

RESOLUTION NO. 25-05-36

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA ADOPTING AN UPDATED VILLAGE PERSONNEL POLICY MANUAL; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE PERSONNEL POLICY MANUAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Islamorada, Village of Islands (the "Village"), is a "Public Employer" as defined by Subsection 447.203(2), Florida Statutes, and currently employs approximately one hundred and nineteen (119) full-time employees; and

WHEREAS, approximately thirty-seven (37) of the full-time employees are covered by a collective bargaining agreement pursuant to Chapter 447, Florida Statutes; and

WHEREAS, the Village Human Resources Director along with the Village Manager have recommended updates and overall reformation of the 2018 Personnel Policy Manual adopted by resolution 18-09-97; and

WHEREAS, the policies are intended to apply to Village employees that are not covered by employment agreements and/or collective bargaining agreements that are in conflict with the Personnel Policy Manual; and

WHEREAS, the policies contained in the updated Personnel Policy Manual (the "Manual", attached hereto as Exhibit "A" and incorporated herein by this reference, are general guidelines for the Village's current employment practices and workplace procedures; and

WHEREAS, the updated Manual and the policies and procedures set forth therein shall be and become effective on June 1, 2025; and

WHEREAS, the Village Council finds that adoption of the updated Manual is in the best interest of the Village.

**NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA,
VILLAGE OF ISLANDS, FLORIDA, AS FOLLOWS:**

Section 1. **Recitals.** The above recitals are true and correct and incorporated into this Resolution by this Reference.

Section 2. **Approving Updated Personnel Policy Manual.** The Village Council hereby approves the updated Personnel Policy Manual, a copy of which is attached hereto as Exhibit "A, together with such non-material changes as may be acceptable to the Village Manager and approved as to form and legality by the Village Attorney.

Section 3. **Authorization of Village Officials.** The Village Manager or designee and the Village Attorney are hereby authorized to take all actions necessary to implement the terms and conditions of the Personnel Policy Manual.

Section 4. **Effective Date.** This Resolution shall become effective on June 1, 2025.

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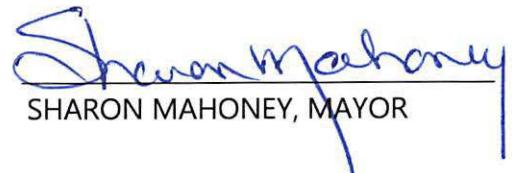
Motion to adopt by Don Horton, seconded by Deb Gillis.

FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS

Mayor Sharon Mahoney	Yes
Vice Mayor Don Horton	Yes
Councilman Steve Friedman	Yes
Councilwoman Deb Gillis	Yes
Councilwoman Anna Richards	Yes

PASSED AND ADOPTED THIS 6TH DAY OF MAY, 2025.



SHARON MAHONEY, MAYOR

ATTEST:



MARNE MCGRATH, VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY
FOR THE USE AND BENEFIT OF
ISLAMORADA, VILLAGE OF ISLANDS:



JOHN J. QUICK, VILLAGE ATTORNEY





Islamorada, Village of Islands

Personnel Policy Manual

2025

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Preamble

ADMINISTRATION CODE OF ETHICS

An employee in the public service must always demonstrate the highest standards of personal integrity, truthfulness, honesty, and fortitude in all public activities to inspire public confidence and trust in public institutions.

Perceptions of others are critical to the reputation of an individual or a public agency. Nothing is more important to public administrators than the public's opinion about their honesty, truthfulness, and personal integrity. It overshadows competence as the premier value sought by citizens in their public officials and employees.

Any individual or collective compromise with respect to these character traits can damage the ability of an agency to perform its tasks or accomplish its mission. The reputation of the administrator may be tarnished. Effectiveness may be impaired. A career or careers may be destroyed.

The best insurance against loss of public confidence is adherence to the highest standards of integrity, honesty, truthfulness, and fortitude.

Public administrators are obliged to develop civic virtues because of the public responsibilities they have sought and obtained. Respect for the truth, for fairly dealing with others, for sensitivity to rights and responsibilities of citizens and for the public good must be generated and carefully nurtured and matured.

If one is responsible for the performance of others, the reasons for the importance of integrity must be shared with them. They must be held to high ethical standards and taught the moral as well as the financial responsibility for the public funds under their care.

If one is responsible only for his or her performance, then he or she must not compromise honesty and integrity for advancement, honors, or personal gain.

We must strive to be discreet, respectful of proper authority and our appointed or elected superiors, and sensitive to the expectations and the values of the public we serve.

We must follow the Golden Rule: to and for others what we would have done to and for us in similar circumstances.

One should be modest about his or her talents, letting the work speak for itself and be generous in their praises for the good work of our peers and associates. We must be ever mindful to guard the Public Purse as if it were our own.

No matter whether an official or an employee, by our own example, we should give testimony to our regard for the rights of others, acknowledging their legitimate responsibilities and not trespassing upon them. We must concede gracefully, quickly, and publicly when we have erred and be fair and sensitive to those who have not fared well in their dealings with our agencies and their applications of the law, regulations, or administrative procedures.

The only gains one should seek from public employment are salaries, fringe benefits, respect, and recognition for work. One's personal gains may also include the infinite pleasure of doing a good job, helping the public, and achieving career goals.

No elected or appointed public servant should borrow or accept gifts from the staff or any corporation which buys services from, or sells to, or is regulated by his or her governmental agency. If one's work brings him or her into frequent contact with firms supplying the government, he or she must be sure to pay his or her own expenses.

Public property, funds and power should never be directed toward personal or political gain. We must make it clear by our own actions that we will not tolerate any use of public funds to benefit oneself, family or friends, and finally, we must serve the public with respect, concern, courtesy and responsiveness, recognizing that service to the public is beyond service to oneself.

VILLAGE MISSION

- To Protect the Residents' Right to Quiet Enjoyment of Life
 - To Plan for Enhancing Our Village Character
- To Preserve Our Community; Its People, Natural Resources, and Pride
 - To Provide Basic Services to Support our Quality of Life

Introduction

Authority

Consistent with the Village Charter, the Village Council has directed the Village Manager to implement a specific personnel system to ensure uniform, fair, and effective personnel administration in compliance with federal, state and local laws. None of the provisions should be interpreted as creating a contractual relationship or giving any employee the right to be retained as an employee or to receive any benefits.

Purpose

The purpose of the Personnel Policy (the Policy) is to establish guidelines covering most personnel actions which may arise. The final interpretation and application of any of the policies and procedures shall be made by the Village Manager or his/her designee. The Policy is not applicable to elected officials, with the exception of "Reporting Discrimination and/or Harassment" and the "Employee Complaint Procedure" herein. This Policy is not applicable to independent contractors. None of the provisions should be interpreted as creating a contractual relationship or giving any employee the right to be retained as an employee or to receive any benefits.

Scope

For expediency, these policies may refer to either the male or female gender, or both with no intent to discriminate. All policies apply to all genders.

The personnel policies, regulations and procedures adopted shall apply to all personnel employed by the Village, except where exclusively covered by a Collective Bargaining Agreement. All Village officials and employees, including but not limited to elected officials, contracted employees, and advisory board members, shall comply with the standards of conduct set forth herein.

Collective Bargaining Agreement (CBA)and Local Law

Where the Policy, or Departmental operating procedures conflict with an active CBA, the CBA takes precedence.

Where any conflict arises between the Policy and any provisions established by the Charter and the respective ordinances, the Charter and the respective ordinances take precedence.

Nature of Employment

It is the policy of the Village that all employees who do not have a written employment contract with the Village for a specific, fixed term of employment or are covered by a CBA are employed at the will of the Village for an indefinite period except as otherwise stated in the Village Charter.

Employees who do not have an individual written employment contract are employed at the will of the Village and are subject to termination at any time, for any reason, with or without cause or notice.

No Village representative is authorized to modify this policy for any employee or to enter into any agreement, oral or written, that changes the at-will relationship. Management and supervisory personnel shall not make any representations to employees or applicants concerning the terms and conditions of employment with the Village that are not consistent with Village policies. No statements made in pre-hire interviews or discussions or in recruiting materials alter the at-will nature of employment or imply that discharge will occur only "for cause".

Completion of a probationary period or conferral of permanent status does not change an employee's status as an at-will employee or change the terms and conditions of employment.

Administration

Department Directors are responsible for the efficient and effective performance of the employees assigned to their department. Directors may assign supervisory responsibility to members of their department but are responsible for the administration and enforcement of the Policy.

The Human Resources Director shall be responsible for the administration of this Policy under the direction of the Village Manager.

Amendments

This policy shall be reviewed periodically by the Village Attorney, the Human Resources Director, and the Village Manager and, when required, updated by resolution of the Village Council. The Village has the sole discretion to modify, amend or rescind any part of these rules and regulations or any other Village-issued policy at any time, with or without notice.

Administrative Procedures

Administrative Procedures are intended as practical guidelines used to implement policies contained herein and may be created and modified at the direction and approval of the Village Manager.

Departmental Policies/Procedures

Department Directors may have internal rules, regulations, policies and procedures that expand on these rules and regulations if they do not conflict with the Charter, the Village Code, this Policy and the standard operating procedures otherwise adopted to administer this document. These internal departmental policies, once approved, shall become an extension of this Policy and shall be as binding as this document for the purposes of the administration of personnel rules and disciplinary procedures.

** All previously adopted Islamorada, Village of Islands Personnel Policies and/or employee handbooks are null and repealed upon adoption of this update by the Village Council.

Code of Conduct

Village elected officials and employees are expected to demonstrate prompt, courteous, fair, and honest treatment to all citizens, customers, and fellow employees.

Political Activity

No employee, official or other person shall solicit, verbally or in writing, or be in any other manner coerced in obtaining contributions of support in obtaining contributions, services or support for any political party or candidate from any employee during his/her work hours with the Village. Nothing in this policy is to be construed to restrict the right of an employee to hold membership in and support a political party, to vote his/her choice, to express opinions on all political subjects and candidates, to maintain political neutrality, to attend political meetings outside working hours or to campaign actively during off-duty hours, in all areas of political activity.

Employees participating in a political campaign may not wear a Village uniform or apparel with a Village logo. Use of Village vehicles, equipment or other property while campaigning is prohibited.

Any Village employee who wishes to accept appointment to a political office or seek election to a Village office, except those employees who are exempt pursuant to 99.012 Florida Statutes, must resign from Village employment upon indicating such intention by formal declaration or other evidence of candidacy.

Pecuniary Interest

As stewards of public trust, all Village employees must use the authority and resources of the Village, entrusted to them by the public, to further the public interest and not for any personal gain or financial benefit. Village employees shall not accept benefits of any sort, under any circumstances, which are intended to influence a pending or future decision.

Conflicting Employment/Contractual Relationships

Secondary employment or contractual relationships are permitted to the extent that they do not constitute a conflict of interest and do not interfere with the employee's job performance with the Village. Any employee wishing to accept outside employment must understand that Village employment is primary, and the employee must make arrangements with the outside employer to be relieved from duty if called for service by the Village.

Notice of Outside Employment shall be given and approved by the Department Director and Village Manager, and a copy filed with the Human Resources Director. Directors, managerial staff and equivalent personnel shall request permission for outside employment from the Village Manager.

Employees sustaining injuries while engaged in outside employment are ineligible to receive benefits from the Village's Workers' Compensation plan.

Village employees are prohibited from using Village facilities, vehicles, equipment, or any other property for outside employment.

Village employees who participate in deciding, approving, recommending, or preparing purchase or procurement requests, or influence the content of any specifications or standards, may not work for any person or entity attempting to engage in or engaging in contractual services with the Village.

Village employees shall not directly or indirectly procure or participate in the procurement of contractual services for the Village from any business entity when a relative (as defined in Section 112.312(21), Florida Statutes) is an officer, partner, director, or owner in said business.

Compliance with Public Records Act

The Public Records Act, codified in Chapter 119, Florida Statutes, entitles any individual access to Village public records. Public records are defined as [1] materials made or received by the Village [2] in connection with official Village business and used to [3] perpetuate, communicate or formalize knowledge of some type.

Examples of materials include papers, electronic files, photographs, videos, text messages, and audio. If these materials are made or received by Village employees, have a connection to Village business, and are intended to communicate or formalize knowledge, any person may inspect or receive a copy of these materials.

Village employees are required to store public records in their control in a manner that they can be accessed. This may include the creation of a filing system (physical and digital). As such, Village employees must not destroy public records unless it is done so in accordance with law.

The Village will not provide public records to requestors if they are exempt and/or confidential, as defined by law. Examples of exempt records include the Social Security numbers of all current and former Village personnel, direct deposit records identifying banking institutions and account numbers, discrimination complaints and investigations (this exemption is temporary), and contact information of public safety employees, their spouses and/or children. Because the number of exemptions is voluminous, employees must contact a supervisor if they are unsure whether a record falls under an exemption.

Florida law provides that a “knowing” violation of the Public Records Act is a criminal offense. All other violations are non-criminal, but punishable by fines. A violation of this policy may subject employees to discipline up to and including termination.

Use of Village Property or Facilities

Equipment, facilities, vehicles, property, or any resource or procedure of the Village shall not be used by any employee, or use of same authorized for anyone by an employee for any reason or purpose beyond that deemed de minimis use by the Internal Revenue Service Code for anything other than Village business.

Employees are prohibited from using the Internet or email system to send or receive any improper communication, including but not limited to personal messages, inappropriate comments or jokes, cartoons or any other communications which are derogatory, obscene, or offensive. Persons not employed by the Village are prohibited from using any Village office equipment for any purpose.

Occasional use of Village equipment and/or bandwidth for browsing the internet are permissible only for short periods of time to view news sites or other sites of personal interest. Such activity shall not interfere with the employees' duties. All internet activity and use of Village equipment is monitored. Connection to chat rooms, instant messaging, personal online shopping, personal social media, and sites that show sexually explicit images, gore, profanity, discrimination, and other sites that could reasonably be deemed to be offensive are prohibited on Village equipment and networks.

The use of the same for personal gain or use may be cause for termination.

Ethical Guidelines

All employees must be aware of, and comply with, Section 112.311 (6) Florida Statutes which currently provides in part: "It is declared to be the policy of the state that public officers and employees, state and local, are agents of the people and hold their positions for the benefit of the public. They are bound to uphold the Constitution of the United States and the State Constitution and to perform efficiently and faithfully their duties under the laws of the federal, state, and local governments. Such officers and employees are bound to observe, in their official acts, the highest standards of ethics consistent with this

code and the advisory opinions rendered with respect hereto regardless of personal considerations, recognizing that promoting the public interest and maintaining the respect of the people in their government must be of foremost concern."

All employees must avoid any conflict between their personal interests and those of the Village. No employee should have, or appear to have, personal interests or relationships that conflict with or potentially conflict with the best interests of the Village.

Employees may not, either directly or indirectly, use their official position with the Village or information obtained in connection with their employment for private gain, for themselves or others.

Soliciting or accepting anything of value, including a gift, loan, reward, promise of future employment, favor, or service from organizations, business concerns, or individuals with whom the employee has official Village business relationships is prohibited. These limitations are not intended to prohibit the acceptance of items of negligible value which are distributed, nor to prohibit employees from accepting social courtesies which promote good public relations, nor to prohibit employees from obtaining loans from regular lending institutions. It is particularly important that employees that engage in enforcement guard against relationships which might be construed as evidence of favoritism, coercion, unfair advantage, or collusion.

No employee shall make any false statement, certification, or recommendation of any employment under any provision of these policies, or in any manner, commit or attempt to commit any fraud preventing the impartial execution of the provisions of these policies, regarding employment, promotion or transfer.

No employee shall transact any business in his or her official capacity with any business entity of which that employee is an officer, agent, or member, or in which he or she holds a material interest.

If an employee is uncertain as to whether he or she may be in violation of this policy, clarification may be obtained from the Human Resources office.

Any violation of the provisions of this Policy shall be subject to review and appropriate disciplinary action. If the employee has any doubt as to the application of the policy as it relates to his or her position, the possible violations should be discussed with the Department Director or his or her designee, who shall either approve or forbid the activity, or refer the question to the Human Resources Office. The Village Manager, Department Directors, and other employees holding positions of high public trust and/or authority will be held to higher disciplinary and ethical standards than other employees.

Compliance with Laws and Regulations

It is the policy of the Village to operate in compliance with all applicable federal, state and local laws and regulations.

Equal Employment Opportunity

The Village does not discriminate based on race, color, sex, religion, disability, national origin, ancestry, sexual orientation, familial status, age, genetics or any other protected characteristic as established by local, state or federal law. This policy of Equal Employment Opportunity ("EEO") applies to all policies and procedures relating to recruitment and hiring, compensation, benefits, termination and all other terms and conditions of employment.

It is the policy of the Village to ensure that all employees are able to work in an environment which is free of all forms of harassment. As such, the Village expressly prohibits any form of workplace harassment based on race, color, religion, gender, sexual orientation, gender identity or expression, national origin, age, genetic information, disability, or veteran status. Improper interference with the ability of the Village's employees to perform their job duties and/or follow the code of conduct, may result in discipline, up to and including discharge. The Village also prohibits retaliation against any individual who has exercised any right protected by any federal, state or local law regarding equal employment opportunity.

The Human Resources Director is the Equal Employment Opportunity Officer (EEO Officer) for the Village and has responsibility for administering and promoting a program of equal opportunity within the Village. The Human Resources Director will coordinate the EEO efforts of all supervisory personnel and will make recommendations, where appropriate, to correct any deficiencies found in the Village's program. The EEO Officer will also: (1) ensure that designated employees are adequately trained in EEO laws; (2) supervise the EEO-related activities of investigators; and (3) ensure that EEO policies are prominently posted or otherwise provided to employees in accordance with the law.

All employees with questions or concerns about any type of discrimination in the workplace shall bring these issues to the attention of the Human Resources Director. Employees are encouraged to raise legitimate concerns and make good faith reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination.

Non-Discrimination and Workplace Harassment

The Village has a strict policy against all types of workplace harassment, including sexual harassment and other forms of workplace harassment based upon an individual's age, sex (including pregnancy), race, national origin, disability, creed, religion, genetic information, military or veteran status, or any other status protected by federal, state or local laws. All forms of harassment of, or by, employees, vendors, visitors, customers, and clients are prohibited and will not be tolerated.

Sexual Harassment

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature 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 such individual, or (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.

Sexual harassment does not refer to behavior or occasional compliments of a socially acceptable nature. It refers to behavior that is not welcome, that is offensive both objectively and subjectively, that fails to respect the rights of others, which lowers morale, and that interferes with work effectiveness.

All employees are expected to act in ways, which establish a professional work atmosphere free of sexual harassment and sexual discrimination. Each Department Head will ensure that the workplace is free of sexual harassment.

All employees have a duty to report any suspected sexual harassment by a Village employee, or a non-employee while on Village property or when Village business is being conducted, to the appropriate Department Head even if they are not the victim. An employee's rights and status with the Village shall not in any way be harmed due to any good faith report of suspected sexual harassment, nor shall any retaliation against such employee be tolerated.

Any sexually harassing behavior directed towards a non-employee by an employee during working hours or while on Village property will be treated as if the harassment was directed towards an employee.

Bullying

Some acts or remarks may violate Village rules even if they are not so severe that they violate federal or state discrimination laws. Because the Village is committed to providing an emotionally stable and safe workplace, it discourages verbal confrontations between employees due to an employee's reasonable belief that he or she was subjected to bullying behavior.

Bullying or Harassing conduct includes repeated behavior occurring in the course of work that impairs the ability of an employee to perform work duties or is reasonably perceived as being so severe and/or objectively offensive so as to have that effect. This includes but is not necessarily limited to acts that are reasonably perceived as being humiliating, dehumanizing, hostile, intimidating, or physically aggressive.

Bullying may be verbal, non-verbal (for instance, through gestures or facial expressions), or physical. Physical bullying is in violation of the Village's workplace violence policy and may also have criminal implications.

Holding persons uniformly accountable for poor work performance using specific and articulable examples does not constitute workplace bullying, neither is being direct or assertive when speaking to an employee. While the Village does not encourage rude or discourteous behavior, and such behavior contravenes other Village policies which require professionalism and courtesy to be demonstrated by Village employees, the occasional act of being impolite or discourteous also does not constitute workplace bullying.

Reporting Discrimination and/or Harassment

Any employee who feels that he or she has witnessed, or been subject to, any form of discrimination or harassment is required to immediately notify their supervisor, the Human Resources Director, or the Village Manager. If the complaint is about the Village Manager or any other person whose official or political position leads an employee to believe that the complaint may be ignored or handled improperly, the individual who experiences or sees any prohibited form of harassment which he/she is required to report may report the conduct to the Village Attorney, who shall see that it is properly processed in accordance with Administrative Procedure #HR001. The complaint will be immediately investigated and kept confidential to the extent possible. Individuals who make complaints have an obligation to assist and cooperate with the Village's investigation.

If the issue is not remedied, employees may use the complaint procedure detailed in [Employee Complaint Procedure](#) herein. Those employees covered by CBAs have the option to use the grievance procedure provided for in the bargaining agreement. However, only one forum may be utilized for any particular matter. Any complainant has a legal right to file a complaint with the United States Equal Employment Opportunity Commission. It is felt, however, that the best interests of both the complainant and the Village will be served if such a complaint can be settled at the lowest level possible within the Village government itself.

Islamorada, Village of Islands prohibits retaliation against any employee who provides information about, complains, or assists in the investigation of any complaint of harassment or discrimination.

The Village will promptly and thoroughly investigate any claim and take appropriate action where we find a claim is found to have merit. Discipline for violation of this policy may include, but is not limited to reprimand, suspension, demotion, transfer, and discharge. If the Village determines that harassment or discrimination occurred, corrective action will be taken to effectively end the harassment. As necessary, the Village may monitor any incident of harassment or discrimination to ensure the inappropriate behavior has stopped. In all cases, the Village will follow up as necessary to ensure no retaliation occurs for making a complaint or cooperating with an investigation.

Workplace Violence

Workplace violence will not be tolerated. With respect to the seriousness of this problem, the Village has adopted a “zero tolerance” for incidents of workplace violence. Workplace violence includes, but is not limited to physical attacks, threatening violent behavior, and property damage.

Specific examples of conduct which may be considered threats or acts of violence, include but are not limited to, the following: (1) hitting or shoving an individual; (2) threatening an individual or his/her family, friends, associates, or property with harm; (3) the intentional destruction or threat of destruction of Village property; (4) harassing or threatening phone calls, e-mail or mail to an employee’s home or work place; (5) harassing surveillance or stalking; (6) the suggestion or intimation that violence is appropriate; and/or (7) unauthorized possession or inappropriate use of firearms or weapons.

Employees who are aware of a workplace violence incident, threat of violence, or an incident that is about to take place, have an obligation to report that information to a supervisor, manager, or Department Director. Any employee who acts in good faith in reporting threats or acts of violence under this policy will not be subjected to harassment or retaliation because of such a report. Any retaliation or harassment must be reported immediately to the Department Director or to the Human Resources Director. An investigation will be conducted and completed in a prompt manner. Immediate action will be taken.

Ban on Deadly Weapons

To ensure that the Village maintains a workplace safe and free of violence for all employees, the use of deadly weapons on Village property is prohibited. Further, employees are prohibited from possessing such weapons on Village property, except as authorized under Florida law. This policy applies to all Village employees as well as visitors and customers on Village property.

Deadly weapons include, but are not limited to, firearms, explosives and knives. The term “possession” is defined to mean in lockers or toolboxes, in an employee’s personal possession, or anywhere else on Village property, unless such possession is authorized under Florida law. Village employees who carry a concealed firearm, or other weapon, for a lawful purpose within the interior of their private vehicle, must have the weapon securely encased or otherwise not readily accessible for immediate use. Employees have a responsibility to notify their immediate supervisor about their weapon. Employees who violate this policy will be subject to disciplinary action up to and including immediate dismissal.

The Village can request the cooperation of an employee to conduct a search of personal property such as packages, briefcases, purses and similar containers as well as private vehicles parked on Village property if there are reasonable grounds and a credible witness(es) who believe that an employee may be in violation of this policy. Employees who are unwilling to have personal property searched must immediately remove said property from Village premises if ordered to do so. Refusal to comply with an order to remove personal property from Village premises may result in disciplinary action.

Village supervisory and managerial staff have a right to enter or search Village property with or without prior notice. Village property includes desks, lockers (even with privately owned locks), office equipment such as

copiers, fax machines, computers, telephones, and Email. Consequently, any area is subject to monitoring and/or search. Any misuse of Village property in connection with an act or threat of violence may be used in support of disciplinary action or criminal prosecution even following a first offense.

Restraining Orders and Injunctions

Cases of Village employees involved in personal disputes with internal or external individuals at times can escalate to the point where the issuance of injunctions, restraining orders, and other Court Orders are sought. To maintain the safest possible work environment, employees should include their work locations upon the issuance of any restricting Court Order. Employees are encouraged to inform the Human Resources Director as well as their supervisors immediately in these cases and provide a copy of the Order to Human Resources. Even in the case where an employee has not yet secured a Court Order but has reason to fear for his/her personal safety, reporting these concerns to the supervisor, manager, Department Director, or the Human Resources Director is of great importance.

Health Insurance Portability and Accountability Act

The Health Insurance Portability and Accountability Act of 1996 (HIPAA). HIPAA offers protections for employees that improves portability and continuity of health insurance coverage. This legislation provides protections for the privacy of employees' protected health information. Protected health information does not pertain to all health information; it only includes information that the employer receives directly from a medical facility, doctor's office and/or the health insurance carrier.

We are committed to maintaining the highest level of confidentiality with all of the information we receive from our employees and subscribers to the various health benefit plans of the Village. The Village requires that contracted third- party administrators of the Village's health plans meet HIPAA security standards for all information, including that which is transmitted or maintained electronically.

The Village respects the privacy of personal information and understands the importance of keeping this information confidential and secure. The Village protects the confidentiality of the personal information we receive following Federal and State laws. Our practices apply to current and former employees and complies with the "Protected Health Information" (PHI) HIPAA disclosure requirements.

The Village is committed to maintaining compliance with HIPAA regulations and all related provisions of federal and state law, as it may be amended from time to time, shall apply.

Americans with Disabilities Act

The Village is committed to complying with all applicable provisions of the Americans with Disabilities Act (ADA). It is the Village's policy not to discriminate against any qualified employee or applicant because of the individual's disability and/or record of disability. All applicants will be considered for employment, and current employees considered for continued employment, if they can perform the essential functions of the job with or without reasonable accommodation. The Village will provide reasonable accommodation as defined by the ADA provided such accommodation does not constitute an undue hardship on the Village.

Employees who believe they need reasonable accommodation to perform the essential functions of their job must contact the Human Resources Director to submit a request. Any employee who feels that he/she has not been treated in accordance with this policy should contact the Department Director, Human Resources Director, Assistant Village Manager or Village Manager. The Village prohibits and will not tolerate retaliation against any employee who requests reasonable accommodation or makes a good faith complaint under this policy.

Title VII of the Civil Rights Act

Title VII of the Civil Rights Act of 1964, as amended, for all current and prospective employees without regard to race, color, religion, sex (including pregnancy), national origin, or any characteristic protected by law. Religious discrimination includes failing to reasonably accommodate an employee's religious practices

where the accommodation does not impose undue hardship to the Village. To provide equal employment and advancement opportunities to all individuals, employment decisions at the Village will be based on merit, qualifications, and abilities.

Religious Accommodation

The Village will take action to provide reasonable accommodations for religious observances, beliefs and practices, unless it creates an undue hardship. Reasonable accommodation may include, but not limited to, modification of schedules, relaxation of dress code policies or religious expression.

Where an employee or applicant has requested a religious accommodation consistent with this Policy or law and is denied, a complaint may be made whereupon the Village Manager (or the Village Manager's designee) shall meet with the employee or applicant and any pertinent employees to evaluate the eligibility or reasonableness of the request. A decision will be issued in writing within seven (7) business days, to an extent practical.

Pregnant Workers Fairness Act

The Village is committed to providing accommodation for qualified employees and job applicants with temporary physical or mental limitations due to pregnancy, childbirth or related conditions unless the accommodation will cause an undue hardship.

Employees and applicants are qualified if they, with or without reasonable accommodation, can perform the essential functions of the employment position. An individual is still qualified if the inability to perform an essential function is for a temporary period, the essential function could be performed in the near future, and the inability to perform the essential function can be reasonably accommodated.

Accommodations based on an employee's pregnancy, childbirth or related medical conditions may include light duty, a request for a temporary leave of absence, modified work schedule, special equipment or uniform modifications, etc.), which will be assessed pursuant to the Village's ADA procedures and/or any other applicable Village policies or local, state or federal laws.

Break Time for Nursing Mothers and PUMP for Nursing Mothers Act

The Village accommodates employees who wish to express breast milk during the workday by providing reasonable break times to do so. The Village will provide a designated room, other than a bathroom, which is shielded from view, free from intrusion from coworkers and the public and is in compliance with all other applicable laws for this purpose.

Employees who use regularly scheduled rest breaks to express breast milk will be paid for the break time. If the lactation break does not run concurrently with the employee's regularly scheduled compensated break, the lactation break time will be unpaid.

Immigration Law Compliance

The Village is committed to employing only United States Citizens and aliens who are authorized to work in the United States. The Village does not unlawfully discriminate based on citizenship or national origin. The Human Resources Director is responsible for verifying the eligibility status of every employee once hired. To that end, each new employee must provide documentation to verify both identity and authorization to work in the United States and to complete the I-9 form. If an employee cannot provide these required documents, they may be either dismissed or suspended until the required documents are produced.

The Village participates in the federal government's electronic employment verification system, known as "E-Verify." Pursuant to E-Verify, the Village provides the Social Security Administration, and if necessary, the Department of Homeland Security with information from each new employee's Form I-9 to confirm work authorization.

Safety in Private Spaces Act

Employees shall always comply with the provisions of Section 553.865, Florida Statutes, enacted by Chapter Law 2023-106, the Safety in Private Spaces Act. Any employee who willfully enters a restroom or changing facility designated for the opposite sex will be subject to discipline, except under one of the following conditions: (1) to accompany minor, elderly person, or person with disability; (2) for law enforcement or government regulatory purposes; (3) to render emergency medical assistance; (4) to clean or maintain, but only if the room is not in use; or (5) to use the room if the room designated for the opposite gender is out of service and the room is not in use.

Whistleblower Protection

Employees should report any violation, or suspected violation, of law committed by a Village employee, volunteer, official, or organization with which the Village is doing business if such violation creates a serious and specific danger to the public's health, safety, or welfare.

Employees should also report any improper use of public office, waste of funds, or any other abuse or neglect of duty on the part of the Village, any Village employee or official or board member. (e.g., employees soliciting bribes in order to resolve code violations; falsifying Village records to approve items in exchange for payment; continually failing to competitively procure a service, even though the service was available from multiple sources; spending Village funds to rent space even though sufficient space owned by the agency already exists; and failing to maintain adequate internal controls such that unauthorized and/or inappropriate financial transactions cannot be detected).

An employee with knowledge of such actions or activities must report such information to a supervisor, the Village Manager, or the Village Attorney. Any of the aforementioned employees receiving such information shall forward it to the Village Manager or any applicable authority within 24 hours. The Village will provide the appropriate mechanisms to permit employees to report such actions or activities confidentially and/or anonymously.

A confidential investigation will thereafter be initiated with the authority of the Village Manager. Retaliation against an employee who reports any violation, suspected violation, improper use of office, waste of funds or any abuse is prohibited. Nevertheless, disciplinary action may be taken against an employee who knowingly makes a false or malicious report.

The Village will maintain accurate records of reported or suspected fraud and report evidence obtained by an investigation to the appropriate authorities.

To the extent allowable by law, in its ongoing efforts to protect the reputation of persons suspected but not determined to have committed fraud, the Village's records shall conspicuously detail "unfounded" or "non-sustained" investigative findings and conclusions.

General Policies

Management Rights

The Village reserves all rights, powers and authority customarily exercised by management, except as otherwise specifically delegated or modified by express provisions of applicable laws, regulations, CBAs, and provisions of this Policy. The Village has the authority to determine and direct policies and methods of providing its services and unilaterally set the standards for same, without any interference in the management and conduct of the Village's business on the part of any employee or labor organization.

Fitness for Duty

All employees are required to report to work fit for duty and to be able to perform their job duties in a safe, appropriate, and effective manner.

The Village reserves the right to require proof of illness or disability and to have employees submit to physical or psychological examinations to ensure they are fit for duty.

Employees who cannot perform their job duties for physical or mental reasons shall have their job duties modified, be transferred to another position, be placed on a leave-of-absence, or separated from service, at the discretion of the Department Director.

Medical Examinations

During their period of employment, employees may be required to undergo periodic medical examinations to determine their physical and mental capacity to perform the work required of their position. Such exams shall be at the expense of the Village and performed by a doctor designated by the Village. Employees who fail to pass periodic physical examinations due to deficiencies which interfere with their ability to perform their assigned duties shall be subject to review by the Village. Refusal to be examined by a Village authorized physician when so directed by a Department Director or their designee shall be cause for disciplinary action up to and including termination.

Driver's License

Any employee who is required as a condition of employment to possess and maintain a valid Florida Driver's License must immediately notify their supervisor if the license is suspended, expires, becomes restricted or is revoked at any time during their employment. Failure to report the change in license status may result in disciplinary action up to and including termination.

If the Village requires an employee to obtain a Florida Commercial Driver's License (CDL), the Village will pay for the cost of training and any examinations required for the issuance of the license.

Personal Hygiene and Dress

As public employees and representatives of the Village, we have a responsibility to present ourselves in a professional manner during working hours. The personal appearance of Village employees is important for assuring good public relations, proper identification, and recognition. Employees are expected to exercise common sense and good judgment when choosing their work attire.

Dress and good personal grooming and hygiene standards are a key principle of the business image of the Village. Department Directors for employees requiring uniforms shall establish standards in accord with this principle. All others, primarily office employees, shall report to work well-groomed in clean and appropriate attire.

Any employee who does not meet the standards of this policy will be required to take corrective action, which may include leaving the premises and will not be compensated for any work time missed because of failure to comply with this policy. Any violations of this policy will result in appropriate disciplinary action.

Workplace Decorum

Employees' offices should be neat and clean with no objects situated in a manner that may obstruct or create a hazard on walkways and may cause injury. Open flames such as burning candles are prohibited in Village offices.

Displays showing sexually explicit images, gore, profanity, discrimination, and other displays that could reasonably be deemed to be offensive shall not be displayed.

The Village provides offices and other work space for business purposes only. Village work space is not private and may be inspected at any time. Management may at any time inspect or review any and all files (hard copy or computer), desks, drawers, filing cabinets, lockers, other storage areas, and/or all other work space and its contents, with or without your knowledge.

Social Media

This section applies to all communication on social networks including, but not limited to posts, pictures, video, audio, podcasts, blogs, nonnative applications on social networks, e-mail, files, RSS feeds, and personal websites that transact Village business, news services, chat rooms, etc.

The Village does not prohibit employees from creating, obtaining, or using personal social network accounts.

Employees are prohibited from doing the following using personal social network accounts:

- Posting discriminatory remarks, harassment, threats of violence, etc.
- Disparage fellow employees that might constitute harassment or bullying or are discriminatory in nature. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law
- Engaging in political activity or private business interests during working hours.
- Suggesting either directly or indirectly that the Village endorses a commercial product or service, unless approved by the Department Director.
- Posting, transmitting, discussing, or otherwise disseminating information to which they have unique access by virtue of their employment.
- Speaking on behalf of the Village unless they have prior written authorization from the Department Director.
- Posting, transmitting, discussing, or disseminating confidential or proprietary information.

Any employee who is aware of an online posting on a social media page by a Village employee that violates any provisions of this policy should notify their supervisor immediately.

Employees should not have a reasonable expectation of privacy when using social networks on Village devices because the information may not be secure and is viewed and shared by third parties.

Nevertheless, the Village will comply with all applicable State and Federal laws pertaining to electronic monitoring of employee communications.

Employees who identify themselves as Village employees or discuss matters related to the Village on a social media site while off-duty must include a disclaimer on the front page stating that it does not express the views of the Village and that the employees are expressing only personal views—for example: "The views expressed are mine alone and do not necessarily reflect the views of my employer." Place the disclaimer in a prominent position and repeat it for each post expressing an opinion related to the Village.

Smoking and Use of Tobacco

The Village is a smoke-free workplace in an effort to promote a healthful lifestyle and thus reduce the liability exposure and lost productivity time to the Village.

The objective of this rule is to reduce the liability exposure to the Village recognizing that: (1) The Surgeon General of the United States has declared that the use of tobacco or tobacco products is a hazard to an individual's health; and (2) an employee's poor health, due to the continued use of tobacco or tobacco products, increases the loss experience of the group health insurance plans and group life insurance plans' and (3) increases in loss experience result in increases in premium costs for insurance plans; and (4) increases in premium costs from employees are borne by the General Fund and subsequently, by the taxpayers of the Village .

Village owned, rented, or leased facilities, parks and beaches are smoke and tobacco free environments. Smoking is therefore prohibited. Smoking is also prohibited in Village owned, leased, or rented vehicles.

Smoking, as referenced herein, is defined as the act of inhaling, exhaling, burning, carrying, or possessing any lighted cigarette, electronic cigarette, cigar, pipe, smokeless pouch, any other form of loose-leaf smokeless tobacco, pipe tobacco, chewing tobacco, snuff or other smoke producing products or products intended to simulate smoking.

Employee Safety

The safety of every Village employee is a matter of prime importance and we constantly strive to keep the Village a safe place to work. It is the responsibility of the Village to promote and pursue a safe and healthy environment for all employees. The Village has a safety policy and program aimed at the prevention of accidental injury and damage to Village property.

Each department shall communicate that department's safety rules and procedures to each employee. Employees shall observe all safety rules and procedures established by the State of Florida and the Village. Department Directors and supervisors are responsible for the observance of those rules and procedures within their authority. Failure to comply with safety rules and procedures may result in disciplinary action up to and including termination.

Accident and Injury Prevention

Emphasis on safe working conditions, practices and habits is the objective of the Village's safety program. Minimizing the number of accidents and damage involving Village employees or Village equipment and property will result in benefits to employees and the organization alike. Every member of the Village staff must recognize and accept responsibility for successful safety initiatives and participate in the development and implementation of the Village's safety program. Employees are expected to work in a manner consistent with the safety program and to report all accidents and unsafe conditions to their immediate supervisor. Safety is the responsibility of every employee, and it requires constant vigilance.

Department Directors, Managers, and Supervisors are expected to provide continuing efforts to ensure adequate safety training and proper equipment handling, as well as to reduce carelessness and neglect in Village operations.

Safety Equipment and Devices

The Village will provide proper and necessary safety equipment and devices for employees engaged in work where they are required. Such equipment and devices must be used properly. Failure by an employee to use provided equipment or devices will be subject to disciplinary action.

Accident and Injury Reporting

All employees are responsible for immediately reporting all injuries or accidents that occur on the job to their immediate supervisor or Department Director. An accident report shall be completed by the immediate supervisor and submitted to the Human Resources Director within twenty-four (24) hours of the incident.

Any property or equipment involved in an accident must also be reported to the employee's immediate supervisor or Department Director. In addition, every accident involving a Village- owned vehicle must be immediately reported to the law enforcement agency having authority at the accident location. Failure to report any accident may result in discipline and up to and including termination.

Any accident that results in property damage or severe injury to the employee will require a post- accident drug screening.

Drug-Free Workplace

The Village is committed to providing a safe work environment for employees, guests, community and the public. The abuse of alcohol and drugs is a national problem, which impairs the safety and health of employees, promotes crime and harms our community. To maintain the highest standards of morale, productivity and safety in our operations, the Village instituting a drug and alcohol-free workplace policy. With the cooperation and assistance of employees, the Village will implement a program designed to provide a safe workplace environment free from drugs and alcohol use and/or abuse.

The Village recognizes that alcohol and drug dependency require medical supervision and treatment if there is to be successful rehabilitation. The Village's desire and intent are to encourage any employee with drug and alcohol or drug dependency to voluntarily enter a drug or alcohol rehabilitation program. It is the responsibility of each employee to initiate and obtain assistance before any difficulties with drug or alcohol affect his or her work.

Any violation of the Policy will result in discipline, up to and including termination of employment. The full policy is contained on the Human Resources webpage, Employee Resources - [Drug-Free Workplace Policy](#).

Use of Village Vehicles

Employees designated as the primary operator of a Village fleet vehicle are responsible for the appearance of the vehicle, keeping it clean, both inside and outside.

Employees who operate a Village vehicle must always have in their possession, a valid driver's license while operating the vehicle.

Village vehicles may not be used for personal purposes or to transport non-Village employees, unless a non-Village employee is accompanying a Village employee for a business purpose such as travel to a meeting or site visit.

Village vehicles may not be used for personal purposes to transport family members.

If an employee's job duties require operation of a Village vehicle, the employee is responsible for immediately notifying their supervisor of any circumstances that results in the suspension or loss of driver's license, or any special class of license required for the operation of the vehicle.

Unless the vehicle has been specifically designated as a "take-home" vehicle by the Village Manager, the vehicle may not be used for commuting to and from an employee's home. Instead, the vehicle must be parked at the appropriate Village facility each night and picked up each morning for use during the workday.

For those vehicles designated as "take-home" vehicles by the Village Manager, the following limitations apply:

- The use of clearly marked fire vehicles for commuting by Fire/EMS department personnel who, when not on a regular shift, are always on call, is not a taxable fringe benefit. However, outside the limit of the fire fighter's obligation to respond to an emergency, employees should not use these vehicles for personal purposes other than for commuting or de minimis personal use (such as a stop for a personal errand on the way between the workplace and the employee's home).
- Employees who are provided with take home vehicles other than marked fire vehicles may not use such take home vehicles for personal purposes other than for commuting or de minimis personal use (such as a stop for a personal errand on the way between the workplace and the employee's home).

Any Village employee operating any Village owned vehicle must immediately report all vehicle accidents regardless of the damage to the vehicle or others property following the [Accident & Injury Reporting Flowchart](#). Failure to report may result in disciplinary action up to and including termination.

Travel Authorization and Expense Reimbursement

The attendance of Islamorada employees and elected officials at professional meetings, conferences, training courses, or Village-sponsored events to conduct official Village business benefits employees and the Village through increased awareness of technical and administrative developments and through the exchange of ideas with peers. Additionally, travel may be part of an employee's official duties.

[Administrative Procedure #FIN001](#) provides for procedures for pre-approved travel authorization and reimbursement of costs after travel completion for Village employees, elected officials, and other authorized persons.

Employment Classifications and Position Control

Types of Employment

It is the policy of the Village to classify employees as regular or temporary, as full-time or part-time, and as exempt or non-exempt.

The Human Resources Director is responsible for classifying employees as follows:

- A regular employee is an individual that has been hired to a full-time, exempt or non- exempt position with the Village that is not temporary.
- A temporary employee is an individual hired to either a part-time or full-time position with a specified, limited duration. Temporary positions last less than six months. Temporary employees are not eligible for Village benefits.
- A full-time employee is an individual hired to a position that requires at least forty (40) hours per week. A full-time employee is either exempt or non-exempt and receives Village benefits, except for employees covered by a CBA.
- A part-time employee is an individual who works less than thirty (30) hours per week. Part-time employees may be seasonal and/or work fluctuating schedules. Part-time employees do not receive Village medical benefits.
- A non-exempt employee is subject to the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA) and is typically paid on an hourly basis.
- An exempt employee is exempt from the FLSA and is not entitled to overtime payments. Exempt employees are typically paid on a salary basis and include those in administrative, executive, and professional positions. The salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work the exempt employee performs.

Subject to exceptions listed below, an exempt employee must receive the full salary for any workweek in which the employee performs any work, regardless of the number of days or hours worked. Exempt employees do not need to be paid for any work week in which they perform no work.

Exceptions: unless state law requires otherwise, an exempt employee's salary can be reduced for the following reasons:

- Full-day absences for personal reasons.
- Full-day absences for sickness or disability.
- Full-day disciplinary suspension for infractions of the Policy.
- FMLA absences.
- To offset amounts received as payment for jury and witness fees or military pay.
- The first or last week of employment in the event the employee works less than a full week.
- Any full work week in which the employee does not perform any work.

However, an exempt employee's leave bank may be deducted when such employee is absent for reasons justifying the use of accrued vacation or sick leave in accordance with this Policy.

Position Control

All positions in the Village are established and maintained through a budget each fiscal year, approved by the Village Council. The Village Manager may add or delete positions provided that any additions shall not increase the Village's total budgeted funds.

Classification Plan

The Classification Plan provides for a systematic and equitable arrangement of job classes and provides for a complete inventory of all Village positions. The purpose of the plan is to group various positions into related classes based upon the range of duties, responsibilities and level of work performed. The Classification Plan comprises written job descriptions for each class of work included in the Village.

Job Classification and Descriptions

Every regular position will have a job description that includes job title, a description of the duties and responsibilities, and a statement of qualifications needed to fill the position. Each position will be assigned a grade on the classification plan by the Human Resources Director and Village Manager.

Job descriptions are intended to be a general outline of job duties performed by employees in a particular job. They are used as a guide in recruiting and examining candidates for employment, in determining the lines of promotion and developing training programs, as guidelines in determining salary relationships and in providing uniform job terminology to convey the same meaning to all concerned. Job descriptions may be changed from time to time by the Village. This change may expand or reduce the job duties of any job classification. Employees will be given as much advance notice of a change in their jobs as is practicable. The job descriptions are maintained by the Human Resources Director and should be reviewed and updated annually, or whenever a change occurs in the duties of any position. The Department Director and the Human Resources Director will approve each job description. Each employee will receive a copy of his or her respective job description at the time of his or her employment, and any time there is a change in his or her job description.

Change in Position

A change of position requires a Personnel Action Form (PAF) signed by the Department Director, the Human Resources Director and the Village Manager.

A full-time employee whose position becomes part-time or who transfers into a part-time position will be paid out any unused vacation hours accrued or may use the hours prior to beginning employment in the part-time position.

Reclassification

A reclassification occurs when it is determined that the duties of a position have significantly changed, or the prevailing wage needs adjustment. Reclassifications also may occur when the duties of a position have significantly increased or decreased.

An employee whose position is reclassified may receive a minimum of 3% over the salary received prior to the reclassification provided that such a salary increase is in the best interests of the Village as determined by the Village Manager. A reclassification upward does not change an employee's employment anniversary date.

Recruitment and Appointment

Advertising

Except when the Village Manager determines it is in the best interest for the Village to fill a position without being advertised, all vacant positions will be advertised internally for one week and then listed publicly in publications and online sites determined by the Human Resources Director to attract the best candidates. Position advertisements can be published simultaneously depending on position circumstances.

Applications

Applicants shall complete a standard Village employment application form. The completed application must be submitted to the Human Resources Director by the due date indicated in the employment ad or posting.

After a conditional offer is made and prior to the start of employment, the applicant will be required to be subject to a background check, driver license check and if the position is considered life safety (lifeguards, firefighters, etc.) then the candidate will be required to submit a sample for pre-employment drug screening. Certain positions may also require a post-offer physical. Applications for certain positions may require a resume and other documentation of professional and/or educational attainment. All employees shall subscribe to a public employee oath of office.

Offers

Offers are based on an analysis of the applicant's work experience, education, and training. Other candidate characteristics, such as work ethic, emotional intelligence and attitude may be considered as well. The Village Manager has final approval of offers of employment. Applicants that submit false information, or omit information on the Village application form, resume or any other statement of qualification for a position will not be considered for employment.

If false information is found after employment has begun, the Village Manager may terminate the employee.

Newly hired employees will be required to sign a wage withholding authorization form, which indicates that, in the event their employment is terminated, either voluntarily or involuntarily, prior to the full repayment of any outstanding monies owed (e.g., tuition fees, wage overpayment), the Village may withhold the remaining amount owed from the final pay, except to the extent prohibited by federal or state minimum wage law.

Employment of Relatives and Fraternization

For the purpose of this section, "relative" refers to father, mother, son, daughter, brother, sister, spouse, cousin, nephew, niece, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandmother, grandfather, grandson, granddaughter, stepmother, stepfather, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister.

No relative of the Village Manager or Village Council shall be selected to hold a position with the Village during the tenure of that manager or Councilperson. This section does not apply to appointed committees, volunteers, or temporary employees. No person may be appointed, employed, promoted, or advanced to a position in the Village over which a relative exercises direct supervision. Exceptions to this policy may be approved only by the express prior approval of the Village Manager. Such approval will be given only upon submission of a satisfactory analysis as to the unique qualifications of a relative for the position in question.

While the Village respects the rights of its employees to conduct their personal lives as they wish, workplace romantic relationships can create a conflict of interest (actual or perceived) or adversely affect work performance and employee morale, create concerns of favoritism, and potentially result in claims of harassment. The Village therefore prohibits employees who have a romantic relationship from supervising (directly or indirectly) the other or to work in a position that has an audit or investigation function over the

other. For purposes of this section, a “romantic relationship” includes dating, sexual relationships, domestic partnerships, and employees who share the same household as a couple.

If a prohibited relationship among relatives is established after employment (e.g., two employees marry), the Village may require one of the employees to resign. If neither employee resigns, the Village may terminate the employment of one of the relative employees. In that circumstance, it shall be within the sole discretion of the Village to determine which employee to terminate.

Veteran's Preference

Veteran's Preference in hiring, promotional opportunities and layoff retention will be granted in accordance with federal and state law. Job applicants who are claiming Veteran's Preference will be given job preference in the hiring process, but not to the preclusion of more qualified non-veterans. Individuals must submit current documentation substantiating Veteran's Preference status to receive a preference. A DD-214 or comparable document which serves as a certificate of release or discharge claim must be furnished.

If an employee wishes to appeal any decision, they may file a complaint with the Florida Department of Veterans' Affairs within 60 days after receiving notice of the decision. The latest contact information can be found by calling (727) 518-3202 or email at VeteransPreference@FDVA.FL.GOV.

Medical Examinations

Applicants for positions in the Village may be required to undergo a medical examination to determine mental and physical fitness to perform the duties of the classification for which appointment has been offered. All applicants who fail to pass their initial physical examination shall be declared ineligible for hire.

Probationary Periods

All new, regular employees must complete a six-month probationary period, during which they are evaluated by their supervisor. The Village Manager may approve an extension of the probationary period.

Employees completing probation will be evaluated by their supervisor and shall either enjoy continued at-will employment or be terminated. Those who continue employment may qualify for an increase based on performance.

During this period, employees shall be subject to demotion, dismissal or suspension, or other disciplinary action without prior notice or the filing of specific charges.

Work Hours and Pay

Attendance

Regular attendance and punctuality are particularly important responsibilities of Village employees. Except for scheduled and/or authorized time off or unavoidable absences, every employee is expected to be present and on time for work. Any employee who is going to be absent or more than 30 minutes late for work (other than unavoidable circumstances such as a family emergency) shall notify their immediate supervisor. An employee who is absent three (3) consecutive days without authorized leave is considered to resign.

The workweek for full-time employees is 40 hours. Department Directors are authorized to establish flexible work schedules that do not interfere with the efficient business operations of the Village and/or improve the efficient business operations of the Village. Alternate work schedules do not alter Village benefits (e.g., holiday or leave pay).

Non-Exempt - Hourly, non-exempt employees are not to work more than 40 hours per week except when directed by their Department Director or his/her designee. A minimum 30-minute unpaid meal break is recommended for all non-exempt employees **but not required**. Non-exempt employees that choose to work a full day without taking a meal break on a regular basis shall gain approval of their schedule from their Department Director.

Exempt – Exempt employees are expected to work Monday through Friday from 8 a.m. to 5 p.m. unless an alternative schedule is approved by their Department Director or the Village Manager. Exempt employees will have to work additional hours to meet the requirements of their position.

Employees who report for work without proper equipment or attire or who are otherwise unfit for duty as determined by their supervisor may not be permitted to work.

Brief rest periods are authorized for employees as needed. If an accommodation related to attendance is needed, it must be requested through the proper department

Working Remotely/Telecommuting

The Village understands the importance of employees being present in order to foster a conducive and productive working environment. Employees are not allowed to work from home without prior approval of the Village Manager. The granting of work from home will be limited and considered on a case-by-case basis. Not all positions are appropriate or feasible for remote work. Non-exempt employees are prohibited from working remotely off-the-clock (e.g., checking emails, responding to phone calls, etc.).

The ability to work remotely is not a formal, universal employee benefit. Remote work is not an entitlement, it is not a Village wide benefit and is not designed to replace appropriate childcare or to accommodate other personal needs. All remote relationships are at the discretion of the Village Manager, may be terminated by the Village Manager at any time for any or no reason, and in no way change the terms and conditions of employment with Village. The Village Manager has the right to refuse to make remote work status available to an employee and to terminate a remote work arrangement at any time.

Each position has different job-specific requirements, customer or stakeholder needs, collaboration and team-based activities. These differences are key considerations when making decisions about whether a given employee is eligible for remote work.

In evaluating whether a particular position is suitable for remote work, the Village Manager will consider many factors including, but not limited to:

- Whether the nature of the work to be performed remotely is operationally feasible

- Whether the position has tasks that are portable and can be performed from a remote location
- Whether the overall quantity and quality of work performed can be sustained at the remote location
- If the position is a managerial one, whether an employee in the position has the tools and resources to effectively manage direct reports remotely.
- Whether collaboration required by the position is easily accomplished through teleconference or other remote technologies

Remote work arrangements can be occasional, temporary, or regular. Whether the arrangement is for a short period of time, or long term, the following basic requirements must be met:

- Employees must be able to perform the same duties, assignments, and other work obligations at their home office as they do when working on Village's premises.
- Employees are expected to be available to their supervisors, managers, and co-workers during agreed-upon work hours and make their availability clear from their instant messaging work status. Employees will need to ensure that they can be reached through telephone (office, home, mobile), instant messaging (examples: Teams, Slack, Google), or other communication tools that are being used within the employee's department. The Village expects the same level of professionalism and responsiveness from its remote employees as it would from employees working at the office.
- Employees must be available to attend scheduled meetings and participate in other required office activities at the local office as needed. Except for extraordinary circumstances, the Village usually provides at least 24 hours' notice for such events.
- Employees must arrange for childcare or dependent care during their work hours except in cases of extraordinarily extenuating circumstances.
- The employee must be in good standing. The employee has received positive performance evaluations, and they have no documented performance issues on file, and no performance issues have been brought to Human Resource's attention.
- The employee possesses good time management and organizational skills and is self-motivated, self-reliant, and disciplined.

All approved remote/telecommuting arrangements must be documented and approved by Human Resources and the Village Manager.

Pay Periods

Village employees are paid bi-weekly. The work week begins on Sunday at 12:00 a.m. and ends Saturday at 11:59 p.m. All time worked by Village employees shall be recorded using approved time clocking processes. Recorded time must reflect hours worked and time off taken under any circumstances. Intentional falsification of time records will result in termination.

Starting Rates

The advertised hiring range for vacant positions will be the minimum and the midpoint of the position classification. Newly hired employees may earn a salary above the minimum in the position grade; however, they may not exceed the midpoint without approval of the Village Manager.

Overtime Pay

It shall be the policy of the Village to keep overtime work to a minimum. However, when employees are directed by their authorized supervisor to work extra hours in addition to the regular hours or normal work of

the department in which they are assigned, they shall be compensated in accordance with the provisions of the Fair Labor Standards Act. This means that employees who are not exempt from the overtime provision of the FLSA will be paid overtime at the rate of time and one- half for all hours actually worked in excess of forty (40) hours in the established typical work week.

Overtime hours worked by non-exempt employees are compensated for in compliance with the FLSA. For purposes of calculating overtime, time worked includes jury duty, call back hours, court time on behalf of the Village, mandatory training, meetings or education for which the Village requires attendance. All other hours are not considered time worked. No paid absences shall be counted in the computation of overtime. Overtime is based on "actual hours worked", therefore, vacation, sick, holiday, personal day, compensatory time and other such leaves will not be used in the computation of overtime worked.

Working overtime without the prior authorization of the Department Director, or his/her designee, is strictly prohibited. Directors or his/her designee must approve time for all employees within their department prior to payroll processing. Directors may temporarily assign the review of time to a designee when necessitated by leave. Overtime shall, whenever practicable, be distributed in a fair and equitable manner among all employees qualified to perform the work.

Emergency Pay

The Village understands that emergency situations may occur. In the event an emergency is declared by the Mayor, Village Manager, or his/her designee, within the Village, and Village Hall is closed, regular, non-emergency personnel may not be required to report to work until after the Village Manager, or his/her designee, has declared the emergency over. Village employees shall be paid during emergencies in accordance with Comprehensive Emergency Management Plans (as may be amended by resolution annually).

Special Pay

Part-time employees who are required to work on the specified days in accordance with Founders Park operations will be compensated at a Special Pay Rate. Hours worked on the specified days will be paid double the employee's regular rate. Special Pay will apply only to days when Village offices are closed.

Professional License and Certification Incentives

Full-time Administrative & Professional employees may be granted a Certification Achievement Incentive (CAI) to recognize the attainment of a professional license, designation or certification. These licenses/designations/certifications must be recognized as industry leading designations and relevant to the departmental needs as determined by the Department Director and in a discipline that is relevant and related to the employee's current position which would enhance the employee's ability to perform the duties of that position.

Eligible employees shall receive additional compensation, as specified herein, for maintaining a qualifying professional certification or license which has been reviewed and approved by the Department Director, Village Manager and Human Resources Director. The professional certification or license represents extraordinary and exceptional professional competency.

The intent of CAI does not include the completion of an academic degree. If the completion of certification, registration or licensure is a condition of employment, employees are ineligible for the professional development incentive.

Qualifying License/Certifications

The professional certificate or license must be of the highest measure and meet the following criteria:

- The professional license or certification must be issued by either the State of Florida or a nationally recognized professional organization that administers a nationwide competency examination

recognized by the Village as a standard of excellence and professional competency; and

- The license or professional certification shall be directly applicable to the employee's classification, and shall be over and above the basic job qualifications required for the position held; and
- The license or certification must be renewed through additional testing or some form of recertification, i.e., taking additional approved classes each year.
- The professional certificate or license has been pre-approved by the Department Director, Village Manager and Human Resources Director.

License/Certification Levels and Payment

Payment levels are established by the Village Manager and Human Resources Director using the following criteria:

Level 1: Certification achieved through online courses, conferences, classes requiring a skills and competency exam or test, resulting in professional certification recognition by the governing authority. Level 1 certifications are paid \$800 each annually.

Level 2: Licensing is achieved through a series of skills and competency examinations resulting in issuance of a professional license by the governing authority. Level 2 licenses are paid \$1500 each annually.

Payment of annual CAI is divided into twenty-six pay period payments commencing on the pay period immediately following approval.

Employees are limited to receiving a maximum of two (2) CAI's in either level or a combination of levels.

Renewals

Proof of license or certification must be submitted one month prior to the expiration of the license or certificate.

Temporary Higher Classification Pay

The Village Manager may authorize an employee to take on the additional duties of a position in a higher classification than the position currently held by the employee. In cases where the interim or temporary assignment lasts beyond 160 hours (one month) worked, the employee will be eligible for a temporary five (5%) increase in pay for the duration of the assignment.

Cost of Living Increases

The decision whether to or when to grant a cost-of-living increase, as well as the decision about the amount of such increase (if any) will be made in the sole and exclusive discretion of the Village Council during the annual budget process.

Merit Increases

A merit increase is a salary increase within the same job classification, awarded for performance. Merit increases are not automatic. The amount of the merit increases an employee is eligible to receive, if any, shall be determined by the availability of funds, and the system/procedures adopted by Village Council each fiscal year. The Village Manager must approve all salary adjustments.

Unless otherwise approved by the Village Council, merit increases will be processed at the start of the fiscal year.

Holidays

Full-time employees are compensated for twelve (12) holidays as indicated below. Some departments will be required to work on Holidays to keep services open. The employees that work on the actual Holiday and not the observed Holiday will qualify for Holiday pay. Holiday pay cannot be converted into compensatory time. Village employees covered by a CBA shall be paid in accordance with the CBA.

Village offices are closed on the following Holidays:

1. *New Year's Day – January 1
2. Martin Luther King's Birthday – Third Monday in January
3. President's Day – Third Monday in February
4. Memorial Day – Last Monday in May
5. Juneteenth – June 19th
6. Independence Day – July 4
7. Labor Day – First Monday in September
8. Veteran's Day – November 11
9. Thanksgiving – Fourth Thursday in November
10. Day after Thanksgiving
11. Christmas Eve – December 24
12. Christmas Day – December 25

Holidays occurring on a Saturday are observed on the preceding Friday. Holidays falling on a Sunday shall be observed on the following Monday.

Holiday pay is calculated as an eight (8) hour benefit. Those working alternate schedules (e.g., 4/10 work schedule) will revert to a five-eight work schedule or make up the two (2) hour difference in the work schedule by working an additional two (2) hours or using available vacation or personal leave time.

*In years when January 1st (New Year's Day holiday) falls on a Tuesday, Wednesday, Thursday, or Friday, the Village shall also observe ½ day (1:00 PM to 5:00 PM) on December 31st (New Year's Eve) as a holiday.

Paid and Unpaid Leaves

Vacation Leave

Full-time employees shall be entitled to earn and accrue annual vacation leave with pay. Under no circumstances shall temporary, seasonal, provisional or part-time employees be entitled to the provisions of this section. In the event that an employee's status changes from part time to full time, none of the time that an employee served in a part time status will count towards the employee's years of service, for the purpose of calculating the employee's rate of vacation accrual. Employees who separate from the Village and are later rehired will not be allowed to count their prior years of service for purposes of calculating their rate of vacation accrual and will commence employment with zero years of service for purposes of vacation accrual.

Each full-time regular employee will accrue vacation leave from the first day of employment at the following rate:

0 - 3 years – Twelve (12) days per year.

3 - 5 years – Thirteen (13) days per year.

5 - 10 years – Fourteen (14) days per year.

10 - 15 years – Fifteen (15) days per year.

Vacation leave time shall be scheduled and charged to the employee for the actual time away from work. When a Holiday falls on the day before, the day after or during an employee's requested annual leave, it will not be charged against the employee's annual leave balance.

Department Directors are required to discuss employee leave requests with their employees in advance to ensure that the efficient business operations of the Village are not disrupted. Leave may be taken following approval by the Department Director and may only be used as earned.

Annual leave may be accumulated up to a maximum of 192 hours. Any hours accumulated more than 192 hours must be used, rolled over, or cashed out (following the provisions below) by December 31st or the hours accumulated in excess of 192 hours will be forfeited.

Vacation Leave Rollover and Cashout

Employees may elect to request a rollover of up to forty (40) hours of accrued vacation (in excess of the 192-hour maximum) during the second pay period in the month of December each year. Employees electing to rollover accrued vacation time must do so in writing on a form provided by Human Resources.

Employees may elect to request a cashout of up to forty (40) hours of accrued vacation during the second pay period in the month of December each year. Employees electing to cash out accrued vacation time must do so in writing on a form provided by Human Resources.

Sick Leave

Sick leave is a privilege granted to full-time employees as a short-term income protection plan when employees meet the eligibility requirements. Full-time employees shall be entitled to earn and accrue annual sick leave with pay. Under no circumstances shall temporary, seasonal, provisional or part-time employees be entitled to the provisions of this section.

Each regular full-time employee shall accrue eight (8) hours of sick leave for each full month worked. Sick leave is accrued from the beginning of employment and shall not be used in advance of being earned unless the Village Manager has approved an exception.

Employees shall notify their supervisor of the need to take sick leave as far in advance of their appointed time to begin work as possible. Employees who are absent for three (3) consecutive workdays or one (1) tour of duty for Fire Department personnel may be required by their immediate supervisor and/or Department Director to produce a medical certificate signed by a physician indicating the reason the employee was unable to perform their duties. Evidence of abuse of sick leave constitutes grounds for disciplinary action up to and including dismissal.

Sick Leave Transfer Program

The Program enables eligible Village employees to voluntarily donate a portion of their earned sick leave time to other Village employees who have exhausted their own earned leave and who are suffering from a catastrophic health condition or injury that is expected to require a prolonged absence from work.

1. General Provisions:

- a. All full-time employees who are included in the Village's sick leave are eligible to participate as a recipient or donor in the Program, if the affected employee meets the eligibility conditions specified in Sections 2(e) and 3(e), respectively.
- b. The Program Administrator (the "Administrator") shall be the Human Resources Director or his/her designee.
- c. The donating employee and the receiving employee each shall file with the Administrator an application for donating and receiving sick leave.
- d. An employee may request to receive donated sick leave if the Administrator, in his/her sole discretion, finds that the requesting employee meets the qualifying conditions established in Section 2(e) below.
- e. An employee may volunteer to donate sick leave to an employee who has been authorized to receive sick leave donations if the donating employee meets the eligibility conditions established in Section 3(e) below.
- f. All sick leave donations transferred to the receiving employee shall be hour for hour. The receiving employee shall be paid at his/her regular straight-time rate of pay for all donated sick leave used.
- g. The receiving employee may use donated sick leave only for the condition that qualified him/her for such donations.
- h. The receiving employee cannot use donated sick leave for any purpose once the condition that qualified him/her for such donations ceases to meet the qualifying criteria described in Section 2(e) below. Donated sick leave may be used to cover all subsequent absence(s) attributable to the qualifying condition until the qualifying condition ceases to be a cause for further absence, even if the receiving employee returns to work in the interim.

2. Qualifying Conditions for The Receiving Employee:

- a. An employee may receive sick leave donated by another employee or other employees if he or she, at the sole discretion of the Administrator, meets all the following conditions:
 - i. The receiving employee has been employed full-time by the Village for at least one year and has exhausted or will exhaust, in the current pay period, his/her paid leave balances (both sick and vacation) due to his/her

personal illness, injury, impairment, or physical or mental condition which is likely to cause the employee to go on leave without pay; and

- ii. The receiving employee has filed with the Administrator an application for receiving sick leave donations and a medical certification from his/her health care provider verifying the nature and expected duration of his/her condition and the employee's need to be off work; and
- iii. The receiving employee has used his/her sick leave judiciously prior to the qualifying absence; and
- iv. The qualifying absence is not covered by Workers' Compensation, short-term disability and/or long-term disability.

- b. The receiving employee shall not receive more than four hundred eighty (480) hours of donated sick leave for any single qualifying incident.

3. Conditions for Donating Sick Leave to an Eligible Recipient:

- a. The donating employee has been employed full-time by the Village for at least one (1) year; and
- b. An employee requesting to donate sick leave hours must complete an application and submit it to the Administrator; and
- c. A donating employee shall donate no more than eight (8) hours and no less than four (4) hours of sick leave to an approved recipient employee per qualifying absence up to a maximum of twenty-four (24) hours of donated sick leave per year, so long as the donating employee's sick leave balance will not fall below ninety-six (96) hours.

4. Remaining Sick Leave:

- a. Any transferred sick leave remaining to the credit of the recipient employee when that employee's personal emergency terminates shall be forfeited by the recipient employee and will not be returned to any donating employee.

Personal Leave

All full-time employees are granted eight (8) hours of personal leave for the calendar year. New full-time employees with employment effective date after July 1st of any year receive fifty percent (50%) of the hours stated above. Personal leave must be used by December 31st, or it is forfeited.

Bereavement Leave

Employees wishing to take time off to attend a funeral or memorial service of an immediate family member shall notify his/her immediate supervisor at the earliest opportunity. The employee's immediate family shall be defined as the employee's spouse, father, mother, step-parents, natural, step and adopted children, brother, sister, father-in-law, mother-in-law, grandparents, brother-in-law, sister-in-law, nieces and nephews. The Village Manager may expand the definition of immediate family upon request of the employee. A maximum of three (3) workdays of paid bereavement leave will be provided to regular full-time employees per incident.

The Village reserves the right to request all pertinent information including deceased relative's name, employee's relationship to the deceased, the name and address of the funeral home, and the date of the funeral.

Military Leave

Any employee who presents official orders requiring attendance for a period of training as a member of the United States Armed Forces Reserve, the Florida National Guard or the State of Florida Reserve may be entitled to Military Leave with pay for a period not to exceed 240 working hours annually in accordance with Chapter 115, Florida Statutes. An employee called to military active duty other than for training will be granted a leave of absence and receive full pay for the first thirty (30) days of active military service.

An employee receiving 240 working hours training period pay or receiving thirty (30) days' pay for active duty shall receive their regular pay irrespective of the amount received from Federal or State Government. After 240 working hours of Military Leave have been used in a calendar year or thirty (30) days for active service, any additional Military Leave will be on a Leave without pay basis.

It is the responsibility of every employee that is a member of the United States Armed Forces Reserve or the Florida National Guard to discuss their Reserve or National Guard status and, to the best of their knowledge, scheduled training dates with their supervisor and/or Department Director.

If an employee is called to active duty, the employee is protected under the Uniformed Services Employment and Reemployment Rights Act (USERRA). The USERRA was enacted to ensure that members of the uniformed services are entitled to return to their civilian employment upon completion of their service. They should be reinstated with the seniority, status, and rate of pay they would have obtained had they remained continuously employed by their civilian employer. The law also protects individuals from discrimination in hiring, promotion, and retention based on present and future membership in the armed services.

A five (5)-year limit (with some exceptions) is imposed on the cumulative length of time a person may serve in the military and remain eligible for reemployment rights with the pre-service employer; this does not include scheduled drills and applies to per employer.

While the employee is on active duty and away from Village employment, there is potential for the employee to purchase service credit from the Florida Retirement System upon returning to active employment with the Village.

The employee is responsible for the employee portion of the medical insurance premium while deployed. If the employee opts out of coverage due to the life qualifying event, the employee will be able to opt back into medical benefits upon returning to active employment with the Village.

Jury Duty and Witness Duty

An employee who is legally summoned to serve on a jury shall be permitted absence with pay. If excused and/or released, the employee shall report to work. If selected to sit on a jury, the employee will be paid but shall remit any pay received for jury duty to the Village. Employees, while on jury duty, are only to be compensated for time in attendance which coincides with normal scheduled work periods(s). Employees working other than during normal business hours may have their schedule changed to coincide with the judicial proceedings' hours of attendance.

Employees may use their accrued leave, in accordance with Village policies, to function as a witness at trial or deposition or to attend proceedings in connection with a personal or non-Village related legal action. The employee must submit documentation of the proceedings, including any notice or subpoena compelling the employee's appearance at deposition, hearing or trial.

Domestic Violence Leave

The Village permits leave for victims of domestic violence, in compliance with Florida law, codified in Chapter 741, Florida Statutes. An employee who has worked for the Village for three (3) months or longer may take up to three (3) days of paid leave to seek an injunction for protection against domestic, dating or

sexual violence; obtain service from a victim services organization; make their home secure or find a new home; or to seek legal assistance related to domestic violence. The employee may use accrued leave in lieu of unpaid leave.

Compensatory Time

Non-Exempt employees may elect to receive compensatory time off in lieu of overtime pay. An employee who earns overtime and chooses to accrue compensatory time must indicate the amount of overtime they wish to convert to compensatory time in the Time and Labor system prior to payroll processing.

Overtime hours earned for working a Holiday may not be converted to compensatory time.

Once overtime hours are converted, compensatory time can only be used as time off and will not be paid out in lump sum unless the employee terminates employment with the Village.

The maximum annual accrual of compensatory time is eighty (80) hours in a calendar year.

Compensatory time off must be scheduled with supervisor's approval and at a time mutually convenient for the employee and the department.

If a non-exempt employee moves into an exempt position, any compensatory time earned as a non-exempt employee will be paid out prior to the employee moving into an exempt position.

If an employee terminates employment, the compensatory time balance will be paid at the time of separation at the final hourly rate.

Administrative Leave

Paid Administrative Leave will be used in the event of office closure; the time off from scheduled work will not require the use of accrued leave.

Any employee who cannot perform the essential functions of their position or charged with a crime may be placed on an unpaid administrative leave until they can demonstrate job fitness or until such charge is dismissed by the prosecuting authority or until a decision settling the case is rendered. Employees are required to inform the Department Director of a formal accusation, information or charge. An employee who is placed on unpaid administrative leave for a criminal issue pursuant to this section shall be afforded an opportunity to meet with the Village Manager to discuss the circumstances of the arrest, formal accusation or information. The meeting shall afford the employee the opportunity to explain the circumstances so that the Village Manager may, in their sole and exclusive discretion, determine the appropriate course of action, which may include, but is not limited to: continuing the leave without pay; converting the unpaid leave to one with pay pending further inquiry; reinstating the employee with back pay; and/or any other action.

Notwithstanding any limitations on the length of leave set forth elsewhere, unpaid leave under this Section may continue until the employee can demonstrate job fitness or through the resolution of the criminal proceedings related to the arrest, formal accusation or issuance of an information, or until such time as an administrative determination is rendered. Any extensions of time or continuances of any administrative proceedings (including the preliminary meeting with the Village Manager) related to unpaid leave that is attributable to, or caused by, the employee shall be deemed a waiver of any claim for back pay or other benefits lost as a result of that extension of time or continuance.

An acquittal or dismissal of the criminal charges related to the arrest, formal accusation or issuance of information (if any such action occurs prior to the conclusion of any administrative action or inquiry) shall not automatically entitle the employee to reinstatement or any other relief. Instead, upon the conclusion of the criminal proceedings, the Village may conduct (i.e., commence or continue as appropriate) an administrative investigation or inquiry and, if appropriate, impose disciplinary action up to and including termination. The resolution of the criminal charges may be used as a factor in any administrative

determination. For purposes of this rule, the fact that adjudication is withheld or any criminal proceeding which terminates upon the employee's plea of nolo contendre shall not prevent the Village from conducting its own administrative investigation and taking appropriate disciplinary action.

Leave Without Pay

A regular employee may be granted leave without pay for sickness, disability, or other sufficient reasons, which are considered in the best interests of the Village and employee. All leave without pay must be approved by the Village Manager.

Employees will be responsible for the full and total medical, dental, vision premium and supplemental insurance while on leave without pay status. If the employee is a member of the Florida Retirement System, the employee will not receive service credit or contributions for leave without pay. The employee is not covered by the Village's life insurance policy while on leave without pay.

Family and Medical Leave

Pursuant to the Family and Medical Leave Act of 1993 (FMLA), an employee must have a minimum of twelve (12) months service with the Village and at least 1,250 hours worked during the twelve (12) months preceding the date a request for FMLA leave is made to qualify for leave under the FMLA. Only hours worked are counted towards the 1,250-hour requirement. Paid leave of any kind does not constitute "hours worked".

An eligible employee is entitled to a maximum of twelve (12) weeks of unpaid leave in any 12- month period due to one or more of the following reasons:

- A. The birth of the employee's child or placement of a child with the employee for adoption or foster care.
- B. The medical need to care for an immediate family member (spouse, child, stepchild, parent, or grandparent) with a serious health condition (defined below).
- C. The inability of an employee to perform his/her job function because of a serious health condition.
- D. Because of any qualifying exigency arising out of the fact that the spouse, son, daughter, or parent of the employee is a service member on covered active duty (or has been notified of an impending call or order to covered active duty).

Spouses employed by the Village are jointly entitled to a combined total of twelve (12) weeks of FMLA leave for the following reasons:

- A. The birth of the employee's child or to care for the child after birth.
- B. The placement of a child with the employee for adoption or foster care, or to care for the child after placement.
- C. To care for the employee's parent with a serious health condition.

FMLA leave associated with the birth or placement of a child for adoption or foster care must be completed within twelve (12) months of the birth or placement.

However, a husband and wife may each take twelve (12) weeks of FMLA leave if they are needed to care for their newborn, adopted or foster child who has a serious health condition, provided that the husband and wife have not previously exhausted their FMLA entitlements during the applicable twelve (12)-month FMLA leave period. Spouses employed by the Village are jointly entitled to a combined total of twenty-six

(26) weeks of FMLA leave during any single twelve (12)-month period for leave taken to care of a covered servicemember with a serious illness or injury and any other FMLA qualifying reason.

The terms "child" or "stepchild" include a person eighteen (18) years of age or older who is incapable of self-care because of a mental or physical disability.

The full FMLA policy and procedure can be found on the Human Resources webpage [Employee Resources](#).

Workers' Compensation

As required by Florida statutes, all Village employees and volunteers are covered under Florida's workers' compensation laws. Employees sustaining work-related injuries shall notify their immediate supervisor and/or Department Director as soon as possible after the injury and not later than the end of the workday. The Department Director will notify the Human Resource Manager as soon as possible after the accident. Benefits are not paid until after the first seven (7) calendar days of a job-connected illness or injury. If the illness or injury prevents the employee from returning to work for the Village for more than seven (7) calendar days, then beginning the eighth (8th) calendar day, the employee receives an amount equivalent to 66-2/3% of the average gross weekly salary.

An employee who sustains an on-the-job injury or sickness related to employment shall be entitled to the currently applicable Workers' Compensation benefits under Florida Statute Chapter 440. This includes medical attention, time loss and wage loss as defined in Chapter 440. Any negligence on the part of an employee shall instead cause use of sick leave accumulations or use of other forms of compensation and time. Failure to use appropriate safety equipment or where there is drug involvement, either of which may have been the cause of an accident, results in at least a 25% reduction in occupational disability payments.

The rate of pay utilized in the computation for benefits is the amount per hour paid to the employee at the time of the accident.

When an employee is injured, the following shall apply:

- The employee shall immediately notify their supervisor of any injury and in all cases at least within twenty-four (24) hours of their occurrence. An executed copy of the DWC-1 must be completed.
- The employee must completely cooperate with medical direction, advice and any physical therapy recommended, which is made available from the medical panel of providers. All authorized physical and occupational therapy sessions will be scheduled during the employee's non-duty time, if the employee is otherwise able to work, to the extent possible.
- The employee shall apply for any pension benefits (local, state, or federal) to which he is entitled to, which may result in a substitution of payments normally made by the Village.
- If the workers' compensation physician clears an employee for "light duty," placement in such status shall be at the sole discretion of the Department Director based on operational needs.

Benefits

Health, Dental and Vision

All full-time employees are eligible for group medical, dental, and vision insurance coverage. Employees that begin employment prior to the 1st of the month will be eligible for benefits on the 1st of the following month. For example, if you start employment July 28th, you are eligible for benefits on August 1st.

The Village shall seek to provide health coverage at minimal cost to employees, but the cost born by the Village and cost shared by the employee will fluctuate annually based on available funding as determined by the Village Council during the budget approval process.

Health Insurance Opt-Out

Village employees have the option to opt-out of the offered group medical insurance. If an eligible employee elects to decline the Village offered group medical insurance, the employee must submit an executed Health Insurance Opt-Out form and provide proof of insurance to Human Resources within the first thirty (30) days of employment or during the open enrollment period. The Village may elect to provide a Health Insurance Opt-Out stipend depending on available funding as determined by the Village Council during the annual budget approval process.

Voluntary Supplemental Insurance Plans

Full-time employees are eligible to participate in voluntary supplemental insurance plans at 100% of the premiums paid by the employee through after-tax payroll deductions. Supplemental insurance plans are offered at time of hire and during open enrollment periods.

Basic Life and Accidental Death and Dismemberment Insurance

The Village provides Basic Term Life insurance for all eligible employees at no cost. The benefit amount for active employees is one (1) time the employee annual salary, rounded to the next higher multiple of \$1,000, (if not already a multiple of \$1,000) to a maximum of \$100,000. The Basic Term Life insurance benefit will be paid in the event of the insured's death.

The Village provides Accidental Death & Dismemberment (AD&D) insurance, which pays a benefit in addition to the Basic Term Life benefit when death occurs because of an accident. The AD&D benefit amount equals the Basic Term Life benefit amount.

Retirement

The Village is a member of the Florida Retirement System and will make employer-based contributions for all regular employees hired after January 1, 2016. All participating employees are required to make contributions. Contribution rates are set by state legislature and adjusted on the first day of July every year.

Employees hired for six (6) months or less, temporary or seasonal employees, do not qualify for the Florida Retirement System.

Full-time employees will also be eligible to make voluntary contributions to a deferred compensation plan at time of hire or during open enrollment periods.

Training Opportunities

Village employees are encouraged to participate in training opportunities that enhance job skills and knowledge. Based on funding availability, training opportunities may include courses, seminars, and conferences.

Authorization for training is recommended by the Department Director and approved by the Village Manager. Directors are encouraged to plan and budget for staff training accordingly.

If a non-exempt employee is required to attend training sessions, that results in more than forty (40) hours worked in the workweek, including the training and travel, the employee shall be paid overtime or compensatory time at 1.5 hours for each hour over forty.

Staff's time to attend the conference will be treated as hours worked unless all of the following conditions apply: the attendance is outside the employees' shift; the attendance is voluntary; the training is not directly related to the employee's job; and the employee does not perform productive work while attending the conference.

In any workweek in which an employee attends an approved conference, their schedule will follow the conventional 5-day/8-hours per day schedule.

Education Reimbursement

The Village is committed to the continued success of its employees and encourage advanced education. To assist employees with pursuing higher education, the Village offers tuition reimbursement for approved degree programs or courses of study at accredited education programs in accordance with [Administrative Procedure #HR002](#).

Consolidated Omnibus Budget Reconciliation Act (COBRA)

The Village provides continuation coverage in accordance with federal law [Public Law 99-272, Title X, as amended, commonly known as COBRA]. COBRA requires that most employers sponsoring group health plans offer employees and their families the opportunity for a temporary extension of health coverage (called "continuation coverage") at group rates in certain instances where coverage under the plan would otherwise end ("Qualifying Events"). Notice of the rights and obligations under COBRA is provided to all employees and their families upon commencement of coverage under the Village's group health plan.

Village of Islamorada's employees have the option to continue their medical, dental, and vision insurance plans when a qualifying event would normally result in the loss of eligibility. Some common qualifying events are resignation, termination, divorce, legal separation, and dependent children no longer meet eligibility requirements. COBRA allows the employee to continue coverage on the Village medical, dental, and vision plans at their own expense for a limited time. Additional program requirements are available from the Human Resources Director.

Performance Management, Disciplinary Action and Appeals

It is the duty of every employee to make conscientious efforts to work and behave in accordance with the values, service standards, rules and regulations of the Village and the Department where they work. Each employee is expected to be self-disciplined and to work hard to be the best at what they do.

Performance Management

Performance management is an ongoing cycle of creating a performance plan, observing, and documenting performance and behavior, providing feedback, coaching, and mentoring, and finally, evaluating performance to assess trends and plan for the future. The goal of the performance management process is to help employees and leaders achieve the organization's overall vision.

Evaluating and managing employee performance is a continuous and, sometimes, complex process that is the primary responsibility of those holding positions that supervise others.

Managing employee performance has many components, such as:

- Setting goals and objectives to achieve successful performance.
- Evaluating the performance against goals and objectives of the position.
- Monitoring performance and coaching for improvement.
- Implementing corrective action or discipline.

Performance Evaluation

The evaluation process will allow for employee feedback and must be signed by the employee, the supervisor conducting the evaluation (where applicable), the Department Director, Human Resources Director and the Village Manager.

Employee evaluations will be conducted as follows:

Probationary – Shortly following the completion of an employee's probationary period. The evaluation will recommend continuation of employment, continuation of employment on a probationary status, or release from employment.

Mid-Year – Every employee will be evaluated in March at the midpoint of the Village fiscal year. Mid-year evaluations are to be completed by the last business day of March unless the Village Manager grants an extension.

End of Year - End of year evaluations will be conducted in September and are due by the last business day of the month unless the Village Manager grants an extension. End-of-year evaluations will be used to determine merit-based bonus or increase if funding for such is included in the approved budget. Any increase shall become effective on the first day of the first full pay period in the fiscal year. Probationary employees will not receive any evaluation other than probationary, and those elevated to continued employment following the Mid-Year evaluation will not be eligible for a merit-based bonus following their first End of Year evaluation.

Disciplinary Action

Corrective action is typically warranted when an employee is not meeting standards of attendance, performance, or conduct. To implement corrective action, the Village endorses a policy of progressive discipline in which it attempts to provide notice of deficient performance and an opportunity to improve. The Village does, however, retain the right to administer discipline in any manner it sees fit. The Human Resources Director shall be consulted before any formal disciplinary action is taken.

Progressive discipline is a process that is used to address employee performance issues, behavior, and violations of policy and/or procedures. It is called "progressive" because the consequences increase in severity if the employee does not improve. The goal is to help employees understand the problem and give them a chance to improve before moving to more serious consequences.

When an employee is not successful at meeting the requirements of the job, it is the responsibility of the immediate leader and/or the Department Director to mentor, counsel, and discipline employees to correct performance problems.

Forms of Discipline

The Village recognizes the forms of discipline (in order of severity):

Coaching for improvement (verbal warning) - The point of administering any type of coaching in a workplace setting is to change negative behaviors into positive ones. Coaching for performance sets the tone to influence and empower the employee to make the performance or behavioral changes willingly.

Written warnings - A written warning is formal documentation of an incident or violation of policy/expectations. The written warning shall be signed by the immediate supervisor or Department Director and a copy provided to the employee. A copy must also be kept in the employee's personnel file maintained by the Human Resources Director.

Performance Improvement Plans (PIPs) – A PIP is a detailed description of all areas that an employee is expected to improve with specific actions the employee is to take and/or complete by dates certain and defined measurable outcomes. A PIP must be written and delivered to the employee by the Department Director or Village Manager. PIPs must be signed by the Department Director, Human Resources Director and the employee and a copy given to the employee as well as kept in the employee's personnel file maintained by Human Resources.

Suspension – Employee's may be suspended with or without pay by the Village Manager.

Demotion – Reassignment of an employee to a position in a lower grade or at a lower pay rate/salary based upon their inability to perform their current position. Demotion is an option only for employees who have demonstrated satisfactory attendance and conduct.

Termination – Termination should be reserved for the most serious offenses and where employees show an inability to improve their attendance, conduct or performance. The Village Manager has ultimate responsibility for all terminations.

Types of Offenses

The list includes, but is not limited to, reasons which may require disciplinary action, up to discharge. A violation of any reasonable standard of employment, whether or not specifically listed herein, will result in appropriate disciplinary action, which may include discharge for the first offense, depending upon the seriousness of the offense.

- Willful or repeated violations of State or Federal law or of these policies and procedures.
- Insubordination - Refusal to respond to authority's reasonable request(s) or instruction.
- Misconduct - Behavior not conforming to prevailing standards. Misconduct may include but is not limited to the following: Fighting or inflicting bodily harm on another person, gambling, dangerous horseplay, being under the influence or possession of illegal drugs or alcoholic beverages, immoral behavior, smoking in restricted areas, any violent act or language which adversely affects morale, production, or maintenance of discipline. Rudeness or acts of disrespect to members of the public, supervisors, or other employees; on duty or off duty. Employees shall not consume or be under the influence of alcoholic beverages while on duty nor shall they use or be under the influence of,

consume or possess illegal substances while on duty, or on Village property at any time.

- Theft or pilfering – Possessing, unauthorized use of, taking, removing, destroying, or tampering with Village property without proper authorization.
- Fraud or Dishonesty – Falsification of Village documents, records, or failure to give complete information for personnel records. Intentionally making false statements either oral or written about the Village, other employees, supervisors, oneself, or work situations.
- Absenteeism or abuse of sick leave – Habitual or excessive absence from work, or failure to return to work promptly upon expiration of leave or vacation.
- Tardiness - Failure to report to assigned workstation on or before the scheduled starting time.
- Leaving assigned work area – Except for emergency reasons or with the supervisor's approval, employees are not to leave their assigned work area.
- Misuse of time – Sleeping or other acts of inattention or neglect of duty. Unauthorized sale of articles or services, distribution or posting of literature, canvassing, polling, or petitioning.
- Abuse of Village policies and procedures – Misuse or abuse of established Village policies such as vacation, sick leave, leave of absence, excused absence, or any rule, regulation, policy, or procedure.
- Safety violations – Unauthorized possession and/or use of weapons, ammunition, or explosives. Failure to observe Village and general safety practices and regulations. Neglect in the safety of others or the committing of unsafe acts in the use and care of Village property or equipment.
- Illegal driving – Driving private or Village vehicle while on Village business when not possessing a valid Florida driver's permit or liability insurance, in accordance with the Village safety policies.
- Malicious or negligent destruction of property – Willful or malicious destruction of Village property. Damage of property by failing to use proper equipment, care, and good judgment.
- Incompetence or inefficiency – Inability or failure to perform work of an acceptable standard after a reasonable trial and training period.
- Discrimination in employment – Discrimination against an employee or an applicant for employment because of race, color, national origin, sex, religion, creed, sexual orientation, handicap, or age as defined in State and Federal laws.
- Acceptance of unauthorized compensation.
- Misfeasance – The doing of a lawful act in an unlawful or improper manner so that there is an infringement on the rights of others.
- Possession, use, sale, attempt to sell or procure any illegal substances on or off Village property whether on or off duty.
- Use or procurement of alcoholic beverages while on duty. Use of alcoholic beverages while operating or riding in a Village vehicle.
- Discourteous, insulting, abusive or inflammatory language or conduct toward co-workers or the public.
- Sleeping or hiding during duty hours.

Indictments, Prosecutions, Arrests

It is the responsibility of the Village to maintain a proper workforce. Employees who are arrested, indicted by a Grand Jury, or on whom information has been filed by a prosecuting official, shall be given a pre-determined hearing to determine the effect of said action and/or circumstances surrounding said actions

have on his or her employment with the Village, which may result in disciplinary action. If the employee is tried and found guilty and the conviction is not reversed or pleads to the offense, he or she may be terminated from his or her position in the Village.

Failure to Cooperate in a Job-Related Investigation

As a condition of employment, any Village employee may be required, upon due notice, to cooperate with respect to any job-related hearing or investigation scheduled by the Village, or any person, or body authorized to act on its behalf. This duty of cooperation also extends to any "outside" agency, body or court of law with respect to any job-related matters.

Any employee who refuses to appear at any such hearing or inquiry, or who having appeared fails to answer questions related to the performance of their official job duties will be considered to have resigned from their employment with the Village.

Appeals

An employee may appeal any of the disciplinary actions listed above to the Village Manager within seven (7) calendar days after notice of the disciplinary action. All appeals must be in writing and set forth the reasons why the employee feels the action was not warranted.

Upon receipt of a timely appeal, the Village Manager shall schedule a meeting with the employee and the employee's supervisor and/or Department Director. The Village Manager will hear the appeal and may make further inquiries into the matter. The Village Manager shall make a final decision within three (3) business days and transmit a written copy to the employee via first-class mail to the employee's address on file within three (3) business days.

Employees that are members of the union and covered by the CBA shall follow the appeals procedures identified in the CBA and are not permitted to use the appeals procedure described herein.

Employee Complaint Procedure

Purpose

The purpose of this policy is to assure employees that file claims pertaining to a violation of these policies as well as Departmental rules and regulations that those claims will be considered fairly, rapidly and without reprisal. Disciplinary action is not subject to this section but may be appealed as described in the Disciplinary Action section of the Policy.

Procedure

Step One:

An employee shall present his/her complaint in writing to their Department Director within five (5) business days of the incident. Department Directors shall submit complaints in writing to the Village Manager.

Step Two:

The Director shall provide a written response to the complainant within three (3) business days of receiving the complaint.

Step Three:

If the complainant is not satisfied with the response from the Director, he/she may ask the Village Manager to review the complaint within seven (7) business days of the response.

Step Four:

The Village Manager shall provide a written response to the complainant within seven (7) business days of receiving the complaint. The matter will be considered closed, and the associated correspondence will be maintained in the employee's personnel file.

Exception:

If the complaint is about the Village Manager or any other person whose official or political position leads an employee to believe that the complaint may be ignored or handled improperly, the individual who experiences or sees any prohibited form of harassment which he/she is required to report may report the conduct to the Village Attorney, who shall see that it is properly processed in accordance with Administrative Procedure #HR001 and kept confidential to the extent possible. Individuals who make complaints have an obligation to assist and cooperate with the Village's investigation.

Separation from Employment

Resignation

An employee who terminates voluntarily may resign in good standing, provided the employee gives a minimum of two (2) weeks' notice to the Department Director. Department Directors are expected to give minimum resignation notification of at least thirty (30) days. Under appropriate circumstances the Director or the Village Manager may approve a shorter notice period.

Resignations shall be submitted in writing, signed by the employee, and provide an effective date. However, an oral resignation may be accepted under certain circumstances. The Department Director or the Village Manager will forward the resignation to the Human Resources Director to be placed in the employee personnel file.

Termination - Fully Vested in Florida Retirement System (FRS)

If an employee resigns and is fully vested in the Florida Retirement System (FRS) Pension Plan and has met the vesting requirements based on hire date (six-year vesting period for employees hired prior to July 1, 2011, or eight-year vesting period for employees hired July 1, 2011, or later) you may be eligible to retire immediately.

If you are in the FRS Investment Plan and have one or more years of creditable service, you are eligible to retire.

Termination - Not Fully Vested in Florida Retirement System (FRS)

Employees participating in the Florida Retirement System (FRS) Pension plan that are approaching retirement should contact an FRS representative to determine their retirement eligibility. Normal retirement eligibility is determined by your age and years of creditable service.

If you are in the FRS Pension Plan, there is a six-year vesting period for employees hired prior to July 1, 2011, and an eight-year vesting period for employees hired July 1, 2011, or later. If you are not vested in the plan, you retain ownership of that service credit, but do not qualify for a future benefit until such time that you accrue a total of six years of creditable service for employees hired prior to July 1, 2011, and an eight-year vesting period for employees hired July 1, 2011, or later (which do not have to be consecutive or with the same employer).

If you are in the FRS Investment Plan, there is a one-year vesting period. If you have less than one year in the plan, you must be re-employed with an FRS participating agency (in a benefits-earning position) within five years to retain ownership of the employer's contributions in your account. If you are not employed with a participating agency within five years, you will forfeit your unvested account balance.

If you are in the FRS Pension or Investment Plan, please contact the MyFRS Financial Guidance line at (866) 446-9377 for distribution/retirement options.

Retirement

Retirement is voluntary separation from the employment of the Village upon completion of a specified term of service with entitlement to benefits, then in effect from, a plan administered by the Village. An employee planning to retire shall advise the Human Resources Director no less than six (6) weeks in advance of the retirement date.

Medical

If disability of any kind is discovered and it impairs the employee's ability to perform the essential functions of the job or makes continuance of the job a direct threat to the safety or welfare of the employee or others, the Village may request that the employee be examined by a Village-selected physician. The following action shall be taken:

- A. An employee may be separated for disability because of a physical or mental impairment when he/she cannot perform the essential functions of the job with reasonable accommodation as determined by the Village. In all cases, the decision to separate must be supported by medical evidence acceptable to the Village Manager. The Village may require an examination at its expense and performed by a physician of its choice.
- B. If the employee cannot be accommodated to perform the essential functions of his/her job, the Village may attempt to place the employee in another vacant position that the employee can perform with or without reasonable accommodation.
- C. In accordance with the ADA, employees will be provided reasonable accommodation for qualified disabilities provided the accommodation does not cause undue hardship on the Village as determined by the Village Manager.
- D. The Village reserves the right to at any time to require an evaluation of an employee to verify their fitness for duty whenever a reasonable belief based on objective evidence exists to question fitness for duty. The failure to cooperate is considered insubordination.

Reduction in Force

The Village may reduce the number of employees because of lack of funds, shortage of work, the completion of a project, or any other causes not reflective of poor performance by the employee. The duties of any employee separated by a reduction in force may be reassigned to other employees.

Involuntary Separation

Involuntary separation is termination of employment initiated by the Village. Involuntarily separated employees are not eligible for rehire and will not receive payout of any leave balances.

Death

For record keeping purposes, separation shall be effective on the date of death. All benefits due to the employee, as of the effective date of separation will be paid to the beneficiary as designated by the employee on their benefit enrollment forms. Any final wage payments will be made to the beneficiaries listed on the employees' Village-provided life insurance.

Exit Interviews

Separated employees will be given the opportunity to participate in an exit interview electronically during the offboarding process.

Village Property

At the time of separation and prior to receiving final monies due, all records, equipment, uniforms, keys, tools, and other items belonging to the Village in the employee's custody must be turned in to the Department Director. The Director shall acknowledge receipt of such items in writing and submit the certification to the Human Resources Director for the former employee's personnel file. Any monies owed to the Village due to an employee's failure to return Village property may be offset against the employee's final paycheck or may be collected through civil action or criminal charges.

Pay on Separation

Employees who are involuntarily separated from employment with the Village, including probationary employees, are not eligible to receive payment of any accrued benefits including vacation and sick leave unless otherwise determined by the Village Manager. Any monies due to the Village may be withheld from final pay at separation. Final payments will be paid in accordance with Florida State Statutes.

Sick Leave Pay Upon Termination

Employees hired prior to September 30, 2018, who are resigning, retiring, or being laid off in good standing from the Village shall be paid for half of their sick leave balance. Employees with an effective date of hire as a full-time employee on October 1, 2018, or after will not receive payout of accrued sick leave balance.

Sick leave balance payout will be paid in full and made to an employee's beneficiary as indicated on the Village life insurance policy in the event of their death.

Vacation Leave Pay Upon Termination

Accumulated vacation leave will be paid to employees who are resigning, retiring, or being laid off in good standing with the Village. Leave will be paid out at the employee's current rate of pay. Terminated employees may be denied vacation balance payout as determined by the Village Manager.

Vacation leave balance payout will be made to an employee's beneficiary as indicated on the Village life insurance policy in the event of their death.

Acknowledgment of Receipt and Review

By signing below, I acknowledge that I have received a copy of the Islamorada, Village of Islands Employee Policies and that I have read it, understand it, and agree to comply with it. I understand that the Village has the maximum discretion permitted by law to interpret, administer, change, modify, or delete the rules, regulations, procedures, and benefits contained in the policies at any time with or without notice. No statement or representation by a supervisor, manager, or any other employee, whether oral or written, can supplement or modify these policies. Changes can only be made if approved in writing by Village Council. I also understand that any delay or failure by the Village to enforce any rule, regulation, or procedure contained in the policies does not constitute a waiver on behalf of the Village or affect the right of the Village to enforce such rule, regulation, or procedure in the future.

I understand that neither these policies nor any other communication by a management representative or other, whether oral or written, is intended in any way to create a contract of employment. I further understand that, unless I have a written employment agreement signed by an authorized Village representative, I am employed "at-will" (to the extent permitted by law) and these policies do not modify my "at-will" employment status.

If I am covered by a written employment agreement (signed by an authorized Village representative) or a collective bargaining agreement that conflicts with the terms of these policies, I understand that the terms of the employment agreement or collective bargaining agreement will control.

These policies are not intended to preclude or dissuade employees from engaging in legally protected activities under the National Labor Relations Act (NLRA). These policies are not intended to violate any local, state, or federal law. No provision or policy applies or will be enforced if it conflicts with or is superseded by any requirement or prohibition contained in federal, state, or local law, or regulation. Furthermore, nothing in these policies prohibit an employee from reporting concerns to, filing a charge or complaint with, making lawful disclosures to, providing documents or other information to, or participating in an investigation or hearing conducted by the Equal Employment Opportunity Commission (EEOC), National Labor Relations Board (NLRB), Securities and Exchange Commission (SEC), or any other federal, state, or local agency charged with the enforcement of any laws.

These policies supersede any previous policy statements, whether written or oral, issued by Islamorada, Village of Islands.

If I have any questions about the content or interpretation of these policies, I will contact Human Resources.

Signature

Date

Print Name

APPENDIX

Personnel Policies Updates

Related Section	Revision/Addition	Comments
Preamble	Addition	Administration Code of Ethics added (page 5-6)
Introduction	Addition	Under "Administration" added: "The Human Resources Director shall be responsible for the administration of this Policy under the direction of the Village Manager." (page 8)
Reporting Discrimination and/or Harassment	Addition	Added language: "If the complaint is about the Village Manager or any other person whose official or political position leads an employee to believe that the complaint may be ignored or handled improperly, the individual who experiences or sees any prohibited form of harassment which he/she is required to report may report the conduct to the Village Attorney, who shall see that it is properly processed in accordance with Administrative Procedure ##### (page 13)"
Safety In Private Spaces Act	Addition	Added language: "Employees shall at all times comply with the provisions of Section 553.865, Florida Statutes, enacted by Chapter Law 2023-106, the Safety in Private Spaces Act. Any employee who willfully enters a restroom or changing facility designated for the opposite sex will be subject to discipline, except under one of the following conditions: (1) to accompany minor, elderly person, or person with disability; (2) for law enforcement or government regulatory purposes; (3) to render emergency medical assistance; (4) to clean or maintain, but only if the room is not in use; or (5) to use the room if the room designated for the opposite gender is out of service and the room is not in use. (page 16)"
Smoking and Use of Tobacco	Revision & Addition	Smoking prohibited – Village owned, rented, or leased

		properties, beaches, parks and vehicles.
Use of Village Vehicles	Addition	See complete section page 20.
Working Remotely/Telecommuting	Addition	See complete section on page 25.
Special Pay	Addition	Added language: "Part-time employees who are required to work on the specified days in accordance with Founders Park operations, will be compensated at a Special Pay Rate. Hours worked on the specified days will be paid double the employee's regular rate. Special Pay will apply only to days when Village offices are closed. " (page 27)
Professional License and Certification Incentives	Addition	See complete section page 27.
Holidays	Revision	Added alternate schedules reverting back to 5/8's. Added language for New Years Eve. Page 29
Vacation Leave Rollover and Cashout	Addition	Added language for both rollover in excess of 192 hours and a "cashout" option. Page 30
Sick Leave Transfer (Opt 1) and Sick Leave Pool (Opt 2)	Revision	Revises Sick Leave Transfer Program pages 31-34
Health Insurance Opt-Out	Addition	Page 39
Employee Complaint Procedure	Addition	"Exception" section page 45