Whistleblower protections will be provided against retaliation and when possible confidentiality. However, the District may disclose a person's identity in order to conduct a thorough investigation and to comply with the law. The District will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments, and threats of physical harm. Any whistleblower who believes he/she is being retaliated against must contact the Benefits Coordinator or Executive Director immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

The Benefits Coordinator, in conjunction with the Executive Director, will determine the required participants to conduct an investigation on a case-by-case basis.

Employee Responsibilities:

- Notify the Supervisor, the Benefits Coordinator, Executive Director, (or District's legal counsel if the accusation involves the Executive Director) of any actual or suspected violations.
- Provide all information relating to the actual or suspected violation including, but not limited to, documents, reports, and emails, within five (5) business days of the initial notification in Paragraph 1.

Department Supervisor Responsibilities:

- Notify the Executive Director of any actual or suspected violations.
- Create a work environment in which ethical concerns can be raised and openly discussed without fear of retaliation.

The Executive Director Responsibilities:

- Review and determine appropriateness of those involved in investigation.
- Resolve the claim by notifying those involved and/or proper authorities.
- Assist employees and Supervisors in education on this policy.

WORKPLACE EXPECTATIONS

Outside Employment

District employees, including part-time and probationary employees are permitted to engage in outside work or to hold other jobs, provided the outside employment does not create a conflict of interest or otherwise violate the Code of Ethics. Employees who have outside employment must advise the Benefits Coordinator in writing. Outside employment is considered performance of any services for an employer other than the District, before, during or after an employee's regular working hours or while the employee is out on approved leave.

Activities and conduct away from the job must not compete with, conflict, with or compromise the District's interests or adversely affect job performance and the ability to fulfil all job responsibilities. Employees are prohibited from performing any services for customers/residents on nonworking time that are normally performed by the District. The prohibition also extends to the unauthorized use of any District tools or equipment and the unauthorized use or application of any confidential information. In addition, employees are not to solicit or conduct any outside business during paid working hours.

Employees are cautioned to carefully consider the demands that additional work activity will create before accepting outside employment. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours. If the District determines that an employee's outside work interferes with performance, the employee may be asked to terminate the outside employment.

Employees who have accepted outside employment may not use paid sick leave to work on the outside job. Fraudulent use of sick leave will result in disciplinary action up to and including termination.

Attendance and Punctuality Work Schedules

Work schedules for employees vary throughout the District. Supervisors will advise employees of their individual work schedules. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

Generally, the District's administrative office is open from 8:00 a.m. until 5:00 p.m. Your particular hours of work and the scheduling of your lunch period will be determined and assigned by your Supervisor. Attendance and punctuality are important factors for an employee's success within the District and are an essential function of every position.

Employees are expected to be at their workstation and ready to work at the beginning of their assigned daily work hours, and are expected to remain at their workstation until the end of their assigned work hours, except for approved breaks and lunch. When work takes an employee away from their regular workstation, they are expected to let their Supervisor know where they are going and how long they expect to be gone. It is the policy of the District to require all employees to report for work timely as scheduled and to work all scheduled hours including any mandatory overtime. Employees are required to clock in and out at their scheduled start and end times when

they begin and end work each day.

Tardiness and poor attendance disrupt the flow of work and customer service. When tardiness and poor attendance become excessive it greatly impedes the ability of the District to perform and will not be tolerated.

Employees are responsible for notifying supervisors within one (1) hour of the employee's start time or as far in advance as possible whenever they are unable to report to work, know they will be late, or must leave the job early. Notification should include a reason for the absence and an indication of when the employee can be expected to report for work.

Failure to notify a Supervisor properly of any absence may result in loss of compensation during the absence and may be grounds for disciplinary action.

Failure of an employee to report to work, or make timely notification to the immediate Supervisor to obtain approval for leave will be grounds for denial of paid leave and possible disciplinary action, up to and including termination of employment.

Employees who fail to report to work or fail to call in for three (3) consecutive workdays shall be considered to have voluntarily resigned without notice. Employees must report to their Supervisor after being late or absent, give an explanation of the circumstances surrounding the tardiness or absence, and may be required to certify that they are fit to return to work. When appropriate, the Supervisor should counsel the employee on the importance of good attendance and warn that excessive tardiness or absences, regardless of the case, will lead to disciplinary action, up to and including termination of employment.

Planned or documented early departures or late arrivals, pre-approved by your Supervisor, will not be counted as unauthorized early departures or tardiness under this policy.

Professionalism

In order to ensure that the District provides its customers with a good impression of its operations and services, employees are expected to conduct themselves in accordance with the following guidelines:

- The District's Core Values and Communication/Behavioral Agreement
- Deal with customers in a courteous and respectful manner.
- Communicate pleasantly and respectfully with other employees.
- Follow up on directions and questions promptly.
- Maintain a professional and courteous relationship with the general public and the customers of the District.

Attire and Grooming

Personal appearance plays an important role in the public's perception of an employee as an individual as well as in the District as an organization. Employees who come to work dressed in a manner that is inconsistent with their Department's policy will be sent home to change and any time missed will be considered an unexcused absence. Administrative positions are required to

exhibit appropriate business attire. All employees must wear protective or safety equipment applicable to the task being performed. Employees should consult their Supervisor and/or the Benefits Coordinator for counseling on proper and safe attire for their position. Failure to adhere to this policy may result in discipline, up to and including termination of employment.

Electronic Communication and Internet Use

This policy provides general guidance regarding Internet use by District personnel who are authorized to use District resources, subject to any supplemental policies of your Department, where applicable. This policy covers all Internet services, including but not limited to, use of the internet, e-mail, file transfer, remote computer access, news services, social networking, instant messaging, blogs, wikis, and video and other file sharing sites. The policy applies whether the Internet use is from District facilities or from remote locations.

The District provides computers, printers, and other electronic devices to many of its employees to perform their job functions. These devices are to be used for District business only. Only computer programs that are authorized by the District are to be used or installed on District computers or devices. Outside computer services such as the Internet, e-mail, etc. are to be accessed and used only for District business. All e-mail messages and Internet information transmitted through District property is considered to be public record, unless otherwise exempted by law.

Please note that this policy shall be construed in a manner consistent with applicable federal and state laws relating to employee communications. This policy should not be construed in a manner to prohibit or interfere with employees communicating with one another regarding the terms and conditions of employment.

The following guidelines have been established for using the Internet, District-provide cell phones and e-mail in an appropriate, ethical and professional manner:

- Internet, District-provided equipment (e.g., cell phone, laptops, computers, iPads, hotspots) and services may not be used for transmitting, retrieving, or storing any communications of a defamatory, discriminatory, harassing, or pornographic nature.
- The following actions are forbidden: using disparaging, abusive, profane or offensive language; creating, viewing or displaying materials that might adversely or negatively reflect upon the District or be contrary to the District's best interests; and engaging in any illegal activities, including piracy, gambling, cracking, extortion, blackmail, copyright infringement, and unauthorized access of any computers and District-provided equipment such as cell phones, laptops, iPads, or hotspots.
- Employees may not copy, retrieve, modify, or forward copyrighted materials, except with permission or as a single copy to reference only.
- Employees must not use the system in a way that disrupts its use by others. Employees must not send or receive large files that could be saved/transferred via thumb drives. Employees are prohibited from sending or receiving files that are not related to work.

Computers

- The computers at the District are for District business only. At no time may any computer be used for other business; however, limited and incidental personal use may be permitted during breaks, provided that employees supply their own devices and otherwise comply with all other District policies.
- Computer information systems and software on District computers is the property of the District; no unauthorized copies will be made or distributed.
- No additional software will be installed on District computers without specific written authorization. Software from home is not permitted to be installed onto District computers at any time.
- All data contained within District computers belongs to the District and cannot be altered without specific written authorization.
- No data stored on District computers is to be released to any person or outside organization without specific written authorization. This includes release through data transfer, in magnetic form, on printed reports or any other media or electronic transmission as well as databases, without the specific written authorization of the Executive Director. However this shall not be construed to prevent or limit the dissemination of information in response to a public records request.
- The computer passwords and security codes assigned to employees are not to be communicated to any other employee unless specifically authorized. No passwords, security codes or computer access numbers are to be communicated to any persons or outside organization without specific written authorization.
- Employees who use computers at home for District business are to virus check any diskettes/CD's or USB drives before using them on District computers.
- No person is to disclose the names of software, databases, or systems used by the District to persons outside the District unless in response to a public records request.

E-Mail

The District has established a policy with regard to access and disclosure of electronic mail messages created, sent or received by District employees using the District's electronic mail system. The District reserves the right to change the policies set forth below at any time, as may be required by the circumstances:

- The District maintains an e-mail system. The system is provided by the District to assist in conducting District business only.
- The e-mail system is District property. Additionally, all messages composed, sent, or received on the e-mail system are and remain the property of the District. They are not the private property of any employee.
- The use of the e-mail system is reserved solely for the conducting of business at the District. It may not be used for personal business.
- The e-mail system may not be used to solicit for commercial ventures, religious, or political causes, outside organizations or other non-job-related solicitations.

- The e-mail system is not to be used to create any offensive or disruptive messages. Among those which are considered offensive are any messages which contain sexual implications, racial slurs, gender-specific comments, or any other comment that offensively addresses someone's age, sexual orientation, religious or political beliefs, pregnancy, national origin, disability, or other category protected by applicable law.
- The e-mail system shall not be used to send (upload) or receive (download) copyrighted materials, trade secrets, proprietary financial information, obscene materials, or other similar materials.
- The District reserves the right to review, audit, intercept, access, and disclose all messages created, received or sent over the District's e-mail system for any purpose. The contents of e-mail properly obtained for legitimate business purposes may be disclosed within the District without the permission of the employee.
- Employees have no expectation of privacy with respect to e-mail messages sent or received through the District's systems. The confidentiality of any message should not be assumed. Even when a message is erased, it does not guarantee confidentiality. Further, the use of passwords for security does not guarantee confidentiality.
- All passwords must be disclosed to the District or they are invalid and cannot be used.
- Notwithstanding the District's right to retrieve and read any e-mail messages, such messages should be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorized to retrieve or read any e-mail messages that are not sent to them. Any exception to this policy must receive the prior approval of the Executive Director.
- Employees shall not use a password, access a file, or retrieve any stored information, unless authorized to do so. Employees should not attempt to gain access to another employee's messages without the latter's permission. All computer passwords must be provided to supervisors. No password may be used that is unknown to the District.
- Employees are prohibited from sending global messages of a personal nature and/or chain letters on District computers, without exception.

Any employee who violates this policy or uses the e-mail system for improper purposes shall be subject to discipline, up to and including termination of employment.

Right to Monitor

All District supplied technology and District related work records belong to the District and not the employee. The District routinely monitors use of District-supplied technology. Inappropriate or illegal use or communications may be subject to disciplinary action, up to and including termination of employment.

Telephone Usage

In general, District telephones (office/cell) and voice message systems are to be used for District business only. Personal telephone calls during business hours are to be confined to those which are absolutely necessary or an emergency situation. Employees should not use the District's telephones (office/cell) for personal long-distance calls.

Employees who have been issued a District cell phone must operate it within the terms of the contract to avoid overage charges. Broken or unusable devices shall be returned to the Administration Department for reorder or repair. Employees are prohibited from directly contacting the service provider. Employees should be aware that information sent, received, or stored on District-issued devices relating to District business is subject to Florida's Public Records law.

Employees should be aware that information sent, received, or stored on a personal cell phone or other device which relates to District business is subject to Florida's Public Records law, regardless of the fact that it is sent, received, or stored on such personal device.

Cell phones, whether personally owned or District-issued, should not be used when they pose a security or safety risk or when they distract from work tasks. Some general rules relating to cell phones in the workplace, (personal or District) include, but are not limited to, the following:

- Never use a hand-held cell phone while driving; hands-free devices may be used in accordance with applicable state laws.
- Never use a cell phone while operating equipment or machinery
- Texting while driving or operating equipment or machinery is strictly prohibited
- Do not use a cell phone for surfing the internet or gaming during work hours.
- Avoid using work cell phones for personal tasks.
- Avoid using personal cell phones for work tasks.
- Do not use cell phones during any meetings unless obtaining urgent work-related information.
- It is prohibited to use cell phones to record confidential information.
- Do not use earbuds or headphones during work hours unless pre-authorized by the supervisor to minimize disruption to coworkers when engaged in online or web-based training.
- Online or web-based training should be conducted on an employee's desktop or laptop computer and not a cell phone.

The use of personal cell phones during work hours is not allowed except for authorized breaks or lunch. Outside of authorized breaks or lunch, any employee using their personal cell phone during work hours or interactions with customers while representing the District will be subject to disciplinary action, up to and including termination of employment. A supervisor may make limited exceptions to the foregoing where an employee is expecting a call regarding an urgent personal matter during work hours and has notified the supervisor in advance (e.g. awaiting news on hospitalized family member).

Staff should allow cellular telephone calls to go to voicemail. Work-related messages should be retrieved and returned when it is safe to do so.

District employees are required to answer all business telephone calls promptly and courteously. Employees are required to return all missed business calls within 24 hours.

Social Media-Acceptable Use

Below are guidelines for social media use:

- Employees shall not make statements on behalf of the District, without proper authorization, or make statements that could be construed as establishing the District's official position or policy on any particular issue.
- Employees may not post financial, confidential, sensitive or proprietary information about the District, citizens, vendors, employees, or Board Members.
- Employees may not post discriminating remarks, harassment, bullying, or threats of violence. Behavior that is not tolerated in the workplace will not be tolerated in social media.

Employees are permitted to discuss terms and conditions of employment but, when posting such information on social media sites, employees must use the following disclaimer when discussing job-related matters, "The opinions expressed on this site are my own and do not necessarily represent the views of the District."

The District may monitor or review content on the Internet available for public consumption. Policy violations may result in discipline up to and including termination of employment.

Performance Management and Reviews

The District has based its performance management system on constructive feedback and open communication between all levels of management and staff. This policy applies to all employees.

The District has built its performance management practices to:

- Ensure all employees understand their job responsibilities and have specific goals to meet
- Provide employees with actionable and timely work feedback
- Invest in development opportunities that help employees grow professionally
- Recognize and reward work in financial or non-financial ways (e.g. awards)

The District expects supervisors to meet with their team members as often as possible and/or, at a minimum, once a month, to provide feedback and talk about their work and motivations. This way, team members can receive feedback in a timely manner and avoid surprises during their annual performance evaluation. During these meetings, both parties should feel free to discuss successes and outstanding work, and any concerns they have. Any identified areas needing improvement must be outlined with a plan including regular follow-up. Communication can occur through the performance management program. Each employee's development plan and measurements are to be enumerated in the program.

The annual review should be completed no later than September 1st of each year (for an evaluation period of September 1 – August 31) and summarize the work accomplished throughout the year and results of the Tenzinga program. Through the review, supervisors aim to:

- Recognize employees who are good at their jobs
- Talk about career moves and employee motivation (development plan)
- Identify areas of improvement

Periodical reviews apply to employees who have completed their probationary or onboarding period. A review may also be conducted in the event of a promotion or change in duties and responsibilities.

Good performance from an employee will include, but is not limited, to the following:

- Meets performance measurements or targets consistently.
- Completes job duties as expected.
- Show a willingness to learn and develop.
- Follows Core Values, Standards of Conduct, and other company policies.
- Have a good attitude and collaborates well with other colleagues.

The current performance system is Tenzinga. As stated previously, supervisors are expected to provide recognition and constructive feedback to their team members at least monthly. This is accomplished by selecting “Above Standard”, “Standard”, or “Below Standard” for each measure. To receive “Above Standard”, the employee must display an outstanding behavior or performance that clearly exceeds good performance. Supervisors must detail the event and provide date and time (if possible) along with photos. Examples of “Above Standard” performance include recommending a cost savings solution or suggesting an alternative step in a process that is more efficient than the existing way.

If an employee receives a “Below Standard” for a measure, the supervisor must meet with the employee to discuss the performance or behavior and outline a Performance Improvement Plan (PIP). PIP status will last for a predetermined amount of time, generally not to exceed 90 days. Within this time period, the employee must demonstrate a willingness and ability to meet and maintain the expected behavior and/or work requirements as specified by the Supervisor and the District. At the end of the PIP time period, the PIP may be closed or, if established goals are not met, dismissal (termination) may occur.

A PIP may also be issued when an employee has demonstrated an inability to perform assigned work responsibilities efficiently or in a satisfactory manner after a satisfactory evaluation has already been issued.

An employee may be terminated before, during, or after a PIP, in the District’s sole discretion and judgment. An employee who is placed on a PIP may also be subjected to the disciplinary process for conduct, behavior or policy violations that may be related to the performance issues addressed by the PIP.

Merit Pay & Performance Bonus

It is the policy of Immokalee Water & Sewer District to maintain flexibility in determining the manner and method of any increase to an employee's base pay or a one-time performance bonus in a fair and equitable manner.

Any merit pay or performance bonus awards are subject to the District's budget process. Merit increases or performance bonuses are not guaranteed. However, supervisors are expected to openly recognize their team members when they deserve it. One of the District's goals is to help all employees to improve and develop their careers. This policy is designed to be compliant with Florida Statute Section 215.425 and serves as notice to employees of the Merit Pay and Performance Bonus program.

DEFINITIONS:

Performance Bonus is a one-time lump sum bonus payment provided to an employee based upon his or her work performance during the prior evaluation period.

Merit Pay is a prospective increase in base pay provided to an employee based upon work performance during the prior evaluation period.

A factor in the determination of a merit pay increase or performance bonus is whether the employee's salary or hourly rate exceeds the maximum rate of his or her position classification. Employees with wages at or above the top of the maximum rate of the position classification are not eligible for Merit Pay increases. Hourly, non-exempt employees who earn a Performance Bonus shall have the amount included in the regular rate of pay for calculation of overtime (if any) during the evaluation period for which it was earned, and any adjustments will be made on the next payroll date after payment of the Performance Bonus.

Employees must be currently employed at the time the merit pay award takes effect and at the time of payment of any lump sum Performance Bonus award. If an employee is terminated, dies, or submits a resignation for any reason prior to the merit pay award becoming effective or the payment of the lump sum Performance Bonus, the employee forfeits the award.

Vehicle Use Policy

Persons allowed to take vehicle home are:

- Supervisors
- Distribution, Collection, or Maintenance personnel who are on “standby” status;
- Operator/Operator Trainee responsible for responding to the auto dialer at water plants;
- Prior to the adoption of this Manual, Distribution or Collection personnel who had achieved Tech III level or higher were allowed to take home their vehicles. This policy allows only those who attained that level *before* the prior version of the Employee Manual was adopted on October 15, 2014, to continue to have this benefit.

If you are authorized to use a District vehicle for District business, you must adhere to the following rules:

- You must be a licensed driver;
- You must maintain weekly mileage reports;
- You are responsible for following all the manufacturer-recommended maintenance schedules;
- You are responsible for paying any moving violation tickets;
- You must keep the vehicle clean at all times, and washed and vacuumed as often as necessary.
- You must not allow persons not authorized or employed by the District to operate or ride in a District vehicle.
- You must report any traffic violations you receive to the Department Supervisor within one business day of receipt of same.
- No use of tobacco products or vaping is allowed in District vehicles.

As noted above, while driving a District vehicle, you are responsible to obey all traffic rules and regulations. Any fines or traffic violations are your personal responsibility. In addition to paying fines, you will be subject to disciplinary action as outlined in this Employee Manual, up to and including termination of employment. If you are authorized to operate a District vehicle in the course of your assigned work, or if you operate your own vehicle in performing your job, you will be considered completely responsible for any traffic incidents, fines, or traffic violations incurred. Your Supervisor will advise you on what procedures to follow in the event of a traffic incident.

If your job duties involve operation of a motor vehicle and you become uninsurable, due to traffic violations, either while working or off duty, or your license is suspended or revoked, you must notify the District within one business day. Your employment may be subject to reclassification or termination.

In addition to the foregoing, employees are specifically prohibited from using District-assigned vehicles for personal purposes including, but not limited to, transporting contraband, illegal materials, or lawful items not directly related to the employee's work at the District. Employees are prohibited from using District vehicles for any purpose other than performing assigned tasks or as otherwise permitted by the Vehicle Use Policy or related procedures.

Standards Of Conduct

Every employee has the duty and the responsibility to be aware of and abide by existing rules and policies. Employees also have the responsibility to perform their duties to the best of their ability and to the standards as set forth in the job description or as otherwise established.

The District supports the use of progressive discipline to address employee conduct and performance issues. However, the District retains the right to initiate disciplinary action at any level to improve and prevent a recurrence of undesirable behavior and/or performance issues.

Violations of any of these policies and procedures are considered misconduct and appropriate disciplinary procedures will be initiated. Disciplinary action may include, but is not limited to: verbal warnings, written warnings, suspensions with or without pay, and termination. Disciplinary actions are noted in the employee's personnel file.

Serious misconduct may result in immediate suspension and/or immediate termination, without notice. The appropriate disciplinary action will be determined by the sole discretion of the Executive Director. There is no guarantee that one form of disciplinary action will necessarily precede another. The following is a list of examples of misconduct that may constitute cause for disciplinary action, up to and including termination of employment:

- Violation of the District's Equal Opportunity or Anti-Discrimination and Anti-Harassment policies;
- Disclosure of confidential District or employee information to unauthorized parties;
- Behavior resulting in resident, customer, vendor, or employee complaints;
- Supplying false or misleading information or falsifying any District record;
- Possession or use of weapons on or off premises while performing duties for the District;
- Immoral or indecent conduct; soliciting persons for immoral purposes;
- Sleeping on the job;
- Not meeting performance standards or expectations;
- Wasting valuable work time such as talking about the private affairs of others in a malicious manner, spreading gossip, and other unproductive behavior;
- Insubordination, including but not limited to, failing to perform job duties, refusing to obey an order or directive of a Department Supervisor, or the Executive Director;

- Disruptive conduct, including but not limited to: gambling; fighting; horseplay; coercion; intimidation or threats against District employees, vendors or residents; vulgarity; or abusive treatment to the public or fellow employees;
- Theft or unauthorized possession or removal of property or money belonging to the District, employees, or a third party;
- Making or publishing false, vicious, or malicious statements concerning a resident, customer, employee, supervisor, or other District official or District services;
- Destruction or misuse of property;
- Use of District computers, equipment, and/or software for inappropriate purposes;
- Failure to work overtime when requested;
- Excessive absenteeism or tardiness;
- Failure to remain and work at employee's designated District work station unless required to step away from the designated work station in order to perform District-related business; or,
- Any other conduct which violates a District policy or which is not in the best interest of the District.

Outlined below are the steps of the District's discipline procedure. The District reserves the right to combine or skip steps in this process depending on the facts of each situation and the nature of the offense. The level of disciplinary intervention may also vary. Some of the factors that will be considered are whether the offense is repeated despite coaching, counseling, and/or training; the employee's work record; and the impact the conduct and performance issues have on our organization.

The following outlines the District's general discipline steps. The nature of the discipline will depend on the nature of the infraction and will be determined in the District's sole discretion and judgment.

- **Verbal Warning:** A Supervisor verbally counsels an employee about an issue of concern, and a written record of the discussion is placed in the employee's file for future reference.
- **Written Warning:** Written Warnings are used for behavior or violations that a Supervisor considers serious or in situations when a Verbal Warning has not helped change unacceptable behavior. Written Warnings are placed in an employee's personnel file. Employees should recognize the serious nature of the written warning.
- **Final Warning:** Final Warnings are used for conduct violations that are either repeated or of a serious nature standing alone where the employee also demonstrates a sincere desire and ability to correct the issue. A Final Warning generally leads to termination as the next disciplinary step should any policy violation occur in the future. Final Warnings may be issued in conjunction with a suspension or any other level of discipline. Final Warnings are placed in an employee's personnel file.
- **Suspension with or without pay:** an employee may be temporarily relieved of duties as final disciplinary action or while review of an employee's conduct or performance is pending final disciplinary action.

- Termination: an employee may be separated from employment at any time, without prior notice or cause.

TIME OFF/LEAVES OF ABSENCE

Holidays

The District observes the following paid holidays:

- Martin Luther King, Jr. Day
- President's Day
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving Day
- The Friday following Thanksgiving Day
- ½ day on Christmas Eve
- Christmas Day
- ½ day on New Year's Eve
- New Year's Day

Only full-time, regular employees are eligible for paid holidays.

If a holiday falls on a day you are not scheduled to work, i.e., Saturday or Sunday, the holiday will be celebrated in the proceeding or following work day, whichever is closer. If a holiday occurs during your scheduled vacation, you will be paid for a holiday instead of using vacation time.

To receive holiday pay, the scheduled workday before and the scheduled workday after the holiday must also be a paid day for the employee. This means that the employee must work the day before and the day after the holiday OR be on a pre-approved vacation OR be out on authorized sick leave to receive holiday pay.

Vacation Leave

The purpose of a vacation is to provide you with time to rest and relax. Only regular full-time, regular employees are eligible for paid vacation. You are able to accrue, but not use, vacation time during your initial probationary period. You are not eligible for paid vacation if you are a part-time or temporary employee.

The vacation accrual rate is based on length of employment, as follows:

Length of Employment	Vacation Accrual Per Pay Period (Hours)	Total Annual (Calendar) Accrual (Hours)
Less than five (5) years	3.077	80
Five (5) years but less than ten (10) years	4.616	120
Ten (10) years but less than fifteen (15) years	6.154	160

Fifteen (15) but less than twenty five (25) years	7.69	200
Twenty five (25) but less than thirty five (35) years	9.23	240
Thirty five (35) years or more	10.769	280

Vacations cannot interfere with your Department's operation and therefore should be submitted one (1) month ahead of the requested first day of the vacation. Any conflicts will be resolved at that time, by your Supervisor. All vacation requests are subject to review and approval and are subject to the business and operational needs of your Department and the District.

Employees are not “advanced” vacation leave. Once an employee exhausts the vacation leave bank, the employee is not eligible to take vacation leave until the employee accrues enough leave to do so.

If you are on an approved leave of absence for less than thirty (30) days, your vacation accrual will not be affected. However, should the leave extend beyond thirty (30) days, vacation time will not continue to accrue.

If a District-paid holiday falls during your scheduled vacation period, you will receive the normal holiday pay and your vacation leave balance will not be deducted for that day.

Eligible employees may carry over accrued, but unused vacation from calendar year to year, up to a maximum of 280 total hours at any one time. At the end of the calendar year, any unused vacation leave in excess of 280 total hours will be forfeited. However, once an employee’s Vacation Leave balance reaches 280, the employee will no longer accrue Vacation Leave until the balance is reduced below the cap through usage or the buyback described below.

Employees may cash in up to forty (40) hours of vacation time in eight (8) hour increments each calendar year, subject to review and approval by the Benefits Coordinator . This does not apply to accrued vacation hours over 280 hours. Additional amounts require Executive Director approval.

Election Leave

All employees should be able to vote either before or after regularly assigned work hours. However, when this is not possible due to work schedules, employees will receive up to two (2) hours paid election leave during the work day to vote. Time off for voting should be reported and coded appropriately on timekeeping records.

Bereavement Leave

The District offers bereavement leave to provide a time for mourning after the loss of an immediate family member. You are allowed to take off up to five (5) workdays with pay for this purpose. The employee’s immediate Supervisor authorizes the use of bereavement leave.

Immediate family includes spouse, domestic partner, child, step-child, mother, father, sister, brother, mother-in-law and father-in-law, brother-in-law and sister-in-law, grandparent and grandparent-in-law. If additional time is needed, vacation or unpaid personal leave may be taken with Supervisor approval.

With your Supervisor's approval, you may take up to two (2) full days without pay, or utilize vacation leave, to attend funerals of other relatives and friends.

Pay for a funeral leave will be made for actual time lost from work. If the death occurs at a time when work is not scheduled, payment will not be made. If a holiday or part of your vacation occurs on any of the days of absence, you may not receive holiday or vacation pay in addition to paid funeral leave.

An excused absence for family death may not be retroactive or postponed.

Upon request of the District, you may be required to provide documentation to support the requested or taken bereavement leave.

The Executive Director has authority to change, modify, or approve exceptions to this policy at any time with or without notice.

Jury Duty

If you are called for jury duty, you may take the necessary time off. If you have completed your probationary period, the District will reimburse you for the difference between your jury pay and your regular pay, not to exceed your normal workday.

Employees should notify their Supervisor as soon as a summons is received. A copy of the summons and proof of jury service, including dates and times, should be provided to your Supervisor as soon as possible.

Employees are expected to return to work if excused from jury duty during regular working hours, unless otherwise excused by their Supervisor.

In order to receive jury duty pay, you must present a statement of jury service and pay to your Supervisor and the Benefits Coordinator.

Witness Duty

Line of Duty: Employees subpoenaed to appear on behalf of the District the employee shall be provided paid administrative leave to attend the judicial proceeding for which they received the subpoena. Employees must notify the Executive Director as soon as they are served with the subpoena.

Witness: If the employee has been subpoenaed because the court has deemed his/her testimony to be relevant to the adjudication of a non-personal legal matter, and the employee will not be acting for the agency, then the employee is considered to be performing a civic duty for which the employee will be granted administrative leave.

For example, if an employee is subpoenaed to appear as a witness in a trial involving an incident that occurred at the workplace then the subpoenaed employee is granted administrative leave. However, the matter need not have anything to do with the workplace and may include cases where the employee is subpoenaed because he/she possesses some knowledge or was witness to some event that impacts a case (e.g. witnessed a car accident but is not a party to the litigation).

Although the employee may retain any witness fees that may be paid, the District does not provide reimbursement for any related expenses incurred by the employee in fulfillment of this civic duty.

Personal Matters: Any time an employee accepts payment to be an “expert witness” or is the plaintiff, defendant, appellant, or named party, etc., in a legal proceeding or hearing involving a personal matter, then the employee must charge his/her absence to vacation leave. Examples of “personal” legal matters would include appearances at traffic court, divorce/custody proceedings, lawsuits or criminal/civil actions initiated by or filed against the employee, etc. It also may include cases where the incident or cause of action is work-related, but affects the employee in a personal way, such as when the employee is in court as the defendant in an incident that occurred at work (other than an in line of duty incident) or when the employee is at a hearing (e.g., workers’ compensation for his/her own case) as the grievant or petitioner in a matter that stemmed from an administrative action taken against him/her.

Personal Leave

Following completion of the probationary period, regular, full-time, “non-exempt” employees, are eligible to take two (2) days of paid personal leave during each fiscal year. You may use your personal leave in units of no less than one-half day at any one time, unless otherwise approved by the Executive Director and your Supervisor. You are required to request personal leave time from your Supervisor, in advance, and obtain his or her approval. During your first fiscal year, the earned personal leave time is prorated. Personal leave may not be accumulated. As such, any personal leave not used during a fiscal year will be forfeited. Further, employees are not eligible to receive payment in lieu of a personal leave day. Finally, unused personal leave days will not be payable at the time of separation of employment.

Employee Reward Leave

The District recognizes an Employee of the Month and provides the selected employee with eight (8) hours of Reward Leave. The eight (8) hours must be used by the last day of the following month or it is automatically forfeited.

The District also recognizes an Employee of the Year and Supervisor of the Year, with each of the selected employees eligible to use sixteen (16) hours of Reward Leave. The sixteen (16) hours must be used by December 31 of the year in which the Reward Leave is granted or it is automatically forfeited.

Reward Leave shall not be payable at separation of employment, whether voluntary or involuntary.

Sick Leave

To qualify for sick leave, you must be a full-time, regular employee and must have completed your probationary period. Time taken off before completion of the probationary period, will be without pay. Sick leave days will be paid at your regular straight time pay and will accrue as follows:

- 1.85 hours on a bi-weekly basis, up to forty (48) hours a year.

Employees should advise their Supervisor, as soon as possible if they will be absent from work due to illness or a medical appointment.

Sick leave may be used for the purpose of visiting doctors, dentists, or other medical professionals. This time may also be used for tending to a serious illness suffered by a member of your immediate family, in the event the illness requires your personal time and attention. For purposes of this section, “immediate family” includes: spouse, domestic partner, child, step-child, mother, father, sister, brother, mother-in-law and father-in-law, brother-in-law and sister-in-law, grandparent, and grandparent-in-law.

Accrued, unused sick leave hours will not be payable at the time of separation of employment.

The District reserves the right to request documentation to substantiate the use of sick leave.

Excessive use of sick leave may adversely affect your performance.

If you are required to take a disability leave of absence, any accrued sick leave will begin to be paid at the time the leave commences. In the event of a disability leave of absence of up to thirty (30) days, sick leave will continue to accrue during such time period. Following such thirty (30) disability leave of absence, sick leave will not continue to accrue.

If you are on an approved personal leave of absence for less than thirty (30) days, your sick leave eligibility will not be affected; should the leave extend beyond thirty (30) calendar days, sick leave time will not continue to accrue.

In the event of an illness or injury covered by workers' compensation, this sick leave policy will not apply and workers' compensation benefits will apply. However, employees may supplement their income using sick leave to the amount of their normal pay.

Sick days may accumulate from calendar year to calendar year, up to a maximum of 240 hours, at which point no further sick leave days will accrue. If you have accumulated unused sick leave days totaling at least one hundred (100) hours at the end of a calendar year, you may cash in up to forty (40) hours at your regular base rate. Employees may cash in up to forty (40) hours of sick time in eight (8) hour increments each calendar year.

Thus, while employees may only accrue a maximum of 240 hours of sick leave, an employee may receive cash for accrued and unused sick leave up to forty (40) hours. Thus, for example, an employee with 240 hours of accrued unused sick leave at the end of the calendar year, may cash in forty (40) hours of sick leave, leaving him or her with 200 hours.

Voluntary Sick Leave Donation Program

District employees can donate sick leave hours to, and receive sick leave hours from, other employees within the District according to the procedures outlined in this section.

Requests to donate sick leave hours to another employee are strictly voluntary. Employees must not coerce or pressure another employee to donate sick leave hours. Donors do not receive compensation or favors in return for the sick leave donation. The receiving employee is not in debt to the donor in any way. Employee(s) in violation of this policy are subject to disciplinary action.

Donated sick leave hours are for absences associated with documented illnesses beginning with the sixth (6th) missed workday or partial workday, or the first day the employee has exhausted all leave hours, whichever is later. There is a five (5) day absence requirement and the Benefits Coordinator will review each request.

Donated leave can be used consecutively, intermittently, or in increments of a quarter hour (.25), as needed.

The Benefits Coordinator, Executive Director or designated personnel will investigate alleged abuse of the sick leave donation plan. If abuse is found, the participating employee(s) are not allowed to donate or receive sick leave hours and the employee(s) may be subject to disciplinary action.

Once an employee's donation has been credited to another employee, it cannot be cancelled.

An employee who separates from employment with the District with unused donated hours is not paid for the unused hours. Unused hours are credited back to the donating employee. Transferring sick leave hours is a process performed by the Benefits Coordinator. Donating employees must meet the following eligibility requirements in order to donate sick leave:

- Donating employee must maintain a minimum of eighty (80) hours of sick leave hours after a donation;
- Donating employee must make a donation of at least eight (8) hours; and
- Donating employee must provide a completed "Request to Donate Sick Leave Hours" form to the Benefits Coordinator.

Employees requesting to use sick leave donations must:

- Have used all accrued paid leave (sick, compensatory, and personal leave days);
- Have suffered a documented illness, accident or injury which requires (as certified by the treating medical professional) absence from the workplace for a minimum of five (5) consecutive days;
- Have not used more than 1,040 hours of donated sick leave hours in the preceding 12-month period;
- Not be eligible for workers' compensation disability leave benefits;
- Not be receiving workers' compensation leave benefits;
- Provide a fully completed "Request to Use Donated Sick Leave Hours" form to

- the Benefits Coordinator.
- See Administrative Department Policies and Procedures relating to Sick Leave Donation.

Disability Leave Of Absence

The District may grant an unpaid leave of absence for illness, disability, or pregnancy to employees who have completed their initial probation period. To request a disability leave of absence, you should submit, or have someone submit for you, a statement of ill health or disability from your medical provider to the Administrative Department. An approved disability leave may be granted for up to ninety (90) calendar days. If necessary, you may request extensions in thirty (30) day increments for a maximum of one hundred eighty (180) days. Whenever possible, you are required to give as much notice as possible of your pending need for a disability leave of absence.

In the case of pregnancy, please inform your Supervisor as soon as possible of the date you, and your medical professional, anticipate that you will begin your leave.

The job status of employees on disability leave will be protected to the extent that we will make every effort to allow them to return to their former position, or similar work if available, for which you may be qualified. Pregnancy leave will be granted in every circumstance but will not extend beyond ninety (90) days, without a physician's statement.

At the time the disability leave begins, any accrued sick leave must be used to cover the absence and, once exhausted, then vacation leave must be used. However, if the leave becomes covered by the District's Short Term Disability (STD) policy, the sick leave must be used during the first seven (7) calendar days ("the elimination period") and, after the seventh day, employees must use any accrued and unused vacation leave to supplement the STD benefit up to the employee's regular base pay. Pursuant to the STD policy and plan rules, sick leave cannot be used to supplement the STD benefit after the seventh day of the elimination period. Sick and vacation leave benefits do not continue to accrue during any paid or unpaid leave of absence exceeding thirty (30) calendar days. This policy applies to all employees. Your group insurance booklet should be reviewed to determine your insurance coverage during a leave of absence. In this regard, you will be responsible for paying the total premiums for your coverage and that of your dependents while on leave. Short-term disability and long-term disability insurance may be used by eligible employees in accordance with plan rules.

If you accept any employment or go into business while on a leave of absence from the District, you will be considered to have voluntarily resigned from employment with the District as of the day you began your leave of absence.

Employees who must remain away from work for more than the period of time allowed above will be considered terminated from employment. They are welcome to re-apply subject to the District's usual hiring policies.

Employees who utilize a Disability Leave of Absence for any period of time (for reasons other than routine pregnancy/birth) must submit a medical provider's fitness-for-duty statement prior

to returning to work. This statement must give approval that continued full-time employment in their present position will not jeopardize their health or the safety of others, in the event they continue to work, whether the employee has restrictions upon returning, and how long any restrictions are expected to last.

Personal Leave Of Absence

Employees who have completed their initial probationary period and require time off in addition to vacation leave may request a personal leave of absence without pay for up to a maximum of thirty (30) calendar days. An extension may be approved in limited circumstances. A Personal Leave of Absence may be used for the care of immediate family suffering from a serious medical condition. Immediate family includes spouse, domestic partner, child, step-child, mother, father, sister, brother, mother-in-law and father-in-law, brother-in-law and sister-in-law, grandparent and grandparent-in-law. A medical necessity form may be requested for a medical leave of absence.

All regular, full-time employees who have completed their probationary period are eligible for an unpaid personal leave of absence. Job performance, absenteeism, District, and Department requirements will be taken into consideration before the request is approval.

While you are on any other type of unpaid leave of absence from the District, you will be responsible for paying the total premiums for your coverage and that of your dependents while on leave. Failure to do so may result in loss of coverage and possible refusal by the insurance carrier to allow your coverage to be reinstated.

If you accept any employment or go into business while on a leave of absence from the District, you will be considered to have voluntarily resigned from employment with the District as of the day you began your leave of absence.

Please contact the Administrative Department for more information on request procedures.

Returning From A Disability or Personal Leave Of Absence

You must notify the District at least fifteen (15) days prior to your expected return date, that you intend to return from a leave of absence. When you return, you will be placed on your regular job if such position remains and is available. If the District has had to eliminate or fill your position while you were on leave, you will be assigned to an open position for which you are properly qualified. If no such position exists, you will be separated from employment.

If you do not return from your leave of absence on the day indicated in your original application or in any approved extension, or within three (3) working days of release by your medical provider, if you have been on a disability leave of absence, you will be considered to have voluntarily resigned from employment with the District as of the day on which you began your leave of absence.

If you have been on a disability leave of absence, you will be required to submit a statement from your doctor indicating that you are fit to return to your normal duties. You will receive seniority credit for the time that you have been on disability or personal leave of absence.

Domestic Violence Leave

Eligible employees will be granted up to three (3) days of unpaid Domestic Violence Leave in any twelve (12) month period, measured forward from the first date domestic violence leave is used, according to Section 741.313, Florida Statutes, as amended from time to time. The District shall not discriminate against an employee for exercising rights under this policy.

Domestic Violence means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member. Domestic violence shall also include any crime the underlying factual basis of which has been found by a court to include an act of domestic violence.

Family or Household Member means spouses, former spouses, persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as a family, and persons who are parents of a child in common regardless of whether they have been married. Except for persons who have a child in common, the family or household members must be currently residing or have in the past resided together in the same dwelling unit.

Employees may be permitted to use the leave for:

1. Seeking an injunction for protection against domestic, repeat, dating or sexual violence;
2. Obtaining medical care or mental health counseling for the employee and/or family/household member to address physical or psychological injuries resulting from the domestic violence;
3. Obtaining services from a victim-services organization as a result of the act of domestic violence;
4. Making the employee's home secure from the perpetrator of domestic violence, or to seek new housing to escape the perpetrator;
5. Seeking legal assistance or to attend and prepare for court-related proceedings arising from the act of domestic violence.

Notice

Except in cases of imminent danger to the health or safety of the employee, or to the health or safety of a family household member, an employee shall provide notice to the Administrative Department as soon as possible after the employee learns of the need for the leave. If the leave is foreseeable, such as court dates, the employee must provide thirty (30) days' notice. The request for leave must be accompanied with sufficient documentation of the act of domestic violence, if applicable.

Eligibility

To be eligible for Domestic Violence Leave, an employee must have been employed by the District for three (3) or more months. Domestic Violence Leave shall be granted if the employee or a family or household member of the employee is the victim of domestic violence and provides sufficient notice and documentation regarding same.

An employee seeking leave under this section must, before receiving the leave, exhaust all vacation and sick leave available.

Military Leave

The District is committed to protecting the job rights of employees absent on military leave. In accordance with federal and state law it is the District's policy that no employee or prospective employee will be subjected to any form of discrimination on the basis of that person's membership. Employees who serve in any branch of the Armed Forces of the United States or the State of Florida or are engaged in military reserve service will be provided time off or other benefits in accordance with any and all applicable federal and state laws.

BENEFITS

Insurance

The District offers or provides certain benefits for regular, full-time employees, subject to certain eligibility, plan, and participation rules and requirements. A complete list of benefits will be provided upon job offer and during employment during open enrollment.

In each case, specific provisions are set forth in the official policy or plan description. If there is any conflict between the descriptions contained in this Manual or any other publication of the District and the official policy or plan description, the language of the official policy or plan description will control. Employees are directed to read their plan documents or consult the Administrative Department for detailed information.

Retirement Plan

The District's 401(a) retirement plan is mandatory for eligible employees. This means that once an employee is eligible to participate, the employee contributes 3% of wages while the District contributes 6%. The District also maintains a voluntary 457 retirement plan. Employees are eligible to participate in the retirement plans beginning on the 91st day after their employment date. Please contact the Administrative Department for additional information.

Education Assistance

The District recognizes that the skills and knowledge of its employees are critical to the success of the District. The educational assistance program encourages personal development through formal education so that employees can maintain and improve job-related skills or enhance their ability to compete for reasonable attainable position with the District. All college and continuing education assistance must be approved by both the supervisor and the Executive Director.

While education assistance is expected to enhance employees' performance and professional abilities, the District cannot guarantee that participation in formal education will entitle the employee to automatic advancement, a different job assignment, or pay increases.

College/University Assistance

Requests for education assistance may be made after ninety (90) days of employment by regular, full-time employees. Degree programs eligible for educational assistance/reimbursement must relate directly to the employee's present job and enhance the knowledge, skills, and abilities used in that job; or part of an approved succession plan.

Scheduling/attendance of class time must not impede work duties and responsibilities or affect the performance of the individual or work team. Employees in degree programs will be held accountable for their regular workload and assignments.

To maintain eligibility, employees must remain on the active payroll and perform their job satisfactorily through the completion of each course.

The following criteria must be met in order for the District to reimburse those employees eligible for tuition assistance, which applies only to undergraduate and graduate level courses:

- The degree program must receive written approval by the Executive Director, prior to attending.
- Prior to enrolling in each semester, the employee will submit the Education Assistance Application form to the Executive Director identifying the course(s) to be taken, the course description(s), cost, and dates/times of the course(s).
- Tuition eligible for assistance will be limited to six (6) credit hours per semester, subject to budget and not to exceed reimbursement of \$2,000 per fiscal year. The Executive Director has the authority to allow an additional three (3) credit hours in her sole discretion, provided that funding is available in the budget and the total reimbursement will not exceed \$2,000 during the fiscal year.
- Tuition costs and textbook costs assistance for college courses will be limited to the State of Florida cost per credit hour for Florida residents regardless of the institution attended; if the tuition is less than the applicable cost per credit hour, the remaining funds may be used for required textbooks.
- Employees may request reimbursement upon conclusion of the course(s) and receipt of the grade report by submitting proof of payment and a record of satisfactory completion of the class, indicated by at least a “C” for undergraduate or at least a “B” for graduate level classes to the Executive Director or designee within thirty (30) days of course completion. Failure to submit documentation for reimbursement within thirty (30) shall result in forfeiture of any reimbursement amounts.

Elective courses that are not job-related or required for the degree program are not eligible for assistance. Remedial courses are not eligible for assistance, unless required by the Executive Director. Other related materials are the responsibility of the employee.

If the employee drops out, fails to obtain the requisite grade, or does not complete the class, the District will not provide any reimbursement. Employees must take courses that will not interfere with their job responsibilities or their normal working hours. Education assistance will not be provided for mileage or other study materials. Employees taking college or university classes will not be paid for their time or travel time.

If an employee leaves the District for any reason, whether voluntary or involuntary, any tuition assistance paid by the District within one (1) year prior to leaving, must be refunded to the District by the employee, including through deductions from the final pay or payout of leave balances, in accordance with applicable law.

Continuing Education

With pre-approval by your Supervisor and the Executive Director, the District will pay tuition costs, required textbook costs, and hotel fees for field-related classes or conferences, including those for the attainment of certain professional or technical certifications or licenses (for example, attainment of a Florida water/wastewater operator license). The District will pay for one (1) test and one (1) retest only. This applies to license exams, GED, and/or related exams. If the employee drops out or does not complete the class, the costs related to the course will be deducted from their annual education budget. The employee may be paid for travel time and mileage for approved courses, conferences, and for CEU purposes.

Educational assistance will be subject to budgetary restraints. If an employee uses their entire

budgeted annual education amount, another person in their Department may donate some of their available education dollars, provided they have been employees for a minimum of two years.

Safety Committee members may attend safety-related conferences or classes, which shall not count against their allocated education assistance.

If an employee leaves the District for any reason, whether voluntary or involuntary, any continuing education assistance paid by the District within one (1) year prior to leaving, must be refunded to the District by the employee including through deductions from the final pay or payout of leave balances, in accordance with applicable law.

Additional Funding of Tuition Assistance or Continuing Education

On occasion, the cost of an individual's requested courses under tuition assistance, continuing education, or both, may exceed the \$2,000 threshold. In the event the Executive Director determines that such courses exceeding the threshold will benefit the District by completion during the current fiscal year, the Executive Director may authorize additional funds from the total budgeted amounts, provided it is confirmed in advance that other individuals will not be using their allotment of budgeted funds.

Workers' Compensation And Light Duty

Workers' compensation insurance is provided in accordance with Florida law. Work-related accidents and injuries, no matter how minor, must be reported to the employee's Supervisor immediately. Following a work-related injury, an employee is required to return to work as soon as possible. Failure to follow the District's well-established reporting procedures will result in disciplinary action. Employees should consult their Supervisors for detailed information on the District's workers' compensation coverage and reporting procedures.

At the time the workers comp leave begins, any accrued sick leave must be used to cover the absence and, once exhausted, then vacation leave must be used. However, if the leave becomes covered by the District's workers comp provider, sick leave must be used during the first seven (7) calendar days ("the waiting period") and, after the seventh day, employees may use any accrued and unused vacation leave to supplement workers comp up to the employee's regular base pay.

Sick and vacation leave benefits do not continue to accrue during any paid or unpaid leave of absence exceeding thirty (30) calendar days. This policy applies to all employees.

After medical attention, if the employee is released for regular or light duty, if available, as determined by the department, the employee shall obtain from the attending physician a certification that the employee can return to work, identifying any applicable restrictions. Employees shall be required to release all medical information relative to the injury to the District or its authorized agents. In addition, the employee shall be responsible for securing the necessary documentation to justify worker's compensation payments. In the case of an employee who has been released for light duty, said employee may be placed on light duty, if available and at the discretion of the Department Supervisor or in a temporary position consistent with the light duty conditions specified by the attending physician and at the employee's normal rate of compensation, until such time that the attending physician releases the employee for regular duty.

For purposes of this policy, “light duty” is defined as a temporary, short-term modification or adjustment in the employee’s regular job duties. Such an assignment permits the employee to continue to work for a limited time by making a temporary adjustment, where possible, including (but not limited to):

- Temporarily transferring some or all of the non-essential functions of the employee’s job to another employee on a temporary basis; or transferring the employee to another assignment on a temporary basis, if possible.

The District will only attempt to place an employee in a light duty assignment when it is expected that the employee will be able to return to his or her normal job assignment within a time period that does not adversely impact on the District’s ability to have the employees essential functions properly performed. Additionally, light duty assignments are made on a case-by-case basis in light of all the circumstances and are not guaranteed. Employees assigned to light duty under this policy will continue to receive their regular rate of pay.

The District reserves the right to evaluate the status of all employees assigned to light duty or reassigned to another position under this policy at any time to determine whether and when the employee will be able to return to his or her regular job duties.

Employees may be required to submit to a medical evaluation in accordance with the Workers’ Compensation process as part of this re-evaluation process.

If, at any time, the employee is not expected to be able to return to his or her regular job within a reasonable period of time, the employee will be subject to termination for inability to perform the essential functions of his or her job.

Notwithstanding any provision of this policy, the District and the employee/claimant shall retain all statutory rights under the Workers’ Compensation Statute.

An employee on leave or light duty resulting from an injury or accident compensable under workers’ compensation may also be eligible for reasonable accommodations or unpaid time away from work.

Note: The District will also attempt to place pregnant employees requesting light duty in a light duty assignment consistent with any restrictions and consistent with the policy above.

Employee Assistance Program

The District has adopted an Employee Assistance Program that offers three (3) hours of free counseling each year. Please also contact the Administrative Department for additional details. The District may also refer you to the EAP for performance-related issues.

COMPENSATION

Generally

The District's workweek begins on Monday at 12:01 a.m. and ends on the following Sunday at midnight. It is expected that exempt and non-exempt employees work 40 hours per workweek excluding lunch and meal breaks.

Employees are paid biweekly. The District requires direct deposit for all of its employees. Any changes due to holidays or other events that may interfere with this pay schedule will be announced in advance by the Administrative Department.

The District is required by law to make mandatory deductions from earnings. Amounts withheld may vary according to how much the employee earns, marital status, government employment regulations, and other factors. Mandatory withholdings include Medicare and social security, and any other taxes or deductions required to be withheld by state and/or federal law.

In addition to mandatory payroll deductions, the District is required by law to comply with certain court orders, liens, or wage assignments and to make payroll deductions pursuant to those orders.

The District assigns certain employees to work on a second or third shift operation. Such employees are not paid an additional amount per hour over and above the regular rate of pay for that job as a shift premium.

Governmental agencies are prohibited by state law from paying bonuses or extra compensation. The District does not pay bonuses or extra compensation.

Overtime

Generally

Department Supervisors should make every effort to maintain service level standards while keeping overtime use to a minimum. However, when overtime is worked, the District compensates employees for the overtime hours in accordance with applicable law.

Overtime Eligibility

All non-exempt employees shall be compensated for periods worked in excess of forty (40) hours worked per workweek, at a rate of one and one-half (1 and ½) times their regular straight-time rate of pay. Hours paid, but not worked, such as for vacation or sick leave, *do not* count toward hours worked for the calculation of overtime pay.

In lieu of overtime payments, the District may elect to provide Compensatory Time to the non-exempt employees as further outlined in the Compensatory Time section below.

Employees Not Eligible For Overtime

Generally, employees considered “exempt” from the minimum wage and overtime provisions of applicable law include those employees holding executive, administrative, learned professional, and outside sales positions, among others. Employees exempt from the overtime provisions of

applicable law are expected, as part of their responsibility, to work in excess of forty (40) hours per week from time to time as required by special circumstances. Exempt employee salaries are designed to cover all hours worked, including any hours in excess of forty (40) in any given workweek. Exempt employees *do not* receive overtime compensation or compensatory time off relating to hours worked. Employees at the District who are unsure of their status as an exempt or non-exempt employee should ask their immediate Supervisor or the Administrative Department.

Prior Approval Required

All overtime work must be approved by the Department Supervisor or the Executive Director, or their designee.

Compensatory Time

Defined

In lieu of overtime compensation, the District may elect to provide Compensatory Time to the non-exempt employee in accordance with applicable law. A choice of overtime or compensatory time should be reached prior to the performance of the assigned overtime.

Fair Labor Standards Act (FLSA) statement:

Compensatory Time: Under certain prescribed conditions, employees of State or local government agencies may receive compensatory time off, at a rate of not less than one and one-half hours for each overtime hour worked, instead of cash overtime pay. An employee must be permitted to use compensatory time on the date requested unless doing so would “unduly disrupt” the operations of the agency.

Accrual

Compensatory time off shall be accrued at a rate equal to one and one-half (1 and 1/2) hours of compensatory time for each hour of overtime worked. Non-exempt employees may accrue up to 60 hours of compensatory time.

While exempt employees do not earn or accrue compensatory time off or overtime, the Executive Director, in his or her sole discretion, may grant other time off to exempt employees in recognition of extraordinary efforts, such as storm events or other emergencies.

Record Keeping

Department Supervisors are responsible for keeping individual logs for each employee, which lists the date, number of hours, and reason for all Compensatory Time. Compensatory Time earned and used shall also be reported as part of the employee’s regular time sheet. Finally, employees using Compensatory Time shall complete a request for leave form and have that form submitted and approved by their Department Supervisor prior to the use of compensatory time.

When Taken

Accrued Compensatory Time may be taken by the employee at times mutually agreeable to the employee and the Department Supervisor. Generally, an employee will be able to take Compensatory Time, unless doing so would unduly disrupt the operations of the District.

Accrued Compensatory Time must be taken by the employee within six (6) months from the date

it was accrued provided that it will not create an undue hardship for the Department or District. The leave will be taken at times mutually agreeable to the employee and the Department Supervisor. Any exceptions to this policy must be approved in writing by the Executive Director. If the employee is unable to use the compensatory time off, or taking such time would unduly disrupt District operations, during the six (6)-month period, the District shall make payment of the earned and unused compensatory time off in the next payroll cycle after such determination is made.

Application and Payout

The District reserves the right to pay out compensatory time, in its sole discretion and judgment, at any time. Additionally, overtime pay, instead of compensatory time, may be paid to employees in the District's sole discretion and judgment. Compensatory time off will not be included in "hours worked" for purposes of calculating additional overtime (or compensatory time).

Termination of Employment

Any non-exempt employee leaving the District shall be compensated for compensatory time accrued and unused as of the date of separation at the employee's straight-time rate of pay in accordance with applicable law.

Call Back Pay

Occasionally, you may be asked to return to work after you have left the premises for the day or on a holiday. If this occurs more than one (1) hour after you ended your work or on a holiday where you were not scheduled to work, you will be guaranteed a minimum of two (2) hours pay in connection with such call back time. If you work longer than two (2) hours, you will be paid for the time you actually work. Total paid time cannot exceed actual time, except for the two (2) hour minimum. You must clock in and out for work after hours or on holidays unless it is an emergency, which requires immediate response (for example, chlorine leaks, etc.). In the case of emergency, you should note your beginning and start time to ensure accurate recording of actual time worked, and advise your Supervisor as soon as possible. When the call back occurs on a holiday, employees will be paid Call Back pay at the rate of 1.5 times the regular rate of pay.

Cost of Living Adjustment

The District may provide a cost-of-living adjustment on October 1st based on a pre-determined formula. A cost-of-living adjustment, if any, will impact both exempt and non-exempt employees and is subject to approval of the Board of Commissioners during the budgeting process. Wages shall not be adjusted downward based on the cost-of-living formula.

Emergency Pay

Eligible employees, whether exempt or non-exempt, may be eligible for Emergency Pay when a state of emergency has been declared by the Executive Director. Typically, the Executive Director declares an emergency for purposes of this policy in conjunction with State or Federal declared emergencies. This policy is compliant with Florida Statute Section 215.425 and is adopted in order to better provide for the public health, safety and welfare during a state of emergency by encouraging all employees required to report to work during such state of emergency to protect the works and facilities of the District in a timely manner.

The Executive Director shall designate those positions and/or employees as Essential Employees who are required to report to work during all or part of a declared emergency and who may be expected to return to work prior to non-essential employees or prior to the District re-opening for business at the conclusion of a declared emergency. The Executive Director has the authority to cancel previously approved vacation leave. If an employee is already on approved vacation leave when an emergency is declared, the employee must make every effort to check in with his or her supervisor for further instructions and may be required to report to work.

All hours compensated during a declared emergency must be tracked on electronic or designated timesheets, whether the employee is exempt or non-exempt. In the event the Executive Director engages in disaster-related Emergency Work, the Executive Director is also eligible for emergency pay and shall submit a timesheet to the Board Chair or designee for review and approval.

Eligible employees include all full-time employees who are deemed Essential Employees by the Executive Director and who are required to perform disaster-related Emergency Work, which includes protective measures and debris removal designed to save lives, protect public health and safety, protect improved property, or eliminate or lessen an immediate threat of additional damage. Emergency Work may include permanent restoration work.

Debris removal activities include, but are not limited to, clearance, removal and disposal of vegetative debris, construction and demolition debris, sand, mud, silt, gravel, rocks, boulders, vehicle and vessel wreckage designed to: eliminate the threat to lives, public health, and safety; or, eliminate immediate threats of significant damage to improved public or private property for which the District has a legal obligation to maintain.

Emergency Protective Measures are those conducted before, during and after an incident where such work eliminates or lessens the immediate threats to lives, public health, safety or significant damage to improved public or private property in a cost-effective manner. Examples of Emergency Protective Measures designed to save lives and protect public health and safety include, but are not limited to: transporting and pre-positioning equipment and other resources for response; flood fighting; emergency Operation Center (EOC)-related costs; emergency access; supplies and commodities; safety inspections; animal carcass removal (which may also be considered debris removal); demolition of structures; security, such as barricades, fencing; use or lease of temporary generators for facilities that provide essential community services; and, dissemination of information to the public to provide warnings and guidance about health and safety hazards using various strategies, such as flyers, public service announcements, or newspaper campaigns.

Permanent restoration work may include roads and bridges, drainage infrastructure, canals, swales, water control facilities, some buildings and equipment, utilities, parks, recreational facilities and other items.

Exempt employees:

Exempt full-time employees who are deemed Essential Employees shall receive Emergency Pay at their hourly rate under the circumstances outlined herein. This hourly rate shall be in addition to the employee's regular salary.

Because exempt employees are paid on a salary basis, the hourly rate is defined as the employee's annual salary divided by 2080. The employee's annual salary for the purposes of this calculation shall be the employee's annual salary at the time the disaster-related Emergency Work was performed.

Emergency Pay shall only be authorized by the Executive Director for hours worked performing Emergency Work during a declared emergency. This may occur during the workweek. Paid or unpaid time off under any of the District's leave policies shall not be considered hours worked.

Any Emergency Pay made as part of this policy shall not be construed to alter the exempt status of the employee. Regardless of any Emergency Pay made pursuant to this policy, each exempt employee is guaranteed his or her regular salary, which is at least \$684.00 per week, pursuant to 29 C.F.R. Section 541.604(a), as amended from time to time.

Exempt employees who are scheduled to work but are not required to work during the declared emergency (Non-essential employees) may be released from duty and shall be paid their regular salary (Emergency Closing Leave) during the declared emergency for the remainder of the work week in which the emergency was declared. Thereafter, Non-essential exempt employees may be paid up to the maximum of their regular salary during the following work week if the emergency continues and the Executive Director authorizes Emergency Closing Leave.

Exempt employees who have a normal scheduled day off during the emergency period, will not be paid additional hours for their normal day off. Employees with previously scheduled and approved vacation or sick leave who are not required to work shall be paid according to the applicable leave time policy.

Non-Exempt Employees (hourly):

The Emergency Pay for Essential Employees shall be calculated beginning in the workweek during which a state of emergency is declared by the Executive Director.

Emergency Pay shall be calculated at 2 times the employee's regular rate of pay. Emergency Pay shall only be authorized by the Executive Director for hours worked performing Emergency Work during a declared emergency. Paid or unpaid time off under any of the District's leave policies shall not be considered hours worked. There will be no duplication or pyramiding of overtime or premium pay for the same hours worked.

When the Executive Director declares an emergency and closes non-essential District operations, non-exempt full-time employees who are regularly scheduled to work, but who are not required to work during the declared emergency (Non-essential employees), may be released from duty and will be paid the regular rate of pay (Emergency Closing Leave) for the period of the declared emergency for hours normally scheduled, but not worked (not to exceed 80 hours) if the emergency continues and the Executive Director authorizes Emergency Closing Leave.

Non-exempt employees who have a normal scheduled day off during the emergency declaration will not be paid for those hours. Non-exempt Employees with previously scheduled and approved vacation or sick leave who are not required to work will be paid according to the applicable leave

time policy. Emergency Closing Leave pay does not count toward overtime calculations.

Payroll Adjustments

During a declared emergency, the District may process payroll based on estimated scheduled hours. Any adjustments in pay, if required, may be made in a subsequent pay period. Hourly employees will be paid for their regularly scheduled hours based on their standard workweek or schedule.

Emergencies Declared Resulting from Public Health Crisis

During an emergency declared by the District resulting from a Public Health Crisis the Employee Emergency Pay policy above does not apply. The Executive Director is authorized to temporarily modify, waive or suspend applicable policies within the Manual, including those related to wages or paid/unpaid leave, in the interest of employee and public health, safety and welfare, in coordination with legal review. The Executive Director will notify the Board of such modifications, waivers or suspensions within a reasonable period of time under the circumstances.

In the event that inclement weather, power/utility failure, fire, flood or some other "Act of God" keeps us from operating, you will receive your regular pay for up to a maximum of three workdays, provided the District officially declares that it is closed for that time. Every effort will be made to provide you with advance notice in the event we will be closed.

Standby/On-Call Pay

Each week, one employee in the Water Department, one licensed Water Operator, one employee in the Wastewater Collection Department, and one employee in the Maintenance Department will be assigned to "standby" status to handle any after-hours service calls. They will receive "standby" pay in the amount of \$100.00 per week and will be paid at a rate of one and one-half (1-1/2) times their regular pay rate if they exceed forty (40) hours during the week. An employee who is on "standby" will receive Holiday pay for a call out if a District holiday falls within their week and they are called out on the holiday, regardless of the number of hours they may work that work week.

If the "standby" employee is called out after normal work hours, they will receive a minimum of one (1) hour pay if they complete the call in less than one (1) hour. Additionally, if the call takes less than one (1) hour and the employee receives other calls within that same hour and completes the call(s) within the one (1) hour timeframe, they will be paid a minimum of one (1) hour. Total paid time cannot exceed actual time, except for the one (1) hour minimum. Employees must clock in for work after hours unless it is an emergency, which requires immediate response.

In the event an employee fails to respond to a call out, they will be disciplined for insubordination. The employee on “standby” will have the right to take a District vehicle home during “standby” time. In the event the employee on “standby” needs additional assistance, they will call the Supervisor. The Supervisor will assess the situation and have the authority to call in additional staff as needed. Under this provision an employee should notify the Administrative Department if their driving status changes.

Timekeeping

Employees are expected to report to their designated workspaces at their designated start time. Employees who are late for work, and as such, clock in late, will not be paid for the time in which they did not work. Excessive incidents of tardiness will be treated as a disciplinary issue.

All non-exempt employees (except for designated Operators) are required to clock out for meal breaks and must clock in at the end of a meal break. All meal breaks must be at least thirty (30) minutes, without exception, and not exceeding one (1) hour. During meal breaks, non-exempt employees are not permitted to perform any work. All meal breaks must be entered in time and attendance prior to submitting for payroll. The time in which meal breaks are scheduled will vary among Departments, depending on business and operational needs. Please contact your Supervisor.

The District allows non-exempt employees two (2) paid fifteen (15) minute rest breaks each day. Normally, these rest breaks will be scheduled in mid-morning and mid-afternoon. These times will be determined by your Supervisor. Employees should not clock out during these periods.

All non-exempt employees must also clock out during absences from the workplace due to medical appointments, dental appointments, to attend to personal affairs, eat lunch, *etc.* Employees are required to keep their Supervisor aware of any departure and absence during the workday.

All non-exempt employees are required to clock out at the end of the workday. Employees may not continue to work after they clock out. If additional work is required, the employee must get permission from their Supervisor and must clock back in to ensure time records reflect actual time worked.

In the event an employee is unable to clock in or out, for any reason, he or should contact an appropriate Supervisor immediately. Employees who fail to clock in and out properly and accurately reflect all hours worked shall be subject to disciplinary action.

While not required under applicable law, the District requires exempt employees to also clock in and out for record-keeping purposes. Exempt employees are not required to clock out for lunch; however, meal breaks are not counted as part of the standard 8-hour workday.

Work Performed On District Holidays

Full-time, regular, non-exempt employees who work on a District holiday will receive Holiday Pay at a rate of one and one-half (1-1/2) times their regular pay rate regardless of the number of hours they work that work week. Additionally, the employees who work on a District-designated holiday will receive eight (8) hours of time off to be used during the same workweek in observance of the holiday on an alternate date.

ENDING EMPLOYMENT WITH THE DISTRICT

Separation Of Employment

Separation of employment within an organization can occur for several different reasons.

Resignation: Although we hope your employment with us will be a mutually rewarding experience, we understand that varying circumstances cause employees to voluntarily resign employment. Resigning employees are encouraged to provide two (2) weeks' notice, preferably in writing, to facilitate a smooth transition out of the organization. Management reserves the right to relieve an employee of all duties prior to the end of the notice period. In this situation an employee will be paid through the last day actually worked. If an employee provides less notice than requested, the employer may deem the individual to be ineligible for rehire depending on the circumstances regarding the notice given.

Retirement: Employees who wish to retire are required to notify their Department Supervisor and the Administrative Department in writing at least (1) month before planned retirement date.

Job abandonment: Employees who fail to report to work or contact their Supervisor for three (3) consecutive workdays shall be considered to have abandoned the job without notice, effective at the end of their normal shift on the third day. The Supervisor shall notify the Administrative Department at the expiration of the third workday and initiate the paperwork to separate the employee. Employees who are separated due to job abandonment are ineligible for rehire.

Death:

In the event of the death of an employee, the last day of employment shall be the date of death. Any wages or travel expenses due through the date of death shall be payable in accordance with Florida Statute Section 222.15 as amended from time to time. For purposes of calculating the payment of wages due, the District shall also make payment on any accrued and unused vacation in accordance with those policies in effect on the date of death.

Termination: Employees of the District are employed on an at-will basis, and the District retains the right to terminate an employee at any time without prior notice or cause.

Reductions In Force

If it is necessary for the District to undergo a reduction in force, employment decisions regarding layoffs, demotions, *etc.*, will be based upon the business needs of the District as determined in its sole discretion.

Return Of District Property

The separating employee must return all District property at the time of separation, including but not limited to, tools, uniforms, remotes, cell phones, keys, PC and identification cards. The Administrative Department or designee shall document the return of all property. Failure to return some items may result in deductions from the final paycheck in accordance with applicable wage and hour laws. An employee will be required to sign the Wage Deduction Authorization Agreement to deduct the allowable costs of such items from the final paycheck.

Exit Interview

Employees resigning or retiring from employment shall contact the Administrative Department as soon as notice is given to schedule an exit interview. The interview will be on the employee's last day of work or another day, as mutually agreed upon.

Payments Due At Separation

Employees will be paid all hours worked through the last day of employment. Accrued and unused vacation leave will be paid in the last paycheck up to a maximum of 280 hours. Employees will not receive accrued, unused sick leave upon termination.

Health Insurance Coverage After Separation From Employment

Health insurance terminates on the last day of the month in which the separation occurs, unless an employee requests immediate termination of benefits. Information for Consolidated Omnibus Budget Reconciliation Act (COBRA) continued health coverage will be provided. Employees will be required to pay their share of the dependent health and dental premiums through the end of the final month of employment.

Optional vision and dental insurance terminate on the last day of the month in which the separation occurs.

Eligibility For Rehire

Former employees who left the District in good standing and were classified as eligible for rehire may be considered for reemployment. An application must be submitted to the Administrative Department, and the applicant must meet all minimum qualifications and requirements of the vacant position, including any qualifying exam, when required.

Rehired employees begin benefits just as any other new employee.

An applicant or employee who is terminated for violating policy or who resigned in lieu of termination from employment due to a policy violation is generally ineligible for rehire.

Reference Inquiries

All inquiries about current or former employees or requests for verification of employment made by outside entities to the District must be referred to the Administrative Department. The District will only provide the employee's length of employment and job title in response to any such request, unless otherwise required by law or regulation or written approval from the employee is obtained. Employees should refrain from writing letters of reference in their capacity as District employees. Employees are prohibited from using District letterhead and resources to write any letter of reference.

RECEIPT AND ACCEPTANCE OF EMPLOYEE MANUAL

I have received a copy of the District's Employee Manual and have had adequate time to review and ask questions concerning the policies herein. I understand that I am responsible for reading the policies and practices described within it and abiding by them.

I AGREE TO ABIDE BY THE POLICIES AND PROCEDURES CONTAINED IN THIS EMPLOYEE MANUAL. I UNDERSTAND THAT THE POLICIES, PROCEDURES AND BENEFITS CONTAINED IN THIS MANUAL MAY BE ADDED TO, DELETED, OR CHANGED BY THE DISTRICT AT ANY TIME. I UNDERSTAND THAT NEITHER THIS MANUAL NOR ANY OTHER WRITTEN OR VERBAL COMMUNICATION BY ANY EXECUTIVE DIRECTOR OR OTHER DISTRICT OFFICIAL IS INTENDED TO IN ANY WAY CREATE A CONTRACT OF EMPLOYMENT.

I UNDERSTAND THAT MY EMPLOYMENT IS AT-WILL, WHICH PERMITS THE DISTRICT TO TERMINATE THE EMPLOYMENT RELATIONSHIP AT ANY TIME, FOR ANY REASON, WITH OR WITHOUT NOTICE. NOTHING IN THIS MANUAL IS INTENDED TO GUARANTEE EMPLOYMENT FOR A SPECIFIC DURATION.

If I have any questions regarding the content or interpretation of this Manual, I will bring them to the immediate attention of the Executive Director or the Administrative Department.

NAME _____

DATE _____

EMPLOYEE SIGNATURE _____