

Table of Contents

000 – GENERAL PROVISIONS	10
POLICY 001 - FUNCTIONS OF THIS MANUAL	11
001:1 GENERAL PROVISIONS	11
001:2 CONFLICT WITH STATUTES	11
POLICY 002 - EMPLOYMENT AT-WILL	12
002:1 GENERAL PROVISIONS	12
POLICY 003- CODE OF EMPLOYER-EMPLOYEE RELATIONS	13
003:1 GENERAL PROVISIONS	13
POLICY 004 - PERSONNEL RECORDS	14
004:1 EMPLOYMENT RECORDS	14
004:2 INSPECTION OF PERSONNEL RECORDS.....	14
004:3 REPORTS	15
POLICY 005 - SOLICITATION AND DISTRIBUTION	16
005:1 GENERAL PROVISIONS	16
100 – EMPLOYEE BEHAVIOR	17
POLICY 101 - BEHAVIOR OF EMPLOYEES	18
101:1 GENERAL PROVISIONS	18
POLICY 102 - ATTENDANCE AND PUNCTUALITY	19
102:1 GENERAL PROVISIONS	19
POLICY 103 - PERSONAL APPEARANCE OF EMPLOYEES	20
103:1 GENERAL PROVISIONS	20
POLICY 104 -TOBACCO-FREE WORKPLACE	21
104:1 DEFINITIONS.....	21
104:2 GENERAL PROVISIONS	21
104:3 VIOLATIONS	21
104:4 TOBACCO USE CESSATION PROGRAMS.....	22
POLICY 105 - DRUG-FREE WORKPLACE	23
105:1 SCOPE	23
105:2 DEFINITIONS.....	23
105:3 POLICY OBJECTIVES	24
105:4 ADMINISTRATION	24
105:5 TYPES OF TESTS	24
105:6 DRUG-FREE AWARENESS PROGRAM	25

105:7 ASSISTANCE IN OVERCOMING ILLEGAL DRUG USE OR CONTROLLED SUBSTANCE ABUSE	25
105:8 AUTHORIZED USE OF PRESCRIBED MEDICINE	26
105:9 LIST OF DRUGS	26
105:10 CONSULT THE LABORATORY	26
105:11 RIGHT TO APPEAL.....	26
105:12 CONFIDENTIALITY	26
105:13 WORKERS' COMPENSATION	26
105:14 ALCOHOL USE OR POSSESSION ON COUNTY PREMISE.....	26
105:15 ALCOHOL OR DRUG ASSISTANCE PROGRAMS	26
105:16 PROHIBITIONS.....	27
105:17 GROUNDS FOR TERMINATION OR DISCIPLINE	27
200 – SAFETY AND ETHICS	28
POLICY 201 - WORKPLACE SAFETY	29
201:1 SAFETY	29
POLICY 202 - WORKPLACE VIOLENCE	31
202:1 VIOLENCE DEFINED.....	31
202:2 RESPONSIBILITIES.....	31
202:3 INVESTIGATION OF ALLEGATIONS	31
202:3(a) INVESTIGATION ASSIGNMENT AND PROCEDURE	31
202:3(b) COOPERATION AND CONFIDENTIALITY.....	32
202:3(c) RETALIATION PROHIBITED	32
POLICY 203 - HARASSMENT POLICY	33
203:1 POLICY	33
203:2 DEFINITION.....	33
203:3 SEXUAL HARASSMENT	33
203:4 EXAMPLES OF OTHER INAPPROPRIATE BEHAVIOR.....	33
203:5 INTERNAL COMPLAINT PROCEDURES.....	34
203:5(a) REPORTING COMPLAINTS	34
203:5(b) INVESTIGATION OF ALLEGATIONS	34
203:5(c) COOPERATION & CONFIDENTIALITY	35
203:5(d) RETALIATION PROHIBITED.....	35
203:5(e) KNOWINGLY FALSE COMPLAINTS/ACCUSATIONS	35
203:6 HARASSMENT AVOIDANCE TRAINING	35
POLICY 204 - CODE OF ETHICS.....	36
204:1 GENERAL PROVISIONS	36

204:2 GIFTS TO COUNTY EMPLOYEES	36
204:3 CONFLICTS OF INTEREST	36
204:4 POLITICAL ACTIVITIES AND UNLAWFUL ACTS.....	37
204:5 ADMINISTRATION OF THE CODE OF ETHICS.....	37
POLICY 205 - EQUAL EMPLOYMENT OPPORTUNITY	38
205:1 GENERAL PROVISIONS	38
205:2 EMPLOYMENT.....	38
205:3 REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES.....	39
205:4 AGE DISCRIMINATION.....	39
205:5 COMPLAINTS	40
POLICY 206 - AMERICANS WITH DISABILITIES NON-DISCRIMINATION POLICY	41
206:1 GENERAL PROVISIONS	41
206:2 COMPLAINTS	41
POLICY 207 - DISCRIMINATION COMPLAINT.....	42
207:1 PROCEDURES	42
207:2 RECORDS	42
300 - ELECTRONIC SYSTEMS, TECHNOLOGY, AND COMMUNICATIONS	43
POLICY 301 - USE OF COMMUNICATION SYSTEMS AND TECHNOLOGY	44
301:1 GENERAL PROVISIONS	44
301:2 PERSONAL USE OF COUNTY TECHNOLOGY	44
POLICY 302 - ELECTRONIC MESSAGES	46
302:1 SCOPE	46
302:2 ELECTRONIC MESSAGES	46
302:2(a) FOR THOSE HAVING AN ASSIGNED COUNTY E-MAIL ADDRESS.....	46
302:2(b) FOR THOSE NOT HAVING AN ASSIGNED COUNTY E-MAIL ADDRESS.....	46
POLICY 303 - SOCIAL MEDIA POLICY	48
303:1 SCOPE	48
303:2 COUNTY-SPONSORED SOCIAL MEDIA	48
303:3 COVERED PERSON'S PERSONAL SOCIAL MEDIA	48
400 - EMPLOYMENT	50
POLICY 401 - HIRING	51
401:1 GENERAL PROVISIONS	51
401:2 PERSONNEL REQUISITIONS.....	52
401:3 VETERAN PREFERENCE	52
401:4 RECRUITING	53
401:5 PRIVATE EMPLOYMENT AGENCIES	54

401:6 JOB POSTING	54
401:7 ADVERTISING.....	55
POLICY 402 - APPLICANTS FOR EMPLOYMENT.....	56
402:1 GENERAL PROVISIONS	56
402:2 PROCEDURES	56
402:3 INTERVIEW	57
402:4 OTHER PERSONNEL SERVICES (OPS).....	57
402:5 CONDITIONAL OFFER OF EMPLOYMENT AND PROCESSING.....	58
402:6 PHYSICAL EXAMINATION.....	58
402:7 E-VERIFY.....	59
POLICY 403 - APPOINTMENT	60
403:1 APPOINTMENT TYPES.....	60
403:2 ORIGINAL APPOINTMENTS	60
403:3 REINSTATEMENT	61
403:4 PROMOTION	61
403:5 DEMOTION	62
403:6 POSITION OVERLAP.....	62
POLICY 404 - NEPOTISM & FRATERNIZATION	63
404:1 NEPOTISM.....	63
404:2 FRATERNIZATION.....	63
POLICY 405 - JOB CLASSIFICATIONS.....	64
405:1 GENERAL PROVISIONS	64
405:2 PAY GRADES.....	64
405:3 JOB DESCRIPTIONS.....	65
405:4 RECLASSIFICATION	65
405:5 LEAD WORKERS	66
405:6 HAZMAT AND TECHNICAL RESCUE PAY	66
405:7 FIRE RESCUE	66
POLICY 406 - WHITE COLLAR EXEMPTION	68
406:1 GENERAL PROVISIONS	68
406:2 PERMISSIBLE EXEMPT SALARY DEDUCTIONS.....	68
406:3 COMPLAINT PROCEDURE.....	69
POLICY 407 - LATERAL TRANSFER	70
407:1 GENERAL PROVISIONS	70
POLICY 408 - REASSIGNMENT	71
408:1 GENERAL PROVISIONS	71

POLICY 409 - SECONDARY EMPLOYMENT	72
409:1 GENERAL PROVISIONS	72
409:2 PROCEDURE	72
409:3 APPROVAL AND CANCELLATION	72
409:4 ADDITIONAL CONDITIONS	72
POLICY 410 - SUPPLEMENTAL WORKFORCE	74
410:1 GENERAL PROVISIONS	74
410:2 PART-TIME EMPLOYEES (NON-OPS)	74
POLICY 411 - VOLUNTEER	75
411:1 GENERAL PROVISIONS	75
411:2 DEFINITION.....	75
411:3 PROCEDURES	75
411:4 TRAINING	75
411:5 SUPERVISION	76
411:6 REPORTING REQUIREMENTS.....	76
411:7 PERSONAL INJURY.....	76
411:8 DAMAGE TO VOLUNTEER PROPERTY	76
411:9 DRIVING	76
411:10 DAMAGE TO PRIVATE PROPERTY	76
POLICY 412 - LAYOFF POLICY	77
412:1 GENERAL PROVISIONS	77
POLICY 413 - SEPARATION OF EMPLOYMENT	78
413:1 GENERAL PROVISIONS	78
413:2 ADMINISTRATIVE SEPARATION.....	78
413:3 RUNNING FOR PUBLIC OFFICE	79
POLICY 414 - RETIREMENT	80
414:1 GENERAL PROVISIONS	80
500 – THE WORKPLACE	81
POLICY 501 - ORIENTATION AND TRAINING	82
501:1 GENERAL PROVISIONS	82
POLICY 502 - PROBATIONARY PERIOD	83
502:1 GENERAL PROVISIONS	83
POLICY 503 - HOURS OF WORK	84
503:1 GENERAL PROVISIONS	84
503:2 WORK SCHEDULES.....	84
503:3 MEAL AND BREAK PERIODS	84

503:4 HOURS NOT WORKED	85
503:5 TRAINING AND OFFSITE WORK.....	85
POLICY 504 - OVERTIME, COMPENSATORY TIME, AND SHIFT DIFFERENTIAL	86
504:1 OVERTIME	86
504:2 COMPENSATORY TIME	86
POLICY 505 - ALTERNATIVE WORK ARRANGEMENTS.....	88
505:1 GENERAL PROVISIONS	88
505:2 REMOTE WORK PROGRAM	89
POLICY 506 - TIMESHEETS AND RECORD KEEPING.....	93
506:1 GENERAL PROVISIONS	93
POLICY 507 - EDUCATIONAL ASSISTANCE.....	94
POLICY 508 - EMPLOYEE AWARDS.....	95
508:1 YEARS OF SERVICE AWARDS.....	95
508:2 EMPLOYEE OF THE QUARTER AWARDS.....	95
POLICY 509 - EMPLOYEE REFERRAL PROGRAM POLICY.....	97
509:1 ELIGIBILITY AND PARTICIPATION	97
509:2 REFERRAL AMOUNT	97
509:3 ADMINISTRATION OF REFERRAL BONUS PROGRAM.....	97
600 - LEAVE	99
POLICY 601 - SICK LEAVE	100
601:1 GENERAL PROVISIONS	100
601:2 SICK LEAVE ACCRUAL GENERAL.....	100
601:3(a) SICK LEAVE ACCRUAL.....	101
601:3(b) SICK LEAVE ACCRUAL	101
601:4 AUTHORIZED USES OF SICK LEAVE.....	101
601:5 WHEN SICK LEAVE IS EXHAUSTED	101
601:6 SICK LEAVE REIMBURSEMENT	102
601:7 TRANSFER OF SICK LEAVE UPON SEPARATION	102
POLICY 602 - SICK LEAVE POOL.....	104
602:1 REQUIREMENTS	104
602:2 JOINING THE SICK LEAVE POOL.....	104
602:3 CONDITIONS	104
602:4 SICK LEAVE POOL COMMITTEE	105
POLICY 603 - ANNUAL LEAVE.....	106
603:1 GENERAL PROVISIONS	106
603:2(a) EARNING ANNUAL LEAVE	107

603:2(b) EARNING ANNUAL LEAVE	107
603:3 ANNUAL LEAVE PAYOUT	108
POLICY 604 - HOLIDAYS	109
604:1 GENERAL PROVISIONS	109
604:2 FLOATING HOLIDAY.....	110
POLICY 605 - LEAVE OF ABSENCE	111
605:1 GENERAL PROVISIONS	111
605:2 BENEFITS COVERAGE DURING LEAVE	111
POLICY 606 - FAMILY MEDICAL LEAVE	112
606:1 GENERAL PROVISIONS	112
606:2 REASONS FOR LEAVE AND CONDITIONS/RESTRICTIONS	112
606:3 TRACKING AND AVAILABILITY OF LEAVE.....	113
606:4 REQUESTS FOR LEAVE.....	113
606:5 NOTICE OF LEAVE	114
606:6 MEDICAL CERTIFICATION OF LEAVE	115
606:7 BENEFITS COVERAGE DURING LEAVE	115
606:8 RESTORATION OF EMPLOYMENT	116
606:9 CONTACT AND COMMUNICATION GUIDELINES	116
606:10 RETURN FROM LEAVE.....	116
606:11 FAILURE TO RETURN FROM LEAVE.....	117
606:12 RELATIONSHIP TO THE AMERICANS WITH DISABILITIES ACT	117
POLICY 607 - MILITARY FAMILY MEDICAL LEAVE.....	118
607:1 GENERAL PROVISIONS	118
607:2 MILITARY CAREGIVER LEAVE	118
607:3 MILITARY EXIGENCY LEAVE	118
POLICY 608 - DOMESTIC VIOLENCE LEAVE	121
608:1 QUALIFYING FOR DOMESTIC VIOLENCE LEAVE	121
POLICY 609 - ADMINISTRATIVE LEAVES.....	122
609:1 BEREAVEMENT	122
609:2 COURT APPEARANCES	122
609:3 VOTING	123
609:4 EXAMINATIONS.....	123
609:5 MILITARY DUTY LEAVE.....	123
POLICY 610 - WORKERS' COMPENSATION LEAVE	124
610:1 GENERAL PROVISIONS	124
610:2 RETURN AFTER WORKERS COMPENSATION LEAVE	125

610:3 FAILURE TO RETURN AFTER WORKERS COMPENSATION LEAVE	125
700 – PAY PRACTICES	126
POLICY 701 - SALARY ADMINISTRATION	127
701:1 GENERAL PROVISIONS	127
701:2 OUT-OF-CLASS STATUS	127
701:3 DESIGNEE PAY	128
POLICY 702 - PERFORMANCE EVALUATIONS	129
POLICY 703 - PAY PROCEDURES	130
703:1 GENERAL PROVISIONS	130
703:2 CALLBACK AND STANDBY PAY	130
703:3 PROCESSING PAYROLL DURING A STATE OF LOCAL EMERGENCY AND DECLARED DISASTER	131
POLICY 704 - PAY FOR WORK DURING EMERGENCIES OR DISASTERS	132
704:1 GENERAL PROVISIONS	132
POLICY 705 - PAY RAISES	133
705:1 GENERAL PROVISIONS	133
705:2 COST OF LIVING ADJUSTMENT	133
705:3 PERFORMANCE-BASED MERIT INCREASE	133
705:4 INCENTIVE INCREASE	134
705:5 MERIT LEAVE	135
705:6 SPECIAL SALARY ADJUSTMENT	136
705:7 PAY ON PROMOTION	136
705:8 MAXIMUM RATE OF PAY	136
705:9 LESS THAN SATISFACTORY PERFORMANCE	136
705:10 LONGEVITY PAY	136
800 – CORRECTIVE ACTION PROCESS	137
POLICY 801 - EMPLOYEE BEHAVIOR AND STANDARDS OF CONDUCT	138
801:1 GENERAL PROVISIONS	138
801:2 GROUP 1 OFFENSES	138
801:3 GROUP 2 OFFENSES	139
POLICY 802 - CORRECTIVE ACTION AND DISCIPLINARY PROCEDURE	141
802:1 GENERAL PROVISIONS	141
802:2 DISCIPLINARY PROCEDURES	141
802:3 AUTHORIZATION OF DISCIPLINARY ACTIONS	142
POLICY 803 – GRIEVANCE	143
803:1 GENERAL PROVISIONS	143

803:2 INITIAL GRIEVANCE/COMPLAINT.....	143
803:3 GRIEVANCE MEETING	143
803:4 TIME LIMITS	144
900 – ACCESS TO COUNTY PROGRAMS CITIZENS RELATIONS.....	145
POLICY 901 – CITIZEN RELATIONS.....	146
901:1 GENERAL PROVISIONS	146
POLICY 902 - TITLE VI / NONDISCRIMINATION.....	147
902:1 COMPLAINT PROCEDURES.....	147
POLICY 903 - LIMITED ENGLISH PROFICIENCY	148
903:1 LIMITED ENGLISH PROFICIENCY PLAN.....	148
903:2 DATA COLLECTION.....	149
903:3 ASSURANCES	150
903:4 COMPLAINTS	150
POLICY 904 - AMERICANS WITH DISABILITIES (ADA).....	151
904:1 GRIEVANCE PROCEDURES UNDER THE AMERICAN WITH DISABILITIES ACT ...	151
904:2 NOTICE UNDER THE AMERICAN WITH DISABILITIES ACT.....	152
1000 – FIRE RESCUE POLICIES.....	154
POLICY 1001 – FIRE RESCUE SHIFT TRADE/SUBSTITUTION	155
1001:1 GENERAL PROVISIONS.....	155
1001:2 REQUIREMENTS FOR AUTHORIZATION.....	156
Secondary Employment Form	158
Performance Evaluation Forms	159
Employee Warning Report Form	160
Annual Leave Payout Form	161
Employee Bid Form	162
Educational Assistance Form.....	163
Grievance Form	164
Employee Referral Form.....	165
Employee Referral Form.....	167
Special Annual Leave Payout Form	168
Temporary Remote Work Agreement	169
DEFINITIONS.....	170
INDEX	173

000 – GENERAL PROVISIONS

POLICY 001 - FUNCTIONS OF THIS MANUAL

It is the policy of the Highlands County Board of County Commissioners (Board), that this manual is designed and intended to be used as a working outline of the basic personnel policies, practices, and procedures for the organization. This manual is not intended, nor shall it be construed, to alter the employment at-will relationship in any way. For further details on employment at-will, refer to [Policy 002, Employment At-Will](#). The primary purpose of this manual is to ensure that employees of Highlands County are dealt with in a consistent and fair manner, and that all personnel policies and practices are applied evenly.

001:1 GENERAL PROVISIONS

1. This manual contains general statements of Board policy designed to serve as a framework. It should not be read as including the fine details of each procedure or as forming an express or implied contract or promise that the policies discussed in it will be applied in all cases. The Board may add, revoke or modify policies in this manual as needed; with or without notice.
2. Employees are encouraged to submit suggestions to Human Resources when policies need to be amended or changed to reflect the current working conditions and/or practices.
3. Human Resources is responsible for recommending, developing, revising, and implementing personnel policies, subject to the approval of the County Administrator and adoption by the Board of County Commissioners. The County Administrator may approve changes to Florida Statute references and the Appendices. All policy changes require Board approval.
4. Department Directors, Supervisors, and employees should refer to this manual whenever questions of policy interpretation or implementation arise. Issues needing clarification should be referred to Human Resources.
5. Departments may develop and implement specific standard operating procedures on a departmental basis as needed to meet specific operational needs, provided they are consistent with the general framework provided by this manual. All such departmental practices should be submitted to Human Resources prior to implementation to assure consistency with Board practices and policies.

001:2 CONFLICT WITH STATUTES

In the event any provision of this manual is or becomes in conflict with any federal, state, or local law, such provision is, to the extent that it is in conflict, hereby automatically amended to conform to such law. The remainder of this manual shall remain in full force and effect, unless and until modified by the Board.

POLICY 002 - EMPLOYMENT AT-WILL

It is the policy of the Highlands County Board of County Commissioners (Board), that all employees who do not have a written employment contract with the Board for a specific, fixed term of employment are employed at-will, for an indefinite period.

002:1 GENERAL PROVISIONS

1. At-Will Employment. All employment in Florida is considered to be "at-will" for all employees who do not have a formal written employment contract for a specified, fixed term. "At-will" means that employees are free to terminate their employment with an employer for any reason or no reason at all. Likewise, employers have the same rights and are free to hire and discharge employees at any time, providing the reason for the discharge or hire is not discriminatory for a legally prohibited reason.
2. No Board representative is authorized to modify this policy for any employee or to enter into any agreement, oral or written, contrary to this policy. Supervisory and management personnel are not to make any representations to employees or applicants concerning the terms or conditions of employment with the Board which are not consistent with Board policies. No statements made in pre-hire interviews or discussions, or in recruiting materials of any kind, are meant to alter the at-will nature of employment or imply that discharge will occur only for cause, and should not be interpreted that way.
3. This policy may not be modified by any statements contained in this manual or any other employee handbooks, employment applications, recruiting materials, memoranda, or other materials provided to applicants and employees in connection with their employment. None of these documents, whether singly or combined, are to create an expressed or implied contract of employment for a definite period, nor an expressed or implied contract concerning any terms or conditions of employment. Similarly, Board policies and practices with respect to any matter are not to be considered as creating any contractual obligation on the Board's part, or as stating in any way that termination will occur only for "just cause." Statements of specific grounds for termination set forth in this manual or in any other Board documents are illustrative examples only, not all-inclusive lists, and are not intended to restrict or modify the right to terminate at-will.
4. Completion of a probationary period or conferral of regular status does not change an employee's status as an employee at-will or in any way restrict the County Administrator's right to terminate such an employee or change the terms or conditions of employment.

POLICY 003- CODE OF EMPLOYER-EMPLOYEE RELATIONS

It is the policy of the Highlands County Board of County Commissioners (Board), to implement fair and effective personnel policies and require all employees to serve the County's best interests.

003:1 GENERAL PROVISIONS

1. The Board's goals for employees include the following:
 - a. To provide equal employment opportunity and treatment regardless of race, religion, color, sex, gender, age, national origin, disability, or veteran status.
 - b. To provide compensation commensurate with the level of work to be performed.
 - c. To establish reasonable hours of work.
 - d. To monitor and comply with applicable federal, state, and local laws and regulations concerning employee safety.
 - e. To offer training opportunities for those whose capabilities and responsibilities warrant such training.
 - f. To be receptive to constructive suggestions which relate to the job, working conditions, or personnel policies.
 - g. To establish appropriate means for employees to discuss matters of interest or concern with their immediate Supervisor or Department Director.
2. The Board expects all employees:
 - a. To deal with citizens in a professional manner.
 - b. To perform assigned tasks in an efficient manner.
 - c. To be punctual and presentable.
 - d. To demonstrate a considerate, friendly, and constructive attitude toward fellow employees.
 - e. To adhere to the polices adopted by the Board.

POLICY 004 - PERSONNEL RECORDS

It is the policy of the Highlands County Board of County Commissioners (Board), that Human Resources is responsible for administering all personnel programs required by this manual. Human Resources will establish records required by these rules and regulations, and any other records which are necessary to substantiate compliance with the laws relating to personnel matters.

004:1 EMPLOYMENT RECORDS

1. Human Resources shall maintain an individual personnel file for each employee which will include, but not be limited to, the following:
 - a. Original signed Employment Application.
 - b. Original Personnel Requisition, signed by appointing authority.
 - c. A copy of the Certificate of Eligible from which appointment was made.
 - d. Examination or interview score sheets for each position to which appointed.
 - e. Original Oath of Loyalty, signed by the employee and properly notarized.
 - f. Original background investigation reports.
 - g. Reports of personnel actions reflecting original appointment, reinstatement, promotion, demotion, reassignment, termination, lay-off, suspension, reduction in pay, change in status, change in pay rate, change in position or title, and any other personnel actions pertinent to the employee's record.
 - h. Copies of correspondence directly related to the employee's work record.
 - i. Original, signed Performance Evaluations.
 - j. A copy of all correspondence pertaining to Workers' Compensation.
2. An original Payroll Action Form (PAF) affecting the employee's compensation shall be furnished to the individual responsible for preparing payroll. Such form is the only authority for making payroll changes.
3. Employees are responsible for ensuring that their records are up to date. Human Resources shall be notified in writing of any changes to the employee's contact information (name, address, telephone number, emergency contact). Employees are responsible for providing proper notification to Human Resources for changes to benefits and tax withholding. These changes may include marital status, name changes, and dependent information.
4. Employee personnel files shall only be maintained by Human Resources. Individual departments shall not maintain any type of employee personnel file. Any violation of this policy may result in disciplinary action, up to and including termination.
5. Human Resources will coordinate with Fire Rescue for the maintenance of personnel files for volunteers of Fire Rescue.

004:2 INSPECTION OF PERSONNEL RECORDS

1. Personnel files will be made available for inspection pursuant to the requirements set forth in Chapter 119, Florida Statutes; and pursuant to any relevant privacy laws and statutes governing public records, especially the Health Insurance Portability & Accountability Act of 1996 (HIPAA).
2. Items contained within the file which are exempted from disclosure by statute or guarded by the Uniform Privacy Act will be removed prior to inspection by outside sources. These items include protected health information, designations of

beneficiary and/or next of kin information, information regarding bank accounts, and participation in deferred compensation and retirement investment enrollment elections.

3. Normal documents generated as a result of Board employment, such as Performance Evaluations, disciplinary actions, payroll actions, etc., will not be removed prior to inspection and review by outside sources.
4. Review of the personnel file must be accomplished in the presence of Human Resources or an authorized representative.
5. Employees may request one copy of their personnel file at no cost, while employed. All additional copies are subject to the standard fee schedule for public records.

004:3 REPORTS

In addition to specific personnel reports required by other provisions of these rules and regulations, Human Resources shall also complete and submit other personnel reports as required by local, state, and federal law.

POLICY 005 - SOLICITATION AND DISTRIBUTION

It is the policy of the Highlands County Board of County Commissioners (Board), to prohibit solicitation and distribution on its premises by employees and non-employees, unless they have prior approval to do so. Solicitation is defined as any activity conducted for the purpose of advertising, promoting, or selling any product or service. Solicitation and distribution by employees is only permitted as outlined below.

005:1 GENERAL PROVISIONS

1. The Board limits solicitation and distribution on its premises because, when left unrestricted, such activities can interfere with the normal operations, can be detrimental to employee efficiency, and can pose a threat to security. This includes the use of any form of written or electronic communication to solicit/distribute to employees.
2. Employees of the Board are prohibited from engaging in solicitation of fellow employees during working time. Working time shall not be construed to apply to break periods and mealtimes, whether paid or unpaid, or other specified periods during the workday when employees are not engaged in performing their work tasks.
3. The County Administrator may authorize a limited number of Board-sponsored fund drives on behalf of charitable organizations or special causes. Employee contributions are voluntary, and employees are not to be discriminated against because of their willingness or unwillingness to participate. Coercion of an employee to make contributions will not be tolerated.
4. Distribution of literature by employees during working hours, in areas where the actual work of employees is performed, is prohibited. This shall not be construed to prohibit the distribution of literature in such areas not specifically devoted to the performance of employees' official duties, during rest break and meal periods, or while off-duty.
5. Board technology (computers, telephones, email, tablets, etc.) may not be used to distribute literature at any time.
6. The Board maintains bulletin boards in designated work areas to communicate information to employees and to post notices required by law. These bulletin boards are for the posting of Board information and notices only, and only persons designated by the County Administrator, Department Director, Human Resources, or their designee, may place notices on or take down material from the bulletin board. Departments may maintain an internal bulletin board, not visible to the public. The materials posted on departmental bulletin boards will be at the discretion of the Department Director or County Administrator.
7. Florida Statutes govern political activity of all Board employees. All Board employees are encouraged to be politically aware and active, and to exercise their right to vote. However, active political campaigning or solicitation for political contributions while on duty is prohibited.
8. Employees shall not use County property, equipment, or vehicles except in the performance of official duty, nor permit their use by an unauthorized person, either on or off duty. Employees may be allowed to use vehicles to and from work with permission of the County Administrator and per de minimus functions as outlined in Section 11 - Motor Vehicle Operation of the Highlands County Safety Handbook.

100 – EMPLOYEE BEHAVIOR

POLICY 101 - BEHAVIOR OF EMPLOYEES

It is the policy of the Highlands County Board of County Commissioners (Board), that certain rules and regulations regarding employee behavior are necessary for the efficient operations of the County and for the benefit and safety of all employees. Employees are expected at all times to conduct themselves in a positive manner so as to promote the best interests of the County. Conduct that interferes with operations that discredit the Board, or that is offensive to citizens, customers, or coworkers, will not be tolerated, and may be subject to appropriate disciplinary action.

101:1 GENERAL PROVISIONS

1. Employees are expected at all times to conduct themselves in a positive manner so as to promote the best interests of the County. The following general guidelines may be further specified by the Department Director:
 - a. Reporting to work on time, as scheduled, ready to begin work at the proper workstation, at the assigned starting time.
 - b. Giving adequate and proper advance notice whenever unable to work or to report on time.
 - c. Complying with all Board safety and security procedures.
 - d. Wearing clothing appropriate for the work being performed, as determined by the County Administrator, the Department Director, or the employee's Supervisor.
 - e. Eating meals only during meal periods and only in the designated eating areas.
 - f. Maintaining work place and work area cleanliness and orderliness.
 - g. Treating all citizens, visitors, and fellow employees in a courteous manner.
 - h. Refraining from behavior or conduct that could be deemed offensive or undesirable, or which is contrary to the County's best interests (including conduct outside of work while in clothing or vehicles that identify or imply the individual is or may be a Board employee and may be on duty).
 - i. Performing assigned tasks efficiently and in accordance with established quality standards.
 - j. Following any proper and appropriately given instruction or assignment.
 - k. Reporting to management suspicious, unethical, unsafe or illegal conduct, by fellow employees or citizens.
 - l. Following all federal, state, and local laws and ordinances.
2. The examples above are simply illustrative of the type of behavior expected, and are not intended to be an all-inclusive listing. Any questions of the purpose, content, or application of this policy should be directed to Human Resources.

POLICY 102 - ATTENDANCE AND PUNCTUALITY

It is the policy of the Highlands County Board of County Commissioners (Board), to require employees to report for work punctually as scheduled and to work as required, including regular hours and any required overtime.

102:1 GENERAL PROVISIONS

1. Tardiness and poor attendance disrupt workflow and customer service, and will not be tolerated. Unauthorized and/or excessive absences or tardiness will result in disciplinary action, up to and including termination.
2. Supervisors shall notify employees of the normal work schedule including starting, ending, and break times through direct communication and/or posting of schedules. Employees are expected to be engaged in carrying out their duties during all scheduled work time.
3. Employees are compensated during approved absences in accordance with the appropriate leave policies. Failure to notify the Supervisor properly of any absence may result in loss of compensation during the absence and may be grounds for disciplinary action.
4. Employees should notify their Supervisor as far in advance as possible, but no less than one (1) hour before their scheduled start time whenever they are unable to report for work. Such notification should include when the employee can be expected to report for work.
5. Employees who are delayed more than 15 minutes in reporting for work and who have not notified their Supervisor of their expected tardiness may not be allowed to work the balance of the workday at the discretion of the Supervisor. Such time for hourly employees will be classified as Leave Without Pay.
6. Employees must report to their Supervisor after being late or absent and may be required to certify that they are fit to return to work. Employees who have been absent three (3) or more scheduled workdays within a 30-day period may be required to provide a doctor's note before returning to work.
7. Employees who report for work without proper equipment or in improper attire may not be permitted to work at the discretion of the Supervisor. Such time for hourly employees will be unpaid pending the employee's return with the proper equipment or attire.
8. Employees who report for work in a condition deemed unfit for work, will not be allowed to work. Such time may be classified as Leave Without Pay.
9. Employees who are absent from work without giving proper notice may be considered as having voluntarily separated. At that time, Human Resources will formally note the voluntary separation as job abandonment and advise the employee of the action by certified mail.
10. Employees are expected to report for work during inclement weather conditions if the County Administrator does not declare an emergency closing. Certain specified employees may be required to report to work even in the event of a declared emergency closing.
11. Employees on workers' compensation leave are required to provide the same proper notice as other employees. Doctor's notes must be definite in date to constitute proper notice.

POLICY 103 - PERSONAL APPEARANCE OF EMPLOYEES

It is the policy of the Highlands County Board of County Commissioners (Board), that each employee's dress, grooming, and personal hygiene should be appropriate to the work situation.

103:1 GENERAL PROVISIONS

1. Employees are expected at all times to present an image appropriate to the work being performed. Appropriate personal appearance, like proper maintenance of work areas, is an ongoing requirement of employment with the Board.
2. The personal appearance of employees who do not regularly meet the public is to be governed by the requirements of safety and comfort, but should still be as neat and business-like as working conditions permit.
3. Certain employees may be required to meet special dress, grooming, and/or hygiene standards depending on the nature of their job.
4. Any employee who does not meet the standards of this policy will be required to take remedial action to correct the problem, which may include leaving the premises. Any work time missed because of failure to comply with this policy will be classified as Leave Without Pay for hourly employees. Repeated violations of this policy will be cause for disciplinary action, up to and including termination.
5. Any employee who is issued or provided a uniform, will be required to wear such items during normal business hours. If the employee name is to be displayed on the uniform, only the legal name shall be displayed; no nicknames.

POLICY 104 -TOBACCO-FREE WORKPLACE

It is the policy of the Highlands County Board of County Commissioners (Board), to promote the healthiest environment possible for employees and visitors while providing proactive leadership in tobacco avoidance. Reducing tobacco use increases productivity in the workplace, decreases absenteeism, and may reduce medical expenditures and costs associated with tobacco use. The Board adheres to the requirements of the Florida Indoor Clean Air Act as set forth in Chapter 386, Florida Statutes. Accordingly, the use of tobacco products is expressly prohibited in or on County owned property.

104:1 DEFINITIONS

1. County owned property. Real property and tangible personal property including, but not limited to, buildings, portions of buildings, land, equipment, machinery, and motor vehicles that are operated by, owned by, leased to, or rented to the County, other than road rights-of-way, parks, and boat ramps.
2. Tobacco. Any lighted or unlighted cigarette, cigar, pipe, hookah, bidi cigarette, clove cigarette, or any other smoking product; any smokeless tobacco product such as spit tobacco, dip, chew or snuff in any form; and any e-cigarette or vaping device.
3. Tobacco Use. The consumption, ignition, inhalation or other use of tobacco in any manner; however, mere possession without additional use shall not constitute tobacco use under this policy.

104:2 GENERAL PROVISIONS

1. Tobacco use is prohibited on County owned property.
2. Tobacco products may not be sold or dispensed on County owned property,
3. This policy applies to each and every person on County owned property.
4. Signs will be prominently and visibly posted at the entrance to each County building and other facility that advise employees, visitors, and other persons of this policy.
5. Human Resources shall:
 - a. Inform all applicants for employment of this policy.
 - b. Provide a copy of this policy to those applicants.
 - c. Obtain a signed acknowledgment of receipt of that information and a copy of this policy from all applicants upon employment.
6. Human Resources shall inform all new employees of this tobacco-free policy during employee orientation. However, any failure to inform a candidate or employee of the tobacco-free policy shall not be deemed a waiver of the employee's obligation to follow the tobacco-free policy.
7. The enforcement of the tobacco-free policy is the responsibility of all Board employees. Employees are required to exercise common courtesy and to respect the needs and sensitivities of coworkers and other persons with respect to the application and enforcement of this policy.

104:3 VIOLATIONS

1. A violation of this tobacco-free policy shall constitute grounds for discipline in the same manner as other employee policy violations.

2. Any other complaints regarding tobacco use on County owned property should be directed to the Department Director of the affected facility.

104:4 TOBACCO USE CESSATION PROGRAMS

The Board shall provide resource information on tobacco use cessation programs to the employees who request it. If possible, these materials should be available in display areas. Employees may contact Human Resources regarding the availability of tobacco use cessation programs.

POLICY 105 - DRUG–FREE WORKPLACE

It is the policy of the Highlands County Board of County Commissioners (Board), to institute and maintain a drug-free work force and to provide a drug-free work place through fair and reasonable drug testing methods.

105:1 SCOPE

This document describes the current policy and practices, and will be interpreted and administered by the County Administrator. This policy applies to all applicants (including rehires) and current employees.

105:2 DEFINITIONS

In accordance with Chapter 112.0455, Florida Statutes, the Drug-Free Workplace Act, the following definitions shall be applied in interpreting this policy:

1. "Drug" means alcohol, including distilled spirits, wine, malt beverages, and intoxicating liquors; amphetamines; cannabinoids; cocaine, phencyclidine (PCP); hallucinogens; methaqualone; opiates; barbiturates; benzodiazepines; synthetic narcotics; designer drugs; or a metabolite of any of the substance listed herein.
2. "Drug test" or "test" means any chemical, biological, or physical instrumental analysis administered for the purpose of determining the presence or absence of a drug or its metabolites.
3. "Confirmation test," "confirmed test," or "confirmed drug test" means 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. This confirmation method must be capable of providing requisite specificity, sensitivity, and quantitative accuracy.
4. "Reasonable suspicion drug testing" means drug testing based on a belief that an employee is using or has used drugs in violation of the County's policy drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience. Among other things, such facts and inferences may be based upon:
 - a. 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.
 - b. Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
 - c. A report of drug use, provided by a reliable and credible source, which has been independently corroborated.
 - d. Evidence that an individual has tampered with a drug test during his employment with the County.
 - e. Information that an employee has caused, or contributed to, an accident while at work.
 - f. Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on the County's premises or while operating the County's vehicles, machinery, or equipment.
5. "Specimen" means tissue, hair, or product of the human body capable of revealing the presence of drugs or their metabolites.

6. "Controlled substance" means a drug which has been declared by federal or state law to be illegal for sale or use, but may be dispensed under a physician's prescription. Such drugs include those classified as narcotics, stimulants, depressants, hallucinogens and cannabis.

105:3 POLICY OBJECTIVES

The Board values its employees and recognizes their need for a safe and healthy work environment. Establishment of a drug-free policy is consistent with the Board's objective of providing a safe and healthy work environment, and is in the County's best interests. Drug use and controlled substance abuse is inconsistent with the law-abiding behavior expected of all citizens, especially those employed by a government agency. In addition, drug use and controlled substance abuse inflict a terrible toll on productive resources and the health and well-being of our workers. Employees who use drugs and engage in controlled substance abuse tend to be less productive, less reliable, and prone to greater absenteeism, resulting in the potential for increased cost, delay, and risk to other Board employees and to citizens. For these reasons, the County will not tolerate drug use, sale or possession, or controlled substance abuse by its employees.

105:4 ADMINISTRATION

To achieve a drug-free work force and to provide a workplace free from drug use and controlled substance abuse, the Board will conduct the following drug testing and will take action accordingly as provided below. In addition, the Board categorically prohibits the manufacture, distribution, dispensation, possession, or the unlawful sale of drugs by Board employees, on or off County property. This prohibition shall not apply to the possession or consumption of alcohol off County property while the employee is off duty, or to the possession or consumption of alcohol while the employee is off duty at an event in a County building where alcohol may be dispensed according to building use policies adopted by the Board.

The County Administrator reserves the right, at his or her sole discretion, to terminate any employee whose confirmed drug test results are positive, or to refer such employee to a program in accordance with [Section 105:6 Drug-Free Awareness Program](#).

105:5 TYPES OF TESTS

The Board may require drug testing in the following circumstances:

1. For all job applicants that will fill a safety-sensitive position, at any time before they are employed by the Board.
2. For Board employees:
 - a. From time to time, as part of a fitness-for-duty medical examination, or as part of a test for all employees of the job title or group.
 - b. For a particular Board employee who holds a safety-sensitive position, upon reasonable suspicion (as defined above) of drug use by such employee.
 - c. As a follow-up to an employee assistance program or an alcohol and drug rehabilitation program when the employee has entered such program in the course of employment with the Board.

ANY JOB APPLICANT (FILLING A SAFETY-SENSITIVE POSITION) WHO REFUSES TO TAKE A DRUG TEST AS REQUIRED BY THIS POLICY WILL BE DENIED EMPLOYMENT WITH THE BOARD. SIMILARLY, ANY EMPLOYEE WHO REFUSES TO TAKE A TEST REQUIRED AS PROVIDED ABOVE SHALL BE SUBJECT TO DISCIPLINE UP TO, AND INCLUDING, TERMINATION.

105:6 DRUG-FREE AWARENESS PROGRAM

To assist employees in understanding and avoiding the perils of drug use and controlled substance abuse, the Board will provide a drug-free awareness program. The Board will use this program in an ongoing educational effort to prevent and discourage drug use and controlled substance abuse. The drug-free awareness program will inform employees about:

1. The dangers of drug use and controlled substance abuse.
2. The Board's Drug-Free Policy.
3. The availability of treatment and counseling for employees who voluntarily seek such assistance.
4. The sanctions the Board will impose for violations of its Drug-Free Policy.

Supervisors and other appropriate personnel will be aware of the Board's procedures for handling and assisting employees who are subject to the effects of drug use.

105:7 ASSISTANCE IN OVERCOMING ILLEGAL DRUG USE OR CONTROLLED SUBSTANCE ABUSE

Early recognition and treatment of drug use is important for successful rehabilitation, return to productive work, and reduced personal, family, and social disruption. The Board encourages the earliest possible diagnosis and treatment for drug use, and supports sound treatment efforts. Whenever feasible, and subject to the limitations described here, the Board will assist employees in overcoming drug use. However, the decision to seek diagnosis and accept treatment for drug use is primarily the individual employee's responsibility.

Self-Referral: Employees with personal drug use or controlled substance abuse problems should request assistance through Human Resources or the Board's Employee Assistance Program. Assistance will be provided on a confidential basis, and each employee will be referred to the appropriate treatment and counseling services. Employees who voluntarily request assistance, through Human Resources or the Employee Assistance Program, in dealing with drug or controlled substance abuse problems may do so without jeopardizing their continued employment with the Board.

Employer Referral: Employees who test positive for drug use and who are referred, at the County Administrator's request, for counseling or treatment will be limited to one opportunity for a counseling or treatment program to cease the use of drugs. A second positive test for the use of drugs will result in immediate termination. Employees terminated for this reason may be ineligible for rehire.

Employees who are referred for any other reason, at the County Administrator's request, for a counseling or treatment program will be limited to one opportunity for counseling or treatment to cease the use of drugs. Any positive test for the use of drugs following treatment and counseling will result in immediate termination. Employees terminated for this reason may be ineligible for rehire.

Special Considerations: All self-referrals or employer referrals for employee treatment and counseling will require, at a minimum, that the employee immediately cease any drug use, and that the employee be subject to quarterly testing for two (2) years. The County Administrator is required in certain situations to report an employee's involvement with drug use or controlled substance abuse to agencies concerned with public security, health, and safety. In all these situations, the County Administrator may terminate the employee.

Human Resources will maintain a list of Employee Assistance Programs available to Board employees, at their own or at their health insurer's expense.

105:8 AUTHORIZED USE OF PRESCRIBED MEDICINE

Any employee using prescription or nonprescription medications may report such use in a form provided for such purpose by the County at the time the employee's specimen is collected. The employee may also disclose this use to his or her Supervisor, the Risk Management Coordinator, or Human Resources after taking the test. Such disclosure will be kept confidential by the County and will be used only in connection with the drug test. For a detailed listing of medications, refer to Chapter 112.0455, Florida Statutes.

105:9 LIST OF DRUGS

The laboratory may test for any drugs listed in Chapter 112.0455, Florida Statutes.

105:10 CONSULT THE LABORATORY

Job applicants and active employees have the right to consult the testing laboratory for technical information regarding prescription and non-prescription medication.

105:11 RIGHT TO APPEAL

An employee or job applicant who receives a positive confirmed drug test may explain or contest the result to the Medical Review Officer (MRO) employed by the drug-testing laboratory within five (5) business days after written notification of the positive test result by the MRO. If an employee or job applicant's explanation or challenge is unsatisfactory to the MRO, the person may contest the drug test result, as provided by 112.0455 (14), (15) Florida Statutes; Chapter 440, Florida Statutes; and applicable regulations, including Florida Administration Code 38F-9.009.

A job applicant or active employee has the responsibility of notifying the drug testing laboratory of any administrative or civil action brought pursuant to Chapter 112 or 440, Florida Statutes. The laboratory will maintain the sample until the case or administrative appeal is settled.

105:12 CONFIDENTIALITY

Absent written consent, all information, interviews, reports, statements, memoranda, and drug test results, written or otherwise, received by the Board as part of this drug testing program are confidential communications. Unless authorized by state laws, rules or regulations, or by court order, the County will not release such information without a written consent signed voluntarily by the person tested.

105:13 WORKERS' COMPENSATION

An active employee who is injured on the job and who refuses to submit to a drug test, or whose confirmed drug test is positive, will be denied workers' compensation medical and indemnity benefits, in accordance with Chapter 440, Florida Statutes, and applicable regulations.

105:14 ALCOHOL USE OR POSSESSION ON COUNTY PREMISE

The use, possession, sale, or distribution of alcohol on or in County owned property is prohibited and constitutes a violation of County policy subject to disciplinary action up to and including termination.

105:15 ALCOHOL OR DRUG ASSISTANCE PROGRAMS

Employees who desire help with an alcohol-related problem may request assistance through Human Resources or the Employee Assistance Program. Assistance will be provided on a

confidential basis, and each employee will be referred to the appropriate treatment and counseling services.

Employees who voluntarily request assistance through Human Resources or Employee Assistance Program may do so without jeopardizing their continued employment with the Board.

105:16 PROHIBITIONS

The Board prohibits the following, and any employee violating these rules is subject to discipline including termination:

1. Unlawful use, possession, manufacture, distribution, dispensation or sale of illegal drugs, alcohol or controlled substances, whether on or off County premises and whether during working hours or nonworking hours, or in County vehicles.
2. Unlawful use, possession, manufacture, distribution, dispensation or sale of alcohol, whether on or off County premises during working hours, in County vehicles during working or non-working hours, and on County premises during non-working hours.
3. Storing any drug in a locker, desk, automobile, or other repository on County premises.
4. Testing positive for drugs or controlled substance without a legal basis for use.
5. Switching or adulterating any urine sample submitted for testing, or submitting a false sample for testing.
6. Failing, when requested by the County Administrator, to enroll in any alcohol or drug treatment or counseling program, or failing to adhere to the requirements of the program.
7. Being convicted under any criminal drug statute for a violation occurring in the workplace or outside the workplace.
8. Failing to notify Human Resources of any conviction under any criminal drug statute within five (5) business days of the event.
9. Failing to comply with rules and regulations promulgated under any testing programs maintained by the Board.
10. Consumption of any alcoholic beverages, controlled substances, or illegal drugs during duty hours including breaks, lunches, and extended periods of duty.
11. Reporting to work while under the influence of alcoholic beverages, controlled substances, or illegal drugs.

105:17 GROUNDS FOR TERMINATION OR DISCIPLINE

Employees who violate this policy in any manner, who refuse to submit to a drug test or alcohol test after being requested to test, or who tamper with a drug or alcohol test, shall be subject to disciplinary action, up to and including termination.

200 – SAFETY AND ETHICS

POLICY 201 - WORKPLACE SAFETY

It is the policy of the Highlands County Board of County Commissioners (Board), to comply with all applicable federal, state, and local health and safety regulations, and to provide a work environment as free as feasible from recognized hazards. Employees are expected to comply with all safety and health requirements, whether established by management or by federal, state, or local law.

201:1 SAFETY

1. All Board employees are encouraged to incorporate safety and loss prevention in their daily activities.
2. Supervisors' safety responsibilities include:
 - a. Familiarizing themselves with all safety and health procedures relevant to the operations under their supervision.
 - b. Inspecting their work areas and equipment periodically.
 - c. Training their employees in safety matters or arranging for such training where appropriate and keeping logs of such training activities.
 - d. Identifying conditions that are recognized in the County as being unsafe.
 - e. Completing accident reports and submitting them to Risk Management within 24 hours.
3. Employees should immediately report to their Supervisor all observed safety and health violations, potentially unsafe conditions, and any accidents resulting in injuries or property damage to Board employees or others.
 - a. The Workers' Compensation Supervisor and Employee First Report of Injury form must be completed and returned to Risk Management within 24 hours after the occurrence of any injury to a Board employee.
 - b. For motor vehicle accidents involving County Vehicles, the Loss/Accident Report shall be completed and returned to Risk Management within 24 hours after the occurrence of the accident.
 - c. Failure to report an injury or motor vehicle accident within 24 hours may result in disciplinary action, up to and including termination.
4. The Board will provide special clothing or equipment, or may reimburse for it, when such clothing or equipment is required by regulation or by Board policy. Such clothing and equipment, if provided, must be used. Employees are responsible for the proper use and maintenance of such clothing and equipment and will be subject to disciplinary action for failure to comply with this obligation.
5. An employee may be required to pay up to the full replacement cost for any Highlands County equipment or property that is lost or damaged due to misconduct, misuse, or neglect on the part of the employee.
6. Supervisors must not discharge or discriminate in any manner against an employee because the employee has in good-faith, initiated a safety-related proceeding, has testified in such a proceeding, or has otherwise exercised any right afforded by law.
7. Each department must meet state and federal rules and standards and be responsible for developing a set of safety rules, policies, and regulations that pertain to their own particular operations. It is the responsibility of every employee to know and adhere to the safety rules and regulations which apply to the area in which he or she is working or may be visiting.

8. All Board employees required to drive a vehicle for work-related business, whether a County vehicle or their own vehicle, must possess a valid Florida operator's or commercial license, as appropriate, and maintain a safe driving record. The Supervisor must certify that the employee is capable of operating all motor-powered and self-propelled equipment required in the performance of the employee's work.
9. To protect the public, employees shall cultivate the habit of being cautious when doing work on public streets or private property. Every precaution must be taken to warn and protect the public from harm, which would result from construction or working repairs of job site conditions. Dangerous areas must be protected by barricades, warning signs, or persons designated to watch the area.

POLICY 202 - WORKPLACE VIOLENCE

It is the policy of Highlands County Board of County Commissioners (Board), to provide a safe environment for working and conducting business. The County Administrator will not ignore, condone, or tolerate acts of violence committed by or against employees, or members of the public, while on County property or while performing work-related business at other locations. Board employees determined to be in violation of this policy will be subject to appropriate disciplinary action, up to and including termination.

202:1 VIOLENCE DEFINED

1. The term "violence" has been defined as: An unjust or unwarranted exertion of force, action, power, or vehement rough language against a person, property, rights, or laws of an injurious or destructive nature.
2. The word violence in this policy shall include, but is not limited to, any act or behavior that:
 - a. Constitutes a physical assault.
 - b. Consists of a communicated or reasonably perceived threat to harm another individual or in any way endanger the safety of an individual.
 - c. Carries the potential for physical harm to another individual (as would be interpreted by a reasonable person).
 - d. Involves carrying or displaying weapons, destroying property, or throwing objects in a manner reasonably perceived to be threatening.
 - e. Menaces another (as would be interpreted or perceived by a reasonable person).
 - f. Consists of a communicated or reasonably perceived threat to destroy property; or a reasonable person would perceive as obsessively directed, e.g. intensely focused on a grudge, grievance, or romantic interest in another person, and reasonably likely to result in harm or threats of harm to persons or property.
3. Violent acts and behavior can take any one of many forms. Such conduct might be physical or nonphysical, verbal or nonverbal, direct or indirect, and explicit or implicit.

202:2 RESPONSIBILITIES

The County Administrator takes every workplace violence issue seriously. As a means for prevention, Board employees are strongly urged to take appropriate action immediately upon knowledge of violent behavior taking place either on County property, or regarding any legitimate interest of the Board. All employees are empowered to call 911 in an emergency situation, i.e. assault, direct threat of immediate violence, suicide attempt, or any crime in progress.

202:3 INVESTIGATION OF ALLEGATIONS

The County Administrator recognizes that workplace violence investigations require discretion and sensitivity to protect the rights of all persons involved, and shall proceed in a manner that demonstrates objectivity, fairness, and a concern for confidentiality.

202:3(a) INVESTIGATION ASSIGNMENT AND PROCEDURE

Who Shall Conduct Investigations:

1. Incidents involving an emergency situation and/or criminal activity will be referred to the Highlands County Sheriff's Office or the appropriate jurisdiction for investigation.

An internal investigation may occur simultaneously if it does not interfere with the efforts of the outside investigator.

2. For incidents that do not involve an emergency situation and/or criminal activity, Human Resources, in consultation with the County Administrator, will determine the appropriate course of investigation.

Investigation Process:

Due to the varying nature of violence in the workplace, the County Administrator reserves the right to conform the investigative process as appropriate to handle the sensitive and subtle considerations presented by workplace violence issues on a case-by-case basis.

202:3(b) COOPERATION AND CONFIDENTIALITY

1. Employees are required to fully cooperate in any internal investigations that may be conducted. This includes, but is not limited to, answering all questions honestly and fully.
2. Employees interviewed at any time during an investigation shall keep any and all information that is shared during the investigation strictly confidential and shall not, under any circumstance, discuss the information or the investigation with anyone other than authorized persons.
3. Failure to cooperate with an investigation, or failure to abide by the rule of confidentiality, will be grounds for disciplinary action.
4. All reasonable and lawful efforts to keep the information provided in the complaint and investigation process as confidential as practically possible to provide for a thorough investigation, and to the extent permitted by Florida law.
5. Nothing in this section will apply to compromise an accused individual's rights protecting against self-incrimination in a criminal investigation.

202:3(c) RETALIATION PROHIBITED

1. Retaliation against employees for reporting workplace violence or assisting in the investigation of a complaint is prohibited and will not be tolerated.
2. Retaliation includes, but is not limited to, such acts as refusing to recommend an employee for a benefit for which he or she qualifies, spreading rumors about the employee, encouraging hostility from coworkers, or escalating the violent situation.
3. Employees who wish to bring complaints of retaliation should follow the procedures set forth in [Section 203:5\(a\) Reporting Complaints](#).

POLICY 203 - HARASSMENT POLICY

Employees are entitled to work in an environment that is productive but not coercive; friendly, yet at the same time professional. The Board's policy concerning unlawful harassment is in keeping with this philosophy, viewing such behavior as unproductive, coercive in nature, unfriendly, and decidedly unprofessional.

203:1 POLICY

Harassment that is unlawful negatively affects morale, motivation, and work performance, as well as absenteeism and turnover. The Board does not tolerate any form of discrimination or harassment on the basis of age, race, sex, religious belief, color, national origin, disability/handicap, gender, genetics, or any other category of protected persons as prohibited by law.

203:2 DEFINITION

Harassment on the basis of age, race, sex, religious belief, color, national origin, disability/handicap, gender, genetics, or any other category of protected persons, or other status as prohibited by law, is illegal. Verbal or physical conduct may constitute unlawful harassment when:

1. Submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment.
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that person, i.e. pay increases, promotions, job assignments, etc.
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance, or creating an intimidating, hostile, or offensive work environment.

203:3 SEXUAL HARASSMENT

Sexual harassment may consist of:

1. Making sexual advances or seeking sexual favors or actions from an employee in exchange for better working conditions, a promotion, raise, or other improvement of job condition.
2. Asking for sexual favors.
3. Making sexual comments or jokes.
4. Unwanted physical contact.

This is not a complete list of sexual harassment behaviors. If any employee feels that they are put in an uncomfortable position because of their sex, this could be considered harassment.

203:4 EXAMPLES OF OTHER INAPPROPRIATE BEHAVIOR

Specific examples of inappropriate or illegal behavior include, but are not limited to:

1. Negative or offensive comments, jokes, or suggestions about another employee's gender or sexuality.
2. Obscene or lewd sexual comments, jokes, suggestions, or innuendos.
3. Slang names or labels that others find offensive, i.e. honey, sweetie, boy, girl, etc.

4. Making negative comments about or calling attention to an employee's body or sexual characteristics.
5. Laughing at, ignoring, or minimizing the complaints of an employee who experiences sexual harassment.
6. Continuing certain behavior after a coworker has objected to that behavior.
7. Displaying nude or sexual pictures, cartoons, etc. on County property.

203:5 INTERNAL COMPLAINT PROCEDURES

Employees having reason to believe they have been subject to harassment are urged to bring their concerns to the attention of their immediate Supervisor, Department Director, Human Resources, or to the County Administrator, as appropriate.

203:5(a) REPORTING COMPLAINTS

1. Employees who bring complaints of harassment from anyone in current employment of the Board, including any Supervisors, co-workers, or visitors, are urged to report such conduct within seven (7) business days of the occurrence of the incident(s) in question to their Supervisors, so that the complaint may be investigated and resolved. Prompt reporting of incident(s) allows for timely investigation of the incident(s) while witnesses have immediate recollection of the facts and for quick resolution of complaints.
2. If the complaint involves the employee's Supervisor or someone in the direct line of supervision, or if the employee is for any reason uncomfortable in bringing the complaint to his or her immediate Supervisor, the employee may bring the complaint his or her Department Director, Human Resources, or to the County Administrator, as appropriate.
3. If the accusation of a violation of the policy is made to a Supervisor, it shall be forwarded immediately by the Supervisor to Human Resources in person or by telephone, and reported to the Department Director. Failure to follow this procedure subjects the Supervisor to disciplinary action.

203:5(b) INVESTIGATION OF ALLEGATIONS

1. All complaints will be investigated as expeditiously and as professionally as possible. To provide consistency and objective third party determination, Human Resources shall be the department afforded the responsibility to investigate allegations of harassment, to determine probable cause, and to be available to recommend appropriate corrective action; unless special circumstances require that Human Resources assign a specific investigation to another party or agency.
2. During the investigation, the accused party may be placed on administrative leave with pay.
3. Regardless of the outcome of the investigation, resolution of the complaint will be communicated to all parties involved. Such communication shall include what actions have been taken and reference the appeals process if the parties are not satisfied with the final resolution of the issue.
4. If the investigation confirms the allegations in the complaint, prompt and appropriate corrective and disciplinary action, up to and including termination may be taken.
5. Human Resources shall maintain a log of recommended disciplines, disciplinary actions taken, and associated circumstances for all incidents of harassment, in order

to provide a framework for reasonably uniform and consistent application of such disciplinary actions.

203:5(c) COOPERATION & CONFIDENTIALITY

1. Employees are required to fully cooperate in any internal investigations that may be conducted. This includes, but is not limited to, answering all questions honestly and completely.
2. Employees interviewed at any time during an investigation shall keep any and all information that is shared during the investigation strictly confidential and shall not, under any circumstances, discuss the information or the investigation with anyone other than authorized individuals.
3. Failure to cooperate with an investigation, or failure to abide by the rule of confidentiality, may be grounds for disciplinary action.
4. All reasonable and lawful efforts will be made to keep the information provided to Human Resources or designee in the complaint and investigation process as confidential as practically possible to provide for a thorough investigation, and to the extent permitted by Florida and/or Federal law.

203:5(d) RETALIATION PROHIBITED

1. Retaliation against employees for reporting harassment or assisting the designated personnel in the investigation of a complaint is illegal and will not be tolerated.
2. Retaliation includes, but is not limited to, such acts as refusing to recommend an employee for a benefit for which he or she qualifies, spreading rumors about the employee, encouraging hostility from coworkers, or escalating the harassment.
3. Employees who wish to bring complaints of retaliation should follow the procedures set forth in [Section 203:5\(a\) Reporting Complaints](#).

203:5(e) KNOWINGLY FALSE COMPLAINTS/ACCUSATIONS

1. No disciplinary or other personnel actions will be taken against any employee who makes a good faith complaint of sexual harassment, workplace harassment, or provides information in good faith in any investigation, whether the investigation proves or disproves the claim.
2. The County Administrator recognizes that false accusations of harassment have a serious effect on morale in the workplace. If after investigating a harassment complaint, the County Administrator concludes that an employee has made a complaint in bad faith or knowingly provided false information regarding a complaint, disciplinary action will be taken against the individual.

203:6 HARASSMENT AVOIDANCE TRAINING

Upon orientation, all new employees will be informed of the Board's policies on equal opportunity, discrimination, and harassment, including the procedure for reporting a complaint.

POLICY 204 - CODE OF ETHICS

It is the policy of the Highlands County Board of County Commissioners (Board), that all employees are expected to conduct their professional lives in a completely ethical, truthful, and honorable manner in all dealings with the public and other Board employees.

All employees, including the Board's contract employees (i.e. County Administrator, County Attorney), will conduct themselves in a professional manner so as to maintain public confidence in their profession, their county government, and the public trust.

The Board recognizes that it is essential to the proper conduct and operation of government that public officials and employees be independent and impartial and that their public office not be used for private gain other than for the compensation as provided by law. The public interest requires this code protect against any conflict of interest and establish standards for the conduct of government employees in situations where conflicts may exist.

All Board employees will conduct their official affairs in such a manner so as to not be improperly influenced by anyone in the performance of their official duties.

The Board further recognizes that it is also essential that government attract those citizens best qualified to serve. Thus, policies against conflict of interest must be designed as not to impede unreasonably or unnecessarily on the recruitment and retention of those best qualified to serve.

To this end, the Board remains committed to upholding the high standard of ethics for all public officers and employees as set forth in Part III of Chapter 112, Florida Statutes.

204:1 GENERAL PROVISIONS

1. No Local Officer as defined by Florida Statutes or employee of the Board, including contract employees, shall have any interest, financial or otherwise, direct or indirect, or engage in any business transaction or professional activity, or incur any obligation of any nature which is in conflict with the proper discharge of his or her duties in the public interest.
2. The Local Officers and employees of the Board, including contract employees, are agents of the people and hold their positions for the benefit of the public. Such Officers and employees are bound to observe, in their official acts, the highest standards of ethics regardless of personal considerations, recognizing that promoting the public interest and maintaining the respect of the people in their government is of foremost concern.

204:2 GIFTS TO COUNTY EMPLOYEES

Employee acceptance of loans, advances, gifts, gratuities, favors, or entertainment from a supplier, bidder, or other party doing business with or desiring to do business with the Board is improper. Detailed procedures concerning gifts is specified in the Purchasing Manual.

204:3 CONFLICTS OF INTEREST

1. The Board adheres to the principles and precepts contained in the Code of Ethics for Public Officers and Employees, Chapter 112 (Part III), Florida Statutes. If an employee is in doubt as to whether a conflict of interest exists, it is that employee's responsibility to seek clarification via this process.
2. Employees in a position to influence actions and decisions regarding the Board's administration shall refrain from relationships which may adversely affect the exercise of their independent judgment in dealing with suppliers and bidders.

3. An outside personal economic relationship which affords present or future financial benefits to an employee, their family, or individuals with whom they have business or financial ties may be a conflict of interest requiring evaluation by the County Administrator.
4. An employee having an outside personal economic relationship under the conditions specified above shall file a sworn statement to this effect with Human Resources.
5. It is improper for employees to use their position with the Board to obtain or attempt to obtain any special preferences, privileges, or exemptions for themselves or for others.
6. No employee shall disclose confidential information gained by reason of their official position, nor shall the employee use such information for personal gain or benefit.

204:4 POLITICAL ACTIVITIES AND UNLAWFUL ACTS

Board employees are governed by the provisions of Section 99.012, Florida Statutes, relating to political activities and unlawful acts. Employees filling positions in Board departments receiving federal funds are also subject to the provisions of the Federal Hatch Act regarding political activities.

204:5 ADMINISTRATION OF THE CODE OF ETHICS

1. Where a question arises concerning whether or not any activity conforms to the Code of Ethics, the County Administrator, with advice from the County Attorney and Human Resources as needed, shall decide the question.
2. Any employee wishing to determine whether a proposed activity would be prohibited may document the circumstances of the proposed activity and request an opinion from Human Resources. Copies of the request and the resulting opinions shall be provided to the Department Director prior to engaging in the activity.
3. Employees who violate the Code of Ethics as defined herein, or in Chapter 112, Florida Statutes, and in addition to any other criminal or civil penalty that may be imposed, shall be subject to disciplinary action, consisting of one or more of the following:
 - a. Restitution of any pecuniary benefit from the violation.
 - b. Civil penalties pursuant to Section 112.317(b) 6, Florida Statutes.
 - c. Reduction in salary level.
 - d. Demotion.
 - e. Suspension from employment for not more than ninety (90) calendar days without pay.
 - f. Dismissal from County employment.
4. Violations of this Code of Ethics by contract employees may be grounds for termination of the contract employee for "just cause" as that term may be applied in the individual employment contract(s).
5. When approved by the County Administrator as involving no conflict of interest or activity which interferes with their employment, an employee may be a candidate for or hold local public office, unless otherwise prohibited by law.

POLICY 205 - EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of the Highlands County Board of County Commissioners (Board), to provide equal opportunity in employment to all employees and applicants for employment. No person is to be discriminated against based upon age, race, sex, religious belief, color, national origin, disability/handicap, gender, genetics or any other legally protected group/class.

205:1 GENERAL PROVISIONS

1. The Board may, consistent with applicable laws, choose to establish programs to achieve prompt and full utilization of minorities, the disabled, veterans, and women at all levels and in all segments of the work force. The results of these program(s) are to be reviewed periodically and modified as necessary to achieve their stated objectives.
2. The Board, as a matter of policy and practice, shall not:
 - a. Fail or refuse to hire or to discharge any individual, or otherwise discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment because of such individual's age, race, sex, religious belief, color, national origin, disability/handicap, gender, genetics, or any other legally protected group/class.
 - b. Limit, segregate, or classify employees in any way which would deprive or tend to deprive any individual of employment opportunities, or otherwise adversely affect the status as an employee, because of such individual's age, race, sex, religious belief, color, national origin, disability/handicap, gender, genetics, or any other legally protected group/class.

205:2 EMPLOYMENT

1. Human Resources is responsible for formulating, implementing, coordinating, and monitoring all efforts in the area of equal employment opportunity. These may include, but are not limited to:
 - a. Assisting management in collecting and analyzing employment data.
 - b. Developing policy statements and programs emphasizing recruitment and retention techniques designed to comply with the equal employment policies of the Board.
 - c. Complying with various statutory record-keeping and notice requirements in order to ensure full compliance with all employment-related statutes and regulations.
 - d. Keeping employees informed of the latest developments in equal employment opportunity laws and regulations.
2. Any communication from an employee or applicant for employment, an external agency, or an attorney concerning any equal employment opportunity matter is to be referred to Human Resources.
3. While overall authority for implementing this policy is assigned to Human Resources, an effective equal employment opportunity program cannot be achieved without the support of supervisory personnel and employees at all levels. Any employee or applicant who feels they may have been subjected to any form of employment discrimination has a responsibility to report this fact to their Supervisor and/or Human Resources.

205:3 REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES

Human Resources will assist departments in the reasonable accommodation process for those employees with a qualifying disability, in order to enable them to perform the essential functions of their job.

1. Employees who are diagnosed by a health care provider as having a qualifying disability and who want a reasonable accommodation should inform Human Resources of their need as soon as possible. The employee's medical condition should be kept confidential, as required by law.
2. Employees who have a qualifying disability and who want an accommodation should provide Human Resources with any pertinent medical records needed to make decisions regarding job assignments, ability to continue working, or ability to return to work. The medical record must reflect the limitation(s) for the accommodation(s) that the employee is seeking. Employees are encouraged to suggest possible accommodations.
3. Human Resources may also require a doctor's certification of an employee's ability to perform duties safely or to assist in determining appropriate accommodations. Additionally, Human Resources may request that an employee submit to a medical examination if it believes the employee is a health or safety threat to themselves or others.
4. In attempting to reach a reasonable accommodation with a person with a qualifying disability, Human Resources will consult with the person with the disability to reach an accommodation to perform the essential functions of the job.

205:4 AGE DISCRIMINATION

1. The Board acknowledges the value in the skills and experience possessed by older workers. These workers are not only an asset to the community; they are a valuable resource of knowledge and experience. The Board bases its employment decisions solely on abilities and qualifications.
2. It is the policy of the Board to not discriminate against a worker or applicant on the basis of age, and to uphold the principles set forth in the federal Age Discrimination in Employment Act (ADEA) and the Florida Civil Rights Act.
3. The Board, as a matter of policy and practice, shall not:
 - a. Fail or refuse to hire or to discharge any individual or otherwise discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's age.
 - b. Limit, segregate, or classify employees in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect the status as an employee, because of such individual's age.
 - c. Discriminate against any of its employees or applicants for employment, because such employee or applicant has opposed any practice made unlawful under ADEA or the Florida Human Rights Act, or because such employee or applicant has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or litigation under the ADEA or the Florida Civil Rights Act.

205:5 COMPLAINTS

Anyone having reason to believe they may have been subjected to discrimination are urged to bring those concerns to the Human Resources Manager, who serves as the County's EEO and ADA Coordinator. The complaint procedure is detailed in [Policy 207, Discrimination Complaint](#).

POLICY 206 - AMERICANS WITH DISABILITIES NON-DISCRIMINATION POLICY

It is the policy of the Highlands County Board of County Commissioners (Board), to ensure that full consideration is given to individuals with disabilities for employment. The Rehabilitation Act of 1973 was enacted to “promote and expand employment opportunities in the public and private sectors for handicapped individuals and to place such individuals in employment.” Section 504 of the Rehabilitation Act of 1973, as amended by 45 CFR, Part 84, however, does not protect all “handicapped persons.” In order to be considered as within the protected class/group, an individual must be a “qualified person with a handicap or disability.” With respect to employment, the affected individual must be able “with reasonable accommodations (to) perform the essential functions of the job in question.” The Americans with Disabilities Act of 1990 and as amended in 2009, Title I, Employment, further outlines the federal law that protects qualified individuals who have disabilities from being discriminated against in all phases of employment.

206:1 GENERAL PROVISIONS

1. In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (“ADA”), the Board will not discriminate against qualified individuals who have a physical or mental impairment which substantially limits one or more major life activities, have record of such impairment, or is regarded as having such impairment.
2. The ADA does not require the Board to take any action that would fundamentally alter the nature of its employment needs, or impose an undue financial or administrative burden.

206:2 COMPLAINTS

Anyone having reason to believe they may have been subjected to discrimination are urged to bring those concerns to the Human Resources Manager, who serves as the County’s EEO and ADA Coordinator. The complaint procedure is detailed in [Policy 207, Discrimination Complaint](#).

POLICY 207 - DISCRIMINATION COMPLAINT

It is the policy of the Highlands County Board of County Commissioners (Board), that anyone having reason to believe they have been subjected to discrimination are urged to bring those concerns to the attention of their immediate supervisor or Human Resources.

207:1 PROCEDURES

1. The complaint should be in writing using the Discrimination Complaint Form and contain information about the alleged discrimination, including the name, address, phone number of complainant, location, date, and description of the alleged discrimination. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities, upon request.
2. The complaint should be submitted by the grievant or his or her designee as soon as possible, but no later than fourteen (14) business days after the alleged violation to:

Human Resources Manager, EEO/ADA Coordinator
600 South Commerce Avenue
Sebring, FL 33870

3. Within fourteen (14) business days after receipt of the complaint, the Human Resources Manager or his/her designee will meet with the complainant to discuss the complaint and the possible resolution.
4. Within fourteen (14) business days of the meeting, the Human Resources Manager or his/her designee will respond in writing explaining the position of the Board.
5. If the response by the Human Resources Manager or his/her designee does not satisfactorily resolve the issue, the complainant or his or her designee may appeal the decision, within fourteen (14) business days after receipt of the response, to the County Administrator.
6. Within fourteen (14) business days after receipt of the appeal, the County will meet with the complainant to discuss the complaint and possible resolution.
7. Within fourteen (14) business days after the meeting, the County Administrator will respond in writing with a final resolution of the complaint.

207:2 RECORDS

1. All written complaints received by the Human Resources Manager, appeals to the County Administrator, and responses will be retained by the Board for at least three (3) years.
2. Records generated as a result of action taken under the provisions of this policy are exempt from public examination per Section 119.07(3) (p), Florida Statutes, until a finding is made relating to probable cause, the investigation of the complaint becomes inactive, or the complaint or other record is made part of the official record of any hearing or court proceeding.

300 - ELECTRONIC SYSTEMS, TECHNOLOGY, AND COMMUNICATIONS

POLICY 301 - USE OF COMMUNICATION SYSTEMS AND TECHNOLOGY

It is the policy of the Highlands County Board of County Commissioners (Board), to provide or contract for the communication systems and equipment necessary for the conduct of its business.

301:1 GENERAL PROVISIONS

1. Employees should familiarize themselves with the communication systems and equipment used by the Board. Most of these systems and equipment have usage charges or other related expenses. Employees should be aware of these charges and expenses and should exercise care in choosing the proper technology for each business communication. Employees should consult their Supervisor if there is a question about the proper technology to use.
2. Employees may not use the Board's address for receiving personal packages, and may not use Board stationery or postage for personal letters. Employees should exercise care so that no personal correspondence appears to be an official communication of the County.

301:2 PERSONAL USE OF COUNTY TECHNOLOGY

1. The computer and telecommunication systems are a vital part of Board operations and every effort shall be taken to ensure their availability and proper use. This usage policy is established to ensure users are aware of the proper use of these systems.
2. Users should understand that all information generated on Board equipment is the sole property of the Board, and that employees and private parties hold no ownership of any such information or equipment. Moreover, any such work products will, in most cases, be considered public record. This includes but is not limited to reports, letters, email, etc. This information is subject to monitoring at any time, with or without notice, at the sole discretion of the Board. Users of these systems are specifically informed that there is no expectation of privacy between the user and the Board for any data created or stored in the systems described.
3. Prohibitions. All users are prohibited from:
 - a. Theft, damage, or destruction of computing equipment, facilities, programs, or data.
 - b. Accessing, copying, or modifying computers, programs, or data without proper authorization.
 - c. Reproducing or allowing others to reproduce copyrighted software material in any form without proper authorization.
 - d. Accessing or using computers, programs, or data which are not authorized to the user's account.
 - e. Sharing personal access codes.
 - f. Sharing any security related procedures, files, or accounts with unauthorized persons.
 - g. Interfering with computer systems, telecommunications facilities, networks, or other resources including e-mail systems, such that the activities of other users are inhibited or disrupted (e.g. introducing computer viruses, worms.).
 - h. Intentionally rendering computer systems, telecommunications facilities, networks, or other resources inoperative (e.g. "crashing" the system or network).

- i. Using computer systems, telecommunications facilities, networks, or other resources including e-mail systems, for private commercial purposes including, but not limited to, the promotion of "for profit" and or privately owned businesses or sale of private property.
- j. Using computer systems, telecommunications facilities, networks, or other resources including e-mail systems to abuse, defame, harass, or threaten another individual or group, commit fraud, or distribute other unlawful messages.
- k. Use of computer systems, telecommunications facilities, networks, or other resources for frivolous or non-productive purposes as defined by the Board.
- l. Users shall not change computer settings that could be considered security related (such as network settings, screen saver password protection and timeout, etc.).
- m. Users shall not move or relocate networked computer systems (such as the G or O drive). Users are required to receive prior written or electronic authorization by the administrators of the network prior to moving telecommunication equipment. Desktop, Notebook, Laptop, and Hand Held computers may be excluded from this requirement.
- n. Users shall not setup any type of automatic forwarding of outside e-mail to any County e-mail from a home or remote computer.
- o. All other unauthorized acts or uses of computing facilities or resources, or any other actions not in accordance with the policies of the Board may result in disciplinary action, up to and including termination.

POLICY 302 - ELECTRONIC MESSAGES

The Highlands County Board of County Commissioners (Board) reaffirms its commitment to government in the sunshine and public records laws with the following policy concerning the receipt of, response to, and retention of e-mail, text messages, instant messages, multimedia messages, chat messages, and other electronic messages regardless of the means of transmittal (collectively "Electronic Message").

302:1 SCOPE

In accordance with the Chapter 119, Florida Statutes, this policy applies to any Electronic Message sent to or by any County Commissioner, employee, contract employee, volunteer, agent, contractor, advisory board, committee, or task force, or member thereof, or other person or private entity subject to record retention pursuant to Florida Sunshine Law (collectively "Covered Sunshine Person or Entity").

302:2 ELECTRONIC MESSAGES

For purposes of this policy, the term "County-related" means related to the County board, commission, committee or work group of which the Sunshine Person is a member or the work being performed by the Sunshine Person or Entity for the County.

302:2(a) FOR THOSE HAVING AN ASSIGNED COUNTY E-MAIL ADDRESS

1. The County has developed methods of storing e-mail sent from and received by County e-mail addresses assigned by the Clerk of Courts Information Technology Department in compliance with Florida law. Therefore, a Covered Sunshine Person or Entity having an assigned County e-mail address need not take any action to comply with Florida law regarding retention of e-mail sent from or received by those assigned e-mail addresses unless the retention period for that public record is longer than the e-mail system archival period. For additional information on e-mail system archival periods and procedures for records retention, please refer to the Board's E-mail Categories/Disposition Policy and related procedures for retention and disposal of e-mail.
2. The Board and Board employees shall not conduct County business through Electronic Messages other than through County e-mail addresses assigned by the Clerk of Courts Information Technology Department and other platforms supported by the Information Technology Department.
3. In the event that any Covered Sunshine Person or Entity having an assigned County e-mail address receives an Electronic Message with content subject to Florida Sunshine Law by way of a system other than the County e-mail address assigned to them, that Covered Sunshine Person or Entity shall, for purposes of retention of public records, forward that Electronic Message or a screenshot of that Electronic Message to his or her assigned County e-mail address with an appropriate subject heading that clearly identifies the message content so that the resulting County e-mail message may be retrieved by keyword search if a public records request is later made for documents regarding that content. The Covered Sunshine Person or Entity shall immediately notify the sender of the Electronic Message, by telephone call or by use of his or her assigned County e-mail address, to send Electronic Messages only to the recipient's assigned County e-mail address.

302:2(b) FOR THOSE NOT HAVING AN ASSIGNED COUNTY E-MAIL ADDRESS

1. Sending - A covered Sunshine Person or Entity that does not have an assigned County e-mail address shall, for purposes of retention of public records, include the

assigned County e-mail address of the County employee who is the assigned County contact for that Covered Sunshine Person or Entity and a subject heading that clearly identifies the message content on all County related e-mail sent by that Covered Sunshine Person or Entity so that the resulting County e-mail message may be retrieved by keyword search if a public records request is later made for documents regarding that content.

2. Receiving - In the event that any Covered Sunshine Person or Entity that does not have an assigned County e-mail address receives a County-related Electronic Message, that Covered Sunshine Person or Entity shall, for purposes of retention of public records, forward that Electronic Message or a screenshot of that Electronic Message to the assigned County e-mail address of the County employee who is the assigned County contact for that Covered Sunshine Person or Entity with an appropriate subject heading that clearly identifies the message content so that the resulting County e-mail message may be retrieved by keyword search if a public records request is later made for documents regarding that content. The Covered Sunshine Person or Entity that does not have an assigned County e-mail address shall also immediately notify the sender of the Electronic Message, by telephone call or by use of e-mail sent also to the assigned County e-mail address of his or her assigned County contact, to send messages to the Covered Sunshine Person or Entity only by e-mail that is also sent to the assigned County e-mail address of the assigned County contact for the Covered Sunshine Person or Entity.

POLICY 303 - SOCIAL MEDIA POLICY

The Highlands County Board of County Commissioners (Board), reaffirms its commitment to government in the sunshine and public records law by adopting this Social Media Policy concerning the receipt, retention, and display of social media. This policy and procedures govern the use of social media by County personnel and officials.

303:1 SCOPE

This Social Media Policy shall apply to all County Commissioners, employees, contract employees, volunteers, and members of advisory boards, committees, and task forces appointed by the Board of County Commissioners (individually and collectively referred to herein as a Covered Person).

For purposes of this policy, Social Media is defined broadly to encompass any form of online interaction in virtual communities, networks, logs, microblogs, etc., as well as use of related internet-based applications including, but not limited to, Facebook, Myspace, LinkedIn, Twitter, YouTube, Pinterest, Tumblr, Snapchat, Instagram, Flickr, and similar sites, as well as those not in existence at the time of the adoption of this Social Media Policy (collectively Social Media).

303:2 COUNTY-SPONSORED SOCIAL MEDIA

1. All County-Sponsored Social Media Sites and accounts must be approved by the County Administrator and created using a County e-mail address prior to being used for County business or operations. The County employs a third-party entity to capture all Social Media interactions or communications sent to or from County-Sponsored Social Media Sites and no further action is needed for a Covered Person to comply with Florida Law.
2. Unless approved by the County Administrator, no County website or County-Sponsored Social Media Site or account shall have the capability of allowing public comment or posting. Any posting or public comment or posting features shall be disabled on County-Sponsored Social Media Sites and accounts.
3. County personnel administering County-Sponsored Social Media shall comply with copyright and intellectual property laws.
4. The County reserves the right to use Social Media and networking sites to screen job applications to the extent permitted by applicable law.
5. County-Sponsored Social Media Sites and accounts shall not be used for private purposes or to solicit for any purpose not in connection with County business or operations or to disseminate confidential information or HIPAA information.

303:3 COVERED PERSON'S PERSONAL SOCIAL MEDIA

1. County Employees are prohibited from engaging in personal Social Media activities during working hours (except during meal or other approved breaks).
2. County equipment, accounts, and resources shall not be used to engage in personal Social Media activities. Covered Persons have no expectation of privacy with respect to the use of any County equipment, accounts, or resources, and the County reserves the right to monitor, review, and search all County equipment, accounts, and resources at any time for any reason.
3. Covered Persons are not permitted to post any pictures or other depictions of themselves or others wearing a County uniform, using County equipment or vehicles,

or otherwise displaying the County's image on any Social Media sites or web sites without the express prior approval from the County Administrator.

4. When publishing content to a personal Social Media site or account, Covered Persons must not state, imply or create the impression that they are speaking in an official capacity or on behalf of the County or that their activity is endorsed by the County. County-maintained websites and County-Sponsored Social Media activities shall be the officially approved means of disseminating information to the public.
5. Covered Persons shall not post information concerning County operations or County employment that is defamatory on Social Media.
6. Covered Persons must be sensitive to the fact that their conduct, online and offline, is often subjected to greater scrutiny in the community and the media. Accordingly, Covered Persons are expected to exercise good judgment in their Social Media activities. If the County Employee's Social Media activities fail to comply with this expectation, the County Employee may be subject to disciplinary action.
7. Covered Persons are prohibited from engaging in any conduct on their personal Social Media sites and accounts that would be constitute unlawful workplace harassment, discrimination or retaliation.
8. Nothing in this Social Media Policy is intended to restrict County Employees, while off-duty or during meal or other approved breaks, in the exercise of their right to speak freely on matters of public concern and to engage in other lawful activities for the purpose of collective bargaining or other mutual aid or protection as defined and interpreted by applicable law
9. Covered Person's Personal Social Media Shall Not Be Used for County-Related Business.
10. Covered Persons are prohibited from using any Social Media other than County-Sponsored Social Media Sites and accounts to interact or communicate any County-related business through Social Media.
11. In the event a Social Media interaction or communication is sent or received by a Covered Person on Social Media that is not a County-Sponsored Social Media Site relating to County-related business, the Covered Person or Entity shall take a screenshot picture of the Social Media interaction or communication and send it to a County e-mail account for retention. The e-mail shall include a subject heading identifying the subject matter so that the County e-mail may be retrieved if a public records request is later made for documents regarding that subject matter.

400 - EMPLOYMENT

POLICY 401 - HIRING

It is the policy of the Highlands County Board of County Commissioners (Board), to be an equal opportunity employer and to hire individuals upon the basis of their qualifications, suitability, and ability to successfully complete assigned work.

401:1 GENERAL PROVISIONS

1. Supervisors and Department Directors who need to fill a regular full or part-time job vacancy should submit a Position Fill Request to Human Resources to request that the position be advertised and filled. All requisitions will be reviewed by Human Resources and the Office of Management and Budget before the vacancy is posted. County Administrator approval is required for all postings that require job description changes, internal only posting, and during any period deemed as a Hiring Freeze.
2. During the recruitment, hiring, and orientation process, no statement is to be made promising permanent or guaranteed employment and no document should be called a contract unless, in fact, a written employment agreement is to be used. All employees of the Board should be made aware in writing that employment with the County is at-will and should exercise great care not to make any representations otherwise.
3. Any candidate for employment must complete a Board Application for At-Will Employment and submit it to Human Resources. All applications must be received no later than 5:00 P.M. on the closing date of the job announcement. Any applications received after this date and time will not be accepted.
4. The hiring department will work closely with Human Resources to determine whether an applicant meets the minimum qualifications for the open vacancy. The interview panel will select the candidate(s) for hire and make a recommendation to the County Administrator for final approval.
5. An application may be rejected by Human Resources if the applicant:
 - a. Has made false statements or omissions of any fact or practical deception in the Application for At-Will Employment form or process, regardless of when discovered.
 - b. Does not meet the minimum training, education, or experience requirements established for the position.
 - c. Has falsified the application through either commission or omission.
 - d. Has failed to complete the application and/or sign it.
6. Whether or not an applicant will be rejected depends on the specific facts, including the nature of the offense, relevance to employment, passage of time since the incident occurred, evidence of rehabilitation, or other mitigating factors.
7. Human Resources is responsible for New Employee Orientation and for the processing of employment forms. The Supervisor is responsible for any necessary job training. Further information is available in [Policy 501, Orientation and Training](#).
8. All employees may bid for any posted job by submitting an Employee Bid Form (Appendix 5) and an updated Application for At-Will Employment. Temporary employees may apply for posted jobs by completing an Application for At-Will Employment. If there is a qualified internal candidate available for the position, the vacancy is not required to be advertised in accordance with [Policy 403:4, Promotion](#).

9. Applicants offered employment in safety-sensitive positions with the Board may be required to successfully pass a pre-employment drug screening. A qualified laboratory chosen by the Board will perform the test. Any applicant who refuses to take the test, or whose test results are positive, will be denied employment at that time. Refer to [Policy 105, Drug-Free Workplace](#), for additional information.
10. All applicants offered employment with the Board will have a criminal background check and a review of motor vehicle records.
11. Former employees of the Board who left in good standing may be considered for re-employment. A former employee who is re-employed will be considered a new employee from the date of re-employment. Further information is available in Policy 403:3, Reinstatement.

401:2 PERSONNEL REQUISITIONS

This section sets forth the rules and regulations for the members of the interview panel in accordance with recommending qualified candidates for hire to the County Administrator.

1. Each listing of persons from a Certificate of Eligibles for appointment shall be entitled a "Personnel Requisition."
2. Additions and deletions from the Personnel Requisition listings may be made by Human Resources and approved by the County Administrator. Justification for such changes must accompany the requisition.
3. Procedure:
 - a. Order of Qualification. When issuing the Personnel Requisition, applicants should be listed in order of hiring preference.
 - b. Geographic Location Tie-Breaker. When qualifications are equal, geographical location of the applicant's home in relationship to the job site may be used as a consideration for breaking the tie. Geographical location will not serve to eliminate an applicant who is more qualified than others being certified.
 - c. Exception. When proximity to work location is essential due to required response time for reporting to the work site on an unscheduled basis, the names of eligible candidates may be certified on the basis of area residency.
 - d. County Residency Policy. It is not the policy of the Board to exclude employment opportunities from qualified applicants who reside outside the geographical limits of Highlands County or who are unwilling to relocate to the Highlands County area. It is, however, the policy of the Board to present an offer of employment to qualified applicants who reside within the geographical limits of Highlands County or are willing to relocate therein, prior to other applicants of equal qualification.

401:3 VETERAN PREFERENCE

Veterans' Preference for eligibility in employment will be extended to certain Veterans and spouses of Veterans in accordance with Section 295.07, Florida Statutes.

1. The state and its political subdivisions shall give preference in appointment and retention in positions of employment to:
 - a. Those disabled veterans:
 - i. Who have served on active duty in any branch of the United States Armed Forces, have received an honorable discharge, and have established the present existence of a service connected disability that is compensable under

- public laws administered by the United States Department of Veterans Affairs;
or
- ii. Who are receiving compensation, disability retirement benefits, or pension by reason of public laws administered by the United States Department of Veterans Affairs and the United States Department of Defense.
 - b. The spouse of a person who has a total disability, permanent in nature, resulting from a service connected disability and who, because of this disability, cannot qualify for employment, and the spouse of a person missing in action, captured in line of duty by a hostile force, or forcibly detained or interned in line of duty by a foreign government or power.
 - c. A wartime veteran as defined in Section 1.01(14), Florida Statutes, who has served at least one (1) day during a wartime period. Active duty for training may not be allowed for eligibility under this paragraph.
 - d. The unremarried widow or widower of a veteran who died of a service-connected disability.
 - e. The mother, father, legal guardian, or unremarried widow or widower of a member of the United States Armed Forces who died in the line of duty under combat-related conditions, as verified by the United States Department of Defense.
 - f. A veteran as defined in s. 1.01(14). Active duty for training may not be allowed for eligibility under this paragraph.
 - g. A current member of any reserve component of the United States Armed Forces or the Florida National Guard.

401:4 RECRUITING

This section sets forth rules and regulations for recruiting applicants for vacancies and newly established positions.

1. Recruiting Action. Active recruitment for all authorized regular positions, available or anticipated available will be conducted by Human Resources in cooperation with other departments and agencies.
2. Vacancies. Anticipated vacancies are those authorized regular positions being vacated within no more than 90 calendar days. Anticipated vacancies may not be forecast or advertised based on pending disciplinary action or requested changes in the manning level. A vacancy may be anticipated when the employee occupying the position has submitted a written resignation, been approved for transfer to another position within the organization, or has applied for and been approved for retirement within 30 calendar days.
3. New Position Recruitment. A new position may only be recruited after it has been approved by the Board and funded. Recruitment action shall not occur more than 90 calendar days before the established effective hire date.
4. Recruitment Scope. Recruitment actions and/or announcements shall be designed to reach all segments of the County population. Announcements will be displayed in the reception area and will be made available by Human Resources upon request. All job postings will be posted electronically on the Board website. They may also be provided to each department, to public and private employment agencies, and/or to automated employment services.

5. Basis for Recruitment. Applicants for all positions shall be recruited on the basis of the minimum training and experience requirements established for that position without regard to age, race, sex, religious belief, color, national origin, disability/handicap, gender, genetics or any other legally protected group/class.
6. Recruiting Language. All recruitment literature shall contain the title of the employer "Highlands County Board of Commissioners" and the phrase "An Equal Opportunity, Veterans Preference, and Drug-Free Workplace Employer."

401:5 PRIVATE EMPLOYMENT AGENCIES

The use of private employment agencies is permissible provided:

1. Human Resources direct recruitment cannot produce personnel for hire in sufficient time to serve the need for the personnel.
2. Use of the private employment agency may provide a competitive business advantage over direct hire of personnel.
3. The private employment agency must provide Human Resources written certification of compliance with Federal Civil Rights Act, Americans with Disabilities Act, Age Discrimination in Employment Act, pertinent guidelines of the Equal Employment Opportunity Commission, and Florida law.
4. Fees or charges for services rendered shall be reasonable per the market.

401:6 JOB POSTING

Posting shall be dated per the date issued by Human Resources. All postings may be placed on department bulletin boards for the information of Board employees. Announcements may be posted electronically.

1. Employee Bids:
 - a. All employees may bid for any posted job by submitting an Employee Bid Form (Appendix 5) and an updated Application for At-Will Employment. Temporary employees may apply for posted jobs by completing an Application for At-Will Employment.
 - b. Employee Bid Forms must be submitted in sufficient time to allow processing through the proper chain of command to arrive in Human Resources no later than 5:00 P.M. on the closing date of the job announcement. Employee Bid Forms received after this date and time will not be accepted.
 - c. Employee Bids which would result in a lateral move to a position with the same job title will not be considered. Refer to [Policy 407, Later Transfer](#). Employee Bids which would result in a demotion must be approved by Human Resources.
 - d. All employees who successfully bid on a job posting may forfeit the option to return to the position they vacated.
2. Job openings filled by transfers, reassignment, or internal promotions may not be subject to job postings.
3. Reclassifications due to changes in job requirements are not subject to job postings.
4. In order to reach all segments of the population, paper, or electronic copies of each job posting may be sent to the local State of Florida employment agency, local organizations, or any other applicable agency.

401:7 ADVERTISING

To ensure a supply of qualified applicants and promote community relations with all segments of the County's population, job postings may be advertised in local media and posted electronically as a general rule, under the following conditions:

1. All regular and temporary vacancies, without regard to pay grade, to afford a high-quality pool of applicants for consideration.
2. New regular positions without regard to pay grade (if not filled by reassignment, reclassification or internal promotion).
3. Advertisements may be placed outside the County when local advertising fails to produce sufficient applicants that meet the minimum qualifications for the job or when directed by the County Administrator to fulfill special recruiting requirements.

The following situations do not require job posting:

1. Vacancies for which a posting was published for the same or lower pay grade within 90 calendar days of the effective date of the vacancy, and for which well-qualified current applicants exist.
 - a. Applicants may be selected for positions of the same job title; or
 - b. Applicants may be selected for positions in the same or lower pay grade for which they interviewed.
 - c. This excludes positions that require Board appointment.
2. Part-time and/or temporary postings, when there are sufficient applications on-hand to support a quality hiring decision.
3. When disciplinary action results in reassigning an employee from a higher position to a vacancy in a lower pay grade.
4. When a vacancy is being filled by an existing employee through lateral transfer, reassignment, reclassification, or internal promotion.
5. When a vacancy is filled by a former employee returning from workers' compensation absence.

POLICY 402 - APPLICANTS FOR EMPLOYMENT

It is the policy of the Highlands County Board of County Commissioners (Board), that applications for employment shall be accepted for open positions. All applicants will be accorded uniform and equal treatment in all phases of the examination procedure. Applicants may not be accepted or rejected because of age, race, sex, religious belief, color, national origin, disability/handicap, gender, genetics or any other legally protected group/class. Reasonable accommodations may be made for disabled applicants to ensure equal access to the examination and evaluation process.

402:1 GENERAL PROVISIONS

1. **Application Assembly.** It is the sole responsibility of the applicant, whether a current or former employee or applying from outside the organization, to assemble and deliver any and all materials that comprise their application for employment. Human Resources staff is not required to perform word processing, copying services, procure or update materials or transcripts, etc. in order to assemble applications.
2. **Compliance with Laws, Rules, and Regulations.** Staff shall ensure that all positions are filled in a manner consistent with the intent and purpose of this section and other applicable state and federal rules, regulations, and law.

402:2 PROCEDURES

1. **Receipt.** Human Resources is responsible for accepting applications for employment.
2. **Forms.** Applications will be submitted on the Highlands County Board of County Commissioners Application for At-Will Employment. Applicants requesting special assistance due to disability will receive equal consideration and be afforded reasonable accommodation throughout the application and examination process.
3. **Signature Required.** Applications must be signed by the applicant, attesting to the truth of all statements contained on the application. Falsification of an application may be cause for disqualification of an applicant or the dismissal of the employee. Applications received without the applicant's signature, whether intentional or accidental, may be rejected.
4. **Qualifying.** Applicants may be individually reviewed and ranked based on a numeric grading scale. Veterans' preference will be awarded per Chapter 295, Florida Statutes.
5. **Application Rejection.** An application may be rejected by Human Resources if the applicant:
 - a. Has been convicted of a felony or first-degree misdemeanor which directly relates to the position sought, regardless of when discovered.
 - b. Has made false statements or omissions of any fact or practical deception in the Application for At-Will Employment or process, regardless of when discovered.
 - c. Whether or not an applicant will be rejected under items (a) and (b) above depends on the specific facts, including the nature of the offense, relevance to employment, passage of time since the incident occurred, evidence of rehabilitation, or other mitigating factors.
 - d. Does not meet the minimum training, education, or experience requirements established for the position.
 - e. In consultation with hiring department, if an unsatisfactory employment record as shown by written factual evidence, i.e. employment application or references. In

- such cases, former employers and references may be contacted to gain additional information.
- f. Employee is ineligible for rehire due to an involuntary resignation.
 6. Application Status. Applicants not selected for an interview will be advised by mail or telephone. Applicants examined or interviewed will be advised by mail or telephone of their status following the interview.
 7. Not Hired. Applicants not hired may request to use the application on file for up to six (6) months after submission. After six (6) months a new application will be required.
 8. File. Human Resources shall maintain the original application as part of the personnel file for all persons hired.

402:3 INTERVIEW

All appointments will be made on the basis of merit and fitness to be determined as far as practical and possible by a competitive examination process, which may include, but not be restricted to, any or all of the following: oral interview, written test, oral test, performance test, physical or fitness test, evaluation of training and experience, length of time in present position, and any other applicable criteria which will fairly measure the relative abilities of individuals competing in examinations.

Candidates may be required to attain at least a minimum performance on each part of the examination process in order to be considered for employment.

Reasonable accommodations will be provided in the examination process when requested by disabled job applicants.

Interviews for the position of Department Director and above require public notice.

Applicants may be examined by one or more of the following methods:

1. Personal Interview. An in-person or web-based interview to determine abilities and qualification, which may include any or all of the following: oral interview, written test, oral test, performance test, physical or fitness test. Personal interviews shall be conducted by an interview panel. Applicants may be scored or ranked using a numeric grading scale.
2. A second or third interview may be required at the request of the interview panel, Department Director, Human Resources, or County Administrator.
3. Interview Panel. The interview panel should be comprised of three (3) or more members to include the Supervisor, Department Director or department designee, and a member of Human Resources. Prior approval through Human Resources is required for all non-Board panel members. The County Administrator may participate in a two (2) person panel of his or her choosing for which Human Resources does not have to participate.

Public Information and Records Retention. Following an interview, Human Resources will make available, upon request, the results in accordance with Chapter 119, Florida Statutes.

402:4 OTHER PERSONNEL SERVICES (OPS)

Other Personnel Services (OPS) positions are intended to fulfill short-term or sporadic needs of the Board, except professionals, who are to be used on a fill-in status only. Employment of personnel in the OPS category in the same position for a period longer than six (6)

months requires prior approval by the Board of County Commissioners. Refer to [Policy 410, Supplemental Workforce](#).

402:5 CONDITIONAL OFFER OF EMPLOYMENT AND PROCESSING

After tentative selection and before final processing, an applicant shall be required to:

1. Take a physical examination performed and evaluated by a designated physician, if required by the position.
2. Take a physical agility test, if required by the position.
3. Present:
 - a. Authorization to work in the United States. Highlands County participates in E-Verify.
 - b. Proof of identification.
4. Sign a waiver and authorization to conduct a criminal, work, and personal reference background investigation.
5. Complete drug and/or alcohol test, if required by the position (safety sensitive).
6. Present a valid Florida Driver's License, if required by the position.
7. Sign a loyalty oath.
8. Complete bonding and fingerprinting requirements for the positions, if any.

402:6 PHYSICAL EXAMINATION

When physical examination is required for specified positions, the applicant shall present to the designated physician and undergo a physical examination by a physician. Using the job description, the physician shall conduct the examination and identify all medical conditions which may have an effect on the prospective employee's ability to perform the essential job functions of the identified position.

If medical restrictions/limitations are identified, Human Resources shall review the report and determine:

1. If reasonable accommodations can be made available for the selected candidate.
2. If the prospective employee shall be required to submit additional medical information from their personal physician.
3. If the offer of employment must be withdrawn.

An applicant who fails to pass the physical examination may request reconsideration by submitting additional medical information per the following:

1. Written request for reconsideration must be made to Human Resources within ten (10) calendar days of notice of examination failure.
2. Upon receipt of a request for reconsideration, Human Resources shall review it with the authorized physician who made the initial assessment. If necessary, additional medical examinations may be authorized at the expense of the Board.

The applicant shall not be considered a Board employee until completion of the medical examination process and acceptance of an unqualified offer of employment. Final appointment to the position is contingent on successful completion of all required elements of the pre-employment physical, physical agility test, drug screen (if safety sensitive), and

background investigation. Rejection of a candidate at this step will be based on a reason that is job-related and consistent with business necessity.

402:7 E-VERIFY

To comply with federal regulations of the Immigration Reform and Control Act (IRCA), all employees are required to complete an Employment Eligibility Verification form (I-9 form). This law applies to all individuals hired, including full-time, part-time, and OPS employees. E-Verify is a web-based program administered by the U.S. Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS) Verification Division, and the Social Security Administration that supplements the current I-9 employment eligibility verification process. The program determines whether the information provided by the new hire matches government records and whether the new hire is authorized to work in the United States.

1. All employees must complete Section 1 of the I-9 form on day one of their employment. All employees must complete the I-9 form within three (3) business days of the date employment begins by providing appropriate documentation. Any employee who fails to complete the I-9 within the three (3) business day time period cannot continue to work.
2. To maintain compliance, the appropriate Human Resources designee must also certify Section 2 of the I-9 form AND prepare the E-Verify report within three (3) business days of the date of employment.
3. Re-verifications & Re-hires. Federal regulations require an update and/or re-verify the I-9 form when one of the following occurs:
 - a. An employee is terminated and then re-hired - The original I-9 is valid only when the employee is re-hired within three (3) years of the original hire date. Otherwise, a new I-9 form and E-Verify report must be completed. A new E-Verify report must be completed for all rehires.
 - b. An employee's work authorization is about to expire and a new or extended status has been approved, or, the employee's status has changed to another non-immigrant or to immigrant status. No new E-Verify report is required for work authorization re-verifications.
4. I-9 Retention. The Board shall retain all valid I-9 forms in accordance with the State of Florida General Records Schedule GS1-SL.
5. Final appointment to the position is contingent on successful completion of all required elements of the investigation. Rejection of a candidate at this step will be based on a reason that is job-related and consistent with business necessity.

POLICY 403 - APPOINTMENT

It is the policy of the Highlands County Board of County Commissioners (Board), that all new employees (fulltime and part-time regular employees in Board-approved positions; does not include temporary employees) are to be carefully monitored and evaluated during original appointment, reinstatement, promotion, demotion, reassignment or trainee status.

403:1 APPOINTMENT TYPES

1. An established position must be filled by one of the following types of appointments:
 - a. Original
 - b. Trainee
 - c. Reinstatement
 - d. Promotion
 - e. Demotion
 - f. Reassignment ([Policy 408](#))
2. Regular Status. An employee does not attain regular status until successful completion of the six (6) month probationary status. Upon accepting a new position, regardless of the appointment type, all employees will be placed into probationary status.
3. Minimum Training and Experience Requirements. Any person appointed to a position under the Board must meet the minimum training and experience requirements established on the job description for the position to which appointed, unless:
 - a. Designee Pay. The employee is appointed with Designee Pay per [Section 701:3](#).
 - b. Trainee Status. Human Resources and the Department Director shall determine if the individual does not yet meet the minimum training requirements and appointment to trainee status is appropriate. In this case, the employee should be able to complete the training requirement within six (6) months of appointment.

403:2 ORIGINAL APPOINTMENTS

No original appointment shall be made without the approval of the County Administrator. Except for reinstatement, promotion, demotion, or reassignment appointments, appointments made in accordance with the provisions of this chapter to established positions shall be considered original appointments.

Upon original appointment to a position, an employee shall be given status in that position in accordance with the following:

1. Probationary Status. An employee appointed to fill an established position on a regular full-time or part-time basis shall be given probationary status. As an incentive for new employees to complete probation and matriculate as a regular employee with an evaluation of 3.1 or higher, up to a five percent (5%) end of probation pay raise may be authorized on a case by case basis by the County Administrator.
 - a. When an employee who has not attained regular status is granted a leave of absence without pay in excess of three (3) workdays, the time spent on such leave may not count toward the completion of the employee's probationary status.

2. Trainee Status. An employee appointed to fill an established position on a regular full-time or part-time basis shall be given trainee status when:
 - a. The employee does not meet the minimum training and experience requirements for that position; and
 - b. The employee is participating in accordance with an established training schedule or program approved by Human Resources.
 - c. Upon the completion of the training, or six (6) months of continuous employment, whichever comes later, the employee may be given regular status. Training shall last no longer than six (6) months.
 - d. The salary shall be five percent (5%) below the salary range minimum of the assigned position.

A new employee without regular status may be terminated at any time without the right to appeal.

403:3 REINSTATEMENT

1. A Board employee who held regular status prior to separation may be given a reinstatement appointment, provided:
 - a. The employee was separated from employment in good standing.
 - b. Reinstatement is made within one (1) month from the date the employee separated.
 - c. The appointment is made to a position in the same pay grade or to a position in a lower pay grade within a similar position.
2. Limitations. If an employee who held regular status is not given a reinstatement appointment within one (1) month from the date separated, the employee shall be given an original appointment if re-employed by the Board. Refer to [Policy 403:2, Original Appointments](#).
3. Laid-Off Employees. Whenever possible, vacancies shall be filled by reinstatement of former employees who have been laid-off, in accordance with [Policy 412, Layoff Policy](#).

403:4 PROMOTION

An employee shall be given a promotion appointment when moved from a position in one pay grade to a position in another pay grade having a greater degree of responsibility and a higher maximum salary. All promotions are subject to approval by the County Administrator.

1. Eligibility. Employees with or without regular status may be promoted to a position for which the employee meets the minimum training and experience requirements.
2. Probation. A promoted employee who has previously attained regular status, shall serve a probationary period of three (3) months in the higher pay grade. This period may be extended for a maximum of three (3) months by the Department Director with concurrence of Human Resources, for a maximum of six (6) months total.
3. Leave Accrual After Promotion. Employees with regular status prior to promotion continue to accrue annual and sick leave in the same manner in effect prior to promotion. Employees without regular status prior to promotion shall be awarded sick leave three (3) months after the date of original hire and annual leave after six

(6) months so long as progress is satisfactory. Refer to [Policy 601, Sick Leave](#), and [Policy 603, Annual Leave](#), for details on how leave is computed.

4. Demotion During Probation. A promoted employee may be demoted to a position within the same pay grade from which they were promoted any time prior to attaining regular status in the higher pay grade, without having the right to appeal the demotion.
5. Internal. The County Administrator may authorize an internal promotion for any vacancy. No external or internal job posting is required. Salary shall not be approved at more than ten percent (10%) above the employee's current salary or to the minimum of the new pay grade.

403:5 DEMOTION

An employee shall be given a demotion appointment when moved from a position in one pay grade to a position in another pay grade having a lesser degree of responsibility and a lower maximum salary.

1. Voluntary Demotion. With the approval of the County Administrator, an employee with regular status may be demoted, to a position for which the employee meets the minimum training and experience requirements providing the demotion is voluntary and the employee signs a statement to that effect. Salary will be reduced by five percent (5%) or to the mid-point of the new pay grade. Salary may not exceed the mid-point of the new pay grade.
2. Involuntary Demotion. Involuntary demotions of regular employees require the approval of the County Administrator. An employee with regular status shall be given a demotion appointment to a position in a lower pay grade in the same manner prescribed for original appointments and may appeal the action through the Grievance Procedure (Policy 803). Salary will be reduced by ten percent (10%) or to the midpoint of the new pay grade. Salary may not exceed the mid-point of the new pay grade.
3. Status. Demoted employees shall be placed on a six (6) month probationary status.
4. Demotion of Non-Regular Employees. An employee who has not attained regular status and is given a demotion appointment to a position in a lower pay grade shall not have the right to appeal the demotion.

403:6 POSITION OVERLAP

No position shall be filled by more than the equivalent of one (1) full-time employee, except as provided for in this section. Overlap is defined as a condition in which two (2) employees are placed in the same position for any of the following reasons:

1. For the purpose of training one employee to take-over the duties of another employee.
2. For the purpose of performing duties of an employee placed on leave with or without pay due to the employee's personal illness, injury, disability or other absence.
3. Overlap shall not occur in any position without County Administrator approval and may not exceed 90 calendar days unless a longer period is authorized by the Board.

POLICY 404 - NEPOTISM & FRATERNIZATION

It is the policy of the Highlands County Board of County Commissioners (Board), to be an equal opportunity employer and to hire individuals upon the basis of their qualifications, suitability, and ability to successfully complete assigned work.

404:1 NEPOTISM

1. A relative of an employee will be considered for employment by the Board, provided the applicant possesses all the qualifications for employment. A relative will not be hired, however, if such employment would:
 - a. Create either a direct supervisor/subordinate relationship with a relative; or
 - b. Create either an actual conflict of interest or the appearance of a conflict of interest.
2. These criteria will also be considered when assigning, transferring, or promoting an employee. For the purposes of this policy "relative" shall be defined, in accordance with Chapter 112.3135, Florida Statutes, as an individual who is related to the public official as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister half-brother, or half-sister.
3. Employees who marry or become members of the same household may continue employment as long as there is not:
 - a. A direct supervisor/subordinate relationship between such employees; or
 - b. An actual conflict of interest or the appearance of a conflict of interest.
4. Should one of the above situations occur, Human Resources will attempt to find a suitable position within another department to which one of the affected employees may transfer. If accommodations of this nature are not feasible, the employees will be permitted to determine which of them will resign.

404:2 FRATERNIZATION

The Board recognizes the need to establish a work place free of relationships that could create liability for the County and a perception of favoritism and/or conflict among County employees; therefore, interfering with the proper conduct of County business.

1. The Board does not feel that a prohibition against a consensual romantic relationship is necessary, provided:
 - a. Both parties mutually and voluntarily consent to the relationship.
 - b. The relationship does not affect judgment or performance of duties of involved employees.
 - c. The relationship does not negatively impact the work environment.
 - d. The relationship is not between a direct supervisor and subordinate.
2. Employees are strictly prohibited from engaging in any form of intimate contact that would in any way be deemed inappropriate by a reasonable person serving anywhere on County premises, whether during working hours or not.

POLICY 405 - JOB CLASSIFICATIONS

It is the policy of the Highlands County Board of County Commissioners (Board), to evaluate all jobs in order to establish a consistent basis for measuring and ranking the relative worth of each job. Further, it is the intent of the Board to maintain salary ranges, current job titles, and job descriptions in accordance with sound compensation practices.

405:1 GENERAL PROVISIONS

1. Human Resources is responsible for coordinating the continuing internal review of the Board's compensation structure and for making sure that each job is evaluated and assigned a salary range which accurately and fairly reflects each job's responsibilities and performance.
2. The Pay Plan contains salary ranges with a minimum and a maximum rate for each job title. Changes in salary range assignments may only be made by the County Administrator, and are subject to approval by the Board of County Commissioners.
3. Human Resources should evaluate all new positions and review, on a periodic basis, all job descriptions to ensure that they accurately reflect current duties. If a suitable job title does not exist, Human Resources may recommend the establishment of a new job title and salary range for approval by the County Administrator.
4. Only the Board may authorize establishing new regular or temporary positions with benefits. To the extent feasible, actions that may result in new positions will be processed as part of the normal budget cycle. Classification of new positions or reclassification of existing positions which require immediate action and which significantly impact either the County organization or individual employees may be considered as an exception to policy.
5. Human Resources is responsible for developing and administering daily activities of the job evaluation program. This includes taking responsibility for revising and/or updating job descriptions, deleting job titles that are no longer needed, and position reclassifications. Human Resources may require the assistance of Supervisors, Managers, or Department Directors to ensure the accuracy of the duties listed within the job description.
6. Human Resources is responsible for reassigning job titles to the Exempt and Hourly pay plans based on changes in organizational needs, in compliance with the Fair Labor Standards Act.

405:2 PAY GRADES

1. The Board has adopted three (3) pay grades to serve the needs of its employees:
 - 100 Series – Includes regular 40-hour employees working eight (8) hour and ten (10) hour shifts. Overtime is earned after 40 hours worked in the seven (7) day work period. This series includes exempt Fire Rescue positions, 40-hour Fire Rescue positions (identified in Policy 406:1 – General Provisions) and OPS positions.
 - 200 Series – Fire Rescue single certificated employees (EMS only) working 24 hours on and 48 hours off. Overtime is earned after 40 hours worked in the seven (7) day period.
 - 300 Series – Fire Rescue dual certificated employees working 24 hours on and 48 hours off. Overtime is earned after 106 hours worked in the 14-day period.

405:3 JOB DESCRIPTIONS

1. Job descriptions define the kind of work and level of responsibility normally assigned to employees performing a job. While exact duties and responsibilities of positions under a specific job title may differ, all positions so designated shall be sufficiently similar as to kind of work, level of difficulty or responsibility, and qualification requirements to warrant like treatment for personnel purposes.
2. Job descriptions shall contain the parts listed below. Each part must contain the minimum amount of information required to distinguish each characteristic.
 - a. Position Information. The position title given will best describe the job specification. This section will include the job title, job code, FLSA classification, type of position, division, department, cost center, pay grade, pay range, special risk (if applicable), and if the position is full or part-time.
 - b. Position Duties & Responsibilities.
 - i. General Description. The specific reason the position is established, and the overall objectives to be achieved by the employee that holds the position.
 - ii. Essential Job Functions. Specific statements as to the kind of work and level of responsibility the job specification encompasses, but not restrictive to the duties that may be required. A statement of the number of personnel supervised by the holder of the position, if any.
 - iii. Knowledge, Skills, and Abilities. Statements specifying the knowledge level, special abilities, and skills necessary to do the job. This section will also contain a description of the physical abilities required of the position, based on the normal and recurring physical demands of the job.
 - iv. Physical Skills. Physical ability requirements must be based on the essential functions performed by the job. A description of the usual and occasional location and environment in which the holder of the position is required to operate.
 - c. Minimum Qualifications. Statements of the kind and amounts of training, education, experience, and/or other qualifications that is normally required of applicants for the job specification. This section will also include working hours and disaster assignment.
3. The County Administrator is authorized to make minor changes to job descriptions, excluding pay grades. All major changes, including the creation of new positions, require Board approval.

405:4 RECLASSIFICATION

1. A position may be reclassified from either a higher or lower pay grade as a result of significant changes in assigned duties and responsibilities.
2. Reclassifications cannot be created for situations involving the assignment of new duties and responsibilities which in effect create a new position.
3. Reclassifications will not be approved for artificial changes in duties and responsibilities solely for the purpose of gaining a change in the current authorized pay grade.
4. All reclassifications must be reviewed by the County Administrator and Human Resources, and approved by the Board, prior to implementation.

405:5 LEAD WORKERS

1. When two (2) or more positions in the same position or pay grade are located in the same work unit, one position may be assigned lead worker duties, provided:
 - a. The position is assigned duties and responsibilities of a limited supervisory nature in addition to normal assignments of the position.
 - b. The supervisory responsibilities do not justify reclassification of the position.
2. Lead worker duties may not be assigned to a position unless the position has been reviewed by the County Administrator and Human Resources, and approved as a lead worker position by the Board.
3. Employees assigned lead worker responsibilities will not receive more than a pay increase of ten percent (10%) above the employee's current biweekly salary as approved by the County Administrator. Such salary increases may not exceed the maximum of the current pay grade.

405:6 HAZMAT AND TECHNICAL RESCUE PAY

1. Up to 20 qualified employees may be recommended by the Public Safety Director and approved by the County Administrator as members of the Hazmat team.
2. Approved members of the Hazmat team will be compensated for their participation, as follows:
 - a. One (1) employee may be designated as the Hazmat team leader and will receive a pay increase of ten percent (10%).
 - b. Up to 19 employees may be designated as a Hazmat team member and will receive a pay increase of two percent (2%).
 - c. Such salary increases may not exceed the maximum of the employee's current pay grade.
 - d. Hazmat pay will only be granted during the employee's designation as a Hazmat team member. The pay increase will be removed if the employee no longer participates on the Hazmat team or does not meet the training requirements as set forth.
3. One (1) qualified employee may be recommend by the Public Safety Director and approved by the County Administrator as the Technical Rescue lead.
 - a. This employee will receive a pay increase of ten percent (10%).
 - b. Such salary increase may not exceed the maximum of the employee's current pay grade.
 - c. Technical Rescue lead pay will only be granted while the employee is designated as the Technical Rescue lead. The pay increase will be removed if the employee no longer performs the function as Technical Rescue lead.

405:7 FIRE RESCUE

1. Provisional Paramedic Positions. A maximum of seven (7) EMTs may be elevated to Provisional Paramedic positions at the minimum starting salary for a Paramedic, providing:
 - a. Paramedic training has been completed and the proper state certification obtained while an employee of the Highlands County Fire Rescue.

- b. Current duty performance is considered to be above average by the Battalion Chief or Captain.
- c. The employee is not serving a period of employment probation, as outlined in Policy 502, Probationary Period.
- d. A current position vacancy for Paramedic does not exist within Fire Rescue.

If approved, Provisional Paramedics will be promoted to an open regular Paramedic position based on total time in grade as a Provisional Paramedic. Provisional Paramedics who refuse to accept a regular Paramedic position will be returned to the position of EMT at the salary rate he or she received as an EMT immediately prior to becoming a Provisional Paramedic.

An employee may be appointed to a Provisional Paramedic position at a salary five percent (5%) below the salary range minimum of the Paramedic position, for a training period not to exceed three (3) months.

Salaries for employees granted an increase per this section will be effective from the first day of the pay period following notification of eligibility.

2. Paramedic Field Training Officer (FTO). A total of three (3) Paramedic qualified personnel may be selected for the position of Field Training Officer. The position of FTO will receive five percent (5%) salary increase on the date of appointment, providing the salary increase does not exceed the established salary maximum for the pay grade. Selections must be approved by the County Administrator. Upon vacation of a FTO position, either voluntarily or involuntarily, the current salary level of the employee will be reduced by five percent (5%), effective from the date the FTO position was vacated.
3. OPS Positions. In order to provide qualified and competent reliefs for Fire Rescue personnel for vacation, off-site training, illness, injury, and other contingencies, persons meeting all the qualifications of the regular position may be placed on a call-up roster. A current Medical Emergency First Responder certification may be substituted for the EMT requirement. Persons employed as OPS will be paid at a rate to be determined by the Department and approved by the County Administrator. OPS employees will not accrue paid leaves, be eligible for health or life insurance benefits, or receive Florida Retirement Service credit unless approved by the Board.

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POLICY 406 - WHITE COLLAR EXEMPTION

It is the policy of the Highlands County Board of County Commissioners (Board), to evaluate positions and remain in compliance with local, State, and Federal Labor Laws. Certain employees classified as executive, administrative, professional, or computer professional are exempt from the provisions of the Fair Labor Standards Act (FLSA), provided they meet the following criteria.

406:1 GENERAL PROVISIONS

1. The employee is paid on a salary basis or as otherwise required by the FLSA. To qualify as salary basis, the employee must be paid a predetermined amount on a weekly or less frequent but regular basis, and generally will be paid a full salary regardless of the number of days or hours worked in a work week. An employee need not be paid for any work week in which they perform no work.
2. Compensation cannot be reduced because of variations in the quality or quantity of work performed.
3. The employee must be paid the full salary for any week in which the employee performs any work, except where a deduction is authorized as set forth below.
4. Accrued annual and sick leave credits will be used for absences of one or more full days. Deductions will not be made from accrued benefits for less than a full day of absence.
5. Deductions will not be made for absences occasional by the employer or by the operating requirements of the County.
6. For Fire Rescue, overtime hours and overtime compensation shall be defined and implemented as prescribed by the Fair Labor Standards Act and the United States Department of Labor. The County will treat the following positions assigned to a 40-hour week under Section 7(a) of the FLSA:
 - Public Safety Director
 - Deputy Chief
 - Single EMS certification Fire Rescue positions
 - Quartermaster
 - Administrative Assistant
 - Secretary II
 - Billing Specialist
 - Billing Technician
 - Clerical Assistant

All other Fire Rescue positions will fall under Section 7(k) of the FLSA.

406:2 PERMISSIBLE EXEMPT SALARY DEDUCTIONS

There are seven (7) exemptions to the "no-pay docking" rule. Deductions from an exempt employee's salary may be made in the following circumstances:

1. Absences from work for one (1) or more full days for personal reason, other than sickness or disability. Use of accrued annual and sick leave credits may be required for these absences. Refer to Policy [601, Sick Leave](#), or [Policy 603, Annual Leave](#), for information on the use of sick or annual leave.
2. Absence from work for one (1) or more full days due to sickness; or, if the employee has accrued sick leave, such absences will be charged against the employee's

accrued leave. If sick leave has been exhausted, a deduction in salary in full day increments will be made. Refer to [Policy 601, Sick Leave](#).

3. To offset any amount received as payment for jury fees, witness fees, or military pay.
4. Penalties imposed in good faith for violating safety rules of major significance. Prior to imposing a salary deduction under this subsection, Supervisors are required to seek the approval of Human Resources.
5. Unpaid disciplinary suspension of one (1) or more full days imposed in good faith for violations of workplace conduct rules.
6. A proportionate part of an employee's full salary may be paid for time actually worked in the first and last weeks of employment.
7. Unpaid leave taken pursuant to the Family and Medical Leave Act (FMLA). Refer to [Policy 606, Family Medical Leave](#).

406:3 COMPLAINT PROCEDURE

It is the intent of the Board, as employer, to never make improper deductions from exempt pay. However, in the event any exempt employee believes a deduction to their salary has been made improperly, the following steps may be taken:

1. The employee may report such complaint, either verbally or in writing, directly to Human Resources or to the County Administrator.
2. Human Resources may provide a verbal or written response to the complainant within five (5) business days of receipt of such complaint, either agreeing with the complaint and issuing corrective pay action, or showing disagreement with the complaint and the basis upon which the deduction is considered proper.

POLICY 407 - LATERAL TRANSFER

It is the policy of the Highlands County Board of County Commissioners (Board), that it may, at its discretion, initiate or approve employee job transfers from one position to another or from one location to another. Lateral transfers only allow employees to transfer into a position with the same job title and pay grade.

407:1 GENERAL PROVISIONS

1. The Board may require employees to make either a temporary or long-term job transfer in order to accommodate the Board's business needs.
2. Employees may request a voluntary lateral transfer. To be eligible for a voluntary lateral transfer, employees must have held their current position for at least six (6) months if the position sought is outside their current department. Approval is required from the Supervisors and Directors in both departments.
3. Employees transferring will do so at their existing rate of pay with no salary increase.
4. An employee with regular status who is given a lateral transfer shall retain regular status upon appointment to the new position.

POLICY 408 - REASSIGNMENT

It is the policy of the Highlands County Board of County Commissioners (Board), that it may, at its discretion, initiate or approve reassignment appointments to move an employee from one position to another.

408:1 GENERAL PROVISIONS

1. An employee shall be given a reassignment appointment when moved from a position within the same pay grade, but which has a different job title.
2. Employees given a voluntary reassignment will not receive more than a three percent (3%) pay increase above the employee's current salary as approved by the County Administrator. Such salary increases may not exceed the maximum of the pay grade.
3. An employee with regular status who is given a reassignment appointment to a different position shall be given probationary status after Human Resources has determined that the employee meets the minimum training and experience requirements for that position. Human Resources may require a qualifying examination, such as a drug test or a fit-for-duty medical exam, if the employee has not previously passed an appropriate examination. The employee will be placed on a three (3) month probationary status.
4. An employee involuntarily reassigned, for which the individual is qualified, shall not have the right to appeal such action.
5. All reassignments require approval of the County Administrator prior to implementation.

POLICY 409 - SECONDARY EMPLOYMENT

It is the policy of the Highlands County Board of County Commissioners (Board), that it shall be considered the primary employer for all regular employees paid by the Board. As primary employer, the Board is entitled to and should receive 100% of each employee's efforts and energy while on the job.

409:1 GENERAL PROVISIONS

1. Secondary employment determined to be the cause of substandard or unsafe performance of duty could result in discharge.
2. No employee may engage in outside employment which would interfere with the interests of the Board. Moreover, secondary employment may violate the Code of Ethics for Public Officers and Employees, Chapter 112, Florida Statutes. Employees of the Board shall not engage in any employment activity or enterprise which has been or may be determined to be inconsistent, incompatible, or in conflict with the duties, functions or responsibilities of their job or department.
3. No employee shall hold any other position in governmental or private employment or as an independent contractor when such other position may have the effect of reducing the efficiency of service to the Board. Employees holding other positions cannot solicit or advertise or take calls concerning their other employment during working hours at the Board.
4. Employees should ensure that the Secondary Employment Request has been approved, prior to performing any outside duties to ensure compliance with this policy.

409:2 PROCEDURE

Requests for outside employment authorization shall be submitted in writing using the Secondary Employment Form (Appendix 1) and shall contain the following information:

1. Name and address of secondary employer.
2. Position and/or nature of work to be performed.
3. Anticipated hours of employment.
4. Sworn statement attesting that the requested employment is in total compliance with this chapter.

409:3 APPROVAL AND CANCELLATION

Approval for outside employment may be granted by the County Administrator. Approval may be canceled at any time by the Department Director or the County Administrator, upon ten (10) business days' written notice to the employee. Approval of one application cancels any other application previously approved.

409:4 ADDITIONAL CONDITIONS

1. Eight-Hour Rule. Persons employed in safety-sensitive positions shall not engage in secondary employment within eight (8) hours immediately prior to a normally scheduled period of work for the Board. It is the responsibility of the employee, to notify the immediate Supervisor of any potential schedule conflicts. For purposes of this rule, safety sensitive positions are:
 - a. Paramedics.

- b. EMTs.
- c. Firefighter/EMTs.
- d. Operators of heavy equipment and dump trucks.

There are no acceptable circumstances or hardship conditions that warrant exception to this policy. Violation of this requirement may be cause for disciplinary action including termination.

- 2. Secondary Employment Caused Illness or Injury. The Board assumes no liability for injury or illness caused by outside employment. Accumulated sick leave credits may be used to cover outside employment caused illness or injury with the prior approval of the employee's immediate Supervisor.
- 3. Annual Leave Use. Annual leave credits may be used to cover outside employment caused illness or injury with the prior approval of the employee's immediate Supervisor.
- 4. Disposition. Secondary employment authorization requests, whether approved or disapproved, must be delivered to Human Resources for review and filing.

NOTE: Secondary employment of the Board's contract employees (County Administrator, County Attorney) is governed by contract with the Board.

POLICY 410 - SUPPLEMENTAL WORKFORCE

It is the policy of the Board of County Commissioners (Board), to supplement the regular workforce with temporary, seasonal employees, student interns, or other forms of flexible staffing when needed, because of periods of peak workload or employee absences.

410:1 GENERAL PROVISIONS

1. All vacancies in positions covered by this policy need not be advertised.
2. The Board may utilize students, volunteers, and other similar applicants for flexible staffing purposes, if not prohibited by law. When deemed necessary, such applicants will be required to provide a certificate of age.
3. Employees covered by this policy are not eligible for paid absences, vacations and holidays, except OPS employees approved by the Board for longer than six (6) months with approval of the County Administrator.
4. All employees covered by this policy are to be paid within the pay range of their job title.
5. Other Personnel Services (OPS) is a temporary employer/employee relationship used solely for accomplishing short-term or intermittent tasks. Human Resources will review all requests and submit to the County Administrator for approval prior to extending temporary employment.
6. A temporary/OPS employee is hired to work part-time or full-time hours for a limited/finite period. Temporary employees may be hired to work on special projects or periods of peak workload, not to exceed six (6) months in duration with approval of the County Administrator. Temporary employees may be hired to work for periods greater than six (6) months with approval of the Board of County Commissioners.
7. Temporary/OPS employees may also be used to cover employee absences due to FMLA, workers' compensation, or other leaves of absence for the duration of the regular employee's absence.
8. A temporary/OPS employee normally works regularly scheduled hours during the term of their temporary assignment.

410:2 PART-TIME EMPLOYEES (NON-OPS)

1. Board approved positions that are scheduled for less than 30 hours. Full-time employment is considered 30 hours or more.
2. Part-time positions are not eligible for Board health insurance (health, dental, supplemental).
3. Part-time positions are eligible for the Florida Retirement System (FRS).
4. Salary and appointment are obtained in the same manner as regular full-time positions.

POLICY 411 - VOLUNTEER

It is the policy of the Board of County Commissioners (Board), to recognize and strongly support volunteer services to assist County government in providing services and programs in which citizens are encouraged to volunteer their time and talents in the provision of County services.

411:1 GENERAL PROVISIONS

In order to maximize the effectiveness of volunteers, while limiting the risk of exposure to both volunteers and the Board, this policy will apply to all volunteers and departments, except advisory committees, boards, and commissions (refer to [Policy 403, Board Appointments](#)).

411:2 DEFINITION

Volunteer is defined as an individual who performs hours of voluntary service to the Board for civic, charitable, humanitarian, recreational, health, public safety or general welfare reasons, without promise, expectation or receipt of compensation for services rendered.

411:3 PROCEDURES

1. The requesting department shall submit a request to Human Resources outlining its volunteer needs and desired applicant qualifications.
2. All applicants interested in volunteering must complete a Volunteer Application that will be forwarded to Human Resources for review. Applicants for Volunteer Fire Rescue shall complete a Volunteer Firefighter Application that will be forwarded to and processed by FireRescue personnel.
3. The requesting department will review the Volunteer Application(s) and inform Human Resources of those whose qualifications meet the needs of the department.
4. Once tentatively selected, Human Resources will complete the application process. Volunteers will need to submit to and successfully complete the following:
 - a. Background check.
 - b. Motor Vehicle Record check, if applicable.
 - c. Any other applicable standards, as required.
5. If the results of any required items reveal information or conduct that the Board determines to be disqualifying, the applicant will not be eligible for placement with any department of the Board.
6. Human Resources shall complete the volunteer application process and any costs associated therein will be the responsibility of, and charged to the requesting department.
7. Each Department Director, or his or her designee, shall coordinate the department's volunteer program and shall serve as its contact person. Each department shall also provide updated volunteer services and contact information regularly to Human Resources.

411:4 TRAINING

Volunteers will receive a summary of Board policies and procedures, an overview of their volunteer assignment and, as appropriate, a written list of duties and expectations, hours of service, supervision, necessary forms, accident reporting procedures, confidentiality, call-in, etc. Volunteers shall be directed to serve within their assigned duty assignment.

411:5 SUPERVISION

Volunteers will be supervised as to assignments, work performance, activity, use of equipment, etc. Performance problems will be corrected or the volunteer service terminated.

411:6 REPORTING REQUIREMENTS

The department to which volunteers are assigned will assure that each volunteer maintains an individual Volunteer Sign-In Log. This log is to be maintained by the department for reference purposes.

411:7 PERSONAL INJURY

Volunteers are considered employees pursuant to Chapter 440, Florida Statutes, Workers' Compensation Law. Worker's compensation medical-only coverage will be provided. Worker's Compensation is administered through the Board's Risk Coordinator.

411:8 DAMAGE TO VOLUNTEER PROPERTY

When volunteer's personal property is damaged while the volunteer is serving in an authorized volunteer status, the Board will not be responsible to reimburse for the damage.

411:9 DRIVING

All operators of a motor vehicle while on County business must be qualified to drive and drive safely. Operators must be at least 18 years of age and have sufficient knowledge about vehicle handling, demonstrated by a safe driving record, so as to protect employees, volunteers, the Board, clients, and the public from an unsafe driver. This provision applies to both County-owned and volunteer-owned vehicles. Volunteers operating County equipment will receive instruction from the supervisor regarding County vehicles before being authorized to operate them.

411:10 DAMAGE TO PRIVATE PROPERTY

When a volunteer serving in an authorized volunteer status damages private property, provisions of the Board's insurance policies will prevail.

POLICY 412 - LAYOFF POLICY

It is the policy of the Highlands County Board of County Commissioners (Board), that reductions in workforce and elimination of regular positions may be necessary from time to time for various reasons.

412:1 GENERAL PROVISIONS

A layoff is defined as a separation of employment due to the abolishment of positions due to shortage of funds or work, or a material change in the duties or organization of a department.

1. Authority. The Department Director shall recommend the positions to be abolished in his or her department. All recommendations must be reviewed by the County Administrator and Human Resources, and approved by the Board, before taking action.
2. Considerations. The Department Director, in determining the priority of layoff for individual employees, may be guided by a variety of considerations including job performance, relative skill levels, versatility, and attendance. Seniority may be a factor in the Supervisor's consideration, but the principle of "last hired, first fired" will not always govern in instances of layoff. Rather, the Department Director should determine layoff priority based upon the best interest of the Board.
3. Layoff Notification. After Board approval, the Department Director shall notify Human Resources of intended actions. The Director will notify the affected employees in person with the presence of Human Resources. A written notification from Human Resources will be supplied to each affected employee.
4. Regular Employees. No regular status employee in an affected position shall be laid off while a probationary employee continues to serve in a position with the same job title in the affected department.
5. Reassignment, Lateral, or Demotion Request. Within seven (7) business days after receiving written notice of layoff, regular status employees shall have the right to request reassignment, lateral transfer, or demotion to another in lieu of layoff provided:
 - a. The petitioner meets the minimum qualifications for the requested position.
 - b. Such reassignment, lateral transfer, or demotion shall not cause layoff of another employee.
 - c. All requests are subject to review and approval by the County Administrator.
6. Priority Consideration of Laid-off Employees. Human Resources shall notify the hiring department if a laid-off employee meets the minimum qualifications for the vacancy. Laid-off employees must complete an application to be considered for any position. Supervisors and Department Directors are encouraged to consult with Human Resources when selecting applicants for interview.
7. Layoff Not Disciplinary. A layoff shall not be considered a disciplinary action.

POLICY 413 - SEPARATION OF EMPLOYMENT

It is the policy of the Board of County Commissioners (Board) to separate employment because of an employee's resignation, termination, or retirement; the expiration of an employment contract; or a reduction in the work force. Termination can be for any reason not prohibited by law. In the absence of a specific written agreement, employees are free to resign at any time and for any reason.

413:1 GENERAL PROVISIONS

1. Employees are requested to give a minimum of two (2) weeks written notice of their intent to resign and to remain in good standing. Written resignations may not be rescinded. The County Administrator may reserve the right to waive the notice.
2. Employees who are absent from their normally scheduled work shift for three (3) consecutive days without being excused or giving proper notice will be considered as having voluntarily resigned.
3. For policies and procedures leading up to termination for disciplinary reasons, please refer to [Policy 802, Corrective Action and Disciplinary Procedure](#).
4. For policies and procedures governing retirement, refer to [Policy 414, Retirement](#).
5. For policies and procedures governing the payment of sick leave and vacation leave at the separation of employment, refer to [Policy 601, Sick Leave](#), and [Policy 603, Annual Leave](#).
6. Supervisors should send notices of resignation or recommendations for termination to Human Resources for processing. These notices should be accompanied by any needed supporting documents, such as notices of corrective action, disciplinary reports, and letters of resignation. All terminations should be reviewed by Human Resources and approved by the County Administrator before any final action is taken. Failure to do so may lead to disciplinary action, up to and including termination.
7. Supervisors should ensure that the employee returns all Board property prior to separating employment. This can be accomplished by using a checklist that itemizes what must be relinquished by the employee. Should an employee fail to return any or all equipment issued, Human Resources will assess the value with the assistance of the department, and deduct from the employee's final paycheck. If the employee returns the equipment at a later time, a refund may be issued.
8. COBRA. Employees terminating employment with the Board may elect to continue health care coverage by paying the established rates.
9. Requests for employment verifications should be directed to Human Resources.

413:2 ADMINISTRATIVE SEPARATION

When circumstances warrant, employees may be administratively separated from service by Human Resources with the approval of the County Administrator. An administrative separation is non-disciplinary in nature. Such separation may occur in the following situations:

1. Upon notice that an employee has exhausted FMLA leave entitlement and expressed intent not to return to work.
2. The employee is unable to perform the essential functions of their job duties with or without reasonable accommodation.

413:3 RUNNING FOR PUBLIC OFFICE

1. An employee contemplating running for public office shall comply with the requirements of Chapter 99.012, Florida Statutes. An employee shall be considered to be running for public office upon payment of the required qualifying fee, signing the oath of candidacy, or making the required financial disclosure before the appropriate qualifying officer. Persons in this situation may:
 - a. Take an unpaid leave of absence upon becoming a candidate; or
 - b. Submit an irrevocable resignation with a future effective date, so long as it conforms to the requirements of the Statute.

POLICY 414 - RETIREMENT

It is the policy of the Highlands County Board of County Commissioners (Board), to provide employees assigned to established positions membership in the Florida Retirement System (FRS), in accordance with Florida Retirement System rules.

414:1 GENERAL PROVISIONS

1. The Florida Retirement System is a compulsory, State administered retirement plan. The provisions of Chapter 121, Florida Statutes, will be adhered to in administration of the retirement program.
2. Retirement ages will be determined according to Chapter 121.021(29), Florida Statutes.
3. Employees who choose to take normal retirement are requested to give Human Resources as much advance notice of their intent as possible.
4. Employees who qualify for retirement under this policy become eligible to receive retirement, health, and various other benefits in accordance with the provisions of the State of Florida and the Board's employee plans. Retiring employees are eligible to receive pay for accrued but unused vacation and sick leave in accordance with Board policies (refer to [Policy 601, Sick Leave](#), and [Policy 603, Annual Leave](#), for further information). All employee benefit plans and programs are subject to amendment or termination, even after retirement, at the Board's sole discretion.
5. It is recommended that all employees approaching retirement age or becoming vested consult with FRS representatives regarding the proper procedures. It is the employee's responsibility to initiate, follow up, and complete the FRS retirement process if choosing to retire.
6. Under current FRS rules, retired employees may be eligible to reapply for employment with an FRS employer:
 - a. Within six (6) calendar months, your retirement will be voided and you will be required to repay all the Pension Plan benefits you have received, including any DROP payout.
 - b. During calendar months seven (7) to 12, your Pension Plan benefits will be suspended for each month you are employed during this period (you must notify the Division of Retirement of your employment). If your benefits are not suspended timely, the employee and the Board will be required to repay benefits you should not have received.
 - c. After 12 months, you will not be required to repay any prior benefits and you will continue receiving benefits from the Pension Plan without interruption.

500 – THE WORKPLACE

POLICY 501 - ORIENTATION AND TRAINING

It is the policy of the Highlands County Board of County Commissioners (Board), to provide New Employee Orientation programs and to conduct or support training programs as deemed appropriate.

501:1 GENERAL PROVISIONS

1. Human Resources is responsible for the overall development and coordination of New Employee Orientation and for implementing the portions that cover policies, procedures, services, facilities, benefits, and new employee documentation. Each Supervisor is responsible for orientation as it applies to introducing the new employee to the specific job and department.
2. Supervisors are responsible for recommending employees for special training programs, for providing on-the-job training, or for arranging on-the-job trainers. Such training will normally be conducted during regular working hours.
3. The Board will provide special training programs for safety and health matters when deemed necessary, or as required by government regulation.

POLICY 502 - PROBATIONARY PERIOD

It is the policy of the Highlands County Board of County Commissioners (Board), that all new employees are to be carefully monitored and evaluated for an initial on-the-job probationary period of six (6) months. The probationary period applies to new hires, reassigned, and promoted employees. After satisfactory completion of the probationary evaluation, such employees will be formally evaluated on an annual basis.

502:1 GENERAL PROVISIONS

1. Supervisors are responsible for department orientation of new employees, including establishment of performance standards, work schedules, and expected employee behavior.
2. Supervisors are to observe carefully the performance of each employee in a new position. Strengths and weaknesses in performance, attendance, conduct or attitude are to be brought to the employee's attention.
3. After six (6) months, a written evaluation of the employee's performance (Appendix 2) must be completed. The evaluation is to include a recommendation as to whether the employee should continue in the position. The evaluation should be completed by the Supervisor, forwarded to the Department Director for review and signature, and then reviewed with the employee. The signed evaluation is then provided to Human Resources for inclusion in the employee's personnel file. A copy should be provided to the employee.
4. The probationary period may be extended up to three (3) additional months when requested by the Department Director and approved by Human Resources. Initial probation shall not exceed nine (9) months from the date of hire of any new employee.
5. During the probationary period, an employee may be disciplined, laid off, suspended, or terminated, and such action shall not be subject to the grievance procedure set forth in this manual.
6. The probation period may be reduced to less than six (6) months for an employee performing in a satisfactory manner with the approval of the County Administrator.
7. Annual leave may be taken only after the employee has successfully completed their initial probationary period and been recommended for continued employment. Sick leave may be taken after three (3) months of employment; refer to [Policy 601, Sick Leave](#).

POLICY 503 - HOURS OF WORK

It is the policy of the Highlands County Board of County Commissioners (Board), to establish the time and duration of working hours as required by workload, productivity, customer service needs, the efficient management of human resources, and any applicable law.

503:1 GENERAL PROVISIONS

1. Departments are to perform work during the time of day and week that will provide the best level of service to the people of Highlands County. When the operational and service needs of the Board require a schedule different from the normal workweek, departments are authorized to change or adjust any work schedule with the Department Director and County Administrator's approval.
2. No department shall operate on less than a 40-hour workweek, except for holidays and other situations; refer to [Policy 604, Holidays](#).
3. The workday for each full-time hourly employee shall be 8, 10, or 24 hours, as prescribed by the department.
4. Employees exempt from the Fair Labor Standards Act (FLSA) may be required to work in excess of the department's scheduled hours without additional compensation. Accordingly, Supervisors and Department Directors shall use good judgment when requiring exempt employees to work beyond scheduled hours.

503:2 WORK SCHEDULES

1. The Department Director shall establish the scheduled hours of work for employees within their department. To be full-time positions, such hours shall not be less than the minimum hours of a normal workweek, and shall, as far as practical, be uniform for employees in the same unit assigned the same duties. Employee work schedules that deviate from normal business hours require County Administrator approval.
2. Human Resources shall maintain a copy of each department's work schedule.
3. Employees are expected to be ready to start work at their designated start time.
4. Full-time employees are required to be present on their assigned jobs for the total hours in the established workday and workweek.
5. Part-time employees are required to be present on their assigned jobs for the total number of hours scheduled for them during the established workday and workweek.

503:3 MEAL AND BREAK PERIODS

1. One (1) hour is the normal time allotted for meal periods. The Department Director or designee may authorize 30-minute meal periods, at their discretion. No meal period shall be for less than 30 minutes.
 - a. Meal periods are to be scheduled in a manner to best serve the public.
 - b. Meal period time cannot accumulate or be saved for the purpose of leaving work early.
2. Rest breaks are not a right, but a privilege provided when time and circumstances permit. Breaks must be arranged so as not to interfere with Board business. Each Department Director or designee may allow employees two (2) rest breaks per shift:
 - a. No work break shall exceed 15 minutes absence from the employee's work station.

- b. Unused work breaks may not be accumulated.
 - c. Break time shall not cover late arrival for duty or early departure from duty.
 - d. Break time may not be used in conjunction with regular meal breaks.
 - e. No work break shall cause unsafe or hazardous conditions to exist solely for the purpose of taking a break at a pre-designated time during the workday.
3. Employees working for Fire Resuce are required to observe a minimum rest period of eight (8) hours immediately prior to the commencement of a scheduled regular work shift. Specifically, employees are required to refrain from working for pay or as a volunteer in the eight (8) hours immediately prior to a scheduled regular or overtime work shift.

503:4 HOURS NOT WORKED

1. Supervisors, Managers, and Department Directors may, at their discretion, allow employees to make up time off during a given workweek (refer to [Policy 505, Alternative Work Arrangements](#)).
2. All hourly employees may be required to make up time if scheduled hours are not worked during the workweek, if paid or unpaid leave is not used.
3. Exempt employees may make limited alterations to their schedule during a given workweek, with supervisor approval.

503:5 TRAINING AND OFFSITE WORK

Employee attendance at lectures, meetings, and training programs will be considered hours of work, if such attendance is requested and approved by management.

POLICY 504 - OVERTIME, COMPENSATORY TIME, AND SHIFT DIFFERENTIAL

It is the policy of the Highlands County Board of County Commissioners (Board), that work in excess of a normal work week shall be kept to a minimum and avoided whenever possible. Except for emergencies, all overtime and compensatory time must be approved in advance by the Department Director.

504:1 OVERTIME

1. Department Directors shall strive to arrange work schedules in such a way that overtime is not required or permitted, except as follows:
 - a. Emergency. Unusual situations which require emergency or immediate action, usually near the end of the workday, which may not be postponed to the following workday.
 - b. Public/Property Danger. When danger to the health and safety or well-being of the general public, employees, or other persons could occur if an employee is not required to be on duty, or where danger to property is imminent.
 - c. Miscellaneous. When management determines that the responsibilities of the department cannot be accomplished unless overtime work is authorized.
2. Employees are required to work overtime when directed, unless excused by their Supervisor. The refusal to work overtime as directed is grounds for disciplinary action, up to and including termination. Supervisors will assign overtime to employees in the particular job for which overtime is required.
3. Hourly employees are not permitted to work overtime without the prior approval of their Supervisor or Department Director. For the purposes of overtime compensation, only hours worked in excess of 40 during a workweek will be counted.
 - a. Fire Rescue. For qualifying Fire Rescue positions, as defined in [Policy 406:1 General Provisions](#), overtime pay at the rate of time and one-half (1.5 times the normal hourly rate) will be paid for each hour worked in excess of 106 hours during a 14-day work period.
4. Hourly employees are entitled to receive pay or may be offered compensatory time for hours worked in excess of 40 during the workweek; refer to [Policy 504:2, Compensatory Time](#) and [Policy 703, Pay Procedures](#). Those employees in administrative, executive, and professional positions as defined by the Fair Labor Standards Act (FLSA) are exempt from the overtime and compensation provisions of this policy; refer to [Policy 406, White Collar Exemption](#).
5. Overtime Exclusions. Administrative leave (except for line of duty court appearance), annual leave, sick leave and/or holiday pay will not be considered in the computation for overtime pay. Should an hourly employee be required to work on a holiday that falls on the normally scheduled day off and such work exceeds the 40-hour work week for included employees, they will be paid overtime at the rate equal to time and one-half (1.5 times the normal hourly rate) plus eight (8) hours holiday pay. When such work does not place the employee in an overtime situation for the work week, the normal hourly rate will be paid plus eight (8) hours holiday pay.

504:2 COMPENSATORY TIME

1. Compensatory time off is an adjustment to the regular work schedule in order to limit the amount of overtime pay necessary. Department Directors may elect to grant compensatory leave in lieu of overtime pay for hours worked in excess of 40

during the workweek. Compensatory time will be granted as time off at the rate of one and one-half (1.5) times the hours worked in excess of 40 during the workweek.

2. Compensatory time off must be scheduled with supervisory approval and at a time mutually convenient to the employee and the department. The time may be taken on dates and times as directed by the Board. Refer to [Policy 703, Pay Procedures](#), for further clarification.
3. In no case will compensatory time off be accumulated in excess of 80 hours (160 hours for Fire Rescue personnel on a 24/48 shifts). When an employee exceeds this cap, they may be paid the hours in excess of the cap at the overtime rate. Effective January 1, 2019, hourly Fire Rescue employees may request compensatory time in lieu of overtime.
4. Exempt employees are ineligible for compensatory time.
5. Compensatory time should be exhausted before annual, sick, or leave without pay is used.

POLICY 505 - ALTERNATIVE WORK ARRANGEMENTS

It is the policy of the Highlands County Board of County Commissioners (Board), to allow for flexibility in work arrangements where possible, providing there will be no adverse effect on the operation of the government, or create an undue business burden on the Board or its operations, as a way to attract and retain the best employees. The Board recognizes that our diverse work force may, at times, have needs that require creative approaches to helping employees balance work and life demands. This policy is provided as one tool for management and employees to use to work as partners to ensure we meet our commitments to citizens while recognizing and addressing the demands of life outside of work.

505:1 GENERAL PROVISIONS

1. Flexible work schedules and other arrangements are only available in instances where there is no adverse effect on the work to be performed. Certain work, by its very nature does not allow for flexible work arrangements.
2. Department Directors should assess the impact of alternative work arrangements on the functions of their work unit and consider alternative work schedules or patterns that would maintain or enhance service quality.
3. In all cases, the Board retains all of its prerogatives regarding an alternative work arrangement. A Supervisor may deny a request based on business reasons. An alternative work arrangement may also be terminated at any time by a Supervisor if business needs so dictate.
4. The following work arrangements may be available options to employees, subject to the Department Director and County Administrator's approval:
 - a. Compressed workweek. A full-time (40 hour) work schedule compressed into a four-day workweek (e.g. four 10-hour days).
 - b. Flextime. A work schedule that permits flexibility in starting and quitting times without altering the required number of work hours in a given period (e.g. in a work week) and usually specifies a core period of the day during which all employees must be scheduled. Such scheduling is not available to counter and customer service staff members that have established working hours for contact with our customers. May also be offered to employees to alleviate the need of overtime.
 - c. Part-time. A regular employee working less than a full-time work schedule. (Note: A reduction in hours which results in an employee working less than 30 hours per week may have consequences on their benefits package.)
 - d. Fire Rescue. Will normally consist of three (3) shifts designed to work 24 hours on and 48 hours off.
5. County employees may be allowed a temporary schedule change not to exceed one (1) pay cycle, subject to Department Director approval.
6. For purposes of appropriateness and consistency of alternate arrangements, a brief description of specific alternate work arrangements should be sent to Human Resources for review.
7. All alternative work arrangements are subject to the discretion of the County Administrator and may be terminated at any time.

505:2 REMOTE WORK PROGRAM

To promote a healthy workplace and to control the possible transmission of Coronavirus, for a discrete period of time beginning March 18, 2020, managers have the option of allowing employees, who are able, to temporarily work in an alternative arrangement through working flexible shifts, working from home or another approved arrangement (referred to in this Policy and in the attached Application as “Remote Work Program” or “RWP”). The Remote Work Program Policy allows an employee to perform the responsibilities of a job away from a traditional Highlands County office or other worksite. Remote Work Programs provide for work in a remote location on a full-time, part-time, or occasional basis. A Remote Work Program is a voluntary work alternative that may be appropriate for some employees and some jobs based on business needs. Alternative work arrangements are not an entitlement and do not change the terms and conditions of employment with the Board.

Remote Work Programs approved in accordance with this Policy will be re-evaluated every thirty (30) days and are subject to revocation. Remote Work Programs are not intended to be permanent.

Procedure for Employees Who Request an Alternative Work Arrangement:

1. Either an employee or a supervisor may suggest a Remote Work Program. The employee must complete the Remote Work Program Application (Appendix 11) and submit the Application to the employee’s Division Manager or Department Head.
2. Remote Work Programs are made on a case-by-case basis, focusing on the business needs of the organization first. To qualify for Remote Work, the employee must be able to effectively perform the employee’s work-related duties remotely. Due to the nature of some job responsibilities, Remote Work may not be an option for every position.
4. Remote Work Programs will be approved at the sole discretion of the County Administrator. Any Remote Work arrangement may be discontinued, for any reason and at any time, at the request of either the employee or the employee’s Division Manager or Department Head.
5. The County Administrator will determine, with information supplied by the employee and the employee’s supervisor, the appropriate equipment needs (including hardware, software, and services) for each Remote Work Program on a case-by-case basis. Equipment supplied by the Board, if any, will be maintained by the Board. Equipment supplied by the employee, if deemed appropriate by the employee’s Division Manager or Department Head, will be maintained by the employee. The Board accepts no responsibility for damage or repairs to employee-owned equipment. The Board reserves the right to make determinations as to appropriate equipment, subject to change at any time. Equipment supplied by the Board is to be used for business purposes only. The

Employee will sign an inventory release form listing all property owned by the Board and agrees to take appropriate action to protect the items from damage or theft. Upon termination of the Remote Work Program or termination of employment, all property owned by the Board will be returned to the Board unless other arrangements have been made. The County Administrator will use his/her sole discretion when making determinations about providing equipment.

6. Consistent with the Board's policies and expectations for employees working in traditional Board offices and worksites to maintain the security of work-related assets and information, Remote Work employees shall establish a work environment that provides for the privacy and confidentiality of verbal and written communications in connection with the employee's work to ensure the protection of work-related information accessible and produced from their alternative worksite. Steps include, but are not limited to, limiting physical access of work-related devices to the Board employee only, use of locked file cabinets and desks, regular password maintenance, not connecting any removable storage devices to the computer at any time, shielding computer, monitor, and other electronic screens from view of others, and any other steps appropriate for the job. Employees should not under any circumstances access the Board network from any public place or network and should limit remote access to their established Remote Work location.
7. Documents created and devices on which those documents are stored while an employee works remotely are subject to Public Records regulations. Employees should perform their work by exclusively utilizing Board-provided networks, services, and tools (such as email and other collaboration applications).
8. The employee will establish an appropriate work environment for working remotely. The Board will not be responsible for costs associated with establishment of the employee's remote location (e.g. remodeling, furniture lighting, repairs or modifications).
9. Injuries sustained by the employee while at the employee's remote work location and in conjunction with the employee's regular work duties may be covered by the Board's Workers' Compensation Policy. Employees are responsible for notifying the employer of such injuries in accordance with the Board's workers' compensation procedures. The employee is liable for any injuries sustained by visitors to the employee's Remote Work location.
10. The Board will supply the employee with appropriate office supplies (e.g. pens, paper, etc.) for the successful completion of job responsibilities. With appropriate pre-approval, the Board may reimburse the Remote Work employee for other business-related expenses that are reasonably incurred in accordance with job responsibilities (e.g. phone calls, shipping costs, etc.), on a pre-approval basis.

11. The employee and Division Manager or Department Head will agree in writing on the number of days that Remote Work is permitted each week; the work schedule the employee will customarily maintain; and the manner and frequency of communication. The employee must agree to be available to those the employee serves and other employees by telephone, email, and any other mode of communications upon which the employee's Division Manager and Department Director agree during the established hours for the employee's Remote Work schedule.
12. Remote Work employees who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to legibly record all hours worked and matters handled in a manner designated by the County Administrator. Hours worked in excess of those specified per day and per work week, in accordance with state and federal requirements, will require the advance approval of the employee's supervisor. Failure to comply with that requirement can result in the immediate cessation of the Remote Work agreement.
13. Before entering into any Remote Work agreement, the supervisor will evaluate the suitability of such an arrangement, paying particular attention to the following areas:
 - a. Employee Suitability - the employee and direct supervisor will assess the needs and work habits of the employee, as well as the suitability of the position for Remote Work.
 - b. Job Responsibilities - the employee and direct supervisor will discuss the job responsibilities and the employee will submit a written work plan for completion of job responsibilities at the alternate location, and the employee and direct supervisor will determine if the job is appropriate for a Remote Work Program.
 - c. Operational Logistics - Equipment needs, workspace design considerations, and scheduling issues.
 - d. Final Approval - The County Administrator has final approval for Remote Work Programs.
14. Evaluation of Remote Work performance during the Remote Work Program period will include review of daily interactions through the communication modes upon which the employee and their direct supervisor agreed as part of the Remote Work Program, and weekly meetings to discuss work progress and problems, preferably conducted by video conference. The employee and direct supervisor will each evaluate the arrangement and make recommendations for continuance or modifications to the Remote Work Program.
15. Remote Work is not designed to be a replacement for appropriate childcare. Although an individual employee's schedule may be modified to accommodate childcare needs, the focus of the arrangement must remain on job performance and meeting business

demands. Prospective Remote Work employees are encouraged to discuss expectations of Remote Work with family members and to make arrangements for childcare, or, if necessary and practicable, establish a schedule to work during hours that would limit the employee's responsibility to care for children.

16. The overall administration of this policy rests with the Human Resources Department.

POLICY 506 - TIMESHEETS AND RECORD KEEPING

It is the policy of the Highlands County Board of County Commissioners (Board), that each employee shall maintain an accurate timesheet. Timesheets must be signed or otherwise certified by the employee and his or her Supervisor, and must be submitted to the appropriate persons by the designated dates and times.

506:1 GENERAL PROVISIONS

1. Departments are required to complete an individual timesheet, on paper or in electronic format, showing the daily hours worked for all employees. The timesheet must show the date and time an employee's work week starts, the number of hours worked each day, and the total hours worked during the week.
2. The following points should be considered in filling out timesheets:
 - a. Hourly employees are not permitted to commence work before their normal starting time or to continue work after their normal quitting time without the prior approval of their Supervisor.
 - b. Employee timesheets are to be verified and approved by the Supervisor involved.
 - c. Falsifying timesheets is prohibited and may be grounds for disciplinary action, up to and including termination.
 - d. Hourly employees are required to take scheduled meal breaks.
 - e. Annual and sick leave approvals, on paper or in electronic format, must be submitted with the timesheet.
 - f. To amend a timesheet already submitted, employees should contact Human Resources. Pay correction may not take place until the pay cycle following the pay cycle in which the error occurred.
 - g. Timesheets must be signed by each individual employee. Should an employee be unavailable for signature, the timesheet shall be annotated, "Not available for signature" and signed by the immediate Supervisor.
 - h. Supervisors will not sign timesheets that they know to be inaccurate and shall under no circumstances encourage employees to submit signed timesheets that are inaccurate, doing so is grounds for disciplinary action, up to and including termination.

POLICY 507 - EDUCATIONAL ASSISTANCE

It is the policy of the Highlands County Board of County Commissioners (Board), to provide educational assistance to its employees to allow them to enhance their ability to serve the public interest of the citizens of Highlands County.

1. The County Administrator may authorize, within available funds, up to 100% reimbursement of tuition and laboratory fees incurred by an employee who satisfactorily completes a job-related course or training at an approved educational institution. Courses must be related to the employee's principal duty assignment, and must be approved prior to the start of the course.
2. Employees who have received educational assistance are required to agree to remain in the employment of the Board of County Commissioners for the amount of time specified on the Education Reimbursement Form after the certification, degree, or training is completed. In the event that the employee leaves Board employment prior to this time, the employee may be required to reimburse the County for the total number of funds expended, including but not limited to tuition, meals, mileage, lodging, and/or certificate fees.
3. Employee should submit all requests for approval by using the Educational Assistance Form (Appendix 6).

POLICY 508 - EMPLOYEE AWARDS

It is the policy of the Highlands County Board of County Commissioners (Board), to recognize extended service to the organization, acknowledge employee accomplishments and contributions, and to improve County government through an awards program. In addition to the awards specified in this section, the County Administrator may approve other recognition awards for presentation by the Board.

508:1 YEARS OF SERVICE AWARDS

Presented to employees who have been continuously employed by Highlands County for designated periods of time. Awards are presented at least quarterly at regular meetings of the Board of County Commissioners for 5, 10, 15, 20, 25, 30, and 35 years of service. Awards consist of a certificate and pin. The first award is given upon the fifth anniversary.

508:2 EMPLOYEE OF THE QUARTER AWARDS

Employees may be recognized for their service above and beyond the call of duty to Highlands County and its citizens.

1. Regular employees of Highlands County up to and including supervisory employees.
2. Recognition will take place at Board meetings, generally at the first meeting of each quarter based on the nominee selected by the Employee Awareness Committee and screened by Human Resources and County Administration.
3. Eligible employees must meet the following minimum criteria:
 - a. The nominated employee must not have received any documented disciplinary action during the previous 12 months.
 - b. The employee must not have adverse disciplinary action pending.
 - c. The employee's last Performance Evaluation must have a minimum overall rating of satisfactory or higher.
 - d. The employee must not have been found negligent in a safety accident/incident during the previous 12 months or be involved in a pending safety accident/incident in which negligence appears to be a factor.
4. Ineligible employees include:
 - a. Other Personnel Services (OPS), Temporary Staffing, Interns, and all other temporary employees.
 - b. Employees who have not completed the initial probationary period. This does not include probationary periods due to promotion.
5. Employees may be nominated by peers, Supervisors, Department Directors, or the public. Nominations must clearly identify and describe a specific incident, action, completed project, or extended period in which the employee's involvement, while in the performance of his/her duties as a County employee, exceeded the job description in a manner warranting recognition, deserving honor or esteem. Nominations are to be submitted directly to Human Resources. The qualifying behaviors may include but are not limited to:
 - a. Cost saving suggestions
 - b. Process improvement changes that improve efficiency or effectiveness
 - c. Safety enhancement in the workplace
 - d. Customer service that exceeds expectations

- e. Solving reoccurring problems
 - f. Morale improvement
6. Upon a submission of a nomination, Human Resources along with the employee's Director will verify the employee meets the minimum requirements and has represented the County in the following manner:
 - a. Completed all regular and special duties as required, including adhering to the County's Rules and Regulations.
 - b. Maintained a positive attitude and overall excellent spirit of cooperation toward County goals and objectives.
 - c. Displayed courteous service when dealing with the public, fellow employees, and outside agencies.
 7. After verification as specified above, the nominations will be presented by Human Resources to the Employee Awareness Committee (EAC). The EAC will discuss and recommend a list of names of employees as nominees for the Employee of the Quarter or will prepare a list of nominees for and will submit the names of those nominees to the general employee population for a vote. Human Resources will submit the recommendation to the County Administrator for final approval. In case of a tie, the County Administrator will cast the deciding vote.
 8. Nominations will be active for four (4) quarters.
 9. No employee shall be awarded Employee of the Quarter more than once per calendar year.
 10. The Employee of the Quarter will be awarded the following:
 - a. A certificate of appreciation signed by the Chairperson of the Board, generally presented at the first Board meeting of each quarter.
 - b. Eight (8) hours of personal leave and a gift certificate.
 - c. The recipient's name will be displayed on a plaque in the lobby of the Government Center.
 - d. A news article may be submitted to the local newspapers, including a picture of the award recipient.
 - e. A picture of each quarter's recipient may be placed on the County's website in the Employee Recognition section.

POLICY 509 - EMPLOYEE REFERRAL PROGRAM POLICY

It is the policy of the Highlands County Board of County Commissioners (Board) to encourage and recognize those employees who refer successful candidates to the Board for full time hard to fill positions.

509:1 ELIGIBILITY AND PARTICIPATION

1. The referring employee must be in a regular full-time position in a paid status or on an approved leave of absence from the Board to be eligible to participate.
2. The referring employee must not be on any form of written correction action six (6) months prior and up to the time of payment.
3. The referral cannot be submitted before the position is posted. The referred candidate must be hired within 180 days, (6) months, of the initial referral date.
4. All referrals must be submitted to Human Resources on a candidate referral form. The first employee to refer a candidate will be the only referring employee eligible for payment.
5. An eligible candidate is one who is interviewed and hired, not just presented for consideration.
6. The candidate must be a new employee, and not currently or previously employed with the County.
7. All referrals expire six (6) months from submission date. You may refer the same person again once the referral expires.
8. There is no limit to the number of times an employee can qualify for an award if they refer more than one person who is hired. However, only one employee will be awarded per candidate hire.
9. Positions eligible for this program must be determined to be "hard-to-fill" positions. The following factors should be considered when designating a position to be "hard-to-fill":
 - How critical the position is to the Board's operations and mission.
 - Lack of success of recent efforts to recruit candidates and retain employees in like positions.
 - Employment trends and labor-market factors that may affect the Board's ability to recruit candidates for similar positions.
 - Recent turnover in similar positions.
 - Special or unique competencies required for the position.

509:2 REFERRAL AMOUNT

1. Once the candidate is hired as a result of a referral and has completed a successful probationary period of six (6) months, Human Resources will process the referral on file with an amount as follows:
 - Personal leave equivalent to \$500 or;
 - One (1) time payment of \$500.

509:3 ADMINISTRATION OF REFERRAL BONUS PROGRAM

The referral program operates in accordance with the following program requirements:

- Administration may designate a position as "hard-to-fill": (1) before the position is posted; (2) after 30 days of unqualified applicants of an already posted position or; (3) after unsuccessful interviews of posted position.
- Both the referring employee and the referred candidate must be employed by the County when any referral is paid to receive the referral amount.
- The hiring process will be fair and consistent with County policy and procedures, with no bias for or against candidates whose selection might make another employee eligible for a referral amount.
- The Board reserves the right to amend or discontinue the Employee Referral Program without notice.
- Personal time off must be scheduled with supervisory approval and at a time mutually convenient to the employee and the department. • Unused personal hours may carry-over.
- Compensation for unused personal hours shall not be paid when an employee separates employment whether administratively, voluntarily, or involuntarily.

600 - LEAVE

POLICY 601 - SICK LEAVE

It is the policy of the Highlands County Board of County Commissioners (Board), to provide employees with appropriate time off due to illness under certain conditions. Eligible employees accrue paid sick leave and may take time off as necessary due to illness.

601:1 GENERAL PROVISIONS

1. Employees must give prior notice to their Supervisor or Department Director that they must be absent due to illness, injury, or exposure to a contagious disease or to care for dependents. This notice must be before the scheduled start time of the employee's work shift.
2. Employees may be required to furnish doctor's note for absences claimed due to sickness when the Supervisor or Department Director deem such request proper.
3. Employees who have been absent three (3) or more scheduled workdays within a 30-day period may be required to provide a doctor's note before returning to work, prior to the start of the next shift.
4. Employees who, upon request by their Supervisor or Department Director, fail to comply with the procedures in this section shall not be eligible to use accrued sick leave credits and may be subject to disciplinary action, up to and including termination.
5. Employees whose sick leave records indicate unwarranted use of sick leave may be required to submit medical certification for all absences claimed due to illness. Furthermore, if attendance is not improved within 30 calendar days of such notice and an acceptable record maintained thereafter, the employee may be subject to disciplinary action, up to and including termination. Human Resources shall conduct an analysis of employee sick leave per Supervisor request.
6. Increments. Sick leave should be granted in increments of not less than ¼ hour.
7. Special Computation for Ten (10) Hour Employees. Leave shall be approved in ten (10) hour increments for each scheduled workday in which sick leave has been approved; provide their individual leave account is sufficient to cover the period.
8. Special Computation for 24 Hour Employees. Leave shall be approved in 24-hour increments for each scheduled workday in which sick leave has been approved; provide their individual leave account is sufficient to cover the period.

601:2 SICK LEAVE ACCRUAL GENERAL

1. Sick leave benefits shall accrue during the initial period of employment probation; however, are not available for use. After three (3) months employees will be credited with the appropriate number of sick leave hours, which may be used at any time thereafter. Employees will continue to accrue sick leave at the standard rate thereafter.
2. Sick leave accrued during a pay period shall be credited to the employee on the last day of that pay period; or, in the case of separation, on the last day the employee is on payroll.
3. Employees shall not earn sick leave during breaks of service. An employee who has officially separated from Board employment will start with a balance of zero (0) sick leave hours if rehired.
4. Contract Employees (i.e. County Administrator, County Attorney) will accrue per the terms of their contract.

5. Part-time and OPS employees will not accrue sick leave.

601:3(a) SICK LEAVE ACCRUAL

Sick leave benefits will accrue for 40-hour personnel in regular positions under the Board as follows:

Table 1: Sick Leave Accrual in regular positions

Continuous Service	Accrued Sick Leave
Less than 5 years	52.00 hours
5 or more but less than 10 years	78.00 hours
10 or more years	104.00 hours

601:3(b) SICK LEAVE ACCRUAL

Fire Rescue personnel scheduled to work 24 hours on and 48 hours off work shift will accrue sick leave benefits in compliance with the following schedule:

Table 2: Sick Leave Accrual for personnel scheduled to work 24 hours on and 48 hours off

Continuous Service	Accrued Sick Leave
Less than 5 years	70.55 hours
5 or more but less than 10 years	105.91 hours
10 or more years	141.27 hours

601:4 AUTHORIZED USES OF SICK LEAVE

Sick leave shall be authorized only for the following:

1. Personal Illness. The employee's personal illness, injury, or exposure to a contagious disease that could endanger others. Personal illness shall also include disability caused or contributed to by pregnancy, miscarriage, abortion, childbirth, and recovery therefrom.
2. Medical Appointment. The employee's personal appointment with a doctor, dentist, or other recognized practitioner when it is not possible to arrange such appointments when off-duty.
3. Family Member Illness or Medical Appointment. Illness or injury of a member of the employee's immediate family, which may require the personal care and attention of the employee. Immediate family is defined as the spouse or the grandparents, parents, brothers, sisters, and children of either the employee or spouse. Additionally, eligible employees may use FMLA.
4. Workers' Compensation Supplementation. An employee is allowed to use one (1) hour per workday of paid sick leave to supplement the tax-free benefit. The net wages received should be nearly equivalent to the net wages received prior to the covered injury. Retroactive payment of sick credits is not authorized.

601:5 WHEN SICK LEAVE IS EXHAUSTED

1. Employees unable to work after all sick leave credits have been used may use accrued annual leave before being placed on leave without pay.
2. Family and Medical Leave Act of 1993. Persons employed by the Board for at least 12 months, and who have worked a minimum of 1,250 hours for the Board in the 12 months preceding a request for FMLA leave, are eligible to use leave as provided for

in the law. Procedures for requesting FMLA leave are contained in [Policy 606, Family Medical Leave](#). FMLA leave, when authorized, shall be on a rolling 12 month period counting from the first day of leave granted under the request.

601:6 SICK LEAVE REIMBURSEMENT

1. In order to encourage employees to properly use sick leave and recognize those who have demonstrated a high degree of physical fitness and safety by accruing large amounts of unused sick leave credits, the following lump-sum reimbursements shall be authorized:
 - a. Ten (10) years of continuous County service and accrual of 450 or more sick leave hours-lump-sum payment, upon separation, of 25% of the accrued sick leave hours based on current hourly wages.
 - b. 15 years of continuous County service and accrual of 750 or more sick leave hours-lumpsum payment, upon separation of 35% of the accrued sick leave hours based on current hourly wages.
 - c. 20 years of continuous County services and accrual of 1,000 or more sick leave hours lump-sum payment, upon separation, of 50% of the accrued sick leave hours based on current hourly wages.

As of October 1, 1996, the payment of Sick Leave Reimbursement Pay upon cessation of employment is limited to not more than 2,080 hours. All regular employees with sick leave balances in excess of this limit as of the date will retain their sick leave balances and may continue to earn additional sick leave hours; however, the maximum hours that may be reimbursed shall be limited to 2,080 hours. Creditable service as an elected official, even when continuous, will not be used to compute continuous service for this payment.

2. To be eligible for lump-sum payment of accrued Sick Leave Incentive benefits, employees must separate employment in good standing. The following requirements shall be met in order to separate employment in good standing.
 - a. Notice of separation of at least two (2) weeks.
 - b. No disciplinary action 30 calendar days prior to separation
3. Any employee that is involuntarily terminated will not be eligible for lump-sum payment of accrued Sick Leave.
4. Death. In case of death, payment for unused sick leave at the time of death shall be made to the employee's designated beneficiary in the amount payable to the employee upon separation pursuant to [Policy 601:6](#) or as otherwise provided by law.

601:7 TRANSFER OF SICK LEAVE UPON SEPARATION

An employee leaving the Board to work for another FRS employer that allows limited transfer of sick leave may elect not to have up to 40 hours of sick leave bought back upon separation of employment with the Board.

It is the responsibility of the employee to inform Human Resources in writing of any intent to have sick leave transferred to another FRS employer prior to separation of employment with the Board. The employee is also responsible for obtaining and filling out any paperwork needed for such transfers.

Failure to notify Human Resources and/or failure to have completed the necessary paperwork in sufficient time prior to leaving employment with the Board may result in all sick leave being paid out at the appropriate rate and no accrued sick leave being transferred to the new FRS employer.

It is solely the responsibility of the employee to find out if another FRS employer allows for sick leave transfer and the amount that may be transferred. This practice varies widely among FRS employers and the Board will not make inquiries for employees regarding the transfer of leave to another FRS employer.

The Board will accept up to 40 hours of accrued sick leave transferred from another FRS employer. Sick leave transferred will be available after three (3) months of employment, per [Policy 601:2, Sick Leave](#).

POLICY 602 - SICK LEAVE POOL

On a purely voluntary basis, eligible employees may join a Sick Leave Pool (SLP) with other employees. The SLP is established to provide additional paid sick leave protection to eligible employees. Participation in the SLP shall be on a voluntary basis and is available only to eligible employees.

602:1 REQUIREMENTS

To join the SLP, an employee must:

1. Have at least one (1) year of full-time employment with the County.
2. Have a minimum of 30 hours of unused sick leave remaining after contributing eight (8) hours to the pool.
3. Participating employees will make equal contributions to the SLP.

602:2 JOINING THE SICK LEAVE POOL

1. After the initial contribution of sick leave hours, further contributions will only be required as may be necessary to replenish the pool. Any such contributions will be equally required of all employees participating in the pool.
2. A participating employee using sick leave from the pool will not be required to re-contribute sick leave to the pool, except as otherwise provided herein.
3. A participating employee who chooses to no longer participate in the SLP will not be eligible to withdraw any sick leave already contributed to it.
4. Joining the pool is prohibited at any time other than the initial enrollment and periodic replenishment periods.
5. Pool replenishment will be accomplished annually as needed, during an open enrollment period in the fall. New members will be required to contribute at the same rate as original (charter) members or the current rate, whichever is higher.

602:3 CONDITIONS

1. A participating employee will not be eligible to use sick leave from the pool until all personal sick and annual leave has been depleted.
2. An employee must have been approved for FMLA before drawing time from the pool.
3. SLP time drawn from the pool must only be used for FMLA qualified events.
4. Leave withdrawal from the SLP will require, in all cases, a statement from a physician attesting to the disability, to the estimated period of disability, and a statement that the employee is unable to work.
5. A maximum of 240 hours may be withdrawn from the pool per member in a calendar year (January 1 through December 31).
6. Sick leave not yet earned may not be advanced for the purpose of contributing to the pool.
7. Alleged abuse of SLP time will be investigated. On a finding of wrongdoing, the employee will be required to repay all of the sick leave credit drawn from the pool and will be subject to such other disciplinary action as determined appropriate by Human Resources and the County Administrator.
8. An employee using SLP leave for the majority of the month will not earn sick leave.

602:4 SICK LEAVE POOL COMMITTEE

Operation of the pool will be monitored by a committee acting in an advisory capacity to the County Administrator.

1. The committee shall be composed of the Assistant County Administrator, Human Resources Representative, one (1) hourly employee, one (1) salary employee both members of the SLP, and a director of a department other than that to which the applying employee belongs. The committee shall be chaired by the Assistant County Administrator.
2. The committee shall not grant sick leave in excess of the balance in the pool.

POLICY 603 - ANNUAL LEAVE

It is the policy of the Highlands County Board of County Commissioners (Board), to afford the opportunity for all regular full-time employees to take annual vacations with pay in accordance with established guidelines. The purpose of annual leave is to provide employees time away from normal work activities without loss of pay or benefits. Approved vacations are beneficial to the operation of the Board and beneficial to its employees. Therefore, each eligible employee is encouraged to take annual vacation leave. Annual leave may also be used to supplement sick leave, or to perform personal activities, etc.

603:1 GENERAL PROVISIONS

1. Authority. Employees shall request use of annual leave electronically or in writing by using authorized forms. The Supervisor's approval is required prior to use. Leave use may not be authorized prior to the time it is earned.
2. Opportunity to Use. Each Department Director and Supervisor must provide opportunities to use accrued annual leave credits required for proper rest and relaxation. Individual employees are responsible for monitoring their own leave balance and for using them for the intended purpose. The maximum allowable carry-over of annual leave shall be 240 hours. All accrued annual leave hours in excess of 240 hours at the end of each calendar year will be deleted from accrued benefits without reimbursement. It is an employee's personal responsibility to request and schedule leave taking in order to avoid losing hours at the end of the calendar year.
3. Compulsory Use. A Department Director may require an employee to use all or part of the employee's accrued annual leave for vacation purposes at any time deemed advisable for the smooth functioning of the department, or to comply with above.
4. Special Computation for Ten (10) Hour Employees. Leave shall be approved in ten (10) hour increments for each scheduled workday in which annual leave has been approved; provide their individual leave account is sufficient to cover the period.
5. Special Computation for 24 Hour Employees. Leave shall be approved in 24-hour increments for each scheduled workday in which annual leave has been approved; provide their individual leave account is sufficient to cover the period.
6. Crediting Date. Annual leave earned during any pay period shall be credited to the employee on the last day of that pay period or, in the case of separation, on the last day the employee is in payroll.
7. Increments. Annual leave should be granted in increments of not less than ¼ hour.
8. Payment. Compensation for unused annual leave shall be paid when an employee separates employment, whether administratively, voluntarily, or involuntarily.
 - a. Computation. Annual leave value at separation shall be computed by multiplying the employee's current hourly rate times the number of hours of accrued annual leave.
 - b. Final Pay. Payment shall be included in the employee's final paycheck, provided:
 - i. All Board property and materials in the employee's possession are properly returned or accounted for.
 - ii. Sufficient notification is given prior to separation.
 - iii. All insurance premiums, educational, and training obligations have been fulfilled.

- c. Death. In case of death, payment for unused annual leave at the time of death shall be made to the employee's designated beneficiary or as otherwise provided by law.
- 9. DROP. Payment for unused annual leave may also be made to employees entering the Deferred Retirement Option Program (DROP) per Chapter 121.091(13), Florida Statutes not to exceed the amount of the employee's annual leave on account or 240 hours, whichever is less.
- 10. Part-time and OPS employees will not accrue annual leave.
- 11. Annual leave benefits shall accrue during the initial period of employment probation; however, are not available for use. New employees satisfactorily completing initial probation and attaining regular status shall be credited with the accrued leave on the last day of the pay period in which probation is completed. Probation is initially set at six (6) months but may be shortened or lengthened at the discretion of the Department Director; County Administrator approval is required. If the employee is released from probation prior to six (6) months, the annual leave will be credited at a pro-rated amount based on the amount of time the employee has been employed. If after the initial six (6) months of employment, the employee is on probationary status, the County Administrator may authorize the release of the appropriate leave balance.
- 12. Promotions, training, reinstatements, reclassifications, lateral transfers, and disciplinary periods of probation are not considered initial probation provided the minimum probationary service has previously been satisfactorily completed.
- 13. Employees shall not earn annual leave during breaks of service. An employee who has officially separated from Board employment will start from a balance of zero (0) annual leave hours if rehired. Service in the elected official category shall not be used in computing continued service.

603:2(a) EARNING ANNUAL LEAVE

Full-time regular 40-hour employees filling authorized Board positions shall earn annual leave hours as follows:

Table 3: Annual Leave Accrual for regular positions

Continuous Service	Accrued Annual Leave
Less than 10 years	104.00 hours
10 or more years	130.00 hours

603:2(b) EARNING ANNUAL LEAVE

Fire Rescue personnel scheduled to work 24 hours on and 48 hours off will accrue annual leave benefits in compliance with the following schedule:

Table 4: Annual Leave Accrual for personnel scheduled to work 24 hours on and 48 hours off

Continuous Service	Accrued Annual Leave
Less than 10 years	141.27 hours
10 or more years	166.77 hours

603:3 ANNUAL LEAVE PAYOUT

1. Annual Leave payouts may be paid to employees requesting payment for unused annual leave between November 1st and December 15th of each calendar year.
2. Employees may request payout for a maximum of 80 hours annual leave. Payment for unused annual leave will not exceed the amount of the employee's annual leave on account.
3. The payout may be split into multiple pay periods.
4. It is the responsibility of the employee to fill out the Annual Leave Payout Form (Appendix 4) and ensure that it is submitted to Human Resources in a timely manner. Failure to do so, may result in a delay in the payout.
5. In the event of a Disaster or Declared Emergency (Federal, State or Local) the County Administrator may authorize a Special Payout of Annual Leave with dates to be determined at the time of the sale and subject to sections 2, 3, and 4 of this policy.

POLICY 604 - HOLIDAYS

It is the policy of the Highlands County Board of County Commissioners (Board), to designate and observe certain days each year as holidays. The holiday schedule is adopted annually by the Board.

604:1 GENERAL PROVISIONS

1. The Board reserves the right to schedule work on an observed holiday.
2. When an approved holiday falls on a Saturday, the preceding Friday shall be observed as the official holiday. When an approved holiday falls on a Sunday, the following Monday shall be observed as the official holiday.
 - a. Fire Rescue employees working 24-hour shifts will observe holidays on the regularly scheduled calendar day without regard to Saturday or Sunday.
3. If a listed holiday is observed on a day which is a regularly scheduled day off for an employee, the employee will not be compensated, nor may the employee take another day in lieu of the scheduled holiday. [Refer to Policy 604:5 – Floating Holiday](#)
4. Holiday pay for less than full-time employees shall be awarded at the rate of one (1) hour of holiday pay for each ten (10) hours worked during the pay period in which the holiday falls. For example, if a part-time employee is scheduled to work 20 hours during the pay period of the holiday, they would receive two (2) hours holiday pay, 30 hours scheduled, three (3) hours, 40 hours scheduled, four (4) hours, etc. to a maximum of 60 hours scheduled, six (6) hours holiday pay would be paid. Employees who work 70 hours or more would receive the full holiday benefit.
5. If an employee takes sick leave (including annual leave substituted for sick leave) on the day prior to or the day after an observed holiday, they may be required to provide written proof of illness in the form of a physician's statement of treatment. Failure to provide such proof of illness when requested shall result in the employee not being paid for such sick leave and/or loss of holiday pay for the observed holiday, and may result in disciplinary action, up to and including termination.
6. Employees on unpaid leaves of absence shall not be entitled to holiday pay for any holiday that falls during any period of unpaid leave.
7. The Board recognizes that some employees may wish to observe, as periods of worship or commemoration, certain days which are not included in the Board's list of observed holidays. Employees requesting to take a day off for such reasons may be permitted to do so if the employee's absence from work will not result in an undue hardship on the ability of the department to conduct business, providing prior approval has been obtained from the employee's Supervisor. Employees may use accumulated paid annual leave on such occasions, or they may take such time off as an unpaid, excused absence.
8. Mandatory Holiday Duty. Exempt employees that are required to work on a scheduled holiday for the convenience and necessity of the Board may be granted administrative leave at straight time for the period worked if the total hours for the work week exceeds the standard work week hours. Prior approval by the County Administrator is required.
 - a. Fire Rescue employees that are required to work on a scheduled holiday will be paid holiday pay.
9. Other Agency Holidays. Board personnel with shared employment with the University of Florida Extension Service, Courthouse, and other employees in similar situations,

may observe holidays of that organization, or of the Board. The total number of holidays for Board employees with shared employment may exceed the total number of days provided to Board employees annually.

604:2 FLOATING HOLIDAY

1. Two (2) floating holidays per calendar year are provided for those employees working in a division whose mandatory work schedule prohibits them from participating in the regularly observed holidays. This policy applies to:
 - a. Library staff whose offices normal operating hours are Tuesday thru Saturday and therefore are unable to benefit from holidays observed on Mondays.
 - b. Solid Waste staff whose normal operating hours are set based on the operating schedule of the Solid Waste hauler and who therefore are unable to benefit from holidays observed by the Board.
 - c. This policy does not apply to employees within the Library system or Solid Waste who work a Monday through Friday work schedule.
2. Where an employee's work schedule is established to accommodate the needs of the Board, the County Administrator may grant an employee up to two (2) floating holidays on a case-by-case basis. Approval will be documented in the employees personal file.
3. Floating holidays will be applied to an applicable employee's available leave balances on the first business day in January of each year. To be eligible for receipt of a Floating Holiday, employees in positions approved for Floating Holidays must be employed in the position at the time of application of that Floating Holiday to that Employee's leave balance.
4. Floating Holidays must be scheduled in advance and approved in accordance with the County's leave policy.
5. Floating Holidays must be used during the calendar year which they are granted.
6. Floating Holidays are not compensable upon separation of employment.

POLICY 605 - LEAVE OF ABSENCE

It is the policy of the Highlands County Board of County Commissioners (Board), to grant employees leave(s) of absence under certain circumstances.

605:1 GENERAL PROVISIONS

1. Medical certification may be required for a serious health condition, as described in the Family & Medical Leave Act (FMLA), although employee may not qualify for protection under FMLA. Refer to [Policy 606, Family Medical Leave](#).
2. The Board requires that all accumulated annual, sick, and compensatory leave first be exhausted and counted towards the maximum amount of approved leave. The remainder of the leave period, if any, is unpaid.
3. Should an employee exhaust all FMLA and/or approved Workers Compensation leave, the Director may grant a one-time, 30 calendar day Leave of Absence. Should the employee need additional leave, the County Administrator may grant additional time in 30 calendar day increments on a case by case basis.
4. Employees who are on an approved leave of absence are expected to report any change of status in the need for a leave, as soon as such a change takes place, to the immediate Supervisor, Department Director or Human Resources.
5. Employees intending to return to work from an approved leave of absence shall notify the immediate Supervisor and Human Resources in advance of returning to work. Employees are encouraged to provide as much advance notice as possible. Failure to notify the Supervisor may result in a delay in the return to work. Proper medical documentation may be required before employee is able to return to work.
6. An employee who fails to return to work at the conclusion of an approved leave will be considered to have voluntarily abandoned their position. In such instances involving leave of absence without pay, the Board will recover from the employee the Board's share of any insurance premiums paid by the Board on behalf of the employee and their dependents.
7. Benefits that accrue according to length of service, such as paid vacation, sick leave, and retirement credit, do not accrue during periods of unpaid leave of absence. Likewise, holidays will not be granted during periods of unpaid leave.
8. An employee returning to work from a leave of absence, including military leave, must comply with reinstatement requirements specified by federal and state law. If the same job or one of equivalent status is not available as a result of a reduction in force, the employee will be treated in the same manner as though they were not on leave at the time of the reduction in force.

605:2 BENEFITS COVERAGE DURING LEAVE

1. If the leave of absence is unpaid, the employee will be required to pay the cost of health, dental, and life insurance premiums and any employee elected coverages (i.e. Aflac, TA, Vision, etc.) during the leave of absence. The employee will be billed monthly for their portion of the coverage. Failure of the employee to pay their portion of the premiums may result in loss of coverage.
2. If the leave of absence is paid, the Board will continue to pay the normal cost of insurance premiums for the employee and the employee's dependents as if the employee were otherwise working during the leave of absence. The employee will likewise continue to pay their portion of any premiums during this period. Failure of the employee to pay their portion of the premiums may result in loss of coverage.

POLICY 606 - FAMILY MEDICAL LEAVE

It is the policy of the Highlands County Board of County Commissioners (Board), to grant its employees up to 12 weeks leave of absence using a rolling 12-month period, to be used in accordance with the provisions of the Family & Medical Leave Act (FMLA).

606:1 GENERAL PROVISIONS

1. Employees who have been employed for at least one (1) year, 52 weeks, which need not be consecutive, and have worked at least 1,250 hours during the preceding 12-month period are eligible for leave under the FMLA.
2. For employees who are not eligible for FMLA leave, the Board will review business considerations and the individual circumstances involved. Any leave granted under these special conditions and circumstances is non-FMLA leave, and does not afford the protections granted to eligible employees by the Family & Medical Leave Act.
3. The Family & Medical Leave Act requires that a total of 12 weeks of unpaid leave be made available during a rolling 12-month period. The Board requires that all applicable annual, sick, and compensatory leave first be exhausted and counted towards the maximum amount of leave required under the law. The remainder of the leave period, if any, is unpaid.
4. Exempt Employees. During a period in which intermittent or reduced schedule FMLA leave is to be taken, the employee will be compensated on an hourly basis and paid only for the hours worked. The employee may elect to use annual or sick leave to offset the un-worked hours. Refer to 29 CFR 825.206 for additional details.

606:2 REASONS FOR LEAVE AND CONDITIONS/RESTRICTIONS

1. All employees who meet the applicable time-of-service requirements may be granted a combined total of 12 weeks of leave, whether paid or unpaid, during the designated rolling 12-month period for the following reasons:
 - a. The birth of the employee's child, and in order to care for the child.
 - b. The placement of a child with the employee for adoption or foster care.
 - c. To care for the employee's spouse, child, or parent who has a serious health condition. The care of grandparents or in-laws is not covered under FMLA.
 - d. A serious health condition that renders the employee incapable of performing the functions of his/her job.
 - e. To care for the employee's spouse, parent, child, or next-of-kin who is a covered service member with a serious injury or illness sustained while on active duty. Refer to [Policy 607, Military Family Medical Leave](#).
 - f. For a qualifying exigency when an employee's spouse, child, or parent is called to active duty. Refer to [Policy 607, Military Family Medical Leave](#).

Note: Employees who have no biological or legal relationship with a child may nonetheless stand in loco parentis to the child and be entitled to FMLA leave. Human Resources, in consultation with the legal counsel, shall make determinations regarding in loco parentis conditions and qualifications on a case-by-case basis. Reasonable documentation may be required.

2. Leave to be used for the birth or placement of a child for adoption or foster care must be taken within 12 months from the date of the birth or placement. If the Board employs both parents, they will be permitted to take a combined total of 12 weeks of leave for the birth or placement of the child.

3. Family or medical leave may be taken as intermittent leave or leave on a reduced-schedule only if there is a medical need for such leave (as distinguished from voluntary treatments and procedures), and that such medical need can be best accommodated through an intermittent or reduced leave schedule.
 - a. An employee needing intermittent FMLA leave or leave on a reduced leave schedule must make a reasonable effort to schedule the leave so as not to disrupt department operations.
 - b. In addition, provisions of the Family & Medical Leave Act allow the employer to assign an employee to an alternate position with equivalent pay and benefits that better accommodates the employee's planned intermittent or reduced leave schedule. The employee will be returned to their original or similar position following this application of leave.
 - c. When leave is taken after the birth or placement of a child for adoption or foster care, an employee may take leave intermittently or on a reduced leave schedule only if the employer agrees. The employer's agreement is not required, however, for leave during which the mother has a serious health condition or if the newborn child has a serious health condition.

606:3 TRACKING AND AVAILABILITY OF LEAVE

1. Effective September 1, 2009, the Board uses a 12-month rolling leave period measured forward from the date the employee first takes FMLA leave. The first day FMLA is taken is the day that the rolling leave period begins. After completion of 12 months from that date, the next 12 month rolling period begins the next time the FMLA leave is used.
2. For ease of tracking intermittent leave, the 12-week entitlement may be equivalently defined in hours. If an employee's schedule varies from week to week, a weekly average of the hours worked over the 12 weeks prior to the beginning of the leave period would be used for calculating the employee's normal workweek.
3. If an employee is not eligible to take FMLA leave, Human Resources will notify the employee why he or she is not eligible.
4. FMLA leave will be tracked and notated on the employee's timesheet by the department. It shall be the responsibility of the department to inform an employee of the amount of FMLA leave available at the time leave is requested. Human Resources shall inform the employee when the end of the 12-week entitlement is nearing.
5. An error by Human Resources as to the amount of time due to an employee under FMLA will not reduce or increase the amount of time the employee is legally owed.
6. To the extent allowed by law, in the event an absence is for any reason covered by the FMLA, the Board reserves the right to count it as FMLA leave, whether the employee has applied for it or not. When this occurs, the employee will be promptly notified as required by law.

606:4 REQUESTS FOR LEAVE

1. An employee requesting leave when the need for the leave is foreseeable should complete the appropriate FMLA certification paperwork and return it to Human Resources for further processing. If approved, the employee shall follow standard policy for requesting leave.

2. All fields should be completed on the FMLA certification paperwork including whether the request for leave is a new or existing one, the type of leave being requested, the estimated duration of the leave, and the starting and approximate ending dates of the leave (if known).
3. Confidentiality. Medical information is confidential and is only retained by Human Resources and/or Risk Management in confidential files. If the information is not specific to a diagnosis or is simply stating the reasons listed above, that information is not considered confidential medical information. Human Resources, Risk Management, and the HIPAA Privacy Officer are available to advise what information constitutes confidential medical information.

606:5 NOTICE OF LEAVE

1. An employee intending to take family or medical leave due to an expected birth or placement of a child, or because of a planned medical treatment, must submit a leave request form at least 30 calendar days before the leave is to begin. Failure to provide this notice may postpone the leave.
2. If leave is to begin within 30 calendar days, an employee must give notice to their immediate Supervisor and Human Resources as soon as the necessity for leave arises.
3. If the leave is not foreseeable, the employee may provide notice to their immediate Supervisor or Department Director by phone, fax, or email. Medical details need not be given. The employee should provide enough information for Human Resources to understand that a serious health condition will create incapacity from the employee's job. If leave is to care for a family member, information must be provided that the condition will render the family member unable to perform daily activities. The employee should include at least an estimate of how long they will be absent. Failure by the employee to provide sufficient information to determine whether FMLA is applicable may result in delay or denial of protected leave.
4. If the current absence relates to an already approved FMLA condition, the employee must advise the immediate Supervisor or Department Director at the time the leave is requested. Calling in sick without providing more information is not considered sufficient notice for that leave to be protected.
5. Normal department call-in procedures for unscheduled absences should be observed unless an emergency situation is indicated.
6. If a Supervisor learns of an event which can be reasonably foreseen to qualify as FMLA leave, the employee should be provided a Notice of Eligibility and Rights and Responsibilities and certification paperwork within five (5) business days of learning of the employee's potential need for the leave or the employee's request for leave. Following receipt of the completed and approved certification paperwork, a Designation Notice will be prepared by the department and sent to the employee. The Designation Notice informs the employee that the Board has designated the leave as FMLA leave.
7. In general, FMLA leave is not counted retroactively. However, if the Board learns that leave is for an FMLA-qualifying purpose after leave has begun, the entire portion or some portion of the paid leave period may be retroactively counted as FMLA leave, to the extent that the leave period qualified as FMLA leave. Such determinations will be made in consultation with Human Resources.

8. An employee may be absent from work due to an on-the-job illness or injury that also qualifies as a serious health condition under FMLA and still receive workers' compensation. In such cases, workers' compensation leave and FMLA leave will run concurrently. Human Resources, when necessary, shall make such determinations as to whether workers' compensation leave should be counted as FMLA leave
 - a. If the workers' compensation leave is longer than the 12-week entitlement under FMLA, such leave will revert to the rules provided by workers' compensation laws and regulations.

606:6 MEDICAL CERTIFICATION OF LEAVE

1. A request for leave based on the serious health condition of the employee or employee's spouse, child, or parent will require a Medical Certification completed by the applicable health care provider. This certification must be submitted to Human Resources. Failure to complete and submit necessary FMLA paperwork will result in the denial of FMLA leave until such time as proper paperwork has been completed, received, and reviewed. The Board may also request re-certifications periodically during the course of any FMLA leave, according to guidelines in the regulations. Certification information will be kept confidential and filed in the employee medical file, to be kept in Human Resources.
 - a. The Board may request the employee to provide a recertification no more often than every 30 calendar days and only in connection with an absence by the employee. The Board is not responsible for any expense associated with a recertification.
2. The certification forms provided by Human Resources should be completed by the employee's/ family member's healthcare provider and must be returned to Human Resources within 15 calendar days from the date that the request is made on the Notice of Eligibility and Rights and Responsibilities, unless the employee notifies Human Resources of extenuating circumstances. Failure to use the Board's designated certification form may result in delay in approving protected leave, even if other information is submitted. If incomplete or insufficient information is received by Human Resources, the employee will be asked to obtain the missing information from the healthcare provider. Failure to provide certification as requested will result in denial of protected leave.
3. Medical certification is needed for a female employee (mother) in the case of FMLA leave being taken for the birth of a child. For adoption, foster placement, or for leave being taken by the male employee (father), proof of birth, adoption, foster placement should be provided as certification.
4. The Board may request, at its own expense, second, or third medical opinions regarding FMLA determination. The department will pay the cost of such opinions.

606:7 BENEFITS COVERAGE DURING LEAVE

1. During a period of FMLA leave, an employee will be retained by the Board health plan under the same conditions that applied before the leave commenced.
2. To continue health coverage, the employee must continue to make any contributions that they made to the plan prior to taking leave. Failure of the employee to pay their portion of the health insurance premium may result in the loss of coverage.

3. If the employee fails to return to work after the expiration of the leave, the employee may be required to reimburse the Board for payment of health insurance premiums during any unpaid leave
4. An employee is not entitled to the accrual of employment benefits that would have accrued if not for the taking of leave. However, an employee who takes FMLA leave will not lose any employment benefits that accrued before the date the leave began.

606:8 RESTORATION OF EMPLOYMENT

1. An employee eligible for FMLA leave, will be restored to their old position or to a position with equivalent pay, benefits, and other terms and conditions of employment. The Board cannot guarantee that an employee will be returned to their original position. The County Administrator will make a determination as to whether a position is an equivalent position. Employees who wish to challenge this determination should contact Human Resources.
2. Pursuant to the FMLA, an employee may be denied restoration rights if:
 - a. The individual cannot perform the essential functions of the job, with or without accommodation.
 - b. The individual would pose a significant risk to the safety of other employees.
 - c. The employee's job was eliminated or they were laid off because of business conditions.

606:9 CONTACT AND COMMUNICATION GUIDELINES

1. During FMLA leave, employees must periodically report on their medical status and intent to return to work. An employee must contact the immediate Supervisor or Human Resources no less often than once every 30 calendar days, and at any time that the need for FMLA has changed.
2. The Director, Human Resources, or the Risk Coordinator are allowed to initiate communication with employees who are on an FMLA leave as needed.

606:10 RETURN FROM LEAVE

1. An employee must notify the immediate Supervisor and Human Resources of their intent to return from FMLA leave before they can be returned to active status.
2. If an employee wishes to return to work prior to the scheduled expiration of an FMLA leave of absence, notification and medical certification releasing the employee to return to work must be given to Human Resources prior to the employee's planned return.
3. Medical Clearance. Except during the course of approved intermittent leave, all employees of the Board whose FMLA leave was taken due to the employee's own serious health condition must obtain from the employee's health care provider a medical certification releasing the employee to return to work. This certification must be obtained and provided to Human Resources before the employee will be allowed to return to work. The Board will consider any employee request for reasonable accommodations to an ongoing condition as required by law.
4. The Board reserves the right to request medical clearance from intermittent medical absences if reasonable safety concerns exist due to the approved FMLA condition. This request will be made only in consultation with Human Resources.

5. If at any point an employee gives notice that they will not be returning from FMLA leave, the Supervisor should request a written resignation; however, the receipt of written resignation is not required for the employee to be considered terminated.

606:11 FAILURE TO RETURN FROM LEAVE

The failure of an employee to return to work upon the expiration of a qualifying FMLA leave will subject the employee to immediate termination unless a leave of absence is granted. Refer to [Policy 605, Leave of Absence](#).

606:12 RELATIONSHIP TO THE AMERICANS WITH DISABILITIES ACT

1. The Family & Medical Leave Act provides certain job protections and entitlements as they relate to the "serious health condition" of the employee and/or the employee's immediate family. The Americans with Disabilities Act requires employers to make "reasonable accommodations" for individuals with qualifying disabling conditions. While the FMLA and the ADA seem to cover separate situations, and operate exclusively from each other, Supervisors must be aware that in practice there may be circumstances that present themselves in a way that may create difficulty in separating the two Acts.
2. The American with Disabilities Act requires that each case be handled on a case-by-case basis. If an employee requests a modified work schedule following a leave, as a result of an FMLA leave condition, or at any other time, the request must be evaluated to determine if it is a "reasonable accommodation" request falling under the ADA, or simply an FMLA leave request.

POLICY 607 - MILITARY FAMILY MEDICAL LEAVE

It is the policy of the Highlands County Board of County Commissioners (Board), that employees who are otherwise eligible to take leave under the Family & Medical Leave Act (FMLA) may qualify for military family leave.

607:1 GENERAL PROVISIONS

1. To be eligible, an employee must meet the same requirements as for regular FMLA.
2. Employees using Military FMLA are also subject to all other provisions and requirements of FMLA including notice of the need for leave, certification, communications with employer, use of accruals during the leave, and scheduling of intermittent time. (Refer to [Policy 606, Family Medical Leave](#)) The employee must contact Human Resources to discuss details of certifications and other authentications required to protect leave taken under Military FMLA.
3. Two types of Military FMLA are available, Military Caregiver Leave and Military Exigency Leave

607:2 MILITARY CAREGIVER LEAVE

1. An employee who is the spouse, son, daughter, parent, or next-of-kin of a covered service member who is recovering from a serious illness or injury sustained in the line of duty on active duty may be granted up to 26 weeks in a single 12-month period in order to care for the service member.
 - a. Serious illness or injury. One that renders the service member medically unfit to perform the duties of the member's military position.
 - b. Covered service member. One who is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list due to the injury or illness.
 - c. Next of kin. Nearest blood relative.
2. Military Caregiver Leave may be taken intermittently, on a reduced schedule, or continuously, but only during a single 12-month period. The single 12-month period is measured forward from the date an employee first takes leave to care for the service member and ends 12 months later. Caregiver Leave is granted for a single injury/illness. An aggravation or complication of an earlier injury/illness is still considered to be the same. Any unused amount is forfeited.
3. During the single 12-month period, Caregiver Leave is combined with regular FMLA leave and the total cannot exceed 26 weeks. Only 12 of the 26 weeks total may be for an FMLA-qualifying reason other than to care for a covered service member.
4. If leave qualifies as both military caregiver leave and FMLA medical leave to care for a family member with a serious health condition, it must be counted as Caregiver Leave.

607:3 MILITARY EXIGENCY LEAVE

An employee who has a spouse, son, daughter, or parent in the National Guard or Reserves may be granted up to 12 weeks of leave during the rolling 12-month period established by the employer for FMLA leave for qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on federal active duty or is called (or has been notified of an impending call) to federal active duty in support of a contingency operation. Family members of members of the regular Armed Forces and members of the

National Guard called to active duty by the governor in response to a state emergency are not eligible for this type of leave.

Qualifying Exigency Leave may be taken continuously, intermittently, or on a reduced schedule. The employee may not be transferred to an alternative job while on leave.

Qualifying Exigency Leave is part of regular FMLA leave. The maximum amount of leave is 12 weeks within the rolling 12-month period, including all other types of regular FMLA leave except Military Caregiver Leave.

Any one or more of the following non-medical, non-routine activities, and no others are included in the definition of "Qualifying Exigency":

1. Short-term deployment activities. If a military member receives seven (7) or less calendar days' notice prior to the date of employment, an employee may take FMLA leave to address any issues arising from the short notice. An employee may take FMLA leave for up to seven (7) calendar days beginning on the date the military order is received, even if the seven (7) day period ends after the military member has been deployed.
2. Military events and related activities. To attend official events sponsored by the military that are related to the active duty call or status, and to attend family support or assistance programs and informational briefings sponsored by the military, military service organizations, or American Red Cross that are related to the active duty call or status of the military member.
3. Childcare and school activities. Certain childcare and related activities arising from the call to active duty or active duty status, such as arranging for alternative childcare, providing childcare on a nonroutine, urgent, immediate need basis, enrolling or transferring a child to a new school or daycare facility, and attending certain meetings at a school or daycare facility.
4. Financial and legal arrangements. To make or update arrangements to address the military member's absence, such as obtaining power of attorney, transferring bank account authority, enrolling in the Defense Enrollment Eligibility Reporting System (DEERS), obtaining military identification cards, or preparing or updating a will or living trust; and/or to act as the military member's representative before a federal, state, or local agency for certain purposes relating to military service benefits while the military member is on active duty or call to active duty, and up to a period of 90 calendar days following the termination of the military member's active duty status.
5. Counseling activities. To attend counseling, provided the need for counseling arises from the military member's active duty call or status, and that such counseling is provided by someone other than a health care provider, such as a chaplain or pastor. The counseling must be for the employee, the military member, and/or the military member's child.
6. Rest and recuperation activities. Leave may be taken to spend time with the military member that has been granted short-term, temporary, rest and recuperation leave during the deployment period. This leave is limited to a maximum of five (5) calendar days for each instance of rest and recuperation.
7. Post-deployment activities. To attend certain post-deployment activities sponsored by the military for a period of approximately 90 calendar days following termination or the military member's active duty status, or to address issues that arise from the death of a military member on active duty status.

8. Additional activities. Leave for other exigencies may be granted, provided it arises out of the military member's call to active duty or status and the employee and employer mutually agree on both the timing and the duration of the leave.

POLICY 608 - DOMESTIC VIOLENCE LEAVE

It is the policy of the Highlands County Board of County Commissioners (Board), to permit all qualifying employees to request and take up to three (3) paid or unpaid working days of leave in any 12- month period to undertake activities resulting from an act of domestic violence if the employee, or a family or household member of the employee, is the victim of domestic violence. For further detail, see 741.313, Florida Statutes.

Highlands County, in accordance with Florida Statutes, will keep confidential and exempt from public disclosure all such requests, substantiating documentation, and leave.

608:1 QUALIFYING FOR DOMESTIC VIOLENCE LEAVE

To qualify for leave under this policy, an employee must:

1. Be employed by the Board for three (3) or more months.
2. Provide to their immediate Supervisor as much advance notice as possible of the need to take leave, except in cases of imminent danger to the health or safety of the employee or the family or household member.
3. Provide to Human Resources sufficient documentation of the act of domestic violence, specific documentation to be determined on a case-by-case basis.
4. Exhaust first all annual, sick, or compensatory leave. If employee does not have any available leave, they may use leave without pay.
5. Leave may be used for one or more of the following reasons:
 - a. Seeking an injunction for protection against domestic violence or an injunction for protection in cases of repeat violence, dating violence, or sexual violence.
 - b. Obtaining medical care or mental health counseling, or both, for the employee or a family or household member to address physical or psychological injuries resulting from the act of domestic violence.
 - c. Obtaining services from a victim services organization, including, but not limited to, a domestic violence shelter, program, or a rape crisis center as a result of the act of domestic violence.
 - d. Making the employee's or victim's home secure from the perpetrator of the domestic violence or to seek new housing to escape the perpetrator.
 - e. Seeking legal assistance in addressing issues arising from the act of domestic violence or to attend and prepare for court related proceedings arising from the act of domestic violence.

POLICY 609 - ADMINISTRATIVE LEAVES

It is the policy of the Highlands County Board of County Commissioners (Board), to provide time off to employees to attend funerals or memorial services and for civic duty (jury duty, witness duty, and military duty). Abuse or falsification of bereavement or civic duty leaves shall be subject to disciplinary action, up to and including termination.

The County Administrator may grant administrative leave with or without pay when it is determined that it is in the best interest of the Board not to have the employee in the work area.

609:1 BEREAVEMENT

1. An employee shall be granted up to 32 hours of administrative leave with pay for the death of any member of the employee's immediate family. Immediate family is defined as the spouse or the grandparents, parents, brothers, sisters, children, and grandchildren of either the employee or the spouse. An employee may also be granted this leave for the death of a person with loco parentis standing with the employee; i.e., a person who has been the position or place of a parent to the employee. Employees may use annual, sick, compensatory, or leave without pay if they wish to take any additional time off.
2. An employee may be requested to provide a statement in writing to their immediate Supervisor giving the name of the deceased and their relationship to the employee. This information shall be retained in the employee's personnel file.

609:2 COURT APPEARANCES

1. Jury Duty. An employee summoned as a member of a jury panel shall be granted administrative leave with pay for up to 8 regular hours worked per day. A copy of the jury summons will be provided to Human Resources and will be retained in the employee's personnel file. Payment received by the employee for jury duty, except for meals, travel, and lodging expenses, shall be endorsed to the Board. The Board shall not reimburse the employee for meals, lodging, and travel expenses incurred while serving as a juror.
2. Witness Duty. An employee subpoenaed as a witness, not involving personal litigation, shall be granted administrative leave with for up to 8 regular hours worked per day. A copy of the subpoena will be provided to Human Resources and will be retained in the employee's personnel file. Payment received by the employee for witness duty, except for meals, travel, and lodging expenses, shall be endorsed to the Board. The Board shall not reimburse the employee for meals, lodging, and travel expenses incurred while serving as a witness.
3. Line of Duty Court Appearance. An employee subpoenaed in the line of duty to represent the Board as a witness or defendant shall be granted administrative leave. Appearances in such cases shall be considered part of the employee's job assignment. The employee shall be paid per diem and travel expenses, and shall be required to turn over to the Board any fees received from the agency making such payments.
4. Personal Litigation. In no case shall administrative leave with pay be granted for court attendance when an employee is engaged in personal litigation. The employee may use annual leave, compensatory leave, or leave without pay in such cases, per [Policy 603, Annual Leave](#).

609:3 VOTING

An employee who lives such distance from assigned work location as to preclude voting outside of working hours may be authorized a maximum of one (1) hour of administrative leave with pay for this purpose. An employee shall not be granted administrative leave with pay to work at the polls during elections. The employee must request and receive approval from the Director prior to using.

609:4 EXAMINATIONS

An employee may be granted a maximum of eight (8) hours of administrative leave with pay to take examinations before a state or federal agency, provided such examinations are pertinent to the Board employment and not pursuant to tuition assistance provided courses.

609:5 MILITARY DUTY LEAVE

1. An employee who is a member of the Armed Forces of the United States shall, upon presentation of a copy of the employee's official orders to the employee's Supervisor, be granted leave with full pay and without loss of benefits (including retirement) during periods in which the employee is ordered to active service or military training. This time will be considered continuous service.
 - a. Requests for military leave under this subsection shall be submitted in writing with proper documentation at least one (1) month prior to the commencement date of the orders.
2. Chapter 115, Florida Statutes, recognizes two (2) types of duties within the military for a leave of absence: active service and military training.
 - a. Active service. Active duty in the Florida defense force or civil service in training or on active duty with any branch of the Armed Forces or Reservists of the Armed Forces, the Florida National Guard, the Coast Guard of the United States, and service of all officers of the United States Public Health Service detailed by proper authority for duty with the Armed Forces.
 - b. Military training. Armed forces reserve or guard training for inactive service members.
3. Any Board employee who is also a member of the National Guard or a Reserve component of the Armed Forces of the United States may be granted leave of absence from their respective duties to enter active duty status, the first 30-calendar days of any such leave will be with full pay. During such leave of absence, the employee shall be entitled to preserve all benefits and retirement privileges, and such time will be treated as continuous service.
4. After the 30-calendar day period described above, the Board may supplement the military pay to bring the employee's pay to the level earned at the time they were ordered to active service. The supplement will be based on the calculated difference of the military base pay and the employee's gross pay with the Board while on active service. It is the responsibility of the employee to provide a copy of their military earning statement to Human Resources so they can determine if a supplement is due.

POLICY 610 - WORKERS' COMPENSATION LEAVE

It is the policy of the Highlands County Board of County Commissioners (Board), to ensure the availability of all reasonable and necessary authorized medical care and payment of all related medical costs to employees who are injured or develop an occupational disease as a result of the conditions of their job. Additionally, employees may be entitled to receive partial compensation for lost wages due to a qualified job-related injury or illness. For additional information, refer to Chapter 440, Florida Statutes.

610:1 GENERAL PROVISIONS

1. Employees who sustain an on-the-job work-related injury or illness shall immediately inform their supervisor. Failure to notify the supervisor immediately may impact benefits under the Workers' Compensation Law, and shall constitute the employee's refusal to submit to drug testing per Section 440.09(7)(c), Florida Statutes. After the employee is absent three (3) consecutive workdays, Human Resources will send the employee Family Medical Leave Act (FMLA) paperwork.
2. The Supervisor is responsible for reporting all Workers' Compensation injuries to Risk Management within 24-hours of the injury. Failure to do so may lead to disciplinary action, up to and including termination.
3. In non-emergency situations, prior to medical attention being sought for any work-related injury or illness, employees shall consult with Risk Management for treatment or referral to an authorized health care provider. Failure to follow this procedure may jeopardize the employee's benefits under the Workers' Compensation Law and lead to disciplinary action, up to and including termination.
 - a. This provision does not apply to life-threatening emergencies when immediate care must be sought through "9-1-1" dispatch. However, Risk Management must be informed as soon as possible of the injury.
4. If an authorized health care provider certifies the inability of an employee to perform work due to a work-related injury or illness, the employee must elect to use accrued sick leave (or vacation leave once all sick leave is exhausted) for the first seven (7) calendar days. On the eighth (8th) calendar day off work, the employee will revert to workers' compensation indemnity benefits for partial or total indemnity benefits under Florida Workers Compensation Law. Employees will be paid workers' compensation indemnity benefits for the first seven (7) calendar days only if they are disabled for more than 21 calendar days (these days do not have to be consecutive calendar days).
5. Indemnity benefits will be based upon the employee's average weekly wage for the 13-week period immediately preceding the work-related injury or illness.
6. While receiving indemnity benefits, annual and sick leave will still be accrued. Holiday pay is not available to an employee receiving total temporary indemnity benefits. Holiday pay may be available to an injured employee if the Holiday falls within the first seven (7) calendar days of the injury.
7. Workers compensation wage indemnity benefits are paid at the rate of $66\frac{2}{3}\%$ of gross wages and are tax-free. An employee is allowed to use one (1) hour per workday of paid leave to supplement the tax-free benefit. The net wages received should be nearly equivalent to the net wages received prior to the covered injury.
8. Workers compensation shall not be payable if the injury was occasioned primarily by the intoxication of the employee; by the influence of any drugs, barbiturates, or

other stimulants not prescribed by a physician; or by the willful intention of the employee to injure or kill himself, herself, or another.

9. If injury is caused by the knowing refusal of the employee to use a safety appliance or observe a safety rule required by statute or lawfully adopted by the Board, or if injury is caused by the employee's refusal to use safety equipment provided by the Board, workers' compensation indemnity benefits shall be reduced by 25% and the employee will not be allowed to use accrued annual or sick leave to supplement workers' compensation indemnity.
10. If the employee is unable to perform an essential job function and has a qualifying condition that may substantially limit one or more life function(s), the employee should contact Human Resources for referral to the Board Americans with Disabilities Act (ADA) Coordinator. If the employee cannot perform the essential functions of the position after Maximum Medical Improvement (MMI) and proper certification is received for a qualifying condition under ADA, the Board will consider all requests for reasonable accommodations.
11. Return to Alternate/Light Duty. When Risk Management has been advised that the employee is entitled to receive a temporary partial disability benefit or a temporary total disability benefit, and there is medical certification that the employee cannot perform the duties of the employee's regular position, but the employee can perform some work beneficial to the Board, the Risk Coordinator or Human Resources, may return the employee to alternate duty at his/her regular rate of pay to perform any duties the employee is capable of carrying out, subject to the following conditions:
 - a. Light duty work, whether part-time or full-time, is solely at the discretion of the employer.
 - b. Light duty work is not permanent.
 - c. No light duty position will be created in the absence of an operational need or requirement.
 - d. Light duty employment may be extended at the sole discretion of the employer.

610:2 RETURN AFTER WORKERS COMPENSATION LEAVE

1. Worker's compensation disability leave shall run concurrent with leave under the FMLA.
2. The employee must return to the essential duties of the employee's position after light duty work terminates or the expiration of leave under FMLA, if applicable.
3. The ability to perform the essential duties of a position shall be determined by the Board on the basis of factors including medical information provided by the employee's treating physician.

610:3 FAILURE TO RETURN AFTER WORKERS COMPENSATION LEAVE

The failure of an employee to return to work at the expiration of light duty work or leave under FMLA, whichever is later, shall subject the employee to termination unless leave without pay has been granted with proper medical certification, consistent with the Personnel Rules and Regulations.

700 – PAY PRACTICES

POLICY 701 - SALARY ADMINISTRATION

It is the policy of the Highlands County Board of County Commissioners (Board), to pay employees on a regular basis and in a manner so that the amount, method, and timing of such payments comply with applicable laws or regulations.

701:1 GENERAL PROVISIONS

1. New employees generally will be hired at the minimum rate assigned to their job title's pay grade. Supervisors may recommend higher starting rate depending on an applicant's experience, skill level, or on other competitive considerations. These recommendations should be reviewed and approved by the appropriate Department Director.
2. Employees promoted into a new position will generally receive a promotional increase at least to the minimum of the new salary range. No increase will be granted which brings an employee's base salary above the maximum of the new pay grade. Promotional increase recommendations must be approved by the County Administrator.
3. Employees who perform a lateral transfer will not receive an increase. Refer to [Policy 407, Lateral Transfer](#), for additional information.
4. The Department Director and Human Resources will handle considerations for reclassifications to lower level positions or involuntary demotions prior to any discussion with the employee. The salary of an employee reclassified to a lower level position or involuntarily demoted should not exceed the maximum of the new salary range. Reclassification and demotion recommendations must be approved by the County Administrator. Refer to [Policy 405:3, Reclassification](#), for additional information.
5. When a position is reclassified to a higher pay grade as a result of a significant change in job duties, an employee's salary will be increased at least to the minimum of the pay grade.
6. Human Resources will review job titles and pay grades for reclassifications. All changes must be approved by the Board.
7. Adjustments to salary may be granted to correct an internal or external equity problem reviewed by the Department Director and Human Resources and approved by the County Administrator.
8. An employee may be appointed to a trainee position at a salary five percent (5%) below the salary range minimum of the assigned position, for a training period. [Refer to Policy 403, Appointment.](#)

701:2 OUT-OF-CLASS STATUS

1. An employee appointed or assigned to fill an established position on a full-time or part-time basis for a specified period, not to exceed 12 months, shall be given out-of-class status when:
 - a. Qualified applicants are not available for the position.
 - b. The County Administrator approves a department request to temporarily fill the position with a person from a lower pay grade or different job title.
 - i. If the individual meets the minimum training and experience requirements for the position; they may receive up to a ten percent (10%) temporary increase.

- ii. If the individual does not meet the minimum training and experience requirements for the position; they may receive up to a five percent (5%) temporary increase.
- c. Pay for employees in out-of-class status may exceed the maximum limit for their original pay grade while assigned this status.

701:3 DESIGNEE PAY

When an employee performs duties not part of the normal duties of their position for a period of not more than 30 calendar days, the employee may receive a temporary increase of up to ten percent (10%). This type of out-of-class assignment is usually designated for the purpose of filling in for the absence of a lead worker or Supervisor.

POLICY 702 - PERFORMANCE EVALUATIONS

It is the policy of the Highlands County Board of County Commissioners (Board), that the job performance of each employee should be evaluated periodically by the employee's Supervisor.

1. Performance evaluation upon the following occasions:
 - a. By the end of the first six (6) months of employment.
 - b. Annually. Rating periods end December 31st of each year.
 - c. At any other time deemed appropriate to recognize improved or deteriorated performance.
2. Disagreement with the results of the evaluation is not subject to the grievance procedure set forth in these policies and procedures.
3. Supervisors, in completing evaluations, should prepare a written evaluation of each employee's job performance. Such an evaluation should include the Supervisor's comments and recommendations, and, if needed, an action plan for both the employee and Supervisor and performance goals for the next evaluation period. All performance evaluations that require an Action Plan shall be reviewed and approved with the Department Director and Human Resources prior to discussing with the employee.
4. Department Directors should review and approve each Supervisor's written evaluation to help assure that the evaluation process has been properly completed in a fair and objective manner. This review should occur prior to discussing with the employee.
5. After the written evaluation has been reviewed and approved by the Department Director, the Supervisor and employee should meet and discuss the evaluation, assess the employee's strengths and weaknesses in a constructive manner and set objectives and goals for the period ahead. The employee should be given the opportunity to examine the evaluation and make written comments about any aspect of it. The employee and Supervisor should then sign and date the evaluation and forward it to Human Resources for review.
6. Employees may request an additional meeting with their Supervisor, Director, or Human Resources to further discuss the evaluation.
7. Upon review, should Human Resources find any omissions or un-supported ratings, the Supervisor will be asked to review with the employee. If additional documentation is necessary, the original evaluation and the additional documentation will be provided to the County Administrator for approval and inclusion in the employee's personnel file.
8. Information derived from the performance evaluation may be considered when making decisions affecting an employee including, but not limited to, decisions concerning training needs and opportunities, pay, promotion, transfer, or continued employment.
9. All provisions of this section relating to the payment of salaries are contingent upon funds being available. Any deviation from paying employees in accordance with these rules and regulations because of budgetary limitations must be approved by the Board.
10. Special Probation Limitation. An employee may be placed on a 30-calendar day special

POLICY 703 - PAY PROCEDURES

It is the policy of the Highlands County Board of County Commissioners (Board), to pay employees on a regular basis and in a manner so that the amount, method and timing of such payments comply with any applicable laws or regulations.

703:1 GENERAL PROVISIONS

1. Payroll 1 and Payroll 3 employees normally will be paid biweekly on a 14 day pay period cycle. Payroll 2, EMS only employees will be paid every three (3) weeks on a 21 day pay period cycle. If the regular payday occurs on a holiday, employees will be paid on the last working day prior to the holiday.
2. Employees on each payday will receive, in addition to their pay, an electronic or paper statement showing gross pay, deductions and net pay. Federal and Social Security taxes will be deducted automatically. No other deductions will be made unless required or allowed by law, contract or employee obligation. Employees may elect to have additional voluntary deductions taken from their pay only if they authorize the deductions in writing and if the additional deductions are approved by the Board.
3. Employees who discover a mistake in their pay should notify Human Resources immediately. In the case of a mistake, the error will be remedied the next pay cycle.
4. Employees shall be paid by electronic transfer or check in accordance with the schedule established by the Board and the Finance Office of the Clerk of Courts. Electronic direct deposit pay method is mandatory for all regular employees hired after April 1, 2000.
5. Hourly rates of pay are computed on the basis of 2,080 work hours annually for all regular full-time employees not exempted by the provisions of the Fair Labor Standards Act.
 - a. Annual Salary / 2080 hours = Hourly Rate
6. Annual Salary for Fire Rescue personnel working a "24 hours on/48 hours off" schedule is based on the following:
 - a. Single certification (EMS only) positions – 2,080 regular hours and an average of 832 scheduled overtime hours. Overtime shall be calculated after 40 hours of work have been completed in a 7-day work period
 - b. Dual certification positions – An average of 2,669 regular hours and an average of 243 scheduled overtime hours. Overtime shall be calculated after 106 hours of work have been completed in a 14-day work period

703:2 CALLBACK AND STANDBY PAY

1. Callback Pay. Employees who have completed their regular day's work period and who are called back to work shall receive two (2) hours call back pay at the applicable straight time rate if they are not assigned a minimum of two (2) hours work. All hours worked over the 40-hour work week will be compensated at time and one-half rate.
2. Standby Pay. Employees placed on 24-hour standby after normal duty hours shall earn two (2) hours pay at straight time for every day that they are on standby, plus pay for all hours actually worked.
3. Overtime Exclusions. Refer to [Policy 504, Overtime](#).

703:3 PROCESSING PAYROLL DURING A STATE OF LOCAL EMERGENCY AND DECLARED DISASTER

In case of a declared disaster and/or local state of emergency, where there is a concern that the daily operations will be impacted for more than one (1) week, and in order to ensure our employees continue to receive their wages during the local state of emergency, the Board authorizes the Clerk's Office to:

1. Prepare and issue payroll for the Board using base hours only for regular full-time and part-time employees. On-call personnel would not be paid unless there is a reasonable mechanism to timely report actual hours worked to Human Resources.
2. Budget review of payroll costs prior to the release of payments for this payroll will be suspended and resolved, if necessary, when the Board returns to normal operations.
3. The payments to individual employees generated by this payroll processing will be released upon authorization by fax, e-mail, or verbal authorization, which will be followed up with written authorization once the Board returns to normal operations.
4. Normal operations are defined as being when the Board and Clerk's financial and timekeeping software has been restored and is available to fiscal personnel.

POLICY 704 - PAY FOR WORK DURING EMERGENCIES OR DISASTERS

It is the policy of the Highlands County Board of County Commissioners (Board), that the following pay procedures apply when any natural, technological, human caused emergency, or disaster requires a State of Local Emergency Declaration by either the Board.

704:1 GENERAL PROVISIONS

The following procedures apply during any state of local emergency declared by the Board pursuant to Section 252.38, Florida Statutes.

1. Disaster Essential Employees
 - a. Board personnel in either the exempt or non-exempt pay plans who are designated as disaster essential employees and who are assigned to work during emergencies will be compensated for time worked.
 - b. It is the department's responsibility to verify any emergency hours worked and approve all payments.
 - c. For non-exempt personnel, overtime pay for hours worked during the emergency should be calculated in the same manner as overtime pay is calculated during non-emergency work weeks where the employee works more than 40 hours.
 - d. For exempt personnel not entitled to overtime compensation, employees will be paid emergency pay at their straight time hourly rate for all hours worked in excess of 50 hours in any work week during the emergency, in addition to their normal salary.

POLICY 705 - PAY RAISES

It is the policy of the Highlands County Board of County Commissioners (Board), to ensure the County Administrator is committed to compensating all employees in a fair and consistent manner within budget constraints. Contracted employees (i.e. County Administrator, County Attorney) are paid in accordance to their contract.

705:1 GENERAL PROVISIONS

Cost of Living (COLA) adjustments and Performance-Based Merit increases may be awarded, except where an employee's increase brings his/her pay above the maximum for their pay grade in which cases, Incentive Pay may be granted. Other Personnel Services (OPS), employees of private employment agencies, and positions that are not fully funded by the Board of County Commissioners will not be eligible to receive COLA, Performance-Based Merit, or Incentive Pay increases.

705:2 COST OF LIVING ADJUSTMENT

A cost of living adjustment (COLA) may be approved by the Board during the annual budget process and will typically be effective with the first full pay period in October, unless approved otherwise. This increase will be granted to all employees at a percentage or fixed amount approved by the Board and within the guidelines established by this policy. Employees within their initial six (6) month probationary period will receive this increase at a pro-rated distribution based on the number of days employed. If an employee has reached the top of his or her pay grade, the COLA will not increase the employee's base pay and will only be effective for a 12-month period.

Table 5: Pro-rated Cost of Living Adjustment

Number of Days Employed	Percentage of COLA
More than 180 days	100%
121 – 180 days	75%
91 – 120 days	50%
61 – 90 days	25%
1-60 days	0%

The pro-rated distribution of the COLA will become effective for employees hired on or after October 1, 2016. Employees hired prior to October 1, 2016 will receive the COLA at 100%.

705:3 PERFORMANCE-BASED MERIT INCREASE

All regular employees are eligible for a performance-based merit increase on an annual basis, subject to approval of funding by the Board. Performance-based merit increases will typically be effective with the first full pay period in April, unless approved otherwise, and will be based upon the employee's performance evaluation for the prior period of January through December.

Upon completion of 12 months of continuous employment in a full-time regular position, an employee may be considered for a performance-based merit increase. Performance-based merit increases are not automatic and shall only be granted when both of the following are met

- a. Employee received a rating of satisfactory or better on each rating factor during the 12-month period under evaluation, and

- b. Employee received an overall rating above a 3.0.

All employee evaluations are due annually, in January, for the prior 12-month period (January – December). Human Resources shall review all employee evaluations and will work with departments to ensure that the evaluation process is administered in a fair and consistent manner.

In addition to being used as a guide in determining performance-based pay increases, the purpose of performance evaluations is to give employees a better understanding of what is expected on the job. Supervisors have an obligation to provide ongoing feedback and counseling to employees in an effort to provide the means for improvement on the job. All written performance reviews will be based on an employee's overall performance in relation to his/her job responsibilities and will also take into account conduct, demeanor, and record of attendance and tardiness. Any Supervisor or Director who fails to address employee performance may be subject to disciplinary action, up to and including termination.

Performance-Based Merit increases will not be awarded to:

- a. Employees who have not completed 12 months of continuous employment.
- b. Employees who have been involuntary demoted or suspended during the period under evaluation.
- c. Employees who are on special probation of any kind.
- d. Employees that failed to complete the annual mandatory training requirements during the period under evaluation.
- e. Employees who have not achieved a rating of satisfactory or better on each rating factor AND an overall rating above a 3.0.
- f. Employees who have shared employment (i.e. Extension, Courthouse)

Employees who have received one (1) disciplinary action within the period under evaluation may still qualify for a performance-based merit increase if all other conditions are met. Situations will be evaluated by the Director and Human Resources.

Performance-Based Merit increases will be granted to eligible employees as shown below based on their overall performance rating.

Table 6: Performance-Based Merit Increase Table

Overall Rating	Percentage of Performance-Based Merit Increase
4.51 – 5.00	Tier 4
4.01 – 4.50	Tier 3
3.51 – 4.00	Tier 2
3.01 – 3.50	Tier 1
0.00 – 3.00	0%

Tiers are dependent on the level of funding approved by the Board. Tiers will be established by Administration, in coordination with Human Resources on an annual basis.

705:4 INCENTIVE INCREASE

In order to retain qualified employees, incentive pay may be granted, subject to approval of funding by the Board. Incentive pay will typically be effective with the first full pay period in

April, unless approved otherwise, and will be based upon the employee's performance evaluation for the prior period of January through December.

To be eligible for incentive pay, an employee must have reached the top of his/her pay grade and served more than five (5) years in a position covered by this policy. Incentive pay will not increase an employee's base pay and will only be effective for a 12-month period. Incentive increases are not automatic and shall only be granted when both of the following are met:

- a. Employee received a rating of satisfactory or better on each rating factor during the 12-month period under evaluation, and
- b. Employee received an overall rating above a 3.0.

Incentive increases will not be awarded to:

- a. Employees who have been involuntary demoted or suspended during the period under evaluation.
- b. Employees who are on special probation of any kind.
- c. Employees that failed to complete the annual mandatory training requirements during the period under evaluation.
- d. Employees who have not achieved a rating of satisfactory or better on each rating factor AND an overall rating above a 3.0.
- e. Employees who have shared employment (i.e. Extension, Courthouse).

Employees who have received one (1) disciplinary action within the period under evaluation may still qualify for an Incentive increase if all other conditions are met. Situations will be evaluated by the Director and Human Resources.

Incentive increases will be granted to eligible employees as shown below based on their overall performance rating.

Table 7: Incentive Increase Table

Overall Rating	Percentage of Incentive Increase
4.51 – 5.00	Tier 4
4.01 – 4.50	Tier 3
3.51 – 4.00	Tier 2
3.01 – 3.50	Tier 1
0.00 – 3.00	0%

Tiers are dependent on the level of funding approved by the Board. Tiers will be established by Administration, in coordination with Human Resources on an annual basis.

705:5 MERIT LEAVE

If, due to funding constraints, the Board is unable to approve funding for Performance-Based Merit or Incentive Increases the Board may choose to grant Merit leave. Merit Leave may be granted in one (1) day increments and must be used during the calendar year. Unused merit leave will lapse at the end of each calendar year. Merit leave usage will follow the same approval process as annual leave.

705:6 SPECIAL SALARY ADJUSTMENT

The County Administrator may approve a special salary adjustment of no more than ten percent (10%) for any employee, if unusual or special conditions exist which justify such adjustment.

705:7 PAY ON PROMOTION

1. When promoted, an employee's salary shall be increased to at least the minimum rate of the pay grade for the position to which the employee is being promoted, unless the employee is to undergo a training period for a specified amount of time. In this case, the employee shall be paid five percent (5%) less than the minimum rate for the duration of the training period, provided this is not less than the rate the employee was previously earning.
2. Employees promoted to a higher pay grade who are currently receiving pay equal to or greater than the minimum rate for the new pay grade may be advanced in salary by up to ten percent (10%) or the mid-point of the new paygrade, whichever is greater, as recommended by the Interview Panel and as authorized by the County Administrator.

705:8 MAXIMUM RATE OF PAY

1. A Performance-Based Merit increase or special salary adjustment may not place the employee's salary above the maximum rate of pay authorized for the assigned pay grade, unless approved by the Board.
2. An employee whose base pay exceeded the maximum of their assigned pay grade at September 30, 2016 will be grandfathered in and may continue to receive cost of living adjustments and Performance Based Merit increases until they reach the max of their original pay grade. If the employee changes pay grades, either voluntarily or involuntary, they are no longer granted this exception.

705:9 LESS THAN SATISFACTORY PERFORMANCE

An employee whose annual performance evaluation is considered to be less than required (below satisfactory) shall not be eligible to receive a merit salary increase.

705:10 LONGEVITY PAY

1. Applies only to persons hired prior to October 1, 1985 and who have had no subsequent break in service of 24 hours or longer.
2. Employees in "good standing" prior to October 1, 1985, will receive a two percent (2%) increase in salary effective the first day following the anniversary date of completion of 5, 10, 15, 20, and 25 years' continuous service as an employee of the Board. The total longevity salary increase will not exceed two percent (2%) of the employee's current salary for five (5) years of service, four percent (4%) for ten (10) years, six percent (6%) for 15 years, eight percent (8%) for over 20 years and ten percent (10%) for 25 years of continuous service. Longevity increases will be automatic and not require individual approval by the Board.

800 – CORRECTIVE ACTION PROCESS

POLICY 801 - EMPLOYEE BEHAVIOR AND STANDARDS OF CONDUCT

It is the policy of the Highlands County Board of County Commissioners (Board), that all employees are expected to comply with the Board's standards of behavior and performance and that any noncompliance with these standards must be remedied.

801:1 GENERAL PROVISIONS

1. It is the policy of the Board that certain rules and regulations regarding employee behavior are necessary for the efficient operations of the Board and for the benefits and safety of all employees. Employees are expected at all times to conduct themselves in a positive manner so as to promote the best interests of the Board. Conduct that interferes with operations that discredit the Board or that is offensive to citizens, customers, or coworkers will not be tolerated.
2. Any violation of the Board's policy or any conduct considered inappropriate or unsatisfactory may, at the Board's discretion, subject the employee to disciplinary action, up to and including termination. Generally, there are two groups of sample offenses for which employees may be disciplined. The guidelines for recommended penalties for those examples of unacceptable conduct are set forth below. However, the principles concerning application of discipline to these sample offenses or others as set forth in [Policy 802, Corrective Action and Disciplinary Procedure](#), shall apply. Nothing herein shall be construed to require the Board to have just cause for any form of disciplinary action, including termination, or to limit disciplinary action to the sample offenses enumerated below.
3. This section provides recommended, but not mandatory, penalties to apply to the specific examples offenses listed here. However, the penalty utilized shall be at the discretion of the Department Director and/or Administration in all matters of discipline, and nothing herein shall require that a particular form of discipline be utilized in any case prior to the utilization of another form of discipline.
4. An employee may be placed on administrative leave with or without pay pending an investigation by the County Administrator pending consideration of potential disciplinary action.
5. Policies 801:2, Group 1 Offenses, and 801:3, Group 2 Offenses, are illustrative examples of some of the prohibited conduct that is subject to disciplinary action, up to and including termination.

801:2 GROUP 1 OFFENSES

First Offense: Documented Counseling. Second Offense: Written Reprimand, up to five (5) workdays suspension without pay and/or demotion. Third Offense: Up to Termination.

1. Quitting work, loitering, or leaving assigned work area during working hours without permission.
2. Wasting time, dawdling, or repeated instances of poor time management.
3. Taking more than allowable time for meal or rest periods.
4. Unacceptable productivity or competency.
5. Sleeping on the job, unless authorized to do so.
6. Reporting to work or working while unfit for duty, either mentally or physically, unless the condition is a legally recognized disability, in which case the matter will be dealt with in accordance with applicable law.

7. Violating a safety rule or practice.
8. Engaging in horse play, scuffling, wrestling, throwing things, malicious mischief, distracting the work of others, cat calls, or other disorderly conduct.
9. Failure to report loss of or damage to any County piece of equipment or other County property entrusted to the employee's custody.
10. Failure to keep the department and Human Resources notified of the employee's current proper address and telephone number.
11. Gambling, loitering, or engaging in any other game of chance while on duty or in any fashion that brings disrepute upon the Board.
12. Violation of published Board or departmental policies, rules, standard orders, operating procedures, or regulations, unless included as a Group 2 offense.
13. Unexcused tardiness or absence.
14. Failure to possess and maintain a current and valid state motor vehicle operator's license, if driving a vehicle is required by the Board as an essential part of the employee's job.
15. Failure to report an on-the-job accident or injury.
16. The use of abusive language.
17. Failure to wear appropriate safety equipment or failure to abide by safety rules and practices.
18. Improper attire or inappropriate personal appearance.
19. Engaging in any form of workplace harassment, excluding sexual harassment, which is a Group 2 offense.
20. Solicitation or distribution (except as provided by Board policy).

801:3 GROUP 2 OFFENSES

First Offense: Up to Termination

1. Conviction of a crime, other than minor traffic offenses.
2. Excessive tardiness and/or absenteeism, regardless of the reason.
3. Abuse of leave privileges.
4. Use of official position for personal advantage.
5. Deliberately or negligently misusing, destroying, losing, or damaging any County property or property of another employee.
6. Falsification of personnel, Board or departmental records, including employment applications, accident records, work records, purchase orders, timesheets, or any other report, record, or document.
7. Making false claims or intentional misrepresentation in an attempt to obtain sickness or accident benefits, worker's compensation, or any other benefits.
8. Insubordination or the refusal to perform work assigned, or to comply with written or verbal instructions of a Supervisor.
9. Unlawful use of, possession, or display of explosives or weapons under Florida Law, as amended from time to time, on or in County property unless authorized.

10. Removal of County property or any other employee's property from County locations without proper authorization, theft of County property, or theft of any employee's property.
11. Failure to return at the end of authorized leave of absence.
12. Concerted curtailment, restriction of production, or interference with work in or about the department's work stations including, but not limited to, instigating, leading, or participating in any walkout, strike, sit down, stand-in, slowdown, or refusal to return to work at the scheduled time for the scheduled shift.
13. Absent without permission (AWOL).
14. Sexual harassment consisting of unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature. The victim may be of either sex, and need not be of the opposite sex.
15. Assault or battery of a fellow employee or citizen.
16. Use, sale, dispensing, or possession of alcoholic beverages or illegal drugs on County premises, while in uniform, or in County vehicles.

POLICY 802 - CORRECTIVE ACTION AND DISCIPLINARY PROCEDURE

It is the policy of the Highlands County Board of County Commissioners (Board), that all employees are expected to comply with the County's standards of behavior and performance, and that any noncompliance with these standards must be remedied.

802:1 GENERAL PROVISIONS

1. Under normal circumstances, the Board endorses a policy of progressive discipline in which it attempts to provide employees with notice of deficiencies and an opportunity to improve. The Board does, however, retain the right to administer discipline in any manner it sees fit, and to modify or waive these procedures at its sole discretion.
2. Corrective action is typically warranted when an employee is not meeting Board standards of attendance, performance, or conduct (attitude or human relations).
3. The normal application of progressive discipline is:
 - a. Documented Counseling.
 - b. Written Warning.
 - c. Suspension and/or Involuntary Demotion.
 - d. Termination.

802:2 DISCIPLINARY PROCEDURES

Facts and circumstances surrounding the incident or violation shall be carefully considered before taking any formal disciplinary steps. In all cases of formal corrective action and/or discipline, Human Resources should be contacted to ensure appropriate steps are taken.

1. Documented Counseling. The intention of a documented counseling is to reestablish expectations, goals, and/or objectives. Supervisors who identify that an employee is not meeting expectations shall discuss the situation with the employee to include the action necessary to correct the problem. Supervisors will use an Employee Warning Report (Appendix 3). Memoranda and additional documentation may be attached. A copy shall be given to the employee and another copy forwarded to Human Resources for inclusion in the employee's file.
2. Written Warning. A written warning is formal documentation of an incident or violation of expected performance and/or behaviors, usually taking place after a documented counseling has been given. Supervisors will use an Employee Warning Report (Appendix 3). Memoranda and additional documentation may be attached. A copy shall be given to the employee and another copy forwarded to Human Resources for inclusion in the employee's file.
3. Suspension and/or Involuntary Demotion. Prior to any suspension being initiated, Human Resources shall be contacted. Human Resources will assist the department in determining whether a suspension is appropriate, and aid in determining the duration of the suspension. The employee's immediate Supervisor, with the approval of the Department Director, shall notify the employee in writing of the proposed corrective action the reasons and circumstances relevant to the proposed corrective action. All actions requesting Involuntary Demotion are subject to County Administrator approval. Supervisors will use an Employee Warning Report (Appendix 3). Memoranda and additional documentation may be attached. A copy shall be given to the employee and another copy forwarded to Human Resources for inclusion in the employee's file. Suspension without pay longer than five (5) workdays requires the approval of the County Administrator.

4. Termination. Prior to a termination being initiated, Human Resources shall be contacted. All terminations require the approval of the County Administrator. The employee shall be notified in writing by the Supervisor or Department Director using the Employee Warning Report (Appendix 3).

In situations where the employee's presence creates, in the County Administrator's opinion, a hazard to property, employees, the public, or otherwise interrupts the operations of the Board, the employee may be placed immediately on administrative leave with pay. The immediate Supervisor and/or Department Director shall then contact Human Resources to determine future action to be taken.

802:3 AUTHORIZATION OF DISCIPLINARY ACTIONS

1. In all cases in which discipline is administered, the Department Director or Supervisor shall notify the employee of the action taken, and a copy of such notice will be included in the employee's personnel file. The documentation of disciplinary action should include a statement referencing any applicable Personnel Rules and Regulations or department policies violated and, unless the discipline being imposed is dismissal, a statement indicating what will happen if the employee commits further offenses.
2. Supervisors are authorized to counsel and reprimand subordinate employees where appropriate.
3. Department Directors are authorized to suspend any subordinate employee without pay for up to five (5) workdays where appropriate.
4. Department Directors are authorized to discharge any subordinate employee. All terminations should be reviewed by Human Resources and approved by the County Administrator before any final action is taken. Failure to do so may lead to disciplinary action, up to and including termination.
5. Regular employees who believe that they may have been disciplined too severely or who question the reason for discipline are encouraged to utilize the employee complaint procedure set forth in [Policy 803, Grievance Procedure](#).

POLICY 803 – GRIEVANCE

It is the policy of the Highlands County Board of County Commissioners (Board), that employees should have the opportunity to participate in an objective process to settle disputes regarding certain corrective actions. Employees will have an opportunity to grieve corrective actions for disciplinary reasons of suspension, demotion, or termination – no other actions or issues are subject to the grievance procedure. All grievances will be resolved definitively through this process.

803:1 GENERAL PROVISIONS

1. The provisions of this policy apply to all employees who have been suspended, demoted, or terminated resulting from disciplinary corrective actions.
2. Exclusions to this policy are:
 - a. Employees in their initial probationary period.
 - b. Contracted employees.
 - c. Employees covered under the [Supplemental Workforce Policy Number 410](#).

803:2 INITIAL GRIEVANCE/COMPLAINT

1. The employee shall present the grievance in writing using the Grievance Form (Appendix 7), to the employee's Department Director or Human Resources within three (3) business days of the notice of the disciplinary action. In circumstances where the grievant reports directly to the Department Director, the initial grievance shall be presented to the County Administrator. Failure to file a written grievance within this established time will nullify the employee's right to use the grievance process for the event in question.
2. For purposes of corrective actions, the term "event" as used in this section shall mean the date on which the employee is notified of the disciplinary action.
3. The Department Director may meet with the employee and other involved parties to discuss the matter following the receipt of the written grievance. If a meeting is held, it shall be within five (5) business days of the receipt of the grievance. The Department Director shall answer the grievance in writing within seven (7) business days following the meeting. If no meeting is held, the Department Director shall answer the grievance within five (5) business days after receipt of the written grievance. If the employee is not satisfied with the response of the Department Director or if no response is given, the employee may request a Grievance Meeting.

803:3 GRIEVANCE MEETING

1. The employee may file a written request for a Grievance Meeting within three (3) business days of receipt of the Department Director's response, if dissatisfied with the result or failure of the Department Director to supply a timely answer. The written appeal shall be submitted to Human Resources and shall include the final outcome being requested from the Grievance Meeting.
2. The County Administrator will oversee the Meeting and shall be notified by Human Resources of the receipt of the request for review. If the employee reports directly to the County Administrator, an outside mediator may be used.
3. The Meeting shall consist of the following parts:
 - a. Pre-Grievance Meeting. Held within five (5) business days from the receipt of the written request.

- i. Meeting called to order by the County Administrator.
 - ii. Brief overview of the event by the employee and the Supervisor or Director.
 - iii. Names of witnesses that will be called upon.
 - iv. Schedule Grievance Meeting date within five (5) business days from the date of the Pre-Grievance Meeting.
 - b. Grievance Meeting.
 - i. Meeting called to order by the County Administrator.
 - ii. Opening statements by the employee and the Supervisor or Director.
 - iii. Witness statements. Each party involved can request witnesses to provide written or verbal statements. A witness may decline the request. The County Administrator may request information and interview witnesses prior to the Meeting from any of the parties involved. Human Resources will facilitate information retrieval and witness interviews.
 - iv. Closing remarks by the employee and the Supervisor or Director.
 - v. Meeting concluded by the County Administrator.
 - c. The County Administrator shall provide written response to the employee within fourteen (14) business days of the Meeting.
 - d. The decision of the County Administrator is final.
4. Liberty Interest (Name Clearing) Hearings. In cases involving suspensions without pay, demotion, and dismissal where the employee misconduct at issue is considered stigmatizing or would substantially interfere with the employee's future employability (such as in cases alleging theft, drug violations, and/or criminal conduct) the employee is entitled to a liberty interest hearing.
 - a. Whenever a liberty interest hearing is implicated, the employee should be provided written notice of his/her right to request a hearing. The employee must contact Human Resources to request a liberty interest hearing within three (3) business days.
 - b. The liberty interest hearing is a noticed public hearing held solely for the purposes of permitting the employee to publicly present their side to the allegations of misconduct which have been raised. The liberty interest hearing is not an appropriate avenue to seek to overturn the disciplinary decision at issue.

803:4 TIME LIMITS

1. The failure of any County representative to respond or take other action within the time limits set forth herein shall not nullify the employee's right to use the grievance process for the event in question.
2. No grievance shall be entertained or processed unless it is commenced in a timely manner as defined by this policy. If a grievance is not initiated or appealed in a timely manner in accordance with the provisions of this policy within the time frames set forth above, any further privileges shall be waived. The time limits may be extended by mutual agreement of the parties in writing only.

900 – ACCESS TO COUNTY PROGRAMS CITIZENS RELATIONS

POLICY 901 – CITIZEN RELATIONS

It is the policy of the Highlands County Board of County Commissioners (Board), to be citizen and service oriented, and to require employees to treat citizens in a courteous, helpful, and respectful manner at all times. As an employee of the Board, employees are expected to treat all members of the community with the highest degree of professionalism and customer service.

901:1 GENERAL PROVISIONS

1. Employees must understand that the citizen comes first. All employees have an obligation to represent the Board in a positive fashion and to make citizens feel as comfortable as possible in dealing with employees of the Board.
2. Employees with citizen contact are expected to know the programs and services offered by the Board, and to learn the wants and needs of citizens. Such employees should attempt to educate citizens about the use of the Board provided services and should seek new ways to serve the citizen.
3. Employees are encouraged to report recurring citizen-related problems to their Supervisor and/or make suggestions for changes in Board policies or operating procedures to solve problems.
4. Employees should be prepared to listen carefully to citizen inquiries and complaints and then deal with them in a responsive, professional manner. If a controversy arises, the employee should attempt to explain the Board policy in a clear, yet polite, manner. If a citizen becomes unreasonable or abusive and the employee cannot resolve the problem, the citizen should be referred to the employee's Supervisor.

POLICY 902 - TITLE VI / NONDISCRIMINATION

The Highlands County Board of County Commissioners (Board) values diversity and welcomes input from all interested parties, regardless of cultural identity, background or income level. The County believes that the best programs and services result from careful consideration of the needs of all of its communities and having all of those communities involved in the transportation decision-making process. Thus, the County does not tolerate discrimination in any of its programs, services or activities. Pursuant to Title VI of the Civil Rights Act of 1964 and other federal and state authorities, the County will not exclude from participation in, deny the benefits of, or subject anyone to discrimination on the grounds of race, color, national origin, sex, age, disability, religion, income or family status.

902:1 COMPLAINT PROCEDURES

1. The County has established discrimination complaint procedures and will take prompt and reasonable action to investigate and eliminate discrimination when found. Any person who believes that he or she has been subjected to discrimination based upon race, color, national origin, sex, age, disability, religion, income or family status in any of the County's programs, services or activities may file a complaint with the County Title VI/Nondiscrimination Coordinator:

Human Resources Manager
600 South Commerce Avenue Sebring, Florida 33870
HRManager@highlandsfl.gov 863-402-6509 (phone) / 863-402-6508 (fax) / Florida
Relay Services 711

2. If possible, the complaint should be submitted in writing and contain the identity of the complainant; the basis for the allegations (i.e. of race, color, national origin, sex, age, disability, religion, income or family status); and a description of the alleged discrimination with the date of the occurrence. If the complaint cannot be submitted in writing, the complainant should contact the Title VI/Nondiscrimination Coordinator for assistance.
3. The Title VI/Nondiscrimination Coordinator will respond to the complaint within 30 calendar days and will take reasonable steps to resolve the matter. Should the County be unable to satisfactorily resolve a complaint, the County will forward the complaint, along with a record of its disposition to the appropriate District of the Florida Department of Transportation (FDOT).
4. The Title VI/Nondiscrimination Coordinator has easy access to the County Administrator and is not required to obtain approval to discuss discrimination issues with the County Administrator. However, should the complainant be unable or unwilling to complain to the County, the written complaint may be submitted directly to the Florida Department of Transportation (FDOT). FDOT will serve as a clearing house, forwarding the complaint to the appropriate state or federal agency:

Florida Department of Transportation
Equal Opportunity Office
ATTN: Title VI Complaint Processing
605 Suwannee Street MS 65
Tallahassee, Florida 32399

POLICY 903 - LIMITED ENGLISH PROFICIENCY

It is the policy of the Highlands County Board of County Commissioners (Board), to take reasonable steps to ensure that persons with Limited English Proficiency have meaningful access and an equal opportunity to participate in its services, activities, programs and other benefits. The policy also provides for communication of information contained in vital documents, including but not limited to, waivers of rights, consent documents, and any other applicable forms. All interpreters, translators and other aids needed to comply with this policy shall be provided without cost to the person being served, and clients and their families will be informed of the availability of such assistance free of charge.

903:1 LIMITED ENGLISH PROFICIENCY PLAN

The Board has developed this Limited English Proficiency Plan to help identify reasonable steps for providing language assistance to persons with limited English proficiency (LEP) who wish to access services provided. As identified by Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English. This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and notification to LEP persons regarding the availability of assistance.

To determine the extent to which LEP services are required and in which languages, the law requires the analysis of four factors:

- The number of proportions of LEP persons eligible to be served or likely to be encountered by the County's programs, services or activities.
 - The frequency with which LEP individuals come in contact with these programs, services or activities.
 - The nature and importance of the program, service or activity to people's lives.
 - The resources available to the County and the likely costs of the LEP.
1. Using data from the American Community Survey 5-Year Estimates for Highlands County, we have determined that the estimated population is 98,603 of which 18.8% speak a language other than English. Additionally, 7,228 individuals or 7.6% of the population speak English less than well. Of those persons with limited English proficiency: 16.2% speak Spanish, 1.3% speak Indo-European, 1.2% speak Asian and Pacific Island, and .1% other languages.
 2. The Board reviewed the frequency with which staff have contact with LEP persons. This includes phone inquiries and office visits, most of which are undocumented as departments have bilingual staff who assist on a daily basis, during the normal course of business. Contact with LEP persons was determined to be minimal, with approximately two percent (2%) of contacts requiring translation services. All translation services have been in Spanish. We had zero (0) documented request for interpretation services.
 3. There is no large geographic concentration of any type of LEP individuals in the service area for Highlands County. The broad majority of population, 81.2%, speaks only English. Thus, there are few social, service, professional or leadership organizations within the service area of Highlands County that focuses on outreach to LEP individuals.
 4. Community Program staff are most likely to encounter LEP individuals through office visits, phone conversations, and requests for assistance. Additional, the Non Ad

Valorem Assessment staff and the Public Information Office encounter LEP individuals on occasion,

The analyses of these factors suggest that LEP services, above the level already provided, are not required at this time. Board staff provide LEP assistance for translation, as the need arises.

Highlands County Board will be able to identify and provide voluntary language translation and interpretation services if needed within a reasonable time period. Other language translation options could be provided by bilingual staff or by telephone from a professional interpretation service for which Highlands County Board would pay a fee.

Highlands County commits to the following actions:

1. Language assistance will be provided through use of competent bilingual staff, staff interpreters, contracts or formal arrangements with local organizations providing interpretation or translation services, or technology and telephonic interpretation services. All staff will be provided notice of this policy and procedure, and staff that may have direct contact with LEP individuals will be trained in effective communication techniques, including the effective use of an interpreter.
2. Human Resources will be responsible for maintaining an accurate and current list showing the name, language, phone number, and hours of availability of bilingual staff.
3. Some LEP persons may prefer or request to use a family member or friend as an interpreter. However, family members or friends of the LEP person will not be used as interpreters unless specifically requested by the LEP person after the LEP person confirms that he or she understands that an offer of an interpreter at no charge to the LEP person has been made by the County. That offer and the response will be documented in the person's file. If the LEP person chooses to use a family member or friend as an interpreter, issues of competency of interpretation, confidentiality, privacy, and conflict of interest will be considered. If the family member or friend is not competent or appropriate for any of these reasons, competent interpreter services will be provided to the LEP person.
4. In order to ensure confidentiality of information and accurate communication, minors and other clients will not be used to interpret
5. County staff will inform LEP persons of the availability of language assistance, free of charge, by providing written notice in languages LEP persons will understand. At a minimum, notices and signs will be posted and provided in common areas. Documentation will also be available on the County website.
6. The Board understands that its community profile may change and the four-factor analysis may reveal the need for more or varied LEP services in the futures. As such, it will annually examine its LEP plan to ensure that it remains reflective of the community's needs.

903:2 DATA COLLECTION

Various regulations may require federal-aid recipients to collect racial, ethnical, and other similar demographic data on beneficiaries of, or those affected by, federally funded programs, services, and activities. The Board may find it necessary to request voluntary identification of certain racial, ethnic or other data from those who participate in its public involvement events. This information assists the Board with improving its targeted outreach and measures of effectiveness. Self-identification of personal data to the Board will always

be voluntary and anonymous. The Board will not release or otherwise use this data in any manner inconsistent with federal regulations.

903:3 ASSURANCES

As required, the Board will certify to appropriate agencies that its programs, services, and activities are being conducted in a nondiscriminatory manner. The public may view these assurances upon request.

903:4 COMPLAINTS

Anyone having reason to believe they may have been subjected to discrimination are urged to bring those concerns to the Human Resource Manager, who also serves as the EEO Coordinator and ADA Coordinator. The complaint procedure is detailed in [Policy 207, Discrimination](#) Complaint.

POLICY 904 - AMERICANS WITH DISABILITIES (ADA)

Section 504 of the Rehabilitation Act of 1973 (Section 504), the Americans with Disabilities Act of 1990 (ADA) and related federal and state laws and regulations forbid discrimination against those who have disabilities. Furthermore, these laws require federal aid recipients and other government entities to take affirmative steps to reasonably accommodate the disabled and ensure that their needs are equitably represented in transportation programs, services, and activities.

1. The County will make every effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. The County will make every effort to ensure that its advisory committees, public involvement activities and all other programs, services, and activities include representation by the disabled community and disabled service groups.
2. The County encourages the public to report any facility, program, service or activity that appears inaccessible to those who are disabled. Furthermore, the County will provide reasonable accommodation to disabled individuals who wish to participate in public involvement events or who require special assistance to access facilities, programs, services or activities. Because providing reasonable accommodation may require outside assistance, organization or resources, the County asks that a request be made at least 20 calendar days prior to the need for accommodation.
3. Questions, concerns, comments or requests for accommodations should be made to the County ADA Coordinator:

Human Resources Manager
600 South Commerce Avenue Sebring, Florida 33870
HRManager@highlandsfl.gov 863-402-6509 (phone) / 863-402-6508 (fax) / Florida
Relay Services 711

904:1 GRIEVANCE PROCEDURES UNDER THE AMERICAN WITH DISABILITIES ACT

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the Highlands County BCC. The Highlands County's Personnel Manual governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

1. The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than sixty (60) calendar days after the alleged violation to:

Human Resources Manager, ADA/EEO Coordinator
600 South Commerce Avenue, Sebring, FL 33870

2. HRManager@highlandsfl.gov Within fourteen (14) calendar days after receipt of the complaint, the Human Resources Manager or his/her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within fourteen (14) calendar days of the meeting, the Human Resources Manager or his/her designee will respond in writing, and where appropriate, in a format accessible to the complainant. The response will explain the position of the Highlands County BCC and offer options for substantive resolution of the complaint.

3. If the response by the Human Resources Manager or his/her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within fourteen (14) calendar days after receipt of the response to the County Administrator or his/her designee.
4. Within fourteen (14) calendar days after receipt of the appeal, the County Administrator or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within fourteen (14) calendar days after the meeting, the County Administrator or his/her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.
5. All written complaints received by the Human Resources Manager or his/her designee, appeals to the County Administrator or his/her designee, and responses from these two offices will be retained by the Highlands County BCC for at least three years.

904:2 NOTICE UNDER THE AMERICAN WITH DISABILITIES ACT

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the Highlands County BCC will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: Highlands County BCC does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA.

Effective Communication: Highlands County BCC will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in Highlands County BCC programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: Highlands County BCC will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all its programs, services, and activities. For example, individuals with service animals are welcomed in Highlands County offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the Highlands County BCC, should contact the Human Resources Manager/ADA/EEO Coordinator, at 863-402-6509, or via Florida Relay Services 711, by email HRManager@hcbcc.org or by regular mail at 600 S. Commerce Ave Sebring, FL 33870 as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the Highlands County BCC to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of the Highlands County BCC is not accessible to persons with disabilities should be directed to the Human Resources Manager/ADA/EEO Coordinator, at 863-4026509, HRManager@highlandsfl.gov.

Highlands County BCC will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary

aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

1000 – FIRE RESCUE POLICIES

POLICY 1001 – FIRE RESCUE SHIFT TRADE/SUBSTITUTION

It is the policy of the Highlands County Board of County Commissioners (Board) to allow flexibility in work arrangements where possible to help employees balance work and life demands. This policy is provided as a tool for management and employees to use to work as partners to ensure we meet our commitments to citizens while recognizing and addressing the demands of life outside of work.

1001:1 GENERAL PROVISIONS

1. The substitution of one employee to work hours (partial or full shifts) scheduled for another of the same rank or position is often referred to as “shift swapping” or “time trading,” and is a common practice in many public safety departments.
2. If an individual who is employed in any capacity by a public agency which is a State, political subdivision of a State, or an interstate governmental agency, agrees, with the approval of the public agency and solely at the option of such individual, to substitute during scheduled work hours for another individual who is employed by such agency in the same capacity, the hours such employee worked as a substitute shall be excluded by the public agency in the calculation of the hours for which the employee is entitled to overtime compensation under this section.
3. The Fair Labor Standards Act (FLSA) under certain circumstances, permits two employees of a public agency, with that agency’s approval, to substitute for one another during scheduled work hours in the same capacity without those hours being subject to overtime. Even though a substitution has occurred, each employee will be considered to have worked his or her normal schedule, and the traded time will not be considered in calculating hours for overtime for the substituting employee. The arrangement for trading time and payback is left to the two employees involved. Key points of a shift swap/time trade for hours that would not be overtime for the substituting employee include:
 - a. The employee’s decision to substitute must be freely made, and without coercion, direct or implied, so the request is exclusively for the scheduled employee’s convenience. The regulations note, an employer may suggest an employee substitutes or “trades time” with another employee working in the same capacity during regularly scheduled hours, but each employee must be free to refuse to perform such work without sanction and without being required to explain or justify the decision.
 - b. The employer must be aware and approve of the substitution beforehand, thus the county must know what work is being done, by whom it is being done, and where and when it is being done.
4. The statutory exception to the FLSA’s general overtime requirement does not exempt the employer from minimum wage requirements of the FLSA, and the employer is required to pay additional compensation to the substitute employee if his or her total weekly earnings divided by the total hours worked (both scheduled and as a substitute employee for one or more scheduled employees) fall below the FLSA required minimum wage. The employer can remain in compliance with the FLSA minimum wage requirements without paying any additional wages by denying any shift substitution requests that might drop the substitute employee’s hourly wages below the minimum wage.

1001:2 REQUIREMENTS FOR AUTHORIZATION

1. The Battalion Chief or Captain will approve shift substitution request that satisfy the requirements of the policy.
2. No shift substitution shall be allowed that might drop the substitute employee's hourly wages below the minimum wage.
3. All requests by an employee to substitute for another employee on a scheduled shift must be approved by the Battalion Chief or Captain of the shift of the scheduled employee.
4. The request must be submitted electronically through the current County timekeeping program. The substitute employee must accept the request and the Supervisor must approve the request.
5. Except in the case of an unforeseen emergency, requests must be submitted at least 72 hours prior to the start time of the substitution.
6. A shift substitution due to an unforeseen emergency may be approved by the Battalion Chief or Captain for the shift of the scheduled employee less than 72 hours prior to the start time of the substitution approval and prior to that start time if the other provisions of this authorization are satisfied.
7. The Battalion Chief or Captain shall approve or deny the request within 24 hours of receipt and promptly inform the employees.
8. Dates of an approved shift substitution may only be changed with written approval of both employees and the Battalion Chief or Captain for the shift of the scheduled employee.
9. Emergency Medical Technicians (EMTs) are only allowed to substitute for EMTs. Paramedics are only allowed to substitute for Paramedics or Provisional Paramedics. Provisional Paramedics are only allowed to substitute for Paramedics or Provisional Paramedics. Firefighter/EMTs are only allowed to substitute for Firefighter/EMTs. Firefighter/Paramedics are only allowed to substitute for Firefighter/Paramedics.
10. Only full-time positions are permitted to substitute for a full-time scheduled employee. At no time will an OPS employee be allowed to participate in a shift substitution as either a scheduled employee or as a substitute employee or otherwise for a full-time employee or another OPS employee.
11. Employees are prohibited from paying another employee to work any portion of their shift.
12. There is no FLSA or County requirement that the scheduled employee pay back the substitute employee for the substitution, by reciprocal substitution or otherwise. That is a matter left to the scheduled employee and the substitute employee to resolve.
13. For all shift substitutions, a maximum of six (6) scheduled employees (EMTs, Paramedics, Provisional Paramedics, FF/EMT, FF/Paramedic) can be replaced by substitute employees on any given shift day. These numbers may be adjusted at the sole discretion of the Deputy Chief for large in-county events (i.e. 12 Hours of Sebring race).
14. Shift substitutions will be approved on a first come, first served basis through the chain of command approval process. Off-duty Supervisors and Public Safety Administration shall not be contacted to obtain approval for any shift substitution request.

15. No employee shall work more than 48 consecutive hours during any 72-hour period due to a shift substitution.
16. A shift substitution for an employee reporting late to work shall not be allowed.
17. The substitute employee must contact any other employee who may be affected by late arrival of the substitute employee. Contact shall be made in each and every case and shall be prior to or as early in the shift as possible. If the employee being relieved is unable or unwilling to stay over and cover for the substitute employee on the substitute shift or his or her next scheduled shift, the substitute employee shall bear the sole responsibility to contact another employee to report early for him or her as to allow the substitute employee to arrive on time for the substitute shift or his or her next scheduled shift (including scheduled overtime shifts).
18. In the event a substitute employee becomes sick or injured while on a substitute shift, the substitute employee will be shown as on duty at the time of the sickness or injury and will be paid as a scheduled employee for those hours from the time of occurrence. The scheduled employee will be contacted and given the option of reporting to duty, providing another substitute employee or being charged annual leave or sick leave, if applicable.
19. For the purpose of this authorization, an emergency is an unexpected incapacitating illness, injury or hospitalization. Documented proof of such occurrence will be required.

Secondary Employment Form

Form is available at this time by contacting Human Resources

Performance Evaluation Forms

Form is available at this time by contacting Human Resources

Employee Warning Report Form

Form is available at this time by contacting Human Resources

Annual Leave Payout Form

Form is available at this time by contacting Human Resources

Employee Bid Form

Form is available at this time by contacting Human Resources

Educational Assistance Form

Form is available at this time by contacting Human Resources

Grievance Form

Form is available at this time by contacting Human Resources

Employee Referral Form

Form Guidelines

1. The referring employee must be in a regular full-time position in a paid status or on an approved leave of absence from the Board to be eligible to participate
2. The referring employee must not be on any form of written correction action six (6) months prior and up to the time of payment.
3. The referral cannot be submitted before the position is posted. The referred candidate must be hired within 180 days, (6) months, of the initial referral date.
4. All referrals must be submitted to Human Resources on a candidate referral form. The first employee to refer a candidate will be the only referring employee eligible for payment.
5. An eligible candidate is one who is interviewed and hired, not just presented for consideration.
6. The candidate must be a new employee, and not currently or previously employed with the County.
7. All referrals expire six (6) months from submission date. You may refer the same person again once the referral expires.
8. There is no limit to the number of times an employee can qualify for an award if they refer more than one person who is hired. However, only one employee will be awarded per candidate hire.
9. Positions eligible for this program must be determined to be "hard-to-fill" positions. The following factors should be considered when designating a position to be "hard-to-fill":
 - How critical the position is to the Board's operations and mission.
 - Lack of success of recent efforts to recruit candidates and retain employees in like positions.
 - Employment trends and labor-market factors that may affect the Board's ability to recruit candidates for similar positions.
 - Recent turnover in similar positions.
 - Special or unique competencies required for the position.
10. Once the candidate is hired as a result of a referral and has completed a successful probationary period of six (6) months, Human Resources will process the referral on file with the amount as follows:
 - Personal leave equivalent to \$500 or;
 - One (1) time payment of \$500.
11. The referral program operates in accordance with the following program requirements:
 - Administration may designate a position as "hard-to-fill": (1) before the position is posted; (2) after 30 days of unqualified applicants of an already posted position or; (3) after unsuccessful interviews of posted position.
 - Both the referring employee and the referred candidate must be employed by the County when any referral is paid to receive the referral amount.

- The hiring process will be fair and consistent with County policy and procedures, with no bias for or against candidates whose selection might make another employee eligible for a referral amount.
- The Board reserves the right to amend or discontinue the Employee Referral Program without notice.
- Personal time off must be scheduled with supervisory approval and at a time mutually convenient to the employee and the department. Unused personal hours may carry-over.
- Compensation for unused personal hours shall not be paid when an employee separates employment whether administratively, voluntarily, or involuntarily.

Employee Referral Form

Form is available at this time by contacting Human Resources

Special Annual Leave Payout Form

Form is available at this time by contacting Human Resources

Temporary Remote Work Agreement

Form is available at this time by contacting Human Resources

DEFINITIONS

Alternate Duty - Allows eligible employees to perform some work which is beneficial to the County when they are unable to perform the duties of their regular position; only for those employees covered by Workers' Compensation Leave.

Compensatory Time - Permits eligible hourly employees to take time off at the overtime rate (1.5) for each hour of work in excess of 40 hours during one workweek (in lieu of overtime pay).

Compressed Workweek - A full-time (40 hour) work schedule condensed into a 4-day workweek (e.g. four 10-hour days)

Corrective Action/Disciplinary Procedure - May include any or all of the following in an attempt to provide employees with notice of deficiency and an opportunity to improve: verbal warning, documented counseling, written warning, suspension, involuntary demotion, and/or termination.

County Administrator – The chief executive officer who reports to the elected governing Board of County Commissioners. The Assistant County Administrator will act as the County Administrator's Designee unless otherwise stated. County Administrator may be substituted with County Administrator or Designee throughout this manual.

Designee Pay - When an employee performs duties not part of the normal duties of their classification, the employee may receive a temporary increase. Usually designated for the purpose of filling in for the absence of a lead worker or Supervisor.

Educational Assistance - To provide reimbursement of tuition, books, lab fees, and registration fees of qualified courses to eligible employees, allowing them to enhance their ability to serve the public interest of the citizens of Highlands County.

Exempt Employee - An employee in this classification is not subject to the minimum wage and overtime requirements of the US Fair Labor Standards Act; and as such, is not required to fill out hourly time records and must be paid on a salary basis.

Flextime - A work schedule that permits flexibility in starting and quitting times without altering the required number of work hours in a given period (e.g. in a workweek) and usually specifies a core period of the day during which all employees must be scheduled.

Full-time Employee – Typically an employee working 40 or more hours per workweek.

Grievance Procedure - The opportunity to participate in an objective process to settle disputes regarding corrective actions.

Harassment - Verbal, nonverbal, or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, gender, sex, national origin, age or disability, or that of his or her relatives, friends or associates, and that (1) has the purpose or effect of creating an intimidating, hostile, or offensive working environment; (2) has the purpose or effect of unreasonably interfering with an individual's work performance; or (3) otherwise adversely affects an individual's employment opportunities.

Hourly Employee - An employee in this classification is subject to the minimum wage and overtime compensation requirements of the US Fair Labor Standards Act; and as such, is required to fill out hourly time records.

Immediate Family – Bereavement. Defined as the spouse or the grandparents, parents, brothers, sisters, children, and grandchildren of either the employee or the spouse. An employee may also be granted this leave for the death of a person with loco parentis standing with the employee, i.e., a person who has been in the position or place of a parent.

Immediate Family - Family & Medical Leave Policy - Spouse, child under age 18 or incapable of self-care due to a mental or physical disability (biological, adopted, and/or foster), and parent (biological and/or 'in loco parentis').

Immediate Family - Sick Leave Policy - Defined as the spouse or the grandparents, parents, brothers, sisters, and children of either the employee or spouse.

Incentive Pay - Incentive pay will not increase an employee's base pay and will only be effective for a 12 month period.

Overtime Pay – Non-emergency personnel. Pay for eligible hourly employees at an overtime rate (1.0 or 1.5) of pay for all hours worked in excess of 40 hours during one workweek. If an employee uses any form of leave during a workweek (sick, vacation, etc.), their rate of pay will be one times their regular rate of pay, up to 40 hours.

Overtime Pay – Fire Rescue (single certification / EMS only) - All hours worked in excess of 40 hours in a work week will be paid at time-and-one-half (1.5 X normal hourly rate). Annual leave, sick leave, administrative leave (except for line of duty court appearances) and holiday hours paid are not considered to be hours worked for computation of overtime pay.

Overtime Pay – Fire Rescue (dual certification) – Pay at the rate of one and one-half (1.5) times the normal hourly rate will be paid for each hour worked in excess of 106 hours during a 14-day work period (applied as 53 hours in each 7-day period). Annual leave, sick leave, administrative leave (except for line of duty court appearances) and holiday hours paid are not considered hours worked for computation of overtime pay.

Part-time Employee - Typically, an employee working less than 40 hours per week.

Performance Evaluation - An appraisal written by a Supervisor about an employee's work performance, which includes praise for accomplishments, recommendations for improvement, and an action plan of goals for both the employee and Supervisor for the next assessment period.

Probationary Employee - An individual who has not completed initial probation.

Reduction in Workforce - The abolishment of Board-approved full and/or part-time positions due to operational needs, re-organization, lack of work, outsourcing of functions, shortage of funds, or other reasons deemed appropriate by the Board; not intended to be a short-term adjustment.

Regular Employee - An individual who is employed as a part-time or full-time employee in a Board-approved position.

Relative - Hiring Policy/Nepotism - An individual who is related to the employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister.

Salaried Employee - See exempt employee.

Seasonal Employee – An individual who is hired by a department, primarily to work during one season. These employees normally work regularly scheduled hours throughout the season, and may also work sporadically during other special events throughout the year.

Secondary Employment - An employee holding a regular full-time or Board-approved position who also holds another employment position outside the County.

Sexual Harassment - Unwelcome, one-sided attention, sexual advances, requests for sexual favors, or other unwanted verbal or physical conduct of a sexual nature that may come from Supervisors, managers, coworkers, citizens, or other individuals in the workplace or at any County-sponsored activity, program, party or trip whether at the work site or not - regardless of the gender of the parties involved.

Sick Leave Pool - A voluntary fund of donated sick leave which has been established to provide limited additional sick leave benefits to participating members in the case of serious personal illness or injury.

Standby Duty - Assigned to certain hourly employees holding positions which are restricted to a designated location or premises in order to provide coverage for services and to handle emergencies during off-duty hours.

Student Intern – An individual who is provided with the opportunity for practical, real-world work experience to help them transition into a future professional career. These individuals may work either regularly scheduled hours, or unscheduled irregular hours throughout the course of their internship.

Temporary Employee - An individual who is hired either part-time or full-time for a limited period, not to exceed six months of employment. These employees may be hired to work on special projects, during peak workloads, and/or to cover employee absences due to FMLA, workers' compensation, or other leaves of absence. These employees are not eligible for paid absences, vacations and holidays.

Transfer - Moving to another position in the same or lower salary range or from one location to another; may be of a voluntary or involuntary basis.

Uniform - Clothing issued, or required to be worn, by the Board; or any clothing with an affixed County logo and/or wording that indicates, or could be interpreted to indicate, that the individual is or may be a Board employee.

INDEX

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Table 8: Summary of Manual Revisions

Approval Date	Section	Title	Summary	Resolution
09/20/2019	Full Manual	Manual Adopted	Adoption of New Manual	15-16-118
10/18/2016	305:5	Emergency Medical Services	Updates related to number and pay of provisional paramedics and revisions to FTO section	16-17-07
10/18/2016	501:6	Sick Leave Reimbursement	4. Death: annual leave removed and replaced with sick leave	16-17-07
05/16/2017	205	Citizen Relations	Relocated to Policy 901. Remaining policies renumbered.	16-17-77
05/16/2017	206	Use of Communication Systems and Technology	Relocated to Policy 301. Remaining policies renumbered.	16-17-77
05/16/2017	206 (new)	Americans with Disabilities Nondiscrimination Policy	Delineated between ADA and employment and County programs. ADA and County programs is in Policy 904.	16-17-77
05/16/2017	209	Limited English Proficiency	Relocated to Policy 903. Remaining policies renumbered.	16-17-77
05/16/2017	300	Electronic Systems, Technology, and Communications	Incorporated recently adopted Electronic Messages and Social Media Policies into this section of the Manual. Remaining policies renumbered.	16-17-77
05/16/2017	405:5	Hazmat and Technical Rescue Pay	Section added to address Hazmat and Technical Rescue Pay. Policy reflects current practice.	16-17-77
05/16/2017	609:1	Bereavement	Clarified time granted for bereavement leave. Converted days into hours	16-17-77

Approval Date	Section	Title	Summary	Resolution
			to make it equitable for 8, 10 and 24 hour employees.	
05/16/2017	705:8	Maximum Rate of Pay	Provided clarification for employees that exceeded the max rate of pay for their new pay range at the time the Evergreen study was implemented	16-17-77
05/16/2017	900	Access to County Programs	Added new section to address requirements of Federal grant programs.	16-17-77
05/16/2017	902	Title VI / Nondiscrimination	New section to address requirements of Federal grant programs.	16-17-77
05/16/2017	903	Limited English Proficiency	Relocated from Policy 209 and expanded to address requirement of Federal grant programs.	16-17-77
05/16/2017	904	Americans with Disabilities	Added new section to address requirements of Federal grant programs.	16-17-77
01/02/2018	410:1	Supplemental Workforce	Clarified approval level for temporary employees for a period of 6 months or greater.	17-18-33
01/02/2018	604:1	Holidays	Added to mandatory holiday duty for EMS to be paid if they are required to work on a scheduled holiday	17-18-33
01/02/2018	803:3	Grievances	Changed the word hearing to meeting and deleted publicly noticed	17-18-33
01/02/2018	609:2	Court Appearances	Changed pay for regular hours worked to say pay for up to 8 regular hours worked per day to be consistent with bereavement pay	17-18-33

Approval Date	Section	Title	Summary	Resolution
01/02/2018	1001	EMS Shift Trade / Substitution	Added policy on EMS Shift Substitution	17-18-33
04/17/2018	509	Referral Award Program	Added section to policy 500	17-18-59
08/21/2018	904	Americans with Disabilities	Added sections 904: 1, grievance procedures & 904: 2, notice	17-18-97
08/21/2018	410: 1	Supplemental Workforce	Added eligibility of paid absences, vacation and holidays to OPS employees approved by the Board for longer than six (6) months w/approval of the County Administrator	N/A
03/19/2019	903: 1	Limited English Proficiency Plan	Changed data in section 1, 2 and 3.	18-19-80
09/17/2019	601: 3 603: 2	Earning Sick and Annual Leave	Deleted column in table, specified personnel for each table	N/A
12/03/2019	004: 1	Employment Records	Clarified maintenance responsibility for volunteer Fire Rescue files	19-20-034
12/03/2019	005: 01	General Provisions	Updated reference to Safety Handbook	19-20-034
12/03/2019	302: 2(a)	Electronic Messages	Updated paragraph 2 to include other platforms supported by IT	19-20-034
12/03/2019	403: 2	Original Appointment	Provided consistence in document pertaining to training status pay	19-20-034
12/03/2019 12/17/2019	405: 2	Pay Grades	Added a new section related to pay grades. Section was corrected on 12/17/2019.	19-20-034
12/03/2019	405: 6	Hazmat & Technical Rescue Pay	Updated department references	19-20-034

Approval Date	Section	Title	Summary	Resolution
12/03/2019	405:7	EMS Services	Updated to reflect Fire Rescue transition	19-20-034
12/03/2019	405:7	Fire Services	Deleted. Combined with 405:6.	19-20-034
12/03/2019	406:1	General Provisions	Updated to include FLSA for Fire Rescue 7k rule	19-20-034
12/03/2019	503:3	Meal and Break Periods	Updated for Fire Rescue	19-20-034
12/03/2019 12/17/2019	504:1	Overtime	Updated for Fire Rescue. Section was corrected on 12/17/2019.	19-20-034
12/03/2019	504:2	Compensatory Time	Permits Comp Time for Fire Rescue effective 1/1/2019	19-20-034
12/03/2019	504:3	Shift Differential (EMS Only)	Deleted section	19-20-034
12/03/2019	506:1	General Provision	Clarified time period for pay corrections	19-20-034
12/03/2019	508:2	Employee of the Quarter	Clarified process for employee of the quarter	19-20-034
12/03/2019	604:1	General Provisions	Standardized language for Fire Rescue	19-20-034
12/03/2019	604:2	Floating Holiday	Added new policy for floating holiday	19-20-034
12/03/2019 12/17/2019	703:1	General Provisions	Added language pertaining to shift schedules. Section was corrected on 12/17/2019.	19-20-034
12/03/2019	1001:2	Requirements for Authorization	Updated language to reflect new Fire Rescue structure	19-20-034
4/7/2020	505:2	Temporary Remote Work Policy	Added remote work policy for emergency declarations	
4/7/2020	603:3	Special Annual Leave Sale	Added ability for County Administrator to authorize Special Annual Leave Sale	

Approval Date	Section	Title	Summary	Resolution
			during emergency declarations	