



*City of Margate*

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# **EMPLOYMENT GUIDE**

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**Employee Acknowledgement Form**

## City of Margate Employment Guide

I acknowledge I have electronic access to the City of Margate Employment Guide, and I agree to read and abide by the applicable civil service rules and policies within. I understand that the policies in the Employment Guide shall apply to all employees of the City of Margate. I further understand that the City's Code of Ordinances, as well as applicable collective bargaining agreements (CBAs), also provide a majority of the policy and rule guidance for employees. If I am covered by a CBA I should first check my CBA, and if a policy therein conflicts with a rule or policy in this Guide, the CBA shall prevail.

I understand that State of Florida and federal laws shall also override any conflicting City policy.

If I should have any question about the contents of the Employment Guide, I shall consult with a supervisor or a member of the Human Resources Team.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

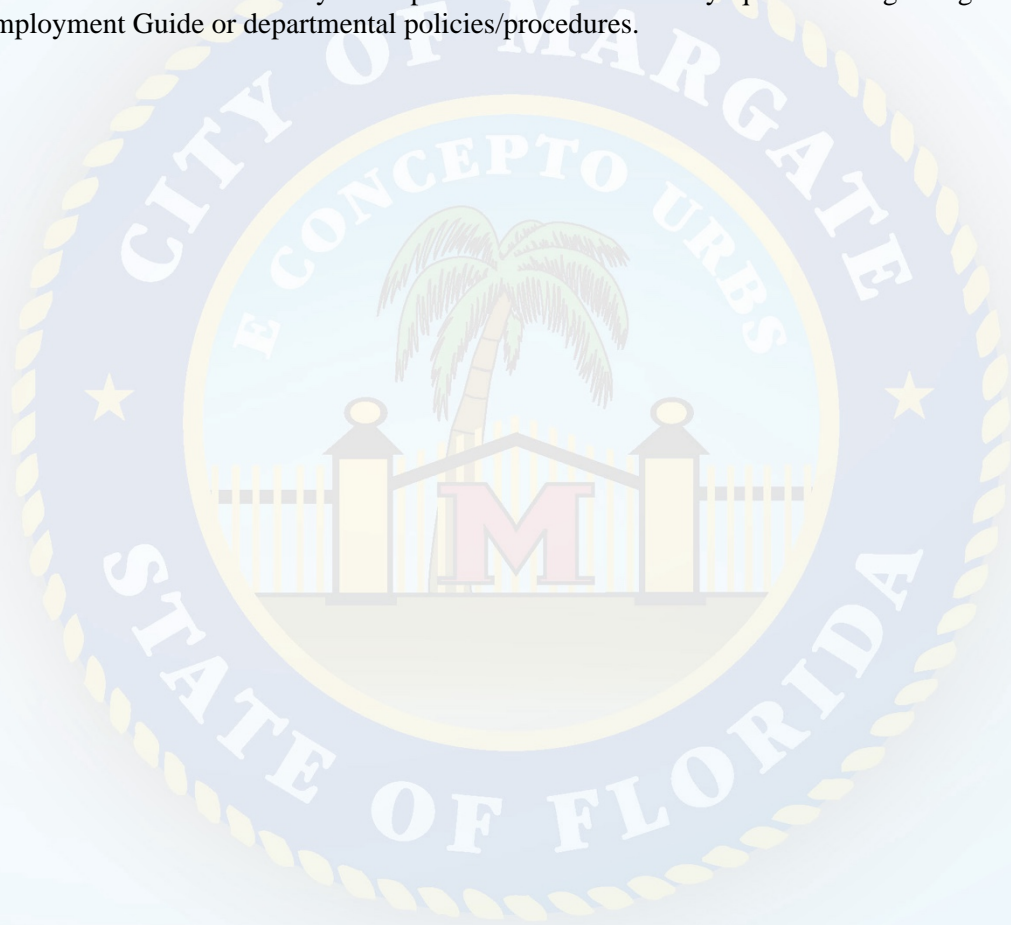
The City's Code of Ordinances, as well as applicable collective bargaining agreements (CBA), provide a majority of the policy and rule guidance for employees. If a policy in an applicable CBA conflicts with a rule or policy in this Employment Guide, the CBA shall prevail unless in conflict with Code or Statute.

## City of Margate Employment Guide

State of Florida and federal laws shall override any conflicting City policy.

**Applicability:** When this Employment Guide refers to Chapter 30 – Personnel, Article II, Sections 30-21 thru 30-80 of the City of Margate Code of Ordinances, please be advised that these sections are only applicable to Civil Service employees governed by this Article of City Code. Portions of this Employment Guide may not be applicable to Senior Management, contract, non-bargaining, exempt, or part-time employees.

This Employment Guide is not intended to be all-inclusive. Employees shall refer to departmental policies/procedures that may be applicable to their position. Please consult Human Resources staff or your supervisor if there are any questions regarding this Employment Guide or departmental policies/procedures.





# EMPLOYMENT

## **Abolishing of Positions**

City Ordinance Sec. 30-70. - Abolishing of positions; reduction in force; resignation.

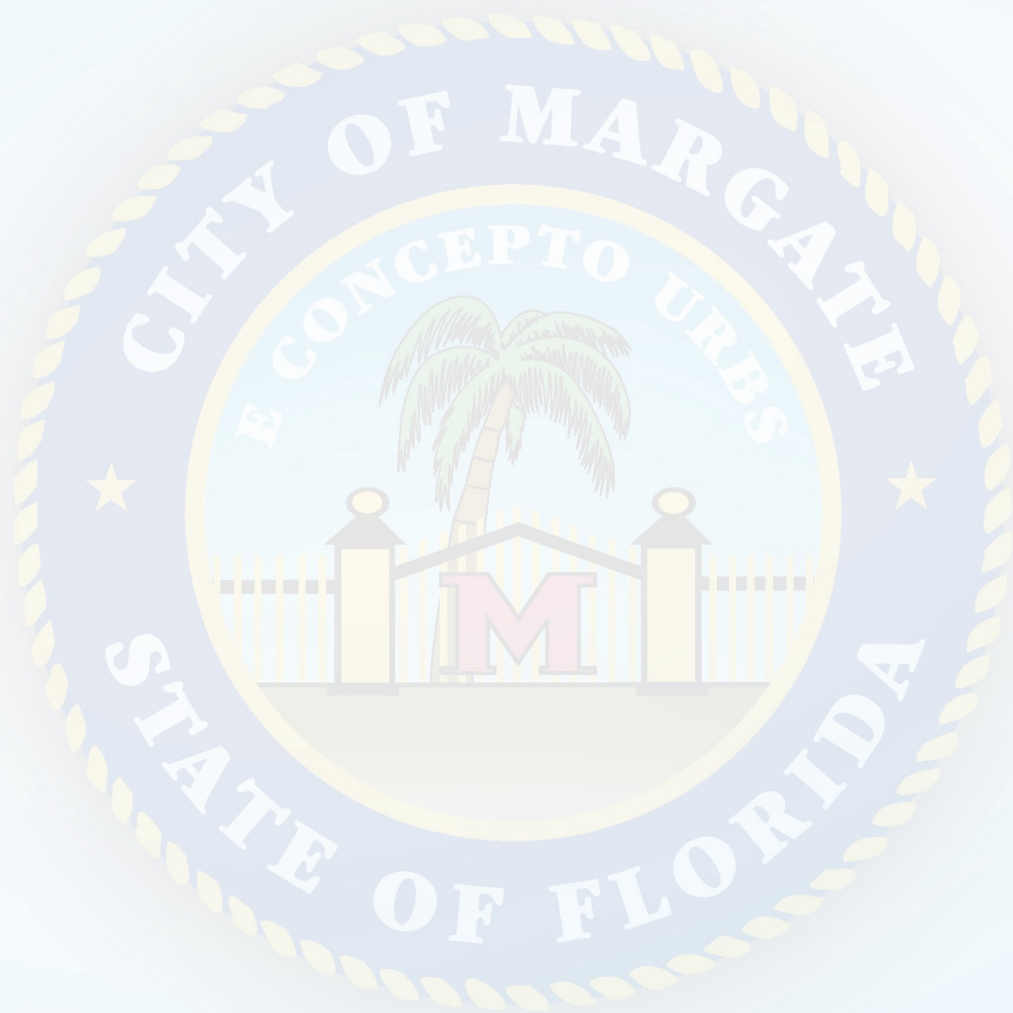
## City of Margate Employment Guide

Separation of a permanent civil service employee resulting from the abolishing of their position because of lack of funds, curtailment of activities, realignment of functions and other conditions will be accomplished as follows:

- (a) An employee may be assigned to an equal or lower graded position for which they are qualified when the position to which the employee has been assigned is abolished for any reason whatsoever. An employee may also be assigned to a higher graded position, if vacant, with City Manager approval.
- (b) For reduction-in-force purposes, seniority shall prevail. Length of service means total months of actual continuous employment with the city as a permanent employee. Retention of employees will be by seniority. At least twenty (20) working days prior to the reduction in force, the permanent employee will receive a written notice stating the reasons and the effective date of a reduction-in-force action.
- (c) Employees laid off due to a reduction in force will be paid for all actual leave credits for which they are eligible. Payment for sick leave credits is not authorized except as may be provided in this chapter.
- (d) All permanent employees laid off due to a reduction in force will be put on a reemployment list for a period of one (1) year. Such employees shall be referred against any vacancy, either temporary, emergency or permanent, prior to selecting an applicant from the eligibility list for which the employee is qualified.
- (e) With their written consent, an employee who is laid off due to a reduction in force may be assigned to an equal or lower graded position for which they are qualified. An employee shall be considered qualified for a position after obtaining a passing grade on a civil service examination, provided said examination was taken prior to the official date a reduction in force was approved by the City Commission.

The employee will retain their salary if it falls within the range of the lower grade. If the employee's salary does not fall within the salary range of the lower grade, the salary will then be decreased to the top step of the lower graded position.

- (f) If the position from which the permanent employee was laid off due to a reduction in force is re-created within a one year period, said employee will be reassigned to that position and grade level held at the time of the reduction in force, except where in conflict with a CBA. In such event, the CBA will prevail.



## **Acceptance of Credit Cards**

### **PURPOSE:**

## City of Margate Employment Guide

It is the policy of the City of Margate to protect against the exposure and possible theft of credit card information provided to the City in the course of business, and to comply with the Payment Card Industry Data Security Standards (PCI DSS). Accordingly, any department/division, office or other area of the City or its component units approved to accept credit cards for payment may do so only in accordance with the requirements and methods set forth in this policy. This policy applies to all employees or contracted employees proposing to accept credit card payments for goods, services, or other City of Margate-related activities. Departments are responsible for adhering to this policy.

### **DEFINITIONS:**

**Credit card information:** Any personally-identifiable information associated with a credit, debit, or other payment card, including but not limited to account number, expiration date, security code, cardholder name, cardholder address, or other identifying information about the cardholder.

**Merchant Account:** A bank account that enables the holder to accept credit cards for payment.

### **POLICY:**

#### **A. Pre-approval**

Departments, offices, or other areas of the City of Margate or component units proposing to accept credit cards for payment must obtain advance approval to do so from the Director of Finance or designee. Permission to accept credit card payments will be determined based upon the volume of payments anticipated and existence of adequate internal controls to protect credit card information, as determined by the Finance Department, IT Department and City Manager's Office. The Finance Department reserves the right to require the implementation of additional controls as a condition of approval to accept credit card payments. The City currently accepts MasterCard and Visa credit cards for payment. This includes all credit, debit, prepaid credit cards, and gift cards that include the MasterCard or Visa logo.

Only the Finance Director or designee is authorized to establish a merchant account associated with the City for the purposes of credit card acceptance.

#### **B. Method of Payment Acceptance**

A City of Margate department that has received approval to accept credit card payments as set forth above may accept such payments only with hardware, software and/or services that conform to the City of Margate's security requirements and the PCI DSS (such as City-approved swipe machine or approved online process). All determinations regarding the acceptability of a payment method shall be made by the Finance Director or designee. Credit card payments may only be accepted for the amount owed for the service. Cash back and cash advances are prohibited.

All transactions must be processed while the cardholder is present and a receipt must be issued for each transaction. A sign stating "A printed receipt will be issued for all transactions. If you do not receive a receipt, please contact management immediately." must be posted in the customer areas where credit card payments are accepted. See Appendix A.

## City of Margate Employment Guide

The customer may split payments (i.e., half with credit card and half cash, etc.).

### C. Costs

Unless otherwise approved by the Finance Director or designee, the departments or areas approved to accept credit card payments are responsible for all costs associated with credit card processing (e.g. merchant account setup and administrative fees, equipment purchases, transaction fees, supplies, etc.)

### D. Restriction on Retention of Credit Card Information

Credit card information (defined above) is confidential information which must be protected against unauthorized disclosure. With the exception of the payer's name and the amount paid, any credit card information obtained for the purposes of accepting a credit card payment must be destroyed (via permanent deletion or shredding) based on the State's records retention. Credit card sensitive authentication data (full magnetic stripe data, three-digit or four-digit card verification code or value, and PIN) should be destroyed immediately upon completion of transaction (approval code received) per General Records Schedule GS1-SL for State and Local Government Agencies (per item #395).

### Processing a Credit Card Transaction

#### Step 1: Authorization

1. The physical card must be presented at time of transaction.
2. The cardholder presents their credit card for payment to the merchant at the point of sale (POS).
3. After swiping their credit card on a POS terminal, the customer's credit card details are sent to the acquiring bank (or its acquiring processor) via an Internet connection.
  - No credit cards will be accepted when the network connection is down.
4. The credit card network clears the payment and requests payment authorization from the issuing bank. The authorization request includes the following:
  - Credit card number
  - Card expiration date
  - Card security code — Card Verification Value (CVV), for instance
  - Payment amount

#### Step 2: Authentication

In the authentication stage, the issuing bank verifies the validity of the customer's credit card using fraud protection tools, such as the (AVS) and card security codes.

## City of Margate Employment Guide

The issuing bank validates the credit card number, checks the amount of available funds, matches the billing address to the one on file and validates the CVV number.

1. The issuing bank approves, or declines, the transaction and sends back the appropriate response to the merchant through the same channels: credit card network and acquiring bank or processor.
2. Once the merchant receives the authorization, the issuing bank will place a hold in the amount of the purchase on the cardholder's account. The merchant's POS terminal will collect all approved authorizations to be processed in a "batch" at the end of the business day.
3. The merchant provides the customer a receipt to complete the sale.

### Step 3: Signature

The final step in the card acceptance process for transactions is to verify the cardholder's signature.

1. Signature – Verify that the signature on the card matches the signature on the transaction receipt and on any identification required and presented.
  - The customer should be in full view when signing the receipt or POS terminal signature window display.
  - When a signature has been obtained, match the signature on the back of the card to the signature on the receipt. The first initial and spelling of the surname must match.
  - For suspicious or non-matching signatures, the customer should be asked for a different card or additional ID that matches the signatures.
  - If a customer gives you an unsigned card, check the cardholder's ID. Ask the cardholder for some form of official government identification, such as a driver's license or passport.

### When a Credit Card Transaction Gets Declined:

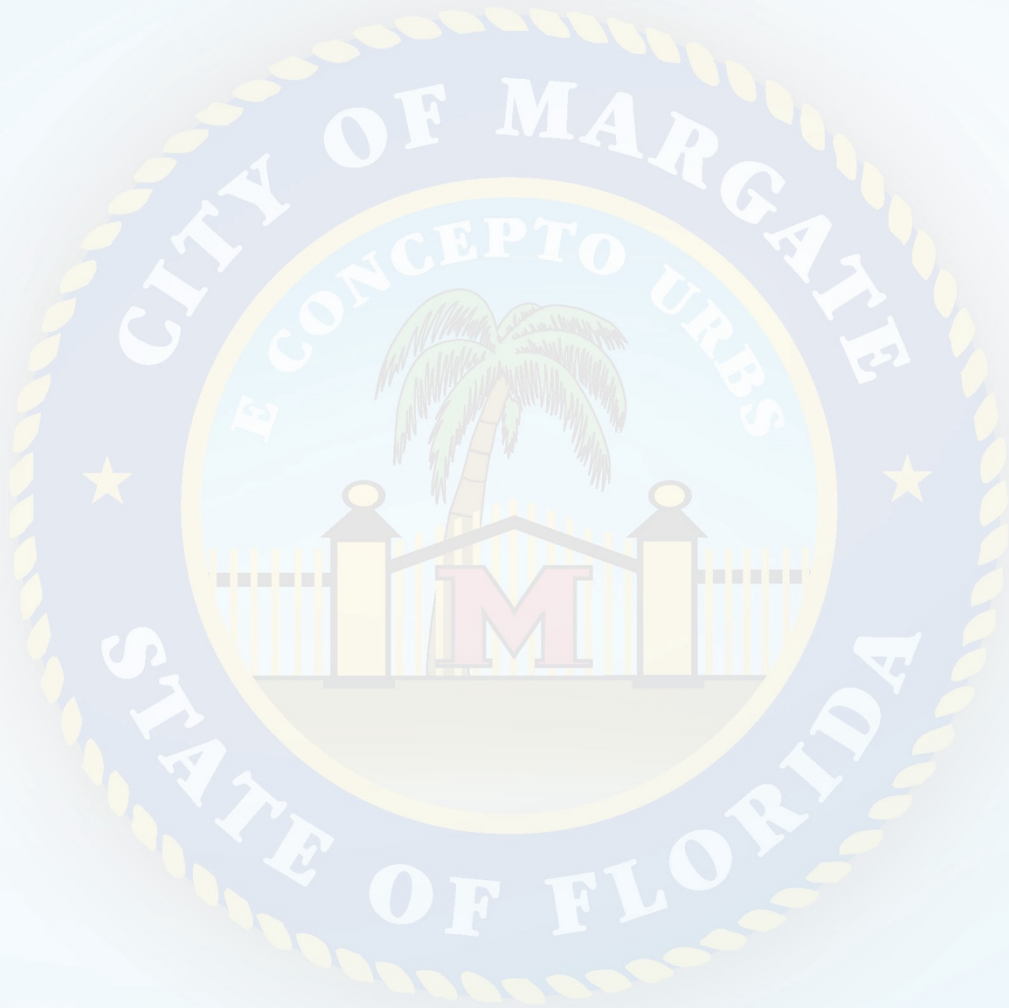
When a credit card is declined, the POS terminal will return a response code that explains why.

Below are some of the most common issues you might encounter if a card gets declined:

- Insufficient funds,
- The issuing bank or credit card company experienced technical issues while the transaction was being processed, or
- If the customer made a large number of online purchases within a short period of time, some banks will reject several of the charges as a fraud-prevention measure.

## City of Margate Employment Guide

When a card is declined, the card should be handed back to the customer and he/she should be informed of the reason for decline (if known). The customer should be asked if they would like to pay with another credit card, cash, or check.



### Acceptance of Gifts

#### **PURPOSE:**

## City of Margate Employment Guide

The solicitation or acceptance of gifts and other items or opportunities of value by City employees, because of, or as a result of their employment by the City of Margate, can substantially erode the public's confidence in the City government.

The City's policy is intended to inform employees about the requirements of state statutes and Broward County Ordinances pertaining to gifts offered to public employees. This policy provides guidance to City employees about what is and what is not appropriate to accept as a gift, offering, advertisement, award or token of appreciation from a customer, vendor, supplier, potential employee, or potential vendor or supplier.

### **SCOPE:**

This policy applies to all public officers, local government attorneys and employees.

### **POLICY:**

City employees, officers and elected officials shall not solicit or accept, either directly or indirectly, any gift, favor, item or opportunity of value from any source where prohibited by statute, or where a reciprocal favor, action or consideration of any kind is expected, expressed or implied by the donor. Money shall not be accepted under any circumstance.

### **Standards of Conduct**

#### **A. State Statutes:**

The Florida Code of Ethics applies to all public officers and public employees in the State of Florida, and it is enforced by the Commission on Ethics and the State Attorney's Offices. Section 112.313(2), Florida Statutes, states that all public employees are prohibited from soliciting or accepting anything of value, such as a gift, loan, reward, promise of future employment, favor, or service that is based on an understanding that an official action or exercise of discretion or judgment by the employee would be influenced by such a gift. The prohibition applies to gifts offered or made directly to the public employee, or indirectly to their relative.

City employees who have administrative, purchasing or financial responsibilities that require the employee to file Financial Disclosure Form 1 or Form 6 with the State of Florida are subject to more detailed restrictions which are enforced by the Commission on Ethics and all such employees are expected to be aware of and conform to those restrictions.

State law also prohibits public employees and officers from misusing their position or employment by corruptly using or attempting to use their official positions or resources to obtain a special privilege or benefit for themselves or others.

#### **B. Broward County Code of Ordinances:**

In accordance with the Broward County Code of Ordinances, the City shall uphold, promote, and demand the highest standards of ethics from all of its employees and officials, whether elected, appointed, or hired. All City Commissioners, employees, and individuals appointed to Boards, Committees, Agencies, and Authorities must maintain the utmost standards of personal integrity, truthfulness, honesty, and

## City of Margate Employment Guide

fairness in carrying out their public duties, and must avoid even the appearance of impropriety in the performance of their duties and responsibilities.

Relative to acceptance of gifts:

1. Employees may not accept an offer of food or beverages involving a value of more than \$50.00, as authorized by Chapter 26, Article V of the Broward County Ordinances.
2. Except where prohibited under state or federal law, employees designated by the City Manager may accept meals, refreshments, or other gifts offered incident to attending functions or traveling in their official capacities in compliance with conditions the City Manager may establish by administrative order, including the following:
  - a. Employees may accept meals, refreshments or other gifts upon determining that their non-acceptance would be detrimental to the interests of the City;
  - b. All gifts of a non-perishable nature that are received shall be deemed accepted by employees on behalf of the City, and the City Manager (or their designee) shall determine how to use the gift for a public purpose or otherwise how to dispose of the gift; and
  - c. Employees shall, within thirty (30) days after receipt, inform the City Manager, or their designee, in writing, of the nature of the gift and the name of the donor.
3. Employees may accept unsolicited perishable gifts delivered to them at the City office provided they:
  - a. Promptly notify the donor in writing of the City's no-gift policy; and
  - b. Keep the perishable items in a common area of the City office where the items may be consumed by any City employee or member of the public visiting the office.
4. City employees who attend a conference, or visit any non-City office or premises, may accept beverages and snack items customarily made available to other attendees or visitors.

### **C. City Code of Ethical Conduct:**

All City employees are expected to conduct themselves while on and off-duty in a manner which does not erode public confidence in the City government or bring the City into disrepute. The solicitation or acceptance of gifts or anything of value from the public at large or a person or entity that does business or has a relationship with the City under circumstances that involves or implies a quid pro quo is to be avoided at all times. The following principles should be followed in all situations, and a violation of this policy can lead to disciplinary action:

## City of Margate Employment Guide

1. City employees must comply with the Florida Code of Ethics and Chapter 26, Article V of the Broward County Code of Ordinances, sec. 26-67 et seq. Standards of Conduct (1) *Acceptance of Gifts* at all times.
2. Employees cannot use their public office or employment for private gain, apart from the receipt of wages or salary from the City or other employment authorized by the City.
3. Employees may not accept any gift or other benefit which would appear to compromise the independence or impartiality of their job responsibilities or which would adversely affect the confidence of the public in the integrity of the City of Margate.
4. Employees may not receive compensation from any source other than the City of Margate for performing official duties for any work performed on behalf of or in connection with official City business.

The following activities will not be deemed to violate the restrictions of this policy:

1. Long established practices and acts of charity such as soliciting, accepting or donating leave to a fellow employee or leave pool pursuant to City Procedures.
2. Solicitation of charitable contributions for co-workers or others in need as approved by the City.
3. Employee recognition practices of the City of Margate and of the business community toward City employees.
4. Invitations to public events extended to City employees having no monetary value.
5. Awards, plaques, certificates, mementos, or similar items given in recognition of an employee's civil, charitable, professional or public services.

### **PROCEDURES:**

Employees involved in circumstances that may result in a violation of this Gift Policy should seek consultation and guidance from their supervisor, department or division head, or other City official at the earliest opportunity. Choices of conduct which do not appear to be clear-cut must be resolved by rejecting the proffered gift or item of value and disclosing the circumstance to the supervisor.

Employees who have received gifts or anything of value which subsequently appears to have violated this policy must immediately disclose the situation to their supervisor or department or division head, and return the gift to the donor or reimburse the donor for the value of the gift where return is not possible.

### **RESPONSIBILITY:**

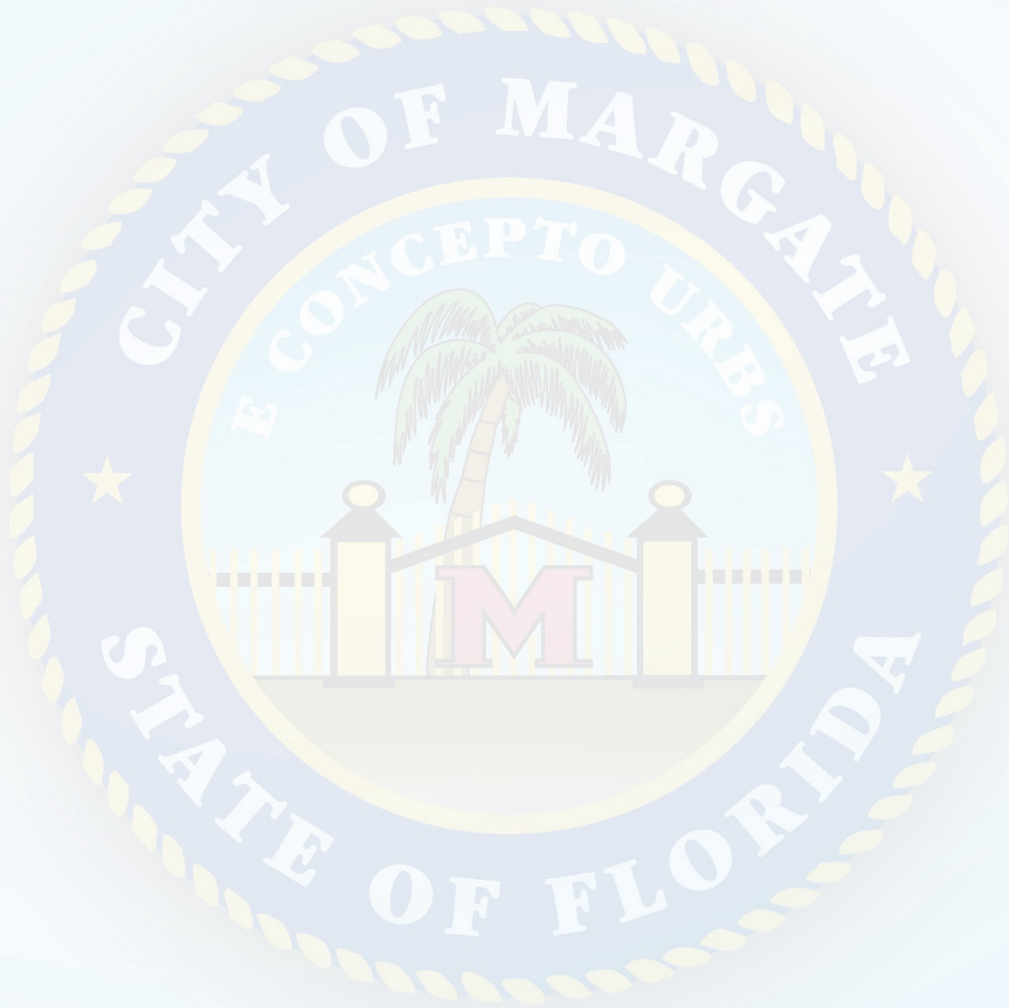
1. The Human Resources Department is responsible for providing training on this

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policy to all new-hire employees during orientation.

2. Department Directors are responsible for ensuring that their employees are familiar with the standards outlined in this policy and the procedures for reporting violations.

**EXCEPTION(S):** This policy may be revised from time to time.



### **Americans with Disabilities Act**

#### **PURPOSE:**

## City of Margate Employment Guide

The City of Margate will adhere to the Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act (ADAAA), which are federal laws that prohibit employers from discriminating against individuals with disabilities. An employer must provide reasonable accommodations to qualified applicants and employees with disabilities who are qualified for a job, with or without reasonable accommodation, so that they may perform the essential functions of the position.

### SCOPE:

This policy applies to all employment practices and actions involving applicants and employees of the City of Margate.

### DEFINITIONS:

- a) Disability: means a physical or mental impairment that substantially limits one or more major life activities of such individual, a record of such an impairment, or being regarded as having such an impairment (being regarded as having an impairment does not apply to impairments that are transitory and minor where an actual or expected duration is six months or less), as set forth in the ADA.
- b) Direct Threat: means a significant risk to the health, safety or well-being of individuals with disabilities or others.
- c) Essential Functions of the Job: means those job activities that are determined by the employer to be essential or core to performing the job.
- d) Interactive Process: means a good-faith process of all activities that are necessary to properly address the potential need for reasonable accommodation by an applicant or employee including verbal and written communications, meetings, documentation, information and actions.
- e) Major Life Activities: may include, without limitation, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working. Major life activities include the operation of major bodily functions.
- f) Impairment of Major Bodily Functions: includes, without limitation, physical or mental impairment such as any physiological disorder or condition, cosmetic disfigurement or anatomical loss affecting one or more body systems, such as neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic, lymphatic, skin and endocrine. Also covered are any mental or psychological disorders, such as intellectual disability, organic brain syndrome, emotional or mental illness and specific learning disabilities.
- g) Mitigating Measures: the determination of an impairment substantially limiting a major life activity must be made without regard to the effects of mitigating measures (except for ordinary eyeglasses and contact lenses). Examples include, but are not limited to, any medication, medical supplies, equipment, prosthetics, hearing aids and cochlear implants, use of assistive technology, and learned behavior or adaptive neurological modifications.

## City of Margate Employment Guide

- h) Qualified Individual: means an individual who, with or without reasonable accommodation, can perform the essential functions of the employment position that such individual holds or desires.
- i) Reasonable Accommodation: means changes to the terms and conditions of the job and circumstances of its performance and may include making existing facilities readily accessible to and usable by individuals with disabilities, job restructuring, part-time or modified work schedules, telecommuting, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment or modifications of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities that does not create an undue hardship on the employer.
- j) Substantially limiting: (in accordance with the ADAAA final regulations), means the determination of whether an impairment substantially limits a major life activity, without regard to the ameliorative effects of mitigating measures such as medications, medical supplies, or equipment (except use of eyeglasses or contact lenses). This requires an individualized assessment. An impairment that is episodic or in remission may also meet the definition of disability if it would substantially limit a major life activity when active. Some examples of these types of impairments may include epilepsy, hypertension, asthma, diabetes, major depressive disorder, bipolar disorder and schizophrenia. An impairment, such as cancer that is in remission but that may possibly return in a substantially limiting form, is also considered a disability.
- k) Undue Hardship: means an action requiring significant difficulty, disruption or expense to the employer. In determining whether an accommodation would impose an undue hardship on a covered entity, factors to be considered include:
- The nature and cost of the accommodation.
  - The overall financial resources of the facility or facilities involved in the provision of the reasonable accommodation, the number of persons employed at such facility, the effect on expenses and resources, or the impact of such accommodation on the operation of the facility.
  - The overall financial resources of the employer; the size, number, type and location of facilities.
  - The type of operations of the company, including the composition, structure and functions of the workforce; administrative or fiscal relationship of the particular facility involved in making the accommodation to the employer.

### **POLICY:**

It is the policy of the City of Margate to comply with all federal and state laws concerning the employment of persons with disabilities and to act in accordance with the law and regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, it is our policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, job training or other terms, conditions and privileges of employment.

## City of Margate Employment Guide

The City will engage in a timely interactive process with employees and applicants with known disabilities who are requesting accommodation. The City will address and evaluate each situation and accommodation request on a case-by-case basis.

A designated Human Resources representative will be responsible for conducting the interactive process including receiving, coordinating and preparing all written correspondence in response to requests for reasonable accommodation. As the intermediary, the Human Resources representative will communicate and interact with all involved parties including the applicant/employee, the employee's department director and supervisor, the Human Resources Director and Manager, and as necessary, health care providers.

The City will provide accommodation to qualified individuals with a disability so that the essential functions of the job may be performed, unless:

- doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation, and/or providing the accommodation creates an undue hardship for the City.

### **Applicants**

- a) Requests for reasonable accommodations should but are not required to be in writing and accompanied by supportive documentation from a licensed professional.
- b) The designated Human Resources representative will conduct an interactive communication process with a qualified candidate with a disability to determine the individual needs and the exact nature of the accommodation request. Supportive documentation pertaining to the individual's disability will be required. All conversations regarding accommodation requests by an applicant will be documented.
- c) Accommodations for qualified candidates that are deemed reasonable will be provided.
- d) If the requested accommodation cannot be made due to undue hardship, the Human Resources representative will advise the applicant in writing. The Human Resources representative will attempt to determine alternative accommodations that would allow the applicant to engage in the application/interview process.

### **Employees**

- a) Generally, the City will become aware of the possible need to provide a reasonable accommodation to an employee via numerous ways and from a number of sources including but not limited to when:
  - An employee verbalizes concern regarding a disability. Regardless of the specific words used, this will be treated as a request for reasonable accommodation.
  - There is a perception of a possible disability which is impacting work of the employee, such as changes in work performance or attendance problems.
  - There is knowledge or a record of a possible disability that impacts work, such as a medical note listing work restrictions.

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- b) Supervisors who observe employee situations that may require consideration for an accommodation are responsible for reporting their observations to Human Resources that may result in an employee needing an accommodation.
- c) When an accommodation is requested by an employee, or when we become aware of the possible need to provide an accommodation, the Human Resources representative will immediately be notified and will initiate the interactive process.
- d) Initially, the Human Resources representative will communicate with an employee seeking an accommodation to obtain information pertaining to the disability and the requested accommodation. An employee requesting a reasonable accommodation will be asked to provide the request in writing and to provide written medical documentation that supports the need for an accommodation.
- e) The medical documentation must provide job-related information concerning the disabling condition, the work restriction(s) and/or limitation(s) resulting from the condition, recommended accommodations and the duration of the work restrictions.

### **EXCEPTIONS:**

Human Resources is responsible for administering this policy. The City reserves the right to make changes to this policy at any time.

## **Bring Your Child to Work Day**

### **PURPOSE:**

## City of Margate Employment Guide

To provide for requests from employees to bring their child(ren) to work as part of the National Bring Your Child to Work Program

### **POLICY:**

The employee shall submit a written request to their department head no later than two full business days prior to the recognized date. The request shall include the name and age of the child(ren).

Subject not only to the effective operations of both the department and the particular job assignment of the employee, but also to all applicable reasonable safety concerns, the department director shall approve said request.

The department director shall maintain the discretion and authority to revoke their approval at any time before or during the visit, to determine the duration of the visit, to designate off-limit areas of any City structure or property, and to regulate in any manner any program related matter.

At no time shall the City be required either to participate in or to observe any guideline, standard, or provision that may be encouraged, mandated, or recognized by the National Bring Your Child to Work Program, or any other similar program.

## **City Employee Parking (City Hall Parking Lot)**

### **PURPOSE:**

## City of Margate Employment Guide

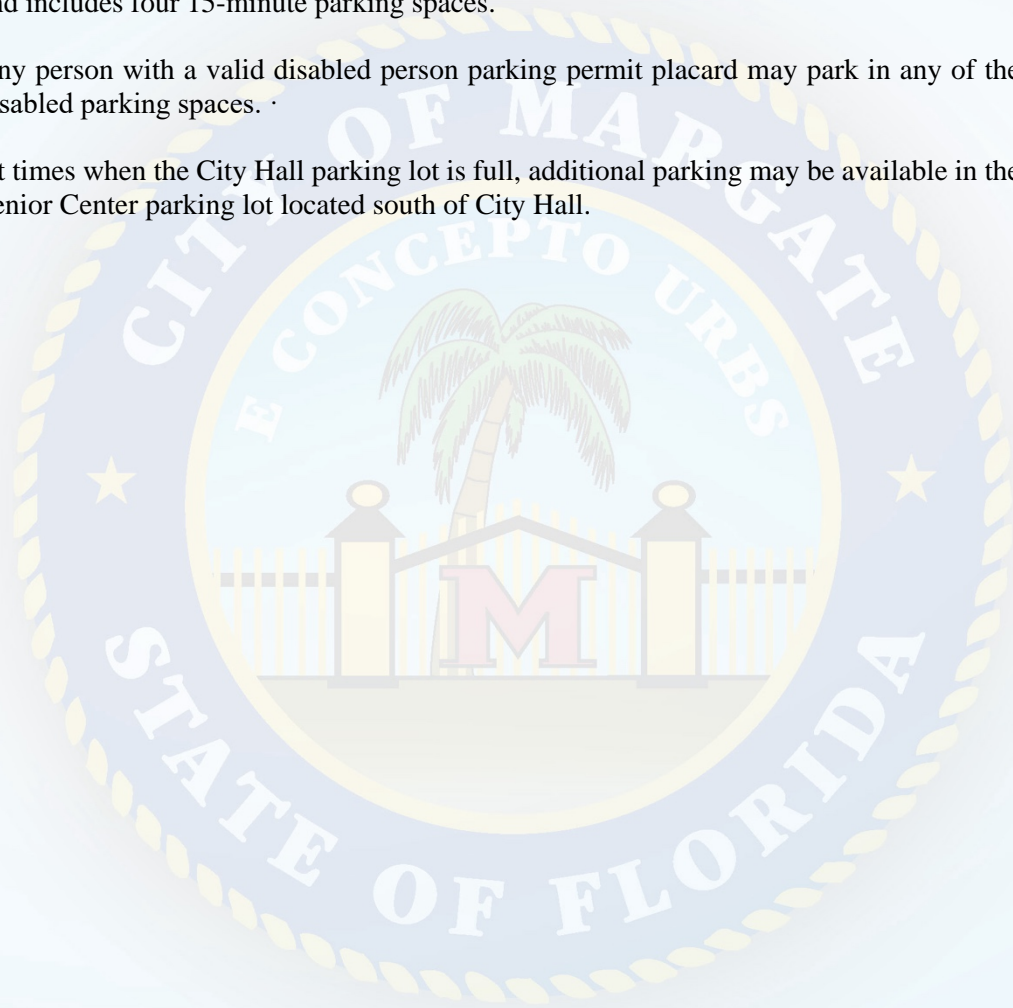
To designate areas for City Hall employee parking and to ensure there is convenient parking available for visitors to City Hall.

### **POLICY:**

All City employees, who park in the City Hall parking lot, are to park **ONLY** in the area designated for City employees. The area designated for City employees is the area south of the first row of parking. The first row of parking is designated for public use **ONLY** and includes four 15-minute parking spaces.

Any person with a valid disabled person parking permit placard may park in any of the disabled parking spaces.

At times when the City Hall parking lot is full, additional parking may be available in the Senior Center parking lot located south of City Hall.



### **City Hall – Reserved Employee Parking Spaces**

## City of Margate Employment Guide

### **PURPOSE:**

To provide for two reserved employee parking spaces at City Hall.

### **POLICY:**

All regular, full-time non-sworn employees who are based at City Hall during normal weekday business hours (defined as a shift beginning no earlier than 7:30AM and ending no later than 6 PM) shall be eligible to enter a raffle drawing for or to receive a reserved City Hall parking space, subject to the following conditions:

1. The employee cannot be the subject of any disciplinary action either within the twelve calendar months prior to or anytime during the "winning month" drawn for the employee.
2. The employee cannot repeat as a drawing winner in the same calendar year.

There will be two parking spaces available per month. A raffle drawing will be held, every three months, to award each space for a given month. The raffle drawing will be conducted at lunch time on a designated day during the last half of March, June, September, and December.

An employee who is on paid leave anytime during their "winning month" shall have the right to "give" the parking spot to any other eligible employee if s/he so wishes.

The Human Resources Director shall determine the actual procedure for conducting the raffle drawing.

## **Complaints**

## City of Margate Employment Guide

Sec. 30-27. - Investigation of complaints and irregularities in civil service matters.

- (a) The civil service board shall investigate all complaints and irregularities concerning civil service matters.
- (b) In all matters being investigated other than those of a disciplinary action (disciplinary matters to be provided for in sections 30-61 through 30-66), but where same specifically impact a civil service employee, prospective employee or group of civil service employees, said investigation shall commence no later than:
  - (1) Thirty (30) days from the date in which same could have reasonably known of the controversy, action or the matter which investigation is requested, or,
  - (2) If a subject matter proposed to be investigated concerns any matter covered by a collective bargaining agreement between the City of Margate and any bargaining unit, the date in which a grievance must be brought to the first step of the grievance procedure of any collective bargaining agreement involved; whichever is a shorter period of time as to subsections (b)(1) and (2) above.
- (c) The procedure utilized shall be informal, and sworn testimony need not be taken unless either the administration, the civil service board or any other affected party wishes a formal procedure to commence.
- (d) If any party requests a formal procedure to commence, then the party requesting the formal procedure, if same is other than the administration or the civil service board, shall present its case first with rebuttal to the administration. However, if either the administration or the civil service board requests a formal procedure, then the administration shall present its evidence first. In all other respects, all formal procedures under this section shall conform to those provided in sections 30-63 through 30-65.
- (e) The decision of the civil service board shall be final.
- (f) Any member of the civil service board who provides testimony regarding disputed facts during an investigation pursuant to this section, or section 30-63 shall not be considered a member of the civil service board for purposes of voting to determine the decision of the civil service board regarding the investigation where the disputed facts are elicited.

## Discipline

## City of Margate Employment Guide

### Sec. 30-61. - Discipline—Generally.

- (a) Discipline of individuals employed by the City shall consist generally of the following:
  - (1) Oral reprimand (no reference in the individual's personnel file).
  - (2) Written reprimand (to be filed in the individual's personnel file).
  - (3) Written notice of suspension without pay with approval of the City Manager.
  - (4) Written notice of demotion with approval of the City Manager.
  - (5) As an alternative to termination, return to probationary status for a period not to exceed six (6) months with approval of the City Manager.
  - (6) Written notice of termination of employment with approval of the City Manager.
- (b) The department director has authority to impose discipline under Levels 1 and 2. Levels 3—6 require approval of the City Manager.

### Sec. 30-62. - Same—Appeal and hearing notices.

A nonprobationary employee who receives discipline under Section 30-61(a)(3)-(6) may appeal to the civil service board, provided, however, that should a person have available to the person any right of review or remedy under a collective bargaining agreement, the remedies of this Chapter shall not be available to the employee. An appeal must be written, signed, and notarized and must be submitted within 10 days of the issuance of the discipline. The appeal must state in detail the facts and circumstances that the employee contends establishes that the discipline was not warranted and state the desired remedy. Appeals must be submitted to the Director of Human Resources, who shall promptly transmit the appeal to the members of the board. The board shall meet within a reasonable time after receipt of an appeal to consider whether its allegations are sufficient, if determined to be true, to warrant a remedy. The employee and the City administration may give statements on the sufficiency of the appeal. No member of the public shall be heard. If the appeal is deemed sufficient, the board shall hold a hearing into the allegations of the appeal. The hearing shall be limited to the allegations of the appeal and such issues as may reasonably arise from them. The hearing shall be conducted according to the procedures and provisions set forth in Sections 30-63 through 30-65.

### Sec. 30-63. Same—Hearings.

- (a) Upon the board's determination that the appeal is sufficient, it will issue a notice of sufficiency and schedule a hearing. The hearing shall be scheduled at a time mutually convenient for the board members, the employee, and the City administration, but no less than 30 days after the issuance of the notice. Extensions may be granted by the chair for reasonable cause.
  - (1) The City administration and the employee may, but need not, present an opening argument. The City administration will present its case first. It may present witnesses and evidence to establish that the discipline was warranted. The employee may then present witnesses and evidence. The City may then present a rebuttal case. Each party may cross-examine the other party's witnesses and, if there is cross-examination, redirect examination limited to the subjects of the cross

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shall be permitted. No further questioning after redirect will be permitted. Board members, through the chair, may interpose questions to witnesses at the end of direct, cross, and redirect examination and each side will have a single opportunity to examine the witness based on the board's questions. At the close of all evidence, the board may hear oral closing arguments, first from the City administration and then from the employee. Alternatively, on its own motion or upon a motion from either Party, the board may choose to receive written closing arguments. If the latter, the Parties will be given a reasonable time of not less than 30 days from the close of the hearing to submit the written closings. If minutes of the proceedings are ordered by any party, the hearing will be deemed closed upon delivery of the minutes to the board.

- (2) The Florida Evidence Code shall be observed to the extent practicable, provided, however, that hearsay evidence may be considered if and only if it is corroborated by other non-hearsay evidence. The civil service board will have the power to subpoena and require the attendance of witnesses and the production of pertinent documents. Rulings on evidence shall be made by majority vote upon advice from the board's counsel.
- (3) All testimony shall be duly sworn to or affirmed. Oaths will be taken by a person authorized by law.
- ★ (4) The employee may represent themselves or may, at their own expense, have a representative who may, but need not, be an attorney. Based upon the nature and complexity of the hearing, and other factors, the City Attorney may deem it necessary to represent the administration or the board, or engage outside counsel.
- (5) The board shall deliberate upon the closing arguments in public meeting. No further statements, evidence, or information of any kind shall be received, except upon a showing by the employee or the City administration of the discovery of new material evidence not available at the time of the hearing. No statements from the public will be heard. The board will make a determination as to whether the appeal shall be denied, granted, or granted in part and denied in part. Such decision shall be based on the preponderance of the evidence and controlling law. If the appeal is granted in part and denied in part, the board shall specify precisely what parts are granted and denied. If the appeal or any part of it is granted, the board may rescind the discipline or modify the discipline and award back base pay, if the employee proved that pay was lost. The board will make specific factual findings that support its determination and clearly state its determination and the remedy, if any. The board's counsel shall promptly reduce the decision to writing. The board will meet to review the written decision, revise it if necessary, and to adopt it as the entire and final expression of its decision. The board's decision shall be final and judicially reviewable according to the Florida Rules of Appellate Procedure.

Sec. 30-64. - Same—Absence at hearing on appeal.

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A failure by either Party to appear at the hearing provided for in Section 30-63(a) shall constitute a default and the board shall immediately render its decision against the party failing to appear. The board may reconsider this decision upon a showing by the defaulting Party that it failed to appear for good cause not of its own making.

### Sec. 30-65. - Perjury at appeals hearing.

Any willful false swearing on the part of any witness or person giving evidence before the civil service board as to any material fact in said proceedings will be deemed perjurious. The transcript of the record containing the evidence will be submitted to the state's attorney for such action as they may determine.

### Sec. 30-66. - Resignation or discharge of employee.

- (a) Any employee who is discharged or who resigns while charges are pending or while a hearing before the civil service board is pending will be disqualified from taking any future civil service examination thereafter or from being appointed to any position within the City.
- (b) Any permanent civil service employee who resigns from a City position will have no reinstatement or re-employment privileges. The former employee shall be accorded the same treatment as any other applicant. Seniority credits will not be granted for prior service.

### Sec. 30-67. - Demotion.

#### (a) *Voluntary demotion:*

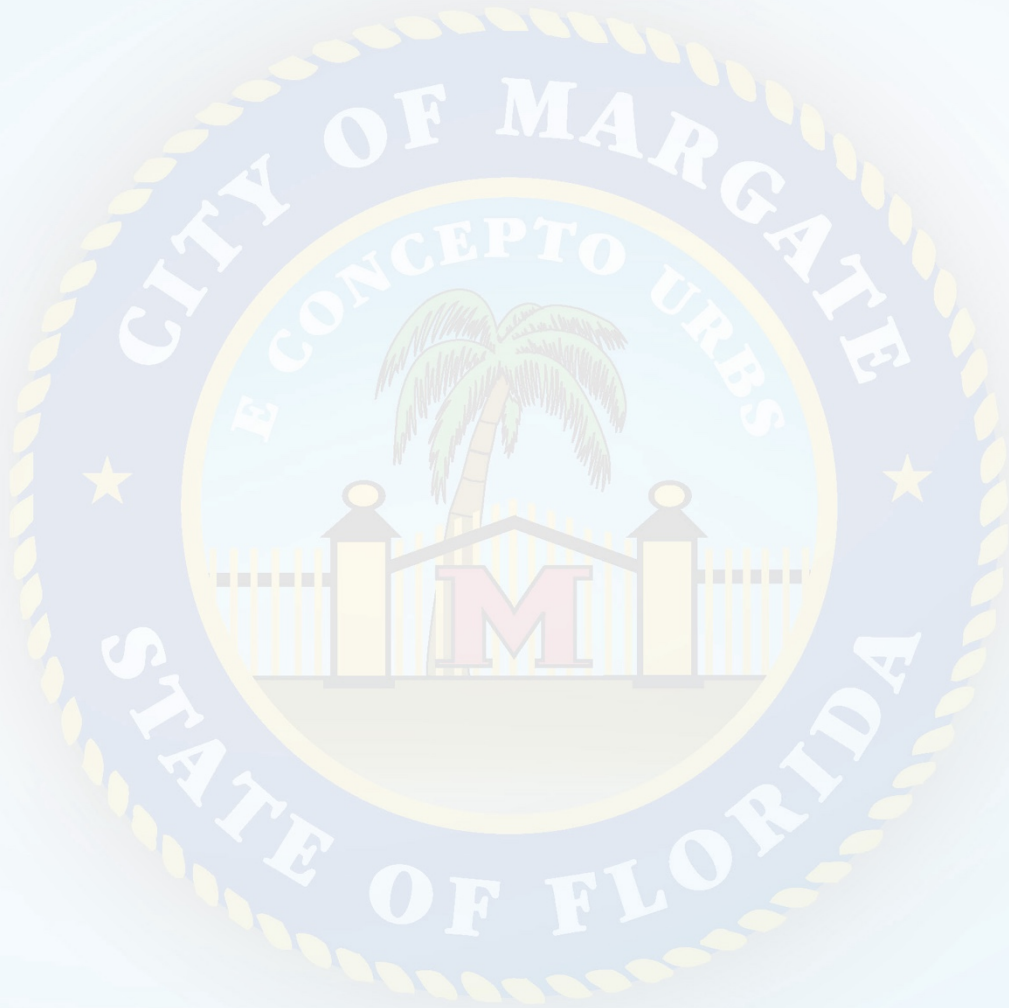
- (1) An employee may request reassignment to their former position without prejudice. This request must be in writing, channeled through the department director for comment and forwarded to the City Manager for final action.
- (2) If a request for reassignment to the former position is made during the probationary period of a promoted employee, said request shall be granted.

#### (b) *Involuntary demotion.*

When a non-probationary employee is involuntarily demoted for nondisciplinary reasons, notice must be given in writing stating the reasons for such demotion. In the discretion of the City Manager, the employee may be given up to ninety (90) days to eliminate the deficiencies or other causes of the demotion. At the end of such period, the City Manager or designee may, in their sole discretion, reconsider the demotion and will issue a written notice thereof, with a copy to the employee. The demotion may be the subject of a complaint under Section 30-28 and the submission of the complaint shall not be untimely if brought within 10 days after the refusal of the City Manager or designee to reconsider and rescind the demotion, if applicable. The employee shall be requested to sign and date the notice of demotion, adding their comments. Refusal of the employee to sign the notice will be indicated by the department director. The original copy will be forwarded to the City Manager for information and then filed in the employee's personnel folder, and a copy will be given

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to the employee. The employee's salary will be that of the position to which the employee is demoted.



## Discrimination and Harassment

## City of Margate Employment Guide

### Sec. 30-1. - Discriminatory personnel practices prohibited.

- (a) *Purpose.* The purpose of this Article is to prohibit illegal discrimination in City employment. The remedies provided in this Chapter are the exclusive remedies for violations of this Chapter. An employee's filing of a complaint pursuant to this Chapter constitutes an irrevocable election to pursue the remedies provided hereunder and to waive any other review, remedy, or relief, subject to applicable state or federal law. Further, should a person have available to the person any right of review or remedy under a collective bargaining agreement, the remedies of this Chapter shall not be available to the employee.

(b) *Definitions:*

*Applicant* means any individual seeking employment from the city.

*Bona fide occupational qualification* means a qualification for an employment position or assignment or award of any term or condition of employment when that qualification is reasonably necessary to the normal operation of the position, assignment, or term or condition of employment.

*Discriminatory classification* means an employment classification based on illegal discrimination.

*Discriminatory practice* means an employment practice based on illegal discrimination.

*Disabled person* has the meaning given that term under the U.S. Americans With Disabilities Act of 1990, as amended.

*Employee* means any individual employed by the City.

*Marital status* means the state of being unmarried, married, or separated, as defined by state law. The term "unmarried" includes people who are single, divorced, or widowed.

*National origin* has the meaning given that term under the U.S. Civil Rights Act of 1964, as amended.

*Political affiliation* means belonging to or endorsing any political organization which does not espouse the overthrow of the government of the United States by force.

(c) *Enforcement:*

- (1) Any employee, former employee or applicant who claims to have been discriminated against, as defined by this Article, shall have the rights provided in this section.
- (2) The employee, former employee, or applicant may submit a complaint to their Supervisor, Department Director, the Human Resources Department or City Manager's Office. The complaint must be in writing, must be signed by the complainant, and the signature must be notarized. The complaint must be made within 90 days of the latest act alleged to be in violation of this Article. Untimely complaints shall not be considered or acted upon.

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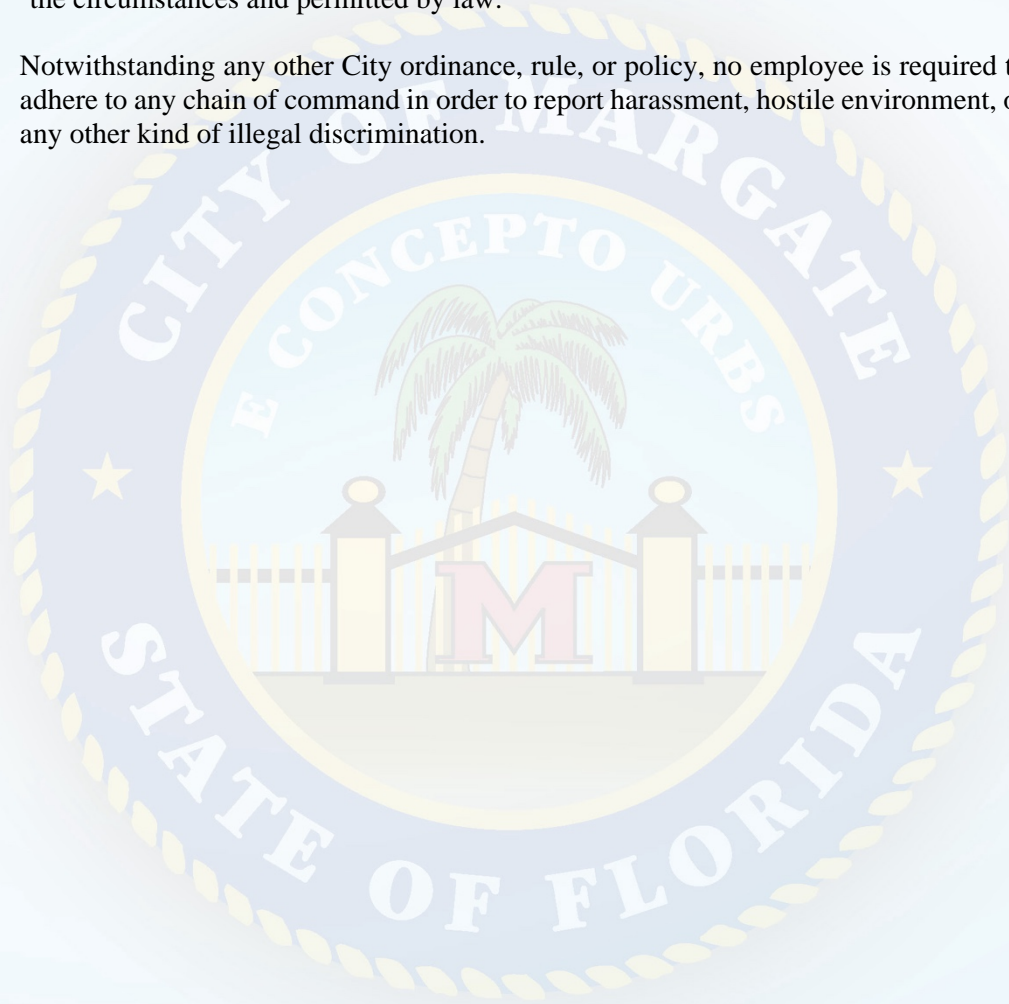
- (3) The City Manager's Office shall initially determine whether the allegations of the complaint are sufficient to state a violation of this Article. If the City Manager's Office determines that the complaint is sufficient, the City Manager's Office shall designate staff to investigate the allegations. The investigation shall be limited to the allegations of the complaint and such issues as may reasonably arise from the investigation of those allegations. Staff designated to investigate are empowered to require the production of any documents and the presence of any person reasonably necessary to the investigation. The complainant may meet with the City Manager's Office or designee to present information or argument. Any person accused of violating this Article shall be informed of the specific allegations against the person and may meet with the City Manager's Office or designee to present information or argument.
- (4) The City Manager shall issue a written determination stating factual findings and a determination as to whether there has been a violation of this Article.
- (5) If the City Manager determines one or more violations have occurred, the City Manager may:
  - a. Issue discipline to any employee who has violated any City rule or policy;
  - b. Rescind or modify any employment action;
  - c. Require preference in hiring, promotion, or assignment, subject to the requirements of state or federal law, of any person found to have been disadvantaged in hiring, promotion, or assignment in violation of this Article; or
  - d. Order the immediate end to any discriminatory practice prohibited in this section.
- (d) *Appeal.* The Complainant may appeal the City Manager's decision to the civil service board pursuant to subsections 30-27(a), (c) and (d). The civil service board shall have only that remedial authority enumerated in subsection (5) (a) – (d) of this Section 30-1.
- (e) *Provisions not restrictive as to power of city manager.* Nothing in this Article shall be interpreted or applied to restrict or diminish the authority of the City Manager in any way.
- (f) *Article I to prevail where provisions conflict.* Should there be any conflict between this section and the civil service code of the City as codified in Article II of this chapter, this Article shall prevail.
- (g) *County ordinance not applicable.* The intent of this section is to retain internal control of investigation and enforcement of any alleged discriminatory practices within the City. This section shall be deemed to conflict with Broward County Ordinance Chapter 16 1/2, and said county ordinance shall have no force and effect over the City or any discriminatory practice alleged against same.
- (h) *Federal and state law applicable.* Nothing in this chapter shall be construed to supersede any federal or state statute or regulation.

Sec. 30-2. - Harassment or Hostile Environment.

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- (a) *Policy.* Illegal harassment or the creation or toleration of an illegal hostile environment is prohibited and may be the basis of a complaint and action by the City Manager under this Article.
- (b) *Procedure.* In addition to any other policy or procedure of the City, any person who, in good faith, believes they have been subjected to illegal harassment or illegal hostile environment may submit a complaint under this Article to their Supervisor, Department Director, Human Resources Department or City Manager's Office. The complaint and its contents shall be kept confidential to the extent practicable under the circumstances and permitted by law.

Notwithstanding any other City ordinance, rule, or policy, no employee is required to adhere to any chain of command in order to report harassment, hostile environment, or any other kind of illegal discrimination.



### Dress Code and Grooming

#### **PURPOSE:**

All City officers and employees are public servants and are accountable to the citizens for the image, reputation and performance of the City government. How the workforce appears to the public is an important factor in determining the reputation of the City of Margate among the citizenry. The purpose of the dress code, business attire and grooming policy is to ensure the City's employees present a professional image to the public and to fellow employees.

#### **POLICY:**

All City employees, regardless of position held or work performed, are expected to perform their jobs attired in a manner suitable to the tasks being performed, presenting for work well-groomed and wearing neat, clean clothing that conforms to the following guidelines:

##### **A. Apparel:**

1. Employees who perform most or all of their daily work activities either indoors or in an office setting and who do not wear a uniform will dress in "business casual" attire for normal or routine business assignments. Employees will dress in more formal business attire as warranted by any given day's activity or assignment.
2. Department Directors are authorized to establish and enforce departmental/divisional dress uniforms or standards appropriate for the work requirements of the particular department/division.
3. All clothing worn while at work or while representing the City must be neat, clean, free of wrinkles, in good repair and appropriate to the work setting.
4. All clothing worn while at work or while representing the City shall be properly tailored and an appropriate fit.
5. City-issued uniforms or clothing provided for employees for use at work must not be used when not working.
6. Employees who report to work inappropriately attired will be directed to leave and remedy the matter while in a leave without pay status.
7. Casual attire may be permitted on dress down days previously authorized by the City Manager, their designee or Department Director.

##### **B. Grooming**

Employees must report to work in a clean, neatly groomed status, free from any distracting or offensive characteristics pertaining to personal appearance or odor.

##### **C. Accommodations**

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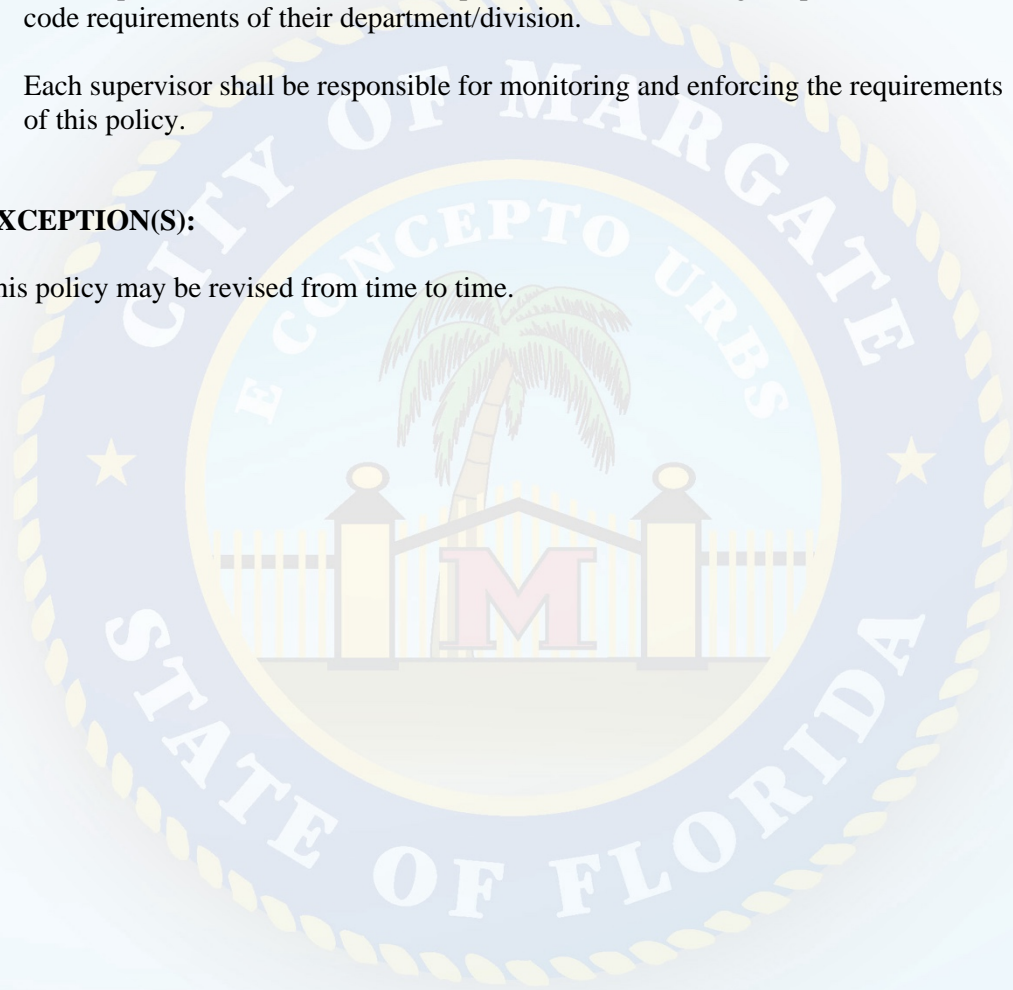
Employees requiring accommodations pertaining to apparel or grooming because of cultural, religious or medical requirements may request accommodations by contacting the Human Resources Director who will receive, consider and resolve all such requests.

### **RESPONSIBILITY:**

1. The Human Resources Director shall resolve all employee requests for reasonable accommodations regarding this Dress Code and Grooming Policy.
2. Each department director shall be responsible for determining the particular dress code requirements of their department/division.
3. Each supervisor shall be responsible for monitoring and enforcing the requirements of this policy.

### **EXCEPTION(S):**

This policy may be revised from time to time.



## Emergency Response Leave and Pay

### PURPOSE:

This policy establishes a compensation policy for emergency closures and operations when major emergencies or disasters strike.

### SCOPE:

All exempt and non-exempt employees except employees who are covered in the Florida Retirement System **Special Risk Class**.

### DEFINITIONS:

**Work Hours:** Under the Emergency Response Leave and Pay Policy, work hours will be defined as all hours actually worked, and hours sequestered at a designated area as instructed (e.g. Emergency Operations Center, pre-storm staging area, sheltering in place, etc.) in preparation for and during the emergency or disaster.

**Restricted Operations:** The closure or repurposing of a department or location while other city business operations remain open, or the phased re-opening of business operations while other departments or locations remain closed or restricted as determined by the City Manager.

**Closure:** All regular business operations are suspended by declaration of the City Manager or designee when major emergencies or disasters strike.

**Exempt:** In accordance with the Department of Labor's Fair Labor Standards Act (FLSA), positions in this classification are not paid on an hourly basis, and are exempt from the overtime provisions of both Federal and State law.

**Non-Exempt:** In accordance with the Department of Labor's Fair Labor Standards Act (FLSA), positions in this classification are paid an hourly rate for hours worked and are covered by Federal and/or State minimum wage and overtime laws.

### POLICY:

In the event of severe weather or emergency conditions, the City Manager or designee may declare that some department operations be closed, or restrict work operations when conditions warrant such closures. The provisions of this policy are applicable for the period which the City Manager or designee declares a city emergency. Employees will be expected to work as determined by supervisors during a city, state or federally declared emergency.

No provisions of this policy will go into effect unless and until:

1. there is in effect a declaration of emergency by the federal government or the State of Florida; and

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2. the City of Margate is actually affected by the emergency that is the basis of the declaration.

The phrase “the period which the City Manager or designee declares a city emergency” denotes the time period during a federally or state declared emergency that actually affects the City of Margate and:

1. that commences when the City Manager or designee closes any City facility or otherwise suspends normal City operations; and
2. that ends at the earlier of (a) when the City Manager directs the reopening of City facilities that are capable of being reopened or lifts the suspension of normal City operations or (b) when the federal or state declaration expires or is otherwise terminated; and
3. that is designated by the City Manager with a time certain commencement and termination, which designations need not be made at the same time.

### **EMERGENCY RESPONSE LEAVE AND PAY PROCEDURES:**

If city operations are closed or restricted due to an emergency as described above, all impacted **non-exempt, regular full-time** employees will be compensated as follows:

1. Employees normally scheduled but advised not to work due to a disaster related closure of city facilities shall receive their regular rate of pay as if they worked their regular schedule.
2. Employees who were previously scheduled for leave during a declared city emergency will be credited back their leave time and paid regular hours.
3. FPE and non-bargaining employees who are normally eligible for overtime shall receive Emergency Response Pay at the rate of one and one-half (1-1/2) hours for each hour worked during facility closure/restricted operations during the designated period. Employees shall not receive regular overtime pay and Emergency Response Pay for the same hours worked.
4. Employees who work during a city declared emergency shall also earn Emergency Response Leave at the rate of one and one-half (1-1/2) hours for each hour worked.
5. FPE and non-bargaining employees who are normally eligible for overtime shall receive Emergency Response Pay at the rate of one and one-half (1-1/2) hours for each hour worked plus Holiday Pay plus Emergency Response Leave for working on a holiday date previously designated by the City Manager.

If city operations are closed or restricted due to an emergency as described above, all impacted **non-exempt, regular part-time** employees will be compensated as follows:

1. Employees normally scheduled but advised not to work due to a disaster related closure/restricted operations of city facilities shall receive their regular rate of pay as if they worked their regular schedule.

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2. Employees who work shall receive Emergency Response Pay at the rate of one and one-half (1-1/2) times their normal base hourly rate. Emergency Response Pay shall be in lieu of the part-time employee's normal rate of pay. Overtime compensation shall be calculated based on the part-time employee's Emergency Response Pay rate.

If city operations are closed or restricted due to an emergency as described above, all impacted **non-bargaining and senior management employees exempt from overtime pay** will be compensated as follows:

1. Employees normally scheduled to work but advised not to work due to a disaster related closure of city facilities shall receive their regular rate of pay as if they worked their regular schedule.
2. Employees who were previously scheduled for leave during a declared city emergency will be credited back their leave time and paid regular hours.
3. Regardless of their service classification with the Florida Retirement System, employees who work during a city declared emergency shall receive their regular rate of pay as if they worked their regular schedules and may be granted discretionary hours as determined by the City Manager.
4. Discretionary hours granted shall be in addition to regular pay and/or holiday pay to which an exempt non-bargaining or senior management employee would normally be entitled.
5. Exempt non-bargaining and senior management employees who work on a holiday date previously designated by the City Manager shall receive Holiday Pay based upon their regular schedules up to ten (10) hours, plus discretionary hours granted.

### **GENERAL PROVISIONS:**

Employees who do not report to work as scheduled when city facilities are open will be required to utilize applicable leave time.

All employees deemed "essential" who are instructed to shelter at a designated area determined by the city before, during or after a disaster shall be compensated for any hours sequestered per the provisions outlined.

Emergency Response Leave or discretionary hours shall be taken within the fiscal year in which the leave was earned or granted. Any Emergency Response Leave or discretionary hours not utilized within the fiscal year shall be forfeited. Employees shall submit a written request to their department director as far in advance of their desired leave or discretionary time date(s) as possible. Senior management shall submit their written request to the City Manager. Any exceptions to the extension of leave earned or granted beyond the fiscal year must be approved by the City Manager.

Separate pay codes must be used to properly document city expenses for FEMA reimbursement utilizing the separate pay code "ER OT" for emergency response overtime and code "ER REG" for emergency response pay during regular/facility closure/restricted operations hours.

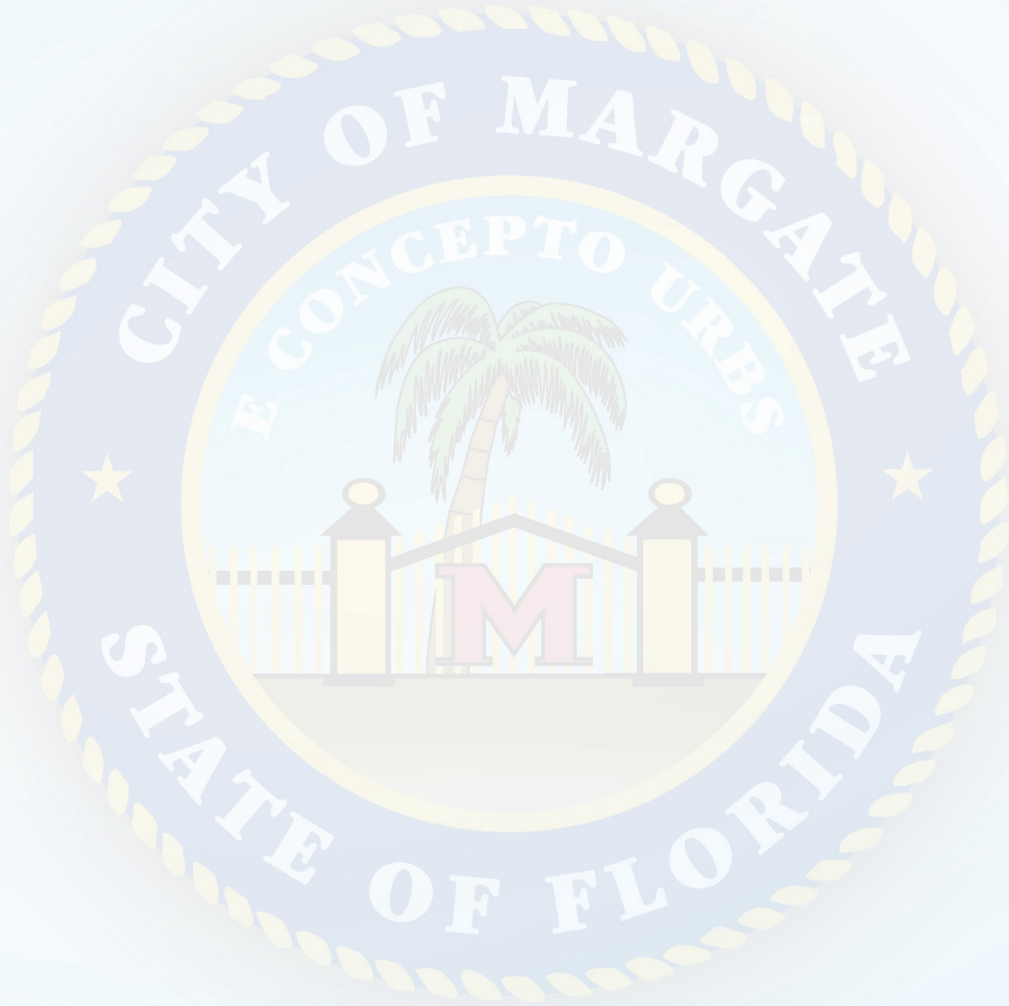
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Employees who are covered in the Florida Retirement System **Special Risk Class** shall not be eligible to earn Emergency Response Pay or Leave under this Policy.

In the case of facility or work operation restrictions exceeding two (2) weeks in duration, the pay provisions outlined shall be subject to review and revision by the City Manager.

### **EXCEPTIONS:**

This policy may be revised from time to time.



### Employee Performance Evaluations

#### **PURPOSE:**

The City of Margate Employee Performance Evaluation Policy is intended to guide both employees and supervisors in accurately, completely, and timely evaluating employees' job performance based upon established standards and objectives.

The objectives of the Employee Performance Evaluation Policy are to:

- Guide both the employees and supervisors in accurately, completely, and timely evaluating employees' job performance
- Provide feedback and motivation to employees
- Assist supervisors and employees in meeting team/department/City goals

#### **DEFINITIONS:**

Checkpoint meetings are opportunities throughout the year for supervisors and employees to meet and discuss the employee's performance and progress on meeting goals.

Goals are areas of achievement for the employee to reach during the rating period, and are mutually set by the employee and supervisor at the beginning of the rating period. Goals are set using the SMART methodology (Specific, Measurable, Actionable, Realistic, and Time-bound).

Key work partners are individuals with whom the employee works with throughout the year from which the supervisor can obtain input on the employee's performance.

Performance standards are general categories of expected behaviors and accomplishments, which are evaluated to illustrate the performance of the employee.

Please refer to the City's Employee Performance Evaluation form, located on the City's intranet, for definitions of performance standards and measures.

#### **POLICY:**

All employees shall be evaluated on the official City Employee Performance Evaluation form as approved by the City Manager. This form shall only be accessed from the City's intranet. The Employee Performance Evaluation form has been reviewed and approved by the City Manager as utilizing job-related measures and procedures for all City positions.

The annual evaluation date for non-probationary employees shall be the employee's date of hire anniversary, or the anniversary date of their last promotion, if applicable.

The evaluation dates for probationary employees, including those employees serving a promotional probation, shall be every three months from the date of hire/promotion, until completion of probation.

All employees and supervisors who are responsible for completing evaluations shall receive training on this policy and the Employee Performance Evaluation form.

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### **PROCESS:**

Each Department Director shall be responsible for ensuring that evaluations are completed, signed, and returned to the Human Resources Director not more than thirty (30) calendar days after the evaluation date.

The supervisor completing the evaluation with the employee shall be the employee's immediate supervisor who is most closely acquainted with the employee's work performance. Evaluations shall be based on observable, measurable work performance. All evaluations shall be objective, and shall not be based on favoritism, cronyism, or retaliation. Supervisors and employees shall meet to discuss the evaluation and individual ratings in a collaborative fashion. Both supervisors and employees are encouraged to track and document performance and goal achievement throughout the year. The immediate supervisor shall review the employee's job description with the employee for clarification of performance expectations. If the employee and immediate supervisor cannot, through collaboration, agree upon the reasoning for particular ratings in the evaluation, they shall together meet with the next highest level supervisor in the chain of command in a further attempt to resolve the disparity. A matter that cannot be resolved may, with good cause, be brought to the Human Resources Director for further review.

Supervisors and employees shall hold checkpoint meetings throughout the year to discuss the employee's performance and progress on meeting goals. A minimum of two checkpoint meetings in addition to the final evaluation meeting are encouraged.

The supervisor shall consult with key work partners in order to obtain feedback on the employee's performance for the evaluation.

Supervisors shall evaluate employees on performance standards outlined in the evaluation form. Additional performance standards shall apply for evaluations of supervisory employees. Individual goals, which were set at the beginning of the rating period, shall be evaluated, and new goals shall be mutually set between the employee and the supervisor, to be evaluated during the next rating period.

Supervisors are required to explain each rating that is in the "In Need of Improvement" category under the performance standards section. Supervisors and employees are encouraged to make comments at the end of the Employee Evaluation form.

After completion of the evaluation and resulting evaluation meeting, both the supervisor and the employee shall sign the Employee Performance Evaluation form, and the form shall be sent through the chain-of-command to be signed at each level, ending with the Department Director. If at any point in the chain-of-command there is a question or clarification needed regarding the employee's evaluation, that supervisor shall discuss the question with the employee's immediate supervisor, and if any edits to the evaluation are necessary, both supervisors shall meet with the employee to discuss said recommended changes.

The employee shall receive a copy of the Employee Performance Evaluation form once it has been signed by all parties and the original shall be filed in the employee's personnel file in Human Resources.

**EXCEPTIONS:** This policy may be revised from time to time.

### Ethical Standards

#### **PURPOSE:**

The purpose of this Ethical Standards Policy is to communicate to the citizens of the City of Margate and to the employees that work for them the standards of conduct that are expected of every employee, regardless of rank, without deviation or compromise.

#### **SCOPE:**

All officers and employees of the City of Margate.

#### **POLICY:**

Ethics are generally regarded as a set of moral principles that govern behavior. Florida statutes provide all public officers and employees with a Code of Ethics, regulating in great detail such specific activities as the acceptance of gifts, doing business with one's employing agency, unauthorized compensation, voting conflicts, conflicting employment relationships, financial disclosure, and misuse of one's position. See Sec. 112.313, *et seq.*, *Florida Statutes*.

All officers and employees of the City are required to fulfill their job responsibilities in a manner that complies with the state-prescribed standards of ethics. This standard of conduct includes the following principles:

1. No City officer or employee shall use or attempt to use their position, or any property or resource under their care or trust, to perform their duties to secure any special privileges, benefits, or exemptions for themselves or others, which are not specifically authorized by law or policy.
2. No City officer or employee shall accept employment or engage in any business which the employee might reasonably expect would require or induce the employee to disclose confidential information acquired by the employee by reason of their official position.
3. No City officer or employee shall disclose or use information not available to members of the general public and gained by reason of that employee's or officer's official position for personal gain or benefit or the personal gain or benefit of any other person or business entity.
4. No City officer or employee shall have any interest, financial or otherwise, in any business transaction or professional activity which is in conflict with the proper discharge of duties in the public interest.
5. No City officer or employee shall engage in any outside occupation or activity for which the officer or employee receives compensation directly or indirectly, which occupation or activity is regulated or licensed by the City of Margate, except officers and employees may obtain occupational licenses from the City for outside activities which have been disclosed to the City which are unrelated to any occupation or activity regulated by the City.

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6. No City officer or employee with the authority to employ, appoint, promote, advance, or recommend same shall use that authority with respect to their own relatives.
7. Any employee who is uncertain about the propriety of either accepting an offered gift or entering into a contemplated business investment or relationship should contact the City Attorney's Office for guidance.

### **CITIZEN'S EXPECTATION OF ETHICAL CONDUCT:**

The citizens of Margate have an expectation to receive responsive and courteous service whenever they seek to communicate with City officers and employees. These include:

1. Clear Communication

All citizens should receive communications, whether by email, telephone or in person, which is courteous and respectful, conveying all relevant information in a clear manner.

2. Prompt Responses

All questions and inquiries should be answered as promptly as possible, and if an immediate response is not feasible then a timeline or other response should be provided with an explanation of what can be expected.

3. Fair and Equal Treatment

All citizen communications should occur without bias concerning their economic, social, physical or cultural differences.

### **EXCEPTION(S):**

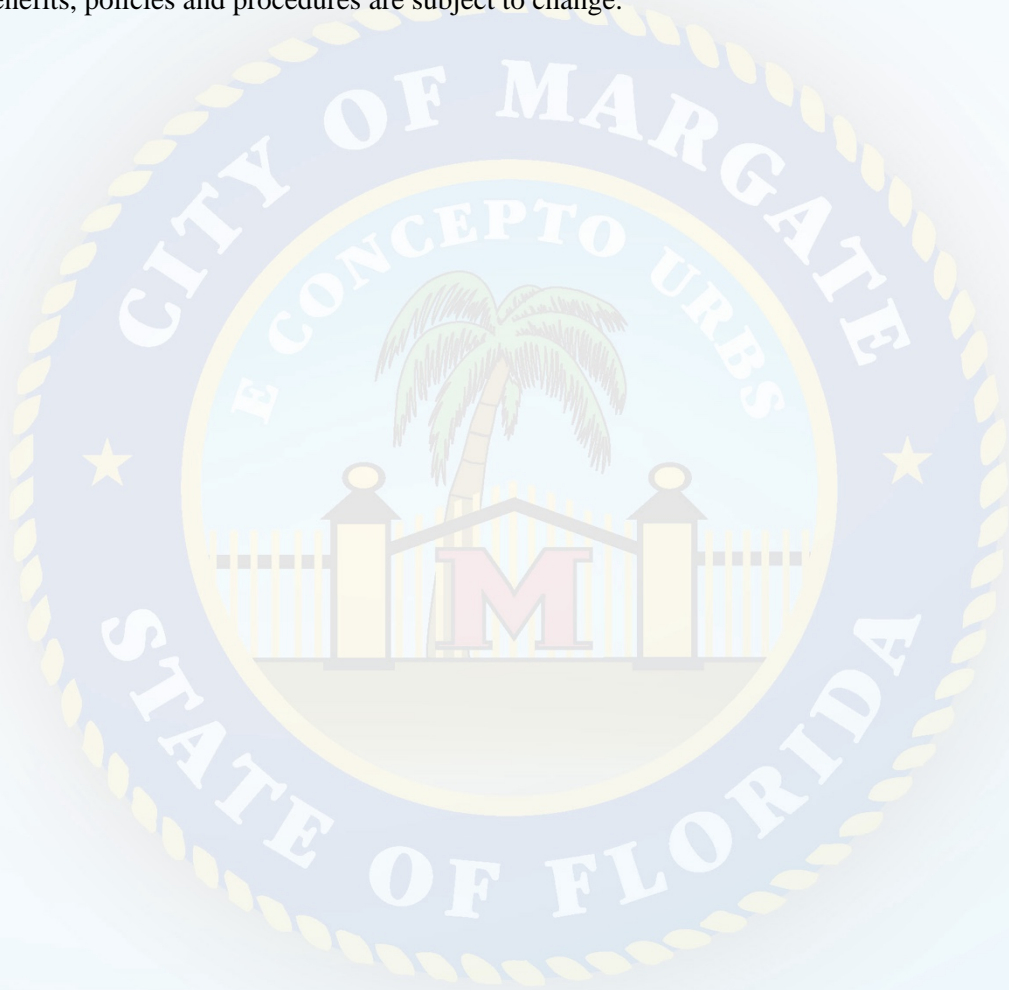
This policy may be revised from time to time.

### Hours of Work and Overtime

For this benefit, policy, or procedure, please refer to the collective bargaining or contractual agreement that covers your position.

Positions not covered by a collective bargaining or contractual agreement should refer to departmental procedures or seek clarification from the Human Resources Department and/or the City Manager's Office regarding what benefits, policies, or procedures apply.

Benefits, policies and procedures are subject to change.



### Lactation Accommodation

#### **PURPOSE:**

To accommodate an employee's desire to breastfeed or express milk at the workplace.

#### **SCOPE:**

All employees.

#### **POLICY:**

The City of Margate shall reasonably accommodate an employee's desire to breastfeed or express milk at the workplace. Breaks may be taken as often as reasonably necessary to nurse or to express milk for a nursing child for one (1) year after the birth of the child. The City shall not discriminate against, discipline or take any adverse employment action against an employee who takes advantage of this policy.

#### **PROCEDURE:**

Each location shall provide a room or other space convenient to the work area, other than a bathroom, where the employee can breastfeed or express milk that is shielded from intrusion from co-workers and the public. The space shall be clean, and include the following:

- Electrical outlet
- Chair
- Small table
- Wastebasket, and
- Lockable door, curtain, or other means for ensuring privacy

A sink with running water and paper towels shall be located nearby, and space will be made available for pumping supplies and an insulated food container for expressed milk storage where the items will not be disturbed or contaminated.

An employee returning to work from the birth of a child who wishes to utilize a nursing room or space shall:

- notify the Supervisor and the Director of Human Resources (or designee) of such intent
- schedule the nursing room or space with the Supervisor and Director of Human Resources (or designee)
- make arrangements for the baby to be brought to and from the workplace for breastfeeding if applicable
- provide a cooler for the storage of the expressed milk if there is no refrigeration available at the location.

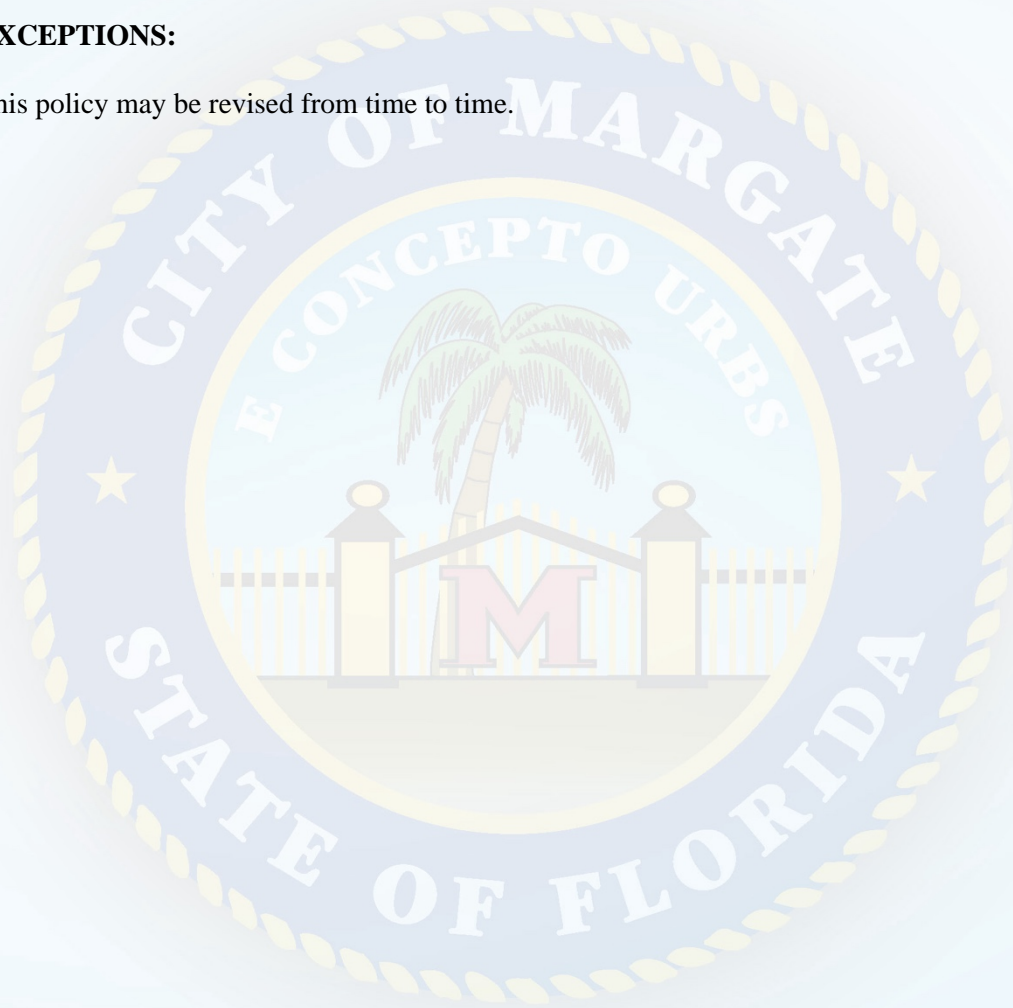
Break times used for the purposes of breastfeeding or expressing milk must, if possible, run concurrently with any break time already provided to the employee. It is expected that

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employees using this policy will typically need breaks to express milk 2 – 3 times during an eight (8) hour shift. The length of time may vary from person to person, therefore, consideration will be given to factors including, but not limited to, the time to travel to and from the nursing space provided, set-up, and clean up. Generally, 30 minutes will be regarded as a reasonable amount of time for any given break used for breastfeeding or expressing milk. Non-exempt employees will be compensated for up to 30 minutes of time for this purpose per rest break. Two (2) 15 minute paid rest breaks are typically scheduled during a full-time employee's normal work shift. The employee may also use a scheduled meal break, which shall be paid and uninterrupted time.

### **EXCEPTIONS:**

This policy may be revised from time to time.



### Medical Examinations

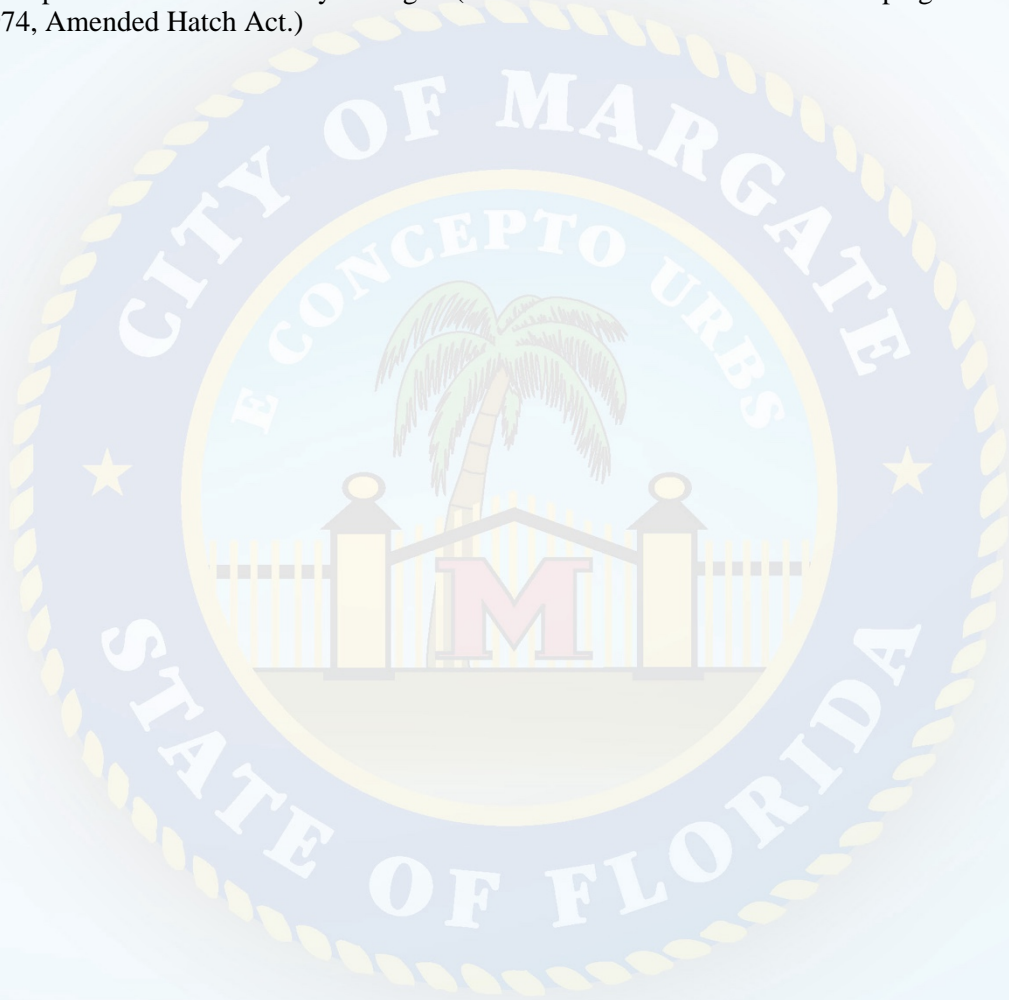
Sec. 30-79. - Medical examinations; alternative employment, termination of medically disabled employees.

- (a) *General.* The city manager may, if they feel it necessary, require an employee to take a medical examination. If the employee does not satisfactorily pass said medical examination and cannot perform the essential functions of the employee's job, then the employee's situation will be reviewed by the city manager and the department head involved, to determine if there is a vacant position for which the employee is qualified and which the employee can perform the essential functions of the job satisfactorily for the city. If there is none, every possible effort will be made to assist said employee to apply for a disability pension and/or other retirement or compensation in accordance with state law. If said employee is not eligible for any of the aforesaid, the employee will be terminated.
- (b) *Police personnel.* Sworn police personnel, who [are to be terminated] because of job-related injury or disease, shall be terminated pursuant to the above only after one (1) year from the date of the injury or illness.

### Political Activities

Sec. 30-68. - Political activities.

While on duty, city employees will not in any manner give, solicit or receive any assessment or contribution for any political party or candidate for any office of the city, nor solicit votes for any such candidate, nor influence the votes of any person in favor of any candidate. Proof of the violation of this rule will be sufficient grounds for charges by the department head or the city manager. (See Section 401 of the Federal Campaign Act of 1974, Amended Hatch Act.)



### Probation

Sec. 30-31. - Appointments and promotions probationary.

- (a) All initial appointees, in-house appointees, and promoted individuals shall serve a twelve-month probationary period, except for police recruits, who shall serve eighteen (18) months.
- (b) Initially employed probationary employees who are terminated or in-house appointees, and promoted probationary employees who are returned to their former rank or position prior to completion of their probationary period shall have no right to statement of cause nor reasons for same, nor to an investigation, a hearing, or appeal of same.
- (c) As an alternative to termination or return to former rank or position before the completion of a probationary period, an employee may, with their consent, and at the sole discretion of the administration, their probationary period extended for up to an additional six-month period. Employment pursuant to an extended probationary period shall be governed by subsection (b) above.
- (d) Employees in a probationary status may apply and compete for open positions provided they meet basic minimum qualifications of the position, have not received an unsatisfactory efficiency rating for the preceding rating period, are not on disciplinary probation or suspension and have completed any time-in-grade requirements by the date of the first of any examinations held for the position, if any.

### Professional Conduct

It is the policy of the City of Margate to encourage positive employee/employer relations by providing for the fair and consistent treatment of everyone; to ensure that all employees are aware of their obligations and the consequences of disregarding those obligations; and to ensure that employee misconduct is dealt with in an appropriate manner.

All employees are expected to conduct themselves in such a manner as to promote the best interest of the City, department, other employees and customers. Such positive conduct includes, but is not limited to:

1. Complying with all City safety and security regulations
2. Wearing clean, neat uniforms, or clothing appropriate for the work being performed
3. Reporting to work punctually as scheduled, and being ready for work at the assigned starting time
4. Giving proper advance notice whenever unable to work or report on time
5. Appropriately taking meal breaks
6. Maintaining a clean and orderly work area
7. Treating all customers, visitors, and employees with dignity, courtesy, and respect
8. Refraining from conduct, behavior, or language deemed offensive or undesirable, or which is contrary to the City's best interests
9. Being responsible and accountable for the employee's own conduct
10. Performing assigned tasks efficiently, in accord with established quality standards, and working as instructed
11. Maintaining as confidential City proprietary data, and personal information concerning other employees and customers, and reporting to management any activities which seem to be unethical, illegal, or suspicious
12. Being a part of the culture of constant improvement, bringing forward ideas to make the City a great place to work, and a great place to live

The City will exercise as appropriate the progressive disciplinary procedure as outlined in the City of Margate Code of Ordinances, Chapter 30 – Personnel, Sec. 30-61. Discipline – Generally, however there are violations of rules or policy that may result in accelerated disciplinary action up to and including immediate termination.

A violation of any rule or policy may result in accelerated disciplinary action.

The City reserves the right to terminate employment immediately for any reason.

Although not intended to be all-inclusive, the following list illustrates the type of behavior that will not be permitted. No list of rules can include all instances of conduct that can result in accelerated discipline and the below examples do not replace sound judgement or common-sense behavior.

#### Conduct Resulting in Accelerated Disciplinary Action

1. Reporting to work under the influence of, or in possession of, illegal drugs and/or alcohol, or refusing to submit to a required drug test
2. Destruction of or misuse of property, tools, machine equipment, or property of

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- others
3. Falsifying or altering any City or employee records; altering of your timecard; or clocking in or out for another employee
  4. Acting in a confrontational or antagonistic manner with any customer, visitor, vendor or coworker
  5. Violation of Workplace Violence Policy, i.e. physical or emotional abuse directed toward another person; threatening or verbally abusing another customer, visitor, vendor or coworker, coercing, malicious behavior, interfering with fellow employees during work hours or on City property
  6. Stealing property or having knowledge of property being stolen without reporting it; or being in possession of unauthorized property
  7. Immoral conduct or indecency on City property
  8. Violation of Respectful Workplace and Ethical Standards policies
  9. Violation of Weapon Possession in the Workplace Policy, i.e. possessing a weapon on City property, except as permitted by Federal, State or Local Law.
  10. Falsifying a Workers' Compensation claim, or accepting any form of compensation from the City while receiving Worker's Compensation or Unemployment Compensation from another employer
  11. Accepting unauthorized payoff, commission, gifts, or other forms of compensation from any suppliers of materials or services to the City or from a customer
  12. Failing to work as instructed
  13. Walking off the job, or not showing up to work and not contacting your immediate supervisor or director
  14. Working privately for a customer without approval
  15. Unauthorized entrance into a customer's home, or other restricted area
  16. Failing to comply with licensure or certification requirements, or allowing a required license or certification to expire
  17. Sleeping during work hours, or being in a non-alert state, except as otherwise authorized
  18. Violation of safety rules and practices
  19. Insubordination
  20. Behaving in an offensive manner to include using language that is offensive, undesirable, vulgar or abusive
  21. Abuse or improper use of electronic email, or violation of the City's Technology Use and Security Policy
  22. Failing to report conviction of a crime, or arrest for a disqualifying offense per Federal, State or Local background screening law
  23. Using City-owned equipment without authorization
  24. Removing, posting or altering notices on any bulletin board on City property without permission from the employee's Immediate Supervisor, Department Director, or Human Resources Department
  25. Failure to report injuries per policy, or damage to or an accident involving City equipment
  26. Any type of negligence
  27. Horseplay that results in personal injury or equipment damage
  28. Spreading malicious rumors or gossiping about another employee concerning their personal character or conduct

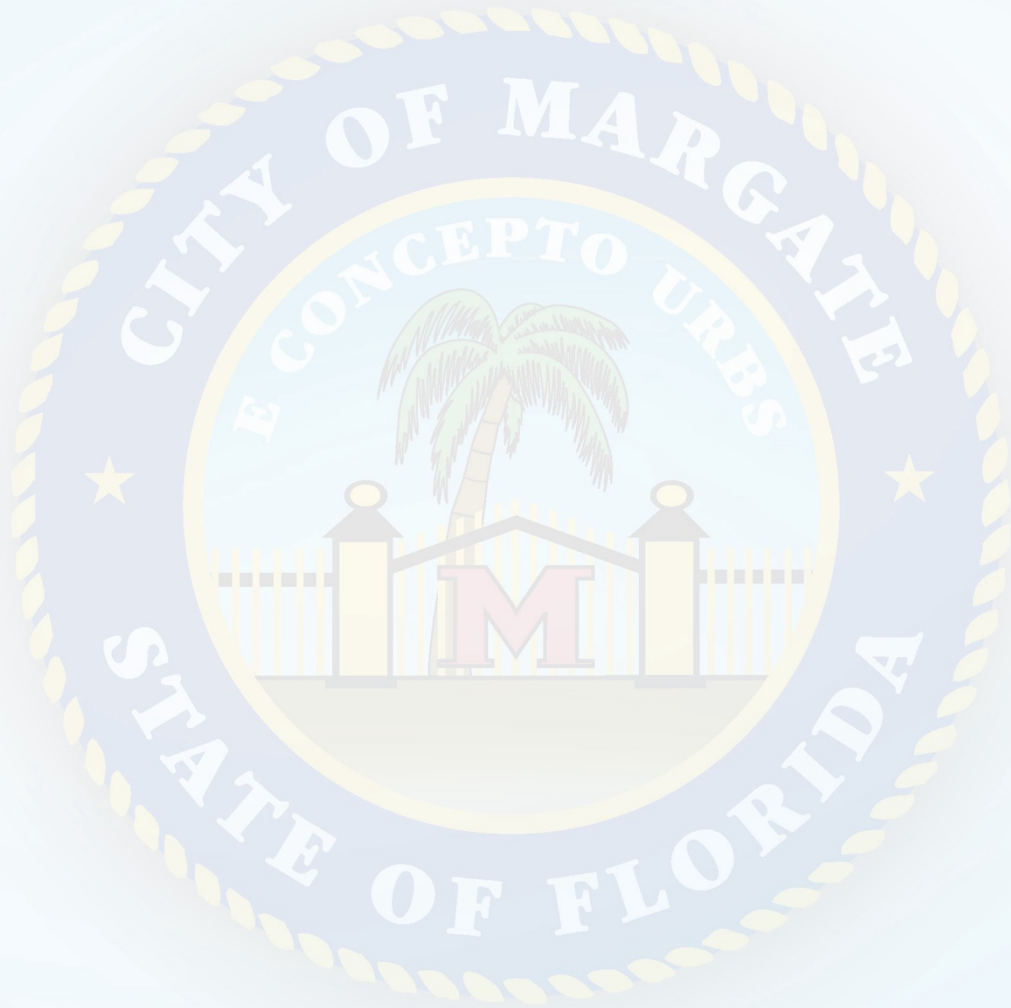
An overview of the City's Employee Handbook and policies and procedures will be reviewed during general orientation and employees will have an opportunity to ask and

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have answered any questions regarding expectations for performance.

It is the responsibility of employees to know and to adhere to all standards of performance as described in the Employee Handbook, City of Margate Code of Ordinances, Chapter 30 – Personnel, department policies and procedures, and collective bargaining agreements, if applicable.

Any questions about this policy should be directed to your Immediate Supervisor, Department Director or the Human Resources Department.



### Promotional Pay

#### PURPOSE:

The purpose of the Promotional Pay Policy is to outline the method by which an employee's pay is adjusted when the employee has been promoted to another position.

#### DEFINITIONS:

A **promotion** is the employee's movement from one position to a different position of a higher level in pay and responsibilities. Employees must apply, test if applicable, interview and be selected for a posted, vacant position that has been established and classified at a higher grade. The job description and duties are not the same as a position an employee currently holds unless appointed in an interim capacity, and all eligible candidates may apply and be considered for the position.

The obtainment of certifications or licenses specified in position descriptions shall not be considered a promotion where the job responsibilities remain essentially the same, even when the obtainment of certifications or licenses results in adjustment to a higher pay grade and step within the new grade.

#### POLICY:

When an employee is promoted, and unless otherwise stipulated in any applicable collective bargaining agreement, the employee's pay shall be adjusted as follows:

- The employee first receives a 10% pay increase, or the minimum of the new salary range, whichever is higher.
- Depending upon the quarter of the fiscal year in which the employee is promoted, the employee may be due "credit" for those quarters for which they would otherwise have been eligible for a step increase, when and if step increases are awarded the following fiscal year, even though the employee begins a new promotional probationary period.
- Steps earned shall be paid in the higher pay grade, regardless if any credit earned was in the employee's position previous to the effective date of the promotion.
- If a promotion results in the employee exceeding the maximum of the new pay range, the employee will receive the full percentage of increase. The employee will receive subsequent cost of living adjustments in a lump sum payment and not receive further step increases. The base pay will remain the same, until such time as the maximum of the range exceeds the employee's base pay.

#### PROCEDURE:

The department director or designee shall complete and submit an Employee Action Form (EAF) to the human resources department, accompanied by a written letter summarizing the basis for the selected employee's promotion.

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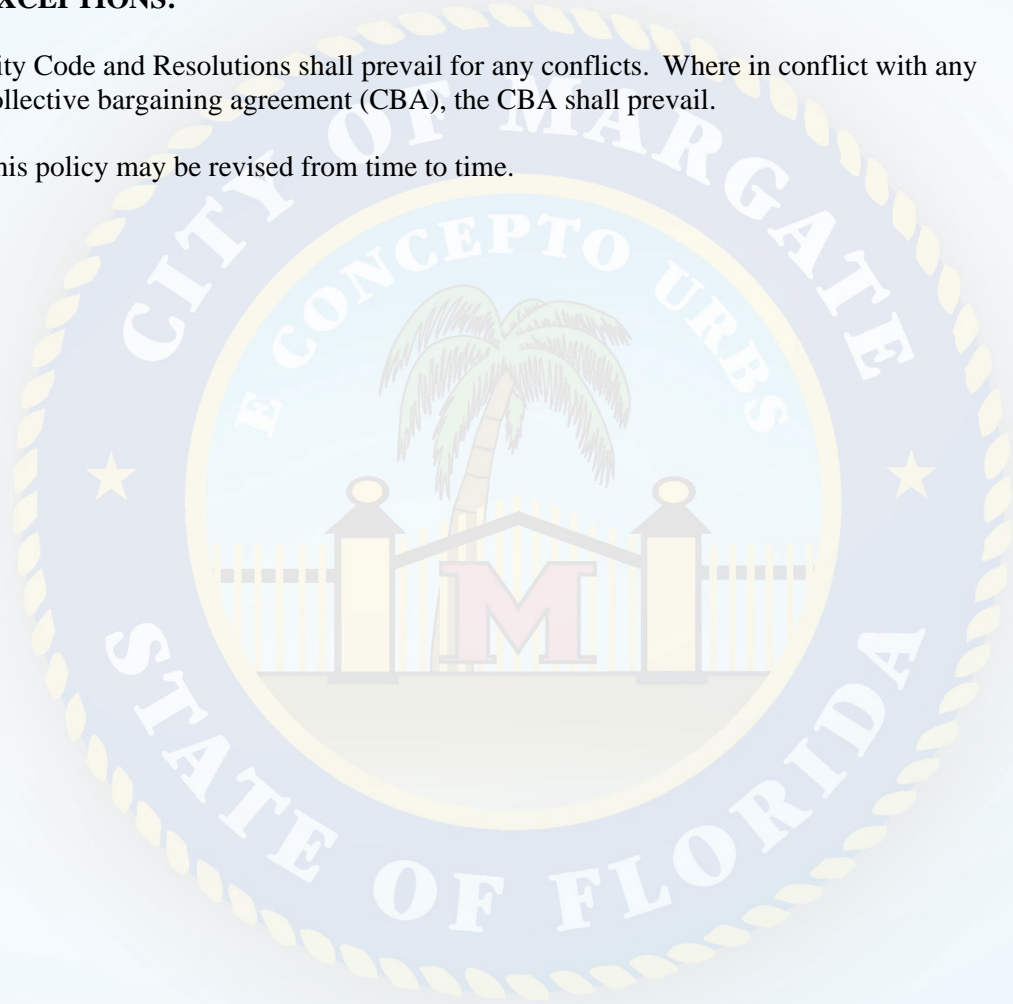
The human resources director will review, approve and route the form for approval of the city manager. If approved, the human resources department will generate an offer letter for the employee's signature.

If the promotion results in a vacancy in another department, the director of each department shall coordinate a mutually agreed upon effective date for the position change. The department with the vacancy will generate a separate EAF, requesting the position be posted. The department may request the position be posted internal only, external, or both.

### **EXCEPTIONS:**

City Code and Resolutions shall prevail for any conflicts. Where in conflict with any collective bargaining agreement (CBA), the CBA shall prevail.

This policy may be revised from time to time.



### Promotions

Sec. 30-40. - Examination announcements.

Promotional examinations shall be given only when required by an anticipated budget opening or vacancy, as determined in the discretion of the City Manager.

Sec. 30-41. - Application for examination for position; information required, prerequisite to examination.

- (a) Resumés, letters, applications, and related documentation shall be accepted only in response to an advertisement for a vacant promotional position.
- (b) Applications shall be made available through the human resources department. An applicant must fully and accurately complete all sections of the application. Failure to fully and accurately complete all sections of the application shall be grounds for disqualification of an applicant.
- (c) An applicant who provides any false and/or misleading information, or who misrepresents any information on the promotional application, shall immediately be disqualified from further consideration for employment. Such actions shall be grounds for immediate termination if an applicant has been hired.
- (d) The human resources director, or designee, shall review said applications for compliance with this section and determine whether the applicant meets the qualifications for the stated position or not. The human resources director, or designee, shall have the right to reject or eliminate said application, and to disqualify an applicant accordingly.

Sec. 30-42. - Examination procedure.

- (a) The human resources director shall ensure that applicable written, oral and practical examinations, for promotional opportunities, shall be given.
- (b) The department director and the human resources director, or their respective designees, shall review and evaluate applications to determine if the candidate meets or exceeds the minimum qualifications for the position sought.
- (c) The human resources department shall coordinate and may conduct a written examination, if applicable, for those applicants deemed qualified pursuant to [subsection] (a) above.
- (d) The department director, in conjunction with the human resources department shall schedule and conduct a practical examination, if applicable, for those applicants who pass the oral examination.
- (e) For those qualified candidates who pass any applicable written and practical examinations, the department director, in conjunction with the human resources department, shall convene an oral examination board that shall consist of a member

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of the civil service board, the human resources director, and the department director, or their respective designees.

- (f) The human resources department shall create an eligibility list based on the grade order determined by final examination rankings, pursuant to section 30-43. The eligibility list shall be submitted for review and certification by a member of the civil service board.
- (g) The human resources department will coordinate all applicable written, applicable oral, and applicable practical examinations both initial and promotional. If additional assistance is required to prepare, conduct, or administer any examination, the human resources director is empowered to seek outside assistance, subject to the availability of City funds within the hiring department's budget.
- (h) Oral examinations shall be conducted by the human resources department, and one (1) department director, or their designees, and one (1) civil service board member. The final score on the oral examination shall be based on the average of all three (3) scores received from the examiners.
- (i) Oral examinations shall be conducted for a maximum of ten (10) candidates scoring highest for each vacant civil service position, unless otherwise determined in advance by the civil service board.
- (j) The civil service board, through the human resources department, shall ensure that all examinations have been held and maintain all eligibility lists for appointment to all departments of the City. Employees will be promoted only after passing a competitive examination. All competitive examinations shall be given under the authority of the civil service board.
- (k) Candidates who have scored a passing grade but who have not been given an oral examination shall be placed on a qualification list. Those candidates shall be subject to the continuation of the full promotional process to fill future vacancies in that position for as long as the original eligibility list would have existed.
- (l) All graded examinations, whether written or oral, shall be reviewed for accuracy by the human resources department. The human resources director, or designee, shall certify all promotional examinations.
- (m) A candidate whose application has been accepted and acknowledged by the human resources department will be admitted to an examination.
- (n) No candidate will be given a special examination or a re-examination or a rescheduled examination unless it is otherwise authorized by the human resources director. All such claims must be filed in writing with the civil service board within five (5) business days of the previously scheduled examination.
- (o) An individual who fails any written, oral, or practical examination for a promotional opportunity may not retest for that same position within six (6) months of the date that the individual failed the examination.

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### Sec. 30-43. - Examination ratings.

- (a) Candidates must attain a final examination rating of not less than seventy (70) per cent in order to be placed on an eligibility list for certification and appointment. A candidate may appeal their rating to the civil service board by claiming an error or mistake; such claim must be filed in writing within fifteen (15) calendar days after receiving notification of the result of the examination.
- (b) The examination will be averaged on the basis of fifty (50) per cent weight to be given to the written examination and fifty (50) per cent weight to be given to the oral examination. The candidate must attain the examination rating indicated in (a) above for the written examination, where applicable, and also for the oral examination, and also a passing score on a practical examination, where applicable, in order to be qualified. City employee credits shall be added to an applicant's final score only after the employee has been deemed qualified, pursuant to subsection (b) above, and has not been demoted for cause within one (1) year of taking the written examination and has not received a less than satisfactory performance evaluation during the most recent evaluation period.
- (c) If two (2) or more candidates attain identical scores in the overall rating, the tie will be resolved in favor of the candidate who has the most seniority with the City.
- (d) The results of each examination will be listed in numerical order determined by final examination ratings.

### Sec. 30-44. - Disqualification of applicants.

- (a) An applicant may be disqualified from consideration for a position where in the discretion of the administration it is determined that the applicant is ineligible to hold the position for which the applicant has applied. Reasons for determining ineligibility include, but are not limited to, any of the following:
  - (1) Failure to meet technical qualifications for the position;
  - (2) Failure to provide all necessary information on the application for employment;
  - (3) Failure to provide all truthful information on the application for employment;
  - (4) Failure to pass drug screening, if required;
  - (5) Failure to pass a medical examination;
  - (6) Unsuitability based upon criminal background check limited to records that are job related and consistent with business necessity; consideration will be given on an individual case-by-case basis depending upon the position involved, the nature and gravity of the offense, conduct, and time since conviction;
  - (7) Unsuitability based upon CVSA or similar examination, if required;
  - (8) Unsuitability based upon general background or job history background check;

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- (9) Physical inability to perform the essential functions of the position with reasonable accommodation.
- (b) All applicants will sign a waiver of release regarding liability in connection with any physical fitness examination in accordance with the City's requirements. Failure to do so shall be cause for immediate rejection and disqualification of the applicant.
- (c) The burden of establishing the required qualifications will be upon the applicant.
- (d) An applicant who has been disqualified shall be given the reasons for same in writing, and be entitled to request an appeal to the civil service board in writing if same is received by the board within seven (7) calendar days after notification of such disqualification.
- (e) The civil service board shall determine whether the request for appeal has demonstrated on its face a violation of the civil service rules or discrimination as prohibited by city, county, state or federal law. If any of the preceding is preliminarily shown, an appeal shall be held, pursuant to section 30-27 of the Code. If no preliminary showing is made of the preceding, no appeal hearing shall be granted.
- (f) Investigation of an applicant's qualifications and background may continue any time after the applicant's appointment, and if any disqualifying facts or fraud are discovered, revocation of that appointment may result.

### Sec. 30-45. - Eligibility lists.

- (a) The results of each civil service examination will be listed in the grade order determined by final examination ratings, except as provided in section 30-43.
- (b) Eligibility lists will be established in that [grade] order.
  - (1) Any eligibility list established as a result of a promotional examination process shall remain in effect for a period of one (1) year from the date, beginning on the first business day after all applicable examination ratings for a given examination have been tabulated.
  - (2) Any eligibility list may be extended by the civil service board and/or City Manager provided that it is at least one (1) week before or after the expiration date of said eligibility list.
- (c) The human resources department will furnish copies of the eligibility list to the City Manager, and appropriate department directors and will post same in appropriate areas. The original copy is to be retained by the human resources department.

### Sec. 30-46. - Notice of appointment.

- (a) Appointments to fill promotional vacancies shall be made from the eligibility list provided by section 30-45. The civil service board shall certify the highest candidate who shall be appointed to the position to be filled subject to successful completion of the criteria as provided in section 30-45. Should there be more than one (1) vacancy during the life of an eligibility list, appointments shall be made pursuant to this

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subsection for the next highest candidate by cumulative score for each position which appointments are to be made.

- (b) All appointees will execute an oath in the presence of a City notary public who is authorized to administer the oath, in a prescribed form. This signed oath and notice of appointment will be maintained in the human resources office.

### Sec. 30-47. - Declination of appointment.

An eligible applicant certified for promotional appointment will not have their name stricken from the list if they are temporarily unable to accept the position for reasons beyond their control. An individual declining for such reason may have their name restored to the eligibility list upon making written application to the civil service board within fifteen (15) calendar days after declination of appointment. No such individual will be restored to the list more than one (1) time. Any eligible applicant who fails to respond to a letter of inquiry or appointment within fifteen (15) calendar days, will have their eligibility status revoked. Such person shall be notified by certified mail, return receipt requested.

### Sec. 30-48. - Promotional opportunities; seniority credits; eligibility.

- (a) Opportunity to sit for examination for promotional vacancy shall first be made available to qualified City employees who are not on disciplinary probation or suspension and have completed any time-in-grade requirements by the date of the first of any examinations held, where applicable.
- (b) If no city employee is available, as provided in subsection (a), then opportunity to sit for promotional vacancy shall be made available and open to any applicant, except for those described under subsection (c).
- (c)
  - (1) Employees demoted for cause during the past year and those receiving unsatisfactory efficiency ratings for the preceding rating period are not eligible to hold a higher rank, even on a temporary basis.
  - (2) Employees demoted for cause twice shall be ineligible for promotion within three (3) years of the employee's second date of demotion and within three (3) years of each of the dates of each succeeding demotion. During said time, an employee demoted twice shall also not hold a higher rank, even on a temporary basis.
- (d) Seniority credits for promotional examination purposes shall accrue at the rate of one (1) point per completed year of continuous regular full-time service in excess of any applicable time-in-grade for promotional requirements, up to a maximum of five (5) points. Seniority credits shall be added only after an applicant has been deemed qualified, as provided for by subsection 30-43(b).
- (e) Veterans preference points shall be awarded in compliance with F.S. Ch. 295, if applicable. It shall be the responsibility of the employee to provide the required documentation to the human resources department upon application for the promotional position.

### Sec. 30-49. - Additional requirements for police; promotion.

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Vacancies will be filled by promotion from among employees holding positions in the next lower rank, grade or classification. Promotion will be based on merit and fitness determined by competitive examinations. Time-in-grade requirements for promotion are:

- (a) Sergeant: Five (5) years as patrol officer (includes one-year probationary period).
- (b) Lieutenant: Two (2) years as sergeant.
- (c) Captain: Two (2) years as lieutenant.

Sec. 30-50. - Additional requirements for firefighters; promotion.

Vacancies will be filled by promotion from among employees holding positions in the next lower rank, grade or classification. Promotion will be based on merit and fitness determined by competitive examinations. Time-in-grade requirements for promotion are:

- (a) Lieutenant or driver engineer: Four (4) years as firefighter.
- (b) Captain: Three (3) years as lieutenant or driver engineer.
- (c) Battalion chief or division chief: Two (2) years as captain.
- (d) All time-in-grade requirements must be fulfilled in service within the City of Margate Fire Rescue Department.

Sec. 30-51. - Transitional training appointment.

- (a) A transitional training position is a temporary non-civil service position that shall serve the purpose of providing an eligible individual with a transitional training period in a regular, full-time position that is to be officially vacated by a retiring/resigning employee subject to the availability of City funds within the hiring department's budget.
- (b) A transitional training position shall be filled for a period that shall begin no earlier than sixty (60) working days prior to, and shall end on the effective date of the outgoing employee.
- (c) The City Manager shall have the sole authority to designate and to fill any transitional training position within the employment of the City.
- (d) Time served in a transitional training position shall not be recognized as time employed for fulfillment of any probationary period as recognized by any civil service ordinance of the City.
- (e) An individual who is hired to fill a transitional training position shall receive only those employment benefits enjoyed by a regular full-time employee of the City, except as provided in subsection (f).
- (f) Employment in a transitional training position shall not entitle an individual to any rights of appointment to any position within the City.

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### Sec. 30-52. - In-house appointments.

- (a) At the sole discretion of the City Manager, a vacancy for a position that does not fall under an established direct career path promotional opportunity may be filled in-house by a City employee. To qualify as an applicant for an in-house appointment, an employee shall:
  - (1) Meet the stated qualifications for the position; have received at least a satisfactory efficiency rating for the preceding rating period, if applicable;
  - (2) Not have been demoted for cause during the employee's career with the City;
  - (3) Not have received any disciplinary action greater than a written reprimand for one (1) full calendar year, prior to the date that the vacant position is advertised;
  - (4) Not be under any type of investigation that could result in disciplinary action greater than that of a written reprimand; and
  - (5) Not be employed pursuant to the conditions of a last chance agreement.
- (b) To be eligible for an in-house appointment, an eligible candidate shall also successfully pass drug testing, if required.
- (c) An employee appointed to a position pursuant to this section shall maintain the right to return to their former position anytime during the probationary period, but not thereafter.
- (d) If no qualified individual(s) meet the conditions specified in subsections (a), (b), and (c) of this section, then the City Manager shall have the sole discretion to fill such position as an in-house training appointment with any employee who is not on disciplinary probation or suspension and who expresses an interest in changing their career path.
  - (1) The duration of the appointment shall be for a maximum of one (1) calendar year, and shall not be extended beyond one (1) calendar year. The City Manager shall maintain the sole discretion to rescind an in-house training appointment at any time.
  - (2) An employee who is appointed to a position shall maintain their then current employment benefits; however, the salary for the position shall be determined solely by the City Manager within the salary ranges approved by the City Commission.
  - (3) An employee who is appointed to a position and who serves in such position for one (1) calendar year shall be afforded the opportunity to fill the position on a regular, full-time basis pursuant to subsections (a), (b), and (c) of this section.

### Reclassification of Positions

#### PURPOSE:

To define the purpose and procedures for reclassification of existing job classifications or positions(s) within a job classification during and outside of the City's budget cycle.

#### DEFINITIONS:

**Reclassification** is an approved adjustment in the assigned pay grade of an existing job classification or position(s) to a different pay grade. Budgeted reclassifications may occur for reasons including but not limited to:

- A determination the current pay grade for a job classification is not competitive in the job market
- Additional certifications, licenses or experience listed as preferred qualifications within an existing job classification are obtained, but the job duties are substantially the same, i.e.: Laborer I, Laborer II.
- Addition or revision of job classification minimum educational or experience qualifications, or essential functions requiring greater or lesser responsibility and/or complexity that may or may not include a change in job classification title

Pay grade reclassifications are not promotions. The City's promotional process is defined in the City's Code of Ordinances, Chapter 30 - Personnel. Employees must apply, test if applicable, interview and be selected for a posted, vacant position that has been established at a higher pay grade. The job description and duties for a promotional position are not the same as a position an employee currently holds unless appointed in an interim capacity and all eligible candidates may apply and be considered for the position, except as may be determined within the powers of the city manager.

#### POLICY:

The reclassification of positions shall be subject to the approval of the City Manager and set by resolution of the City Commission.

#### PROCEDURE:

During the budgeting process for a new fiscal year, the department director shall prepare and submit a Position Change Request form, along with a written letter of justification and position description with revisions, if applicable. The position description changes should be submitted in editable Word format, showing the proposed revisions.

The Position Request Change form, justification letter and draft position description (if applicable) shall be submitted to the Human Resources Director for initial review of the appropriateness of the recommended change in pay grade, competitive analysis, and positioning within the Compensation and Classification plan. The Human Resources Director will forward the documents to the Finance Department and City Manager. The request will be further evaluated based upon factors inclusive of the documented need, economic impact (cost or savings), and anticipated benefits to City operations. The Human Resources Director, Finance Department and/or City Manager may request additional

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explanation.

If the request is approved by the City Manager, the Finance Department will place the request into the proposed fiscal year budget. Excluding contract employees, the salary ranges and benefits of all employees of the City of Margate, not a part of any bargaining unit as recognized by the Public Employees Relations Commission of the State of Florida, shall be recommended to the city commission by the city manager and set by resolution of the city commission on an annual basis.

If the proposed reclassification is adopted as part of the budget, the department director will complete and submit an Employee Action Form (EAF) for approval of the adjustment.

When an employee's position is reclassified, the impacted employee's pay shall be adjusted as follows, unless otherwise stipulated in any applicable collective bargaining agreement:

- Impacted employees shall be adjusted to the minimum of the new grade and salary range or the next step above their current pay in the new salary range, whichever is higher
- Any time in grade credit shall be paid in the higher pay grade, when and if step increases are awarded the following fiscal year, regardless if any of the credit was in an employee's previous pay grade prior to the effective date of the reclassification

The above shall not preclude the city manager from making salary and benefit adjustments throughout the year on their own initiative for positions not a part of any bargaining unit as recognized by the Public Employees Relations Commission of the State of Florida, within the salary ranges previously approved by the city commission, subject to the approval of the appropriation as provided for by Charter [section 5.05\(3\)](#).

Requests for the reclassification of an existing job classification or position(s) within a job classification outside of the budget process shall be reviewed by human resources, the finance department and city manager. A written justification indicating the basis for the request and any associated cost(s) shall be submitted for consideration. If approved, the department director will author and present a resolution before the city commission for approval. If the resolution is adopted by the city commission, the department director will complete and submit an Employee Action Form (EAF) for approval of the adjustment.

The Human Resources Director will notify the applicable bargaining unit(s) of position reclassifications approved as part of the adopted budget or set by separate resolution and provide revised position descriptions (if applicable) for Union review and comment. The City will meet with the Union to review these changes within thirty (30) days of impact to bargain any salary and benefit adjustments occurring outside of collective bargaining agreement contract negotiations. The Union will be notified when a reclassification constitutes a shift to a classification outside of the bargaining unit.

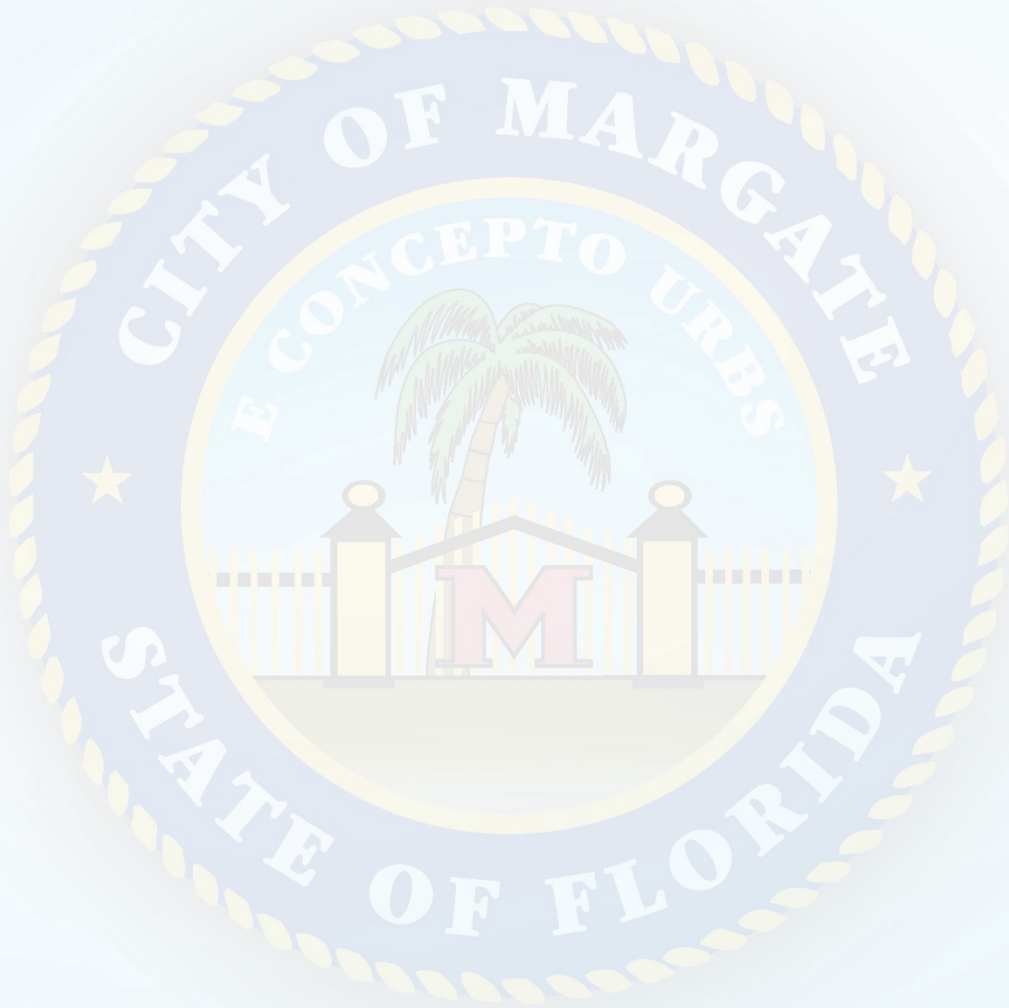
In-house appointments are not promotions or reclassifications of an existing job classification or position(s) within a job classification. Chapter 30, Section 30-52 of the City of Margate Code of Ordinances defines the temporary appointment of an employee. Any upgrade in pay is temporary, and all appointments must be approved by the City Manager.

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### **EXCEPTIONS:**

When in conflict with any collective bargaining agreement (CBA), the CBA shall prevail.

This policy may be revised from time to time.



### Reimbursement from Employees

Sec. 30-79. - Reimbursement from employees.

Apart from the City's right to discipline an employee, pursuant to the ordinances, rules or regulations of the City of Margate, the City of Margate shall have the right to obtain reimbursement from an employee who has caused damage to City property, or damage to the property of others for which the City is legally responsible by carelessness, negligence, or violation of any rule or regulation of their department or of the City, pursuant to the following procedure:

If the City Manager, in their sole discretion, determines that an employee is at fault for damages to City property, or to the property of others for which the City is legally responsible, then the following shall apply:

- (a) First at fault incident—No monetary reimbursement;
- (b) Any subsequent at fault incident within a twenty-four-month period from the date of the occurrence of the last at fault incident—two hundred fifty dollars (\$250.00) reimbursement, or the actual cost or replacement or repair of damaged property, whichever is less.

Each at fault incident will result in a new twenty-four-month period from the date of occurrence of the last at fault incident for purposes of monetary reimbursement. As such, if an employee remains free from any at fault incidents for a consecutive twenty-four-month period, the next at fault incident will result in no monetary reimbursement as the above schedule will then apply. This provision, however, shall not prohibit the City from taking disciplinary action against any employee for just cause.

Remedial training may be ordered by the respective department director for any employee who has been found to be at fault. However, if such training is ordered, it shall be completed while the employee is on duty. Further, because such training is not considered discipline, the employee shall have no right to appeal the remedial training order.

### Respectful Workplace

#### **PURPOSE:**

The City of Margate is committed to providing a work environment in which all employees are treated with respect and dignity. Employees contribute to and work in a professional atmosphere that does not tolerate unlawful discriminatory practices, including harassment. Therefore, the City requires that all relationships will be businesslike and free of harassment. The City has developed this policy to ensure that all of its employees can work in an environment free from unlawful harassment and retaliation. The City will make reasonable efforts to ensure that employees are familiar with this policy and aware that any complaint in violation of this policy will be taken seriously, investigated timely, and resolved appropriately.

#### **SCOPE:**

This policy applies to all employees when related to conduct engaged in by fellow employees or by someone not directly connected to the City (e.g., an outside vendor, consultant, customer). Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside the workplace such as during business trips, business meetings, community events, workshops, focus groups, and business-related social events. Non-employees, such as City volunteers, interns, and board and committee members are also expected to treat employees and each other with respect and dignity.

#### **DEFINITIONS:**

**Sexual Harassment:** Sexual harassment constitutes discrimination, and is illegal. It is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when, for example: a) submission to such conduct is made either an expressed or implied term or condition of employment, b) submission to or rejection of such conduct is used as a basis for an employment decision affecting the harassed employee, or c) such conduct has the effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment may include a range of subtle and not so subtle behaviors, and may involve individuals of the same or different gender. These behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendos; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering; whistling or touching; insulting or obscene comments or gestures; display of sexually suggestive objects or pictures; and other physical, verbal, or visual conduct of a sexual nature.

**Harassment:** Harassment on the basis of any other protected characteristic is also strictly prohibited. Harassment may be verbal, written, or physical conduct or mental intimidation that shows hostility or aversion toward an individual because of their race, color, religion, sex, sexual orientation, gender identity or expression, age, disability, marital status, citizenship, genetic information, or any other characteristic protected by law, or, in some

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cases, that of their associates, and that: a) has the effect of creating an intimidating, hostile, or offensive work environment, b) has the effect of unreasonably interfering with an individual's work performance, or c) otherwise adversely affects the employee's employment opportunities.

Harassing conduct may include gossiping; slurs or negative stereotyping; threatening, intimidating, or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an employee or group that is displayed or circulated in the workplace.

Bullying is another term that may be used for harassment. Bullying is defined as the use of force, threat, or coercion to abuse, intimidate, or aggressively dominate others. The behavior is often repeated and habitual, and is strictly prohibited by the City.

### **POLICY:**

Employees shall not commit an act of harassment or sexual harassment against any other employee or nonemployee as it relates to City business. An employee who commits a violation of this policy shall be subject to discipline up to and including termination of employment.

All levels of leadership share responsibility for communicating this policy, for recognizing, responding, and taking corrective actions, and/or preventing harassment of City employees. All employees should report suspected harassment of any nature, whether against themselves or another.

Employees who feel they are a victim of harassment are encouraged to first advise the individual instigating the harassment that the conduct or behavior is unwelcome and offensive. The employee should immediately report the behavior as outlined in the Report Procedures below.

Confidentiality shall be maintained to the extent allowed by law and the circumstances to the persons involved in any investigation of a complaint. Unnecessary disclosures are prohibited; however, nothing in this policy prohibits or discourages the making of a complaint or the reporting of illegal harassment of any kind to any proper authority.

Employees exercising their rights by filing a complaint in good faith will not be retaliated against by the City regardless of the findings of the investigation. However, any employee found to have intentionally or negligently provided false or misleading information may be subject to disciplinary action.

### **Reporting Procedures**

1. Employees shall report their complaint immediately to a member of their direct chain-of-command, or the Director of Human Resources (or designee).
2. If the employee made the complaint to a member of their direct chain-of-command, the leader will notify the Director of Human Resources (or designee) of the complaint.
3. The Director of Human Resources (or designee) will provide guidance to the

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Supervisor or Department Director (or designee) coordinating and conducting an investigation. A written statement will be requested of the complainant but is not required.

4. If the complaint involves a member of the employee's direct chain-of-command, the employee shall report the complaint to the next highest rank supervisor not involved in the complaint. If the employee believes the complaint remains unresolved following investigation by the department, the employee shall escalate the complaint to the Director of Human Resources (or designee).
5. If a member of the Human Resources Department is either the complainant or is accused of unlawful harassment, the employee's Department Director (or designee) or the City Manager or the City Manager's designee shall conduct and/or coordinate the investigation.
6. The City Manager shall be presented with the findings of the investigation and issue a written determination as to whether there has been a violation of this policy in a timely and reasonable manner. The response will indicate corrective actions, if any, to the employee filing the complaint and to the individual(s) involved in the complaint.
7. Disciplinary and/or corrective actions shall be imposed based upon the severity of confirmed harassment.
8. If the employee is not satisfied with the determination of the City Manager, the employee may appeal the determination to the civil service board.

### **Responsibilities**

**Directors and/or Supervisors:** All leaders share responsibility for communicating this policy, for recognizing, responding, and taking corrective actions, and/or preventing harassment of City employees. If the director or supervisor accepted the complaint, they will notify the Director of Human Resources (or designee) of the complaint.

**Human Resources:** A written statement will be requested of the complainant. The Director of Human Resources (or designee) will coordinate and/or conduct (in conjunction with other departments, when appropriate) the investigation process in a timely manner, ensuring confidentiality and discretion over methods applied to the investigation, or refer to other sources or law enforcement if extremely serious in nature.

**Employees:** Employees who feel they are victims of harassment have an obligation to advise the instigator that the behavior is unwelcome. If the behavior continues, the employee should immediately notify a member of their direct chain-of-command or the Director of Human Resources (or designee).

**EXCEPTIONS:** This policy may be revised from time to time.

## Romantic Relationships

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### **PURPOSE:**

The City of Margate strives to provide a work environment that is respectful, fair and free of unlawful harassment or discrimination. In keeping with its commitment to provide equal opportunity, and in order to avoid potential conflicts of interest, favoritism, exploitation, sexual harassment, gender discrimination, or breaches of professional standards, the City prohibits romantic or sexual relationships where there is supervision, direction or control between the parties.

### **SCOPE:**

This policy applies to all employees.

### **DEFINITIONS:**

For purposes of this policy:

“City Official, Director, Manager or Supervisor” shall mean any person who has the authority and/or responsibility to hire, promote, discipline, evaluate, assign or direct employees of the City.

“Employee” shall mean any person employed by the City in any capacity.

“Romantic and/or sexual relations” shall mean when two City employees become personally involved with each other to the point that there is dating, exchange of personal affection, sexual or physical intimacy and/or cohabitation.

“Dating” shall include, but shall not be limited to, casual dating, serious dating, casual sexual involvement where the parties have no intention of carrying on a long-term relationship, cohabitation and any other conduct or behavior normally associated with romantic or sexual relationships.

“Cohabitation” shall apply to those employees who live together in a romantic relationship without being married to one another.

### **POLICY:**

#### **1. Consensual Relationships**

This Policy establishes boundaries as to how romantic relationships are conducted during work hours and within the work environment.

Individuals in supervisory or managerial roles and those with authority over others’ terms and conditions of employment are subject to more stringent requirements under this Policy due to their status as role models, their access to sensitive information, and their ability to affect the employment of individuals in subordinate positions.

##### **a. Romantic Relationships Between Supervisors and Subordinate Employees Are Prohibited.**

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Public trust, safety, and City morale require that employees avoid the appearance of a conflict between their professional responsibilities and any involvement that they may have in a romantic or sexual relationship with other City employees. In order to promote efficient operation of the City and to avoid misunderstandings, complaints of favoritism, other problems of supervision, security, morale, and possible claims of sexual harassment and/or gender-based discrimination, romantic and/or sexual relations between supervisors and subordinate employees are prohibited. Nor may any employee date another employee who is separated by more than one level in the chain of command. This includes an employee who reports to their boss's counterpart in another department.

### **b. Romantic Relationships of Employees in Departments that Manage Confidential Information**

Public trust, safety, and City morale require that employees avoid relations that may negatively impact the efficient operation of the City. Some departments have access to confidential information or are involved in personnel decisions of other departments. Therefore, employees in Human Resources, Finance, IT, City Manager, and City Attorney departments are prohibited from having romantic relationships with other employees in the City regardless of the other employees' level, grade or department.

### **c. Romantic Relationships Between Co-Employees in the Same Department**

If the City Manager or their designee determines that the circumstances of a romantic and/or sexual relationship between co-employees in the same Department raises an undue hardship upon the other employees within the particular work unit and that such continued romantic relationship is detrimental to the supervision, safety, security and/or morale of the particular work unit, the romantic relationship will not be allowed.

Before developing romantic relationships, co-employees should consider the potential for:

- Workplace gossip
- Conflicts of interest
- Sexual harassment allegations
- Favoritism
- Repercussions of a break-up
- Work distraction

Co-employees who engage in consensual romantic relationships must conduct themselves in an appropriate professional manner during working hours. They should not engage in any inappropriate behaviors that may cause their coworkers to feel embarrassed, awkward or uncomfortable. This includes, but is not limited to, intimate contact like:

- Kissing
- Prolonged hugging

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- Hand holding
- Massaging
- Personal texting, emails and calls

Employees who allow romantic relationships with co-workers to adversely affect the work environment will be subject to the City's disciplinary policy, including counseling for minor problems. Failure to change behavior and maintain expected work responsibilities is viewed as a serious disciplinary matter.

### **2. Reporting Responsibility**

Any supervisor, manager, director or other company official in a sensitive or influential position with the City must disclose the existence of a romantic or sexual relationship with another co-worker. Disclosure may be made to the individual's immediate supervisor, manager, department director, the Director of Human Resources or City Manager's Office.

The City will review the circumstances to determine whether any conflict of interest exists.

### **3. Enforcement**

The City reserves the right to investigate situations in the workplace to determine whether a romantic and/or sexual relationship exists and therefore presents a possible violation of this Policy. If the City determines that a proscribed relationship (as defined by this policy) exists, remedial and/or disciplinary measures, including but not limited to a transfer, reassignment, or dismissal, shall be utilized to mitigate issues that arise relevant to the enforcement of this Policy.

When a conflict-of-interest or potential risk is identified due to the employee's relationship with a co-worker, the City will work with the parties involved to consider options for resolving the problem. The initial solution may be to make sure the parties no longer work together on matters where one is able to influence the other or take action for the other. Matters such as hiring, firing, promotions, performance management, compensation decisions and financial transactions are examples of situations that may require reallocation of duties to avoid any actual or perceived reward or disadvantage.

In accordance with applicable collective bargaining agreements, the City may also attempt to transfer one party to the proscribed relationship to a similar classified position in another City Department, should such a position exist, be available, and should the employee possess the skills and qualifications necessary to perform the essential duties of the position. Although the wishes of the involved parties as to which individual will be transferred will be given consideration by the City, the controlling factor in determining who is to be transferred shall be the positive operation and efficiency of the City. If any such transfer results in a reduction in salary or compensation, applicable and legally required due process procedures shall be applied.

In lieu of a transfer from one department to another, or in situations where no similar

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counterpart classification exists to which an employee in a proscribed relationship can be transferred, that employee may continue to be employed within the same City department subject to approval by the Department Director and the City Manager or their designee. However, any such continuing employment is predicated upon both subject employees not reporting to the same immediate supervisor; not being supervised by each other; not working the same shift at the same work site; or, otherwise becoming involved in a work environment having the potential for adverse impact on supervision, safety, security or morale.

The City retains the right to refuse to place employees engaged in relationships prohibited by this Policy in the same department where it has the potential for creating adverse impact on supervision, safety, security or morale or involves potential conflicts of interest.

Failure to cooperate with the City to resolve a conflict or problem caused by a romantic or sexual relationship between co-workers or among supervisors, managers, directors or other city officials in positions of authority in a mutually agreeable fashion may be deemed insubordination and result in disciplinary action up to and including termination.

The provisions of this Romantic Relationship Policy are not applicable to individuals employed by the City on or before the date of adoption of this Policy in their current state of marriage/domestic partnership/cohabitation, etc. Those employees are subject to any and all employment-related actions by the City, that are permissible pursuant to existing City policies and procedures to address conduct that is negatively impacting the work environment. Furthermore, a change in marital/domestic partner/cohabitation status of any current employee, will result in the applicability of this Policy.

This policy does not preclude or interfere with the rights of employees protected by the National Labor Relations Act or any other applicable statute concerning the employment relationship.

The provisions of this policy apply regardless of the sexual orientation of the parties involved.

### Secondary Employment

#### PURPOSE:

The purpose of this policy is to provide all employees and their supervisors with clear guidance regarding what types of outside employment by City employees is authorized and to set forth the procedures to be followed for employees to secure approval for engaging in secondary or outside employment.

#### SCOPE:

All employees of the City of Margate.

#### POLICY:

City employees are permitted to engage in additional non-City employment, referred to as secondary or outside employment, only when the following criteria are observed:

1. No secondary employment may be of a character inconsistent or incompatible with or in conflict with the employee's duties with the City.
2. Approved secondary employment must be carried on fully outside of City employment and must not interfere with the performance or efficiency of the employee's position. Such work must not be of such a nature or schedule as to adversely impact or influence the employee's conduct, efficiency, attendance or promptness in fulfilling the employee's City responsibilities.
3. The secondary employment must not place the employee in a position of compromise with regard to the employee's City responsibilities or be of such a nature as to cast doubt upon the employee's fairness or impartiality in their duties as a City employee.
4. Under no circumstances may the employee, while engaged in secondary employment, sell any service or merchandise to the City.
5. Prior to engaging in secondary employment, the employee must have secured written approval to do so from the employee's department head.

*NOTE: If the provisions of an applicable collective bargaining agreement conflict in any manner with this policy, the provisions of the collective bargaining agreement shall prevail to the extent of such conflict.*

#### PROCEDURE:

1. Employees seeking approval to engage in secondary employment must fully complete an *Outside Employment Disclosure Form*, and submit it to the employee's department director for review and approval.
2. The department director must state their approval or disapproval in writing on the form and must forward the completed form to Human Resources within two (2) weeks of the time that the secondary employment begins.

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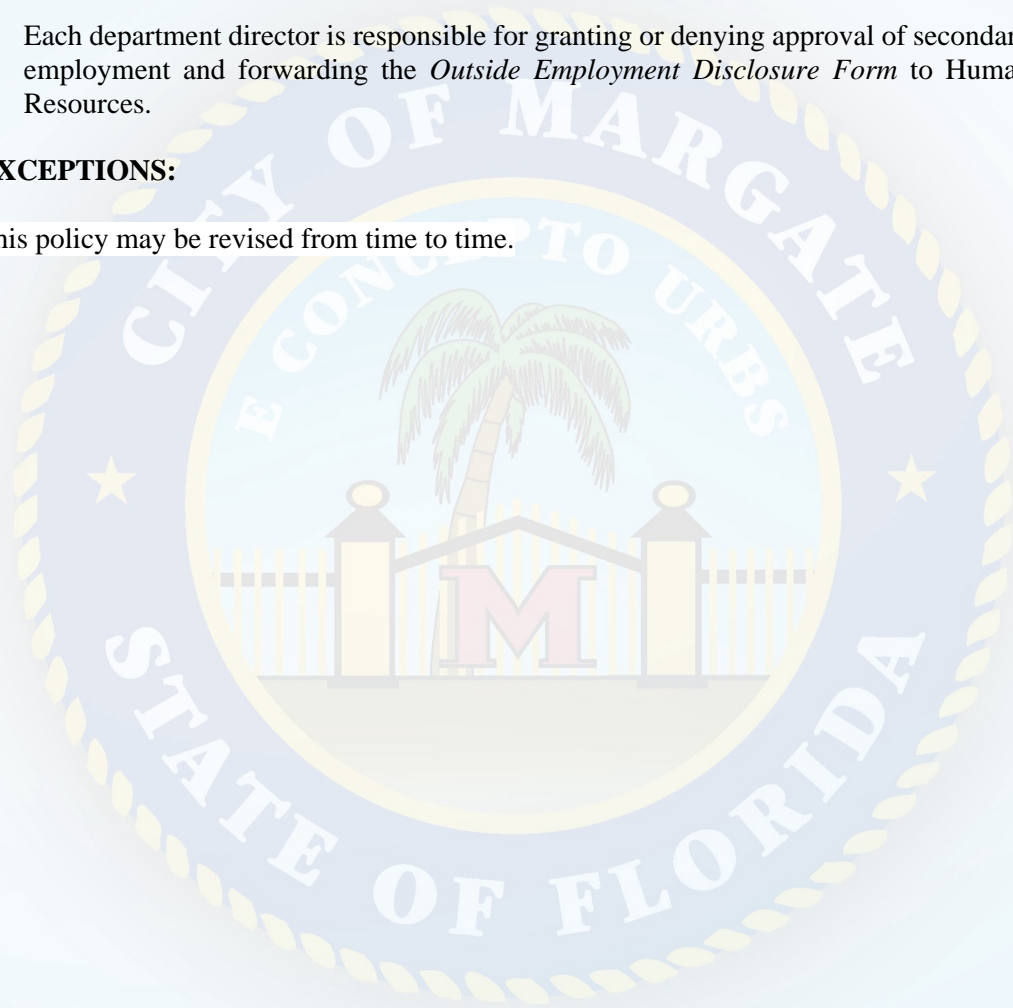
3. Termination of secondary employment must be reported to the department director on the *Termination of Outside Employment Form*, and the department director must forward the form to Human Resources for retention in the employee's personnel file.

### **RESPONSIBILITY:**

1. Each employee seeking secondary employment is responsible for initiating the process by completing and submitting the *Outside Employment Disclosure Form*.
2. Each department director is responsible for granting or denying approval of secondary employment and forwarding the *Outside Employment Disclosure Form* to Human Resources.

### **EXCEPTIONS:**

This policy may be revised from time to time.



## Smoking or Vaping in City Vehicles and Buildings

### PURPOSE:

To establish policy regarding smoking and vaping in City vehicles and buildings.

### DEFINITIONS:

“Smoking” (as defined by Florida Statute 386.203) means inhaling, exhaling, burning, carrying, or possessing any lighted tobacco product, including cigarettes, cigars, pipe tobacco, and any other lighted tobacco product.

“Vape” or “vaping” means to inhale or exhale vapor produced by a vapor-generating electronic device or to possess a vapor-generating electronic device while that device is actively employing an electronic, a chemical, or a mechanical means designed to produce vapor or aerosol from a nicotine product or any other substance. The term does not include the mere possession of a vapor-generating electronic device.

### POLICY:

An employee, whether on or off duty, shall not smoke any type of tobacco product or vape while driving or sitting in any vehicle that is owned or leased by the City of Margate. No individual shall smoke or vape at any time while riding or sitting in any vehicle that is owned or leased by the City of Margate.

Pursuant to the Florida Clean Indoor Air Act, specifically Florida Statute 386.2045, there shall be no smoking or vaping in City buildings.

*“386.204 Prohibition.—A person may not smoke or vape in an enclosed indoor workplace....”*

Florida Statute 386.207 requires that observed violations be reported to the Division of Hotels and Restaurants or the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation.

*“386.207 Administration; enforcement; civil penalties...(2) Public agencies responsible for the management and maintenance of government buildings shall report observed violations to the department.”*

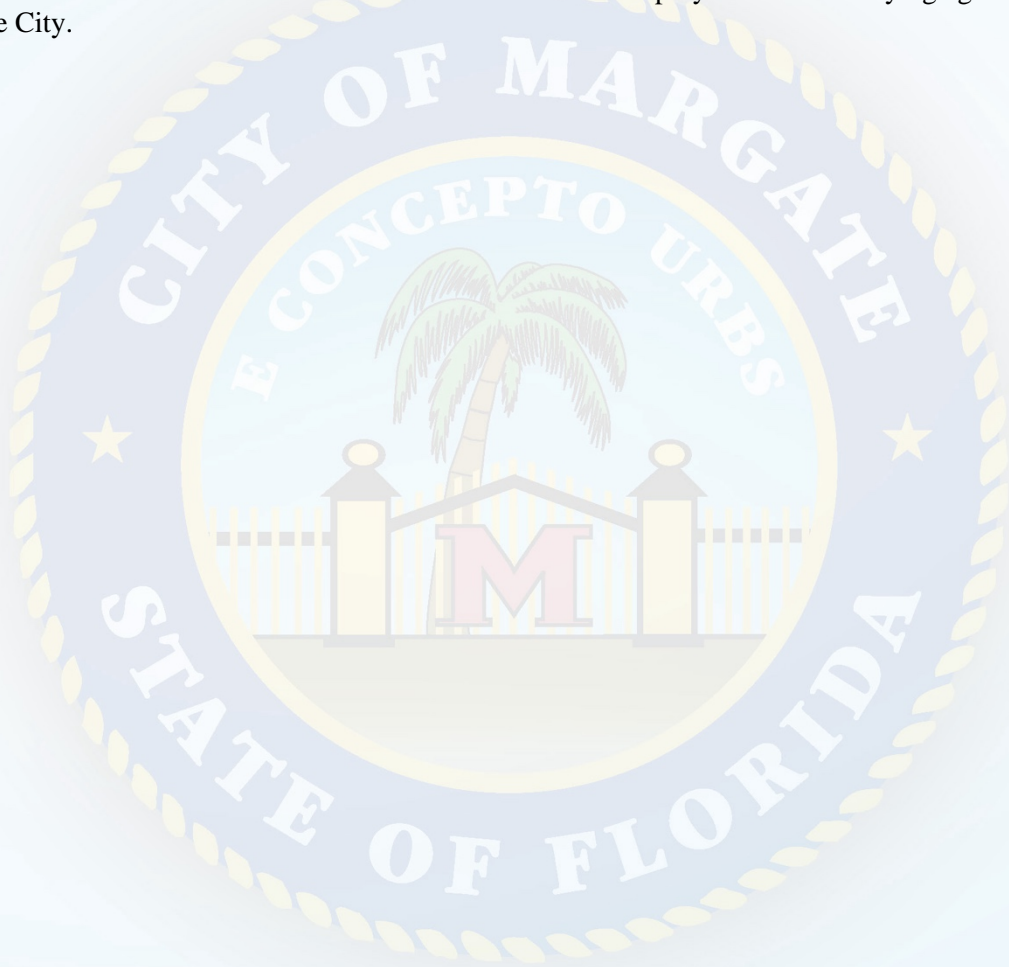
### EXCEPTION(S):

The City Manager may designate outside areas for smoking or vaping by City employees. This policy may be revised from time to time.

### **Subpoena to Testify**

Sec. 30-76. - Subpoena to testify, grant of leave.

Any employee in receipt of a subpoena to testify in any matter pertaining to the City, their duties or employment, and who will appear to testify pursuant to the receipt of a subpoena, will be granted leave with pay for actual time required for the employee to appear in court. Accumulation of sick leave and annual leave will continue in effect. The employee will be required to present the subpoena or a copy of it to the department director to verify entitlement to leave. This benefit is not available to an employee who is testifying against the City.



### Technology Use and Security

#### 1. PURPOSE

The purpose of the Technology Use and Security Policy is to establish proper use and standards for technology provided by the City of Margate. This policy includes use of hardware, software, networking infrastructure, email and cellular devices. This policy supersedes and specifically replaces EMP 12.1(Employee Personal Cell Phone), EMP 12.2 (Internet Usage), EMP 12.3 (Password), EMP 12.4 (Text Message Guidance), EMP 12.5 (Email System Use Policy) and EMP 12.6 (Removable Media and Data Transmission).

#### 2. SCOPE

This policy applies to all Internet access, electronic communications software and computer equipment and mobile devices attached to or used on the City of Margate network system and applies to all City of Margate owned software and hardware regardless of location or connectivity. The policy applies to all individuals using the City of Margate network system whether or not they are employees of the City of Margate.

#### 3. DEFINITIONS

**E-mail:** The electronic transfer of information typically in the form of electronic messages, memoranda and attached documents from a sender to one or more recipients via an intermediary telecommunication service.

**Internet:** A network of networks connecting computer systems throughout the world. In addition to email capability, other applications such the World-Wide-Web (WWW or Web) are available on the Internet.

**User:** Any person who utilizes the City's information systems, networks, computers, Internet, e-mail or electronic communication systems.

**Chain letter:** Any e-mail sent to one or more recipients that directs the recipient to forward the e-mail, so that its circulation increases exponentially.

**Spam:** Unsolicited bulk e-mail. Unsolicited means that the recipient has not granted verifiable permission for the message to be sent. Bulk means that the message is sent as part of a larger collection of messages, all having substantially identical content.

#### 4. POLICY

This policy applies to all Internet access, electronic communications software and computer equipment attached to or used on the City of Margate network system and applies to all City of Margate owned software and hardware regardless of location or connectivity. This policy also implements systematic security guidelines to address the reduction of risks to electronic information resources. All individuals using the City of Margate network system whether or not they are employees of the City of Margate are required to adhere to this policy. The intent of this policy is to permit maximum freedom of use consistent with federal and state law, City of Margate policy, and a productive working environment.

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Use of City of Margate computers and communication devices must comply with federal law, Florida law, and City of Margate policies. Therefore, City of Margate computers and communication devices may not be used for commercial, profit-making, or political purposes, or to disseminate unsolicited information regarding religious or political beliefs. With the rapidly changing nature of electronic media developing among users of external on-line services and the Internet, this policy cannot provide guidelines for every possible situation. Instead, it expresses the City's philosophy and sets forth general principles for the use of Internet service and e-mail by all City of Margate departments. Information resources, including data, applications, systems, hardware, networks, and software, are valuable assets.

These assets are at risk from potential threats such as employee error or other accidents, long-term system failures, natural disasters, and criminal or malicious action. Such events could result in damage to or loss of information resources, loss of data accuracy or integrity, or interruption of business. Information security guidelines address the reduction of risks to electronic information resources through adoption of preventive measures as well as procedures and controls designed to detect any errors or irregularities that occur.

This policy will also define standards, procedures, and restrictions for end users who have legitimate business requirements to use a City of Margate issued mobile device that can access the organization's electronic resources. This mobile device policy applies to, but is not limited to, all devices and accompanying media that fit the following device classifications:

- Laptop/notebook.
- Tablet computers such as iPads, Windows Surface Pro, etc.
- Mobile/Cellular phones/Smartphones.
- Any mobile device capable of storing City of Margate data and connecting to an unmanaged remote network.

The overall goal is to protect the confidentiality, integrity and availability of data that resides within the City of Margate's technology infrastructure. This policy intends to prevent this data from being deliberately or inadvertently stored insecurely on a mobile device or carried over an insecure network where it can potentially be compromised. A breach of this type could result in loss of information, damage to critical City applications, financial loss, and damage to the City of Margate's public image. Therefore, all users employing a mobile device connected to a managed or unmanaged network outside of the City of Margate's direct control to backup, storage, and otherwise access City of Margate data of any type must adhere to the City of Margate's defined processes for doing so.

Employees are responsible for complying with this policy. To ensure employees are aware of the provisions of this policy, they will be required to acknowledge acceptance, which may be completed by email, of this policy before being allowed access to City of Margate's electronic communications equipment. Department Directors are responsible for monitoring employee use and taking corrective and/or disciplinary action against employees in violation of this policy.

This policy applies to City of Margate employees, including full and part-time staff, affiliates, contractors, interns, individuals and other agents who utilize City of Margate owned or owned mobile devices to access, store, back up, support, relocate or access any City of Margate resources/information. Such mobile and remote access to the City's

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network resources/information is a privilege, not a right. Consequently, employment at the City of Margate does not automatically guarantee the initial and ongoing ability to use these devices to gain access to the City's networks and information.

### 5. PROCEDURE

#### a. APPLICABLE LAWS

1. Federal Copyright Law: Many intellectual works are copyrighted. The owner of a copyright holds the exclusive right to reproduce and distribute the work. Most computer programs and manuals are copyrighted, and care must be taken to comply with copyright laws.
2. State and Federal Trade Secret Laws: Many intellectual works are protected under trade secret laws. Owners consider some programs and many manuals to be "trade secrets". There are civil and criminal penalties associated with disclosing this information to anyone not authorized to use the material. Unless authorized in writing by the owner of the trade secret, you should not disclose any material that contains trade secret declarations to anyone outside City of Margate government. Software License Agreements: Most computer software is licensed to a specific user or a group of specific users. The license agreement is very specific as to the rights that the user has to operate the program and make additional copies of the program. There are civil and criminal penalties associated with breaking a license agreement.

#### b. DEPARTMENT DIRECTORS AND SUPERVISORS RESPONSIBILITIES

1. Ensure that all personnel that use or have access to City information systems, networks, computers, e-mail, Internet or electronic communication systems are aware of, and comply with this policy.
2. Create appropriate performance standards, controls and procedures that are designed to provide reasonable assurance that all users observe this policy.

#### c. INFORMATION TECHNOLOGY (IT) DIRECTOR RESPONSIBILITIES

1. Develop and maintain written standards and procedures necessary to ensure implementation of, and compliance with, this policy; and
2. Provide appropriate support and guidance to assist department directors, managers, supervisors and users fulfill their responsibilities under this policy.

#### d. INTELLECTUAL PROPERTY

The City understands that during the course of a user's tenure it may be necessary for said user to develop custom applications, scripts, templates and documents for the support and benefit of the City and its departments. All such applications, scripts, templates and documents developed by any City user are the exclusive intellectual property of the City. In no event shall any such computer program, data, documentation, listing, source code or object code be sold, licensed, released or loaned to individuals or entities outside the City without the express approval

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of the IT Director and the City Manager. All items deemed as intellectual property will remain with the City in the event the user leaves the City for whatever reason.

### e. INTERNET ACCESS

Access to the Internet is provided to users for the benefit of the City, its residents and visitors. With it, users are able to access a variety of information resources around the world. Unfortunately, the Internet also contains considerable risk and inappropriate material. To ensure that all users are responsible and productive, and to protect the City's interests, the following guidelines have been established for utilizing the Internet.

#### 1. ACCEPTABLE USES

Users utilizing the Internet are representing the City. Users are responsible for ensuring that the Internet is used in an effective, ethical and lawful manner. Examples of acceptable use include, but are not limited to:

- i. Obtaining City related business and government information from commercial and government websites;
- ii. Accessing databases for information as needed by the City;
- iii. Utilizing e-mail to conduct City business;
- iv. To communicate with users, vendors or clients regarding matters within a user's assigned duties;
- v. To acquire information related to, or designed to facilitate the performance of regular assigned duties; and
- vi. To facilitate performance of any task or project in a manner approved by the user's supervisor.

#### 2. UNACCEPTABLE USES

Users must not use the Internet for purposes that are illegal, unethical, harmful to the City, or nonproductive. Examples of unacceptable use include, but are not limited to:

- i. Conducting personal business utilizing computers or any other City resources;
- ii. Profit-making activities, such as, but not limited to operating a business;
- iii. Unlawful activities, including sending or receiving copyrighted or proprietary materials in violation of copyright laws or license agreements;
- iv. Gambling and/or playing games;

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- v. Transmitting or accessing any non-job-related content that is offensive, harassing, sexually explicit or fraudulent. It is possible to connect to offensive websites accidentally in the course of legitimate research, and this should not cause alarm. Users are expected to close or back out of these windows immediately. Examples include, but are not limited to, pornography, gambling, and potentially offensive stories or jokes;
- vi. Streaming transmissions, audio or video, unrelated to City business. This includes, but is not limited to, radio and television webcasts unrelated to City business. This does not include City of Margate streaming webcasts viewed for City purposes or in furtherance of City business;
- vii. Intentionally utilizing Internet facilities to disable, impair or overload the performance of any computer system or network or to circumvent any system intended to protect the privacy or security of another user. That is, "hacking" in all forms, whether within the City network or on the internet, is expressly forbidden, either from a user's work computer or via access from a remote location, such as home;
- viii. Use of remote control software on any internal or external host personal computers or systems not specifically set up by the IT staff;
- ix. Employees will not use personal computers to create or modify documents. Only City issued computers will be used to VPN to the network. All documents will be created and modified on the remote desktop to insure proper backups and data security;
- x. Sharing of passwords, PINs, tokens or other authentication information is strictly prohibited. Each individual is responsible for their account(s), including the safeguarding of access to the account(s); and
- xi. Connecting any device or system to the City's data networks without the prior review and approval of Information Technology is prohibited.

### f. E-MAIL USAGE

E-mails, and the electronic distribution of documents, are subject to the same laws, policies and practices that apply to other means of communication, such as telephone and paper documents and records. This includes, but is not limited to, copyright laws, software licensing, patent laws, record retention and proper business correspondence practices.

1. All communications are for professional reasons and do not interfere with their productivity or the productivity of others or in any way jeopardize the integrity or functionality of the system.

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2. They promptly read and respond, if necessary, to incoming messages.
3. Any improper use of e-mail, including, but not limited to the following, is strictly prohibited:
  - i. Sending any material in violation of Federal, State or County laws and/or City policies;
  - ii. Sending harassing or otherwise threatening e-mails to a user or sending any message that may create a hostile work environment;
  - iii. Sending any e-mail that discriminates against persons by virtue of any protected classification including, but not limited to, race, gender, nationality, religion, age, sexual orientation and so forth;
  - iv. Sending inappropriate comments or jokes, cartoons or other communications that may be considered derogatory, obscene or offensive;
  - v. Viewing pornography or sending photographs, videos, jokes or stories of a pornographic nature via e-mail;
  - vi. Sending or receiving "spam," chain letters or other types or communications that have the potential to interfere with the proper operation of the system;
  - vii. Sending personal identification (including but not limited to name, address, e-mail address, telephone number, social security number, date of birth, mother's maiden name, driver's license identification number, Florida Identification Card number, alien registration number, passport number, employer or taxpayer identification number, Medicaid or food stamp account number, bank account number, credit or debit card number, credit or debit card expiration date, personal identification number or code assigned to the holder of a debit card by the issuer to permit electronic use of such card, other number or information that can be used to access a person's financial resources, or medical records) for fraudulent purpose, financial benefit or harassment.
4. E-mails are not a secure form of communication. Users should avoid transmission of confidential information. If it is necessary to transmit confidential information for business purposes, users are required to take reasonable steps to ensure that the information remains confidential, is delivered to the intended recipient, that the intended recipient is authorized to receive such information, and that the intended use is legitimate. Data encryption is the only known reasonable method at this time.
5. The distribution of e-mails is difficult to control, and routing mistakes can easily occur. Copies of e-mails can be forwarded without the sender's knowledge or permission to unintended recipients. Therefore, e-mails should be drafted and sent with at least the same level of care, professional judgment and discretion as paper memoranda or documents.

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6. Users are responsible for all e-mail messages originating from their e-mail address. The sender of email messages and any attached documents must retain the primary responsibility for seeing that the communication is received by those intended.
7. Users shall not send mass e-mails without the prior written authorization of their Department Director.
8. Notwithstanding either the City's right to retrieve and read any e-mail or any potential right of individual access to information that may be available under the Public Records Act, e-mail messages must be treated as confidential by other users and may be accessed only by the intended recipient. Users are not authorized to retrieve e-mail messages that are not sent to them unless the Department/Division Head provides user designee access. Any exception to this requirement must receive prior approval from the IT Director and the City Manager.
9. Users should be cognizant that e-mails can survive electronically for a very long time (even after deletion).
10. Access to City e-mail shall be permanently revoked upon the user's termination or retirement. The City shall not forward e-mail messages addressed to terminated or retired users.
11. Employees shall not include or embed additional statements and/or tag lines such as personal favorite quotes, personal email addresses, backgrounds, watermarks, unsupported fonts, unsupported logos, or images to their "automatic signatures" or outgoing emails.
12. Employees who choose to use an "automatic signature" at the end of their outgoing emails shall utilize the following example:  
  
Kelly Doe (Bold)  
(employee job title)  
City of Margate (employee department)  
5790 Margate Blvd.  
Margate, FL 33063  
kdoe@margatefl.com  
(employee office phone number)  
Office Hours: (employee office hours)
13. Emails shall be composed in the standard font of Arial, Tahoma or Times New Roman in a 10-14-point size.

### g. INCIDENTAL AND OCCASIONAL PERSONAL USE

Incidental and occasional personal use of City information systems, networks, computers, Internet, email or electronic communication systems is prohibited.

### h. DOWNLOADS

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1. It is of critical importance from both a systems protection standpoint, as well as to comply with the various laws in place protecting copyrights and proprietary data, that any software used that is licensed from a third party is to be used only in accordance with the license agreement. If anyone using software is uncertain whether the software may legally be used or duplicated for any purpose onto other City computers, they should ask the IT Director.
2. To help prevent computer viruses from being transmitted through the system as well as to ensure compliance with the law, users are prohibited from downloading or installing software, including public domain software from the Internet, without the prior written approval of the IT Director or City Manager. Any cost to repair damage incurred to any hardware, software or data resulting from the unapproved downloading/installation of software will be the responsibility of the user.
3. Downloading of games from the Internet or installing any on-line service to access the Internet on City owned computers is prohibited.
4. Downloading of any executable files or programs that change the configuration of a user's system by anyone other than IT Department personnel is prohibited unless approved in writing by the IT Director.
5. Software downloads from the Internet are not permitted unless authorized in writing by the IT Director.
6. Users may not utilize the Internet to download images or videos unless there is an express business-related use for the material.

### i. COPYRIGHTS

Users utilizing the Internet are not permitted to copy, transfer, rename, add or delete information or programs belonging to others without express written permission from the copyright owner. Failure to observe copyright or license agreements may result in disciplinary action by the City and legal action by the copyright owner.

### j. MONITORING

No user should have any expectation of privacy in any message, file, image or data created, sent, retrieved or received by use of the City's equipment and/or access. The City has the right to monitor any and all aspects of its information systems, networks, computers, or electronic communication systems including but not limited to, sites, instant messages, chat groups, or news groups visited by users, material downloaded or uploaded by users and e-mails sent or received by users. Such monitoring may occur at any time, without notice and without the user's permission. City-related computer files created on remote access personal computers must be made accessible upon request in City standard formats.

All messages sent or retrieved over City supplied information systems, networks, computers, e-mail, Internet or electronic communications systems may be regarded as public information. The City reserves the right to access the contents

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of any messages sent over its facilities if the City believes, in its sole judgment, that it has a business need to do so. All communications, including text and images, sent or retrieved over City supplied information systems, networks, computers, e-mail, Internet or electronic communications systems can be disclosed to law enforcement or other third parties without prior consent of the sender or the receiver.

### k. PUBLIC RECORDS

All users must comply with Florida's Public Records Act (Chapter 119 Florida Statutes) and State retention schedules for public records. The Public Records Law requires the retention and availability for copying of all materials, including e-mails, made or received by an agency in connection with official business, which are used to perpetuate, communicate or formalize knowledge. This also applies to mobile devices for business related purposes as well (text messages, phone calls and pictures). Should you have a question about a particular request received in your department, contact the City Clerk's Office as soon as possible.

### l. BREACH OF SECURITY

The IT Director will adhere to the requirements of Florida Statutes Section 817.5681, and shall provide notice of any breach of the security of the system, following a determination of the breach, to any person whose unencrypted personal information was, or is reasonably believed to have been, acquired by an unauthorized person. The notification shall be made without unreasonable delay, consistent with the legitimate needs of law enforcement, or subject to any measures necessary to determine the presence, nature and scope of the breach and restore the reasonable integrity of the system. Notification will be made no later than 45 days following the determination of the breach. For purposes of this section, the terms "breach" and "breach of the security of the system" mean unlawful and unauthorized acquisition of computerized data that materially compromise the security, confidentiality or integrity of personal information maintained by the City. For purposes of this section, the term "personal information" means an individual's first name, first initial and last name, or any middle name and last name, in combination with any one or more of the following data elements when the data elements are not encrypted:

(a) social security number; (b) driver's license number or Florida Identification Card number; and (c) account number, credit card number or debit card number, in combination with any required security code, access code, or password that would permit access to an individual's financial account. For purposes of this section, the term "personal information" does not include publicly available information that is lawfully made available to the public from federal, state or local government records or widely distributed media.

### m. COMPUTER VIRUSES

Computer viruses are programs designed to make unauthorized changes to programs and data. Therefore, viruses can cause destruction of City resources. It is important to know that:

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1. Computer viruses are much easier to prevent than cure.
2. Defenses against computer viruses include protection against unauthorized access to computer systems, utilizing only trusted sources for data and programs, and maintaining anti-virus software.

### i. IT DEPARTMENT RESPONSIBILITIES

- (a) Install and maintain appropriate anti-virus software on all City computers;
- (b) Respond to all virus attacks, destroy any virus detected and document each incident.

### ii. USER RESPONSIBILITIES

- (a) Users may not utilize the City's Internet facilities to deliberately propagate any virus, worm, Trojan horse or trap-door program code;
- (b) Users shall not load any external media such as diskettes, Compact Discs (CDs), USB flash drives or other data storage devices of unknown origin into a City computer;
- (c) Users shall not link personal mobile devices via wired or wireless connection to a City computer;
- (d) Users shall not tamper with the configuration of anti-virus software;
- (e) Users shall provide IT any new device (diskettes, CDs, USB flash driver or other data storage devices) which they receive for scanning prior to use.
- (f) Users must never open e-mail attachments that end with ".exe", ".bat", ".bas" or other known executable identifiers;
- (g) Any user who suspects that their workstation has been infected by a virus shall IMMEDIATELY POWER OFF the workstation and call the Help Desk at extension 382. This is one of the very few times that a normal shut down is discouraged.

### n. ACCESS CODES AND PASSWORDS

The confidentiality and integrity of data stored on City computer information systems and networks must be protected by access controls to ensure that only authorized users have access. This access shall be restricted to only those capabilities that are appropriate to each user's job duties.

### 1. INFORMATION TECHNOLOGY DEPARTMENT RESPONSIBILITIES

- i. The IT Director shall be responsible for the administration of access controls to all networked City computer systems. The IT Director will

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process user adds, deletes, and changes upon receipt of a written request or email from the end user's supervisor. Deletes, moves, adds or changes may be processed pursuant to an oral request prior to receipt of a written request;

- ii. Accounts that remain inactive for an extended period may be deactivated, and then purged by the IT Director or designee in accordance with State of Florida Records Retention Schedules.

### 2. USER RESPONSIBILITIES

- i. Shall be responsible for all transactions that are made with their User ID and password;
- ii. Passwords must be changed immediately if it is suspected that they may have become known to others. Passwords should not be recorded where they may be easily obtained;
- iii. Shall change their passwords at least every 90 days. Users are encouraged to change their passwords with greater frequency. For instance, if a user's birthday is February 10<sup>th</sup> changing their password on the 10<sup>th</sup> of every month may be an easy habit to develop. (Note that the computer system will prompt users to change their passwords at least every 90 days);
- iv. Shall use complex passwords that cannot be easily guessed by others. Complexity of password: eight (8) characters; upper case; lower case; special character and number; it is highly recommended that end users utilize fifteen (15) alphanumeric character passwords, possibly in the form of a passphrase;
- v. Shall log out of their workstation when leaving it unattended for any length of time;
- vi. Must use only their personal username and password; and
- vii. Shall store data and files on their designated file server. Because servers are backed up routinely, this protects against data loss.

### 3. SUPERVISOR RESPONSIBILITIES

Supervisors must notify the IT Director or designee immediately whenever a user leaves the City, or transfers to another department or division, so their access can be revoked or changed. Involuntary terminations must be reported concurrent with, or prior to, termination.

### 4. HUMAN RESOURCES RESPONSIBILITIES

The Department of Human Resources will notify the IT Director at the time of the user transfers and terminations. When possible, involuntary

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terminations must be reported prior to the termination and if not, concurrent with the termination.

### o. PHYSICAL SECURITY

It is City policy to protect computer hardware, software, data and documentation from misuse, theft, unauthorized access and environmental hazards.

#### 1. USER RESPONSIBILITIES

- i. Media (diskettes, CDs, USB flash drives, tapes or other data storage devices) should be stored out of sight when not in use. If they contain sensitive or confidential data, they must be stored in a locked secured location. Users are strongly encouraged to store such data on their designated file server;
- ii. Media should be kept away from environmental hazards such as heat, direct sunlight and magnetic fields;
- iii. Desktop computers must be protected by an uninterrupted power supply (UPS). Other computer equipment must be protected, by a surge suppressor at minimum;
- iv. Computer and network hardware should not be exposed to environmental hazards such as food, smoke, liquids, high or low humidity, and extreme heat or cold. Where these hazards are unavoidable, appropriately hardened equipment must be used;
- v. Since the IT Director is responsible for all equipment installations, disconnections, modifications and relocations, users are not to perform these activities. This does not apply to portable computers for which an initial connection has been made by IT department personnel;
- vi. Users shall not take shared portal equipment such as laptop computers off the premises without the informed consent of their immediate supervisor. Informed consent means that the supervisor knows what equipment is leaving, what data is on it and for what purpose it will be used;
- vii. Users should exercise care to safeguard the valuable electronic equipment and related accessories assigned to them. Users who neglect this duty may be accountable for any consequent loss or damage. Reimbursement to the City and disciplinary action may result.

### p. SOFTWARE INSTALLATION

The goal of the IT Department is to provide stable technology solutions with optimum performance that appropriately address business needs. Implementation of these standards with regards to software titles that can be installed on City

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owned computers is to ensure the provision of excellent service to all end users and City wide departments.

The purpose of this software installation section is to address all relevant issues pertaining to appropriate software installation and deployment on the City computing systems. This policy is a living document as it relates to the "Supported Software" section below and may be amended at any time. Any questions regarding should be directed to the IT Director.

1. **SUPPORTED SOFTWARE:** Contact IT personnel for a list of fully supported, standard baseline software installed on all City-owned workstation computers.
2. **NON-SUPPORTED SOFTWARE:** The IT Department expressly forbids installation of the following software:
  - i. Privately owned software;
  - ii. Internet downloads except required add-in for supported software;
  - iii. Pirated copies of any software titles;
  - iv. Any software not installed according to the procedures set out in this policy;
  - v. Any Peer to Peer and/or messaging software applications (e.g. Napster, Morpheus, P2P, iTunes, etc.);
  - vi. Non-business related music files (e.g. WAV, MP3, MIDI, etc.) or video files (e.g. MPEG, AV/, etc.).

### 3. SOFTWARE REQUESTS

If you would like to have software installed on your system, approval must be obtained from the IT Department. This includes all software titles listed above, currently unlisted titles, and privately owned and licensed titles. The IT Department reserves the right to reject any software installation request for any reason. Send an email to the IT Department via your department/division head stating your request.

### 4. SOFTWARE INSTALLATION

Software titles are to be installed on City-owned equipment exclusively by IT Department personnel, or under their direct supervision.

All software installed on the City systems (including all commercial and shareware products) must be used in compliance with all applicable licenses, notices, contracts and agreements. The IT Department reserves the right to uninstall any unapproved software from City-owned equipment at any time.

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### 5. PERIODIC AUDITS

The IT Department reserves the right to monitor software installation and usage on the City's information systems, networks, computers, Internet or electronic communication systems. The IT Department will conduct periodic software monitoring audits to ensure compliance with this policy. Unannounced, random spot audits (logical and physical) may be conducted as well. During such audits, scanning and elimination of computer viruses and unauthorized files may also be performed. Other unsanctioned software may also be uninstalled at this time.

### 6. MOBILE DEVICES ACCEPTABLE USE

As stated, the overall goal is to protect the confidentiality, integrity and availability of data that resides within the City of Margate's technology infrastructure including City owned cell phones and personal phones.

This policy intends to prevent this data from being deliberately or inadvertently stored insecurely on a mobile device or carried over an insecure network where it can potentially be compromised. A breach of this type could result in loss of information, damage to critical City applications, financial loss, and damage to the City of Margate's public image. Therefore, all users employing a mobile device connected to a managed or unmanaged network outside of the City of Margate's direct control to backup, store, and otherwise access City of Margate data of any type must adhere to the City of Margate's defined processes for doing so.

This section of the policy addresses a range of threats:

Threat	Description
Loss	Devices used to transfer, or transport work files could be lost or stolen.
Theft	Sensitive City data is deliberately stolen and sold by an employee.
Copyright	Software copied onto a mobile device could violate licensing.
Malware	Viruses, Trojans, Worms, Spyware and other threats could be introduced via a mobile device.
Compliance Loss	Malware or theft of financial and/or personal and confidential information/data could expose the City to the risk of noncompliance with various identity theft and privacy laws.

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The addition of new hardware, software, and/or related components to provide additional mobile device connectivity will be managed by IT. Unauthorized use of mobile devices to back up, store, and otherwise access any City of Margate related information/data is strictly forbidden.

### a. Use of Mobile Devices

It is the responsibility of any City employees (full time, part-time, affiliate, contractor, intern, individual, etc.) or elected official of the City of Margate or who uses a mobile device to access Margate information resources to ensure that all security protocols normally used in the management of data within the City network environment are also applied here. It is imperative that any mobile device that is used to conduct City of Margate business be utilized appropriately, responsibly, and ethically. Failure to do so may result in immediate suspension of that user's account. It is also important to note that the City of Margate does not allow for the connectivity of any personal mobile devices on its enterprise network. Based on this, the following rules must be observed:

### b. Access Control

1. IT reserves the right to refuse, by physical and non-physical means, the ability to connect mobile devices to the City of Margate infrastructure. IT will engage in such action if it feels such equipment is being used in such a way that puts the City of Margate's systems, applications, data and staff at risk.
2. Prior to initial use on the City of Margate network or related infrastructure, all mobile devices must be procured by and registered with IT. IT will maintain a list of approved mobile devices and related software applications and utilities as needed. Devices that are not on this list may not be connected to the City's infrastructure. Although IT currently allows only listed devices to be connected to the City's infrastructure, it reserves the right to update this list in the future.

All mobile devices attempting to connect to the City of Margate network through an unmanaged network (i.e. the Internet) will be inspected using technology centrally managed by the IT department. Devices that have not been previously approved by IT, do not comply with the City's IT security policies, or represent any threat to the network or data will not be allowed to connect. Only City issued laptop or desktop computers will be allowed to access the City's network remotely using an approved Virtual Private Network (VPN) connection.

### c. Security

1. Employees using mobile devices and related software for network and data access will, without exception, use secure data

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management procedures. All mobile devices must be protected by a strong password. See Section 4. n. "Access Codes and Passwords" of this policy for additional details. Employees agree to never disclose or share their passwords with unauthorized users.

2. All users of mobile devices must employ reasonable physical security measures. End users are expected to secure all such devices used for this activity whether or not they are actually in use and/or being carried. This includes, but is not limited to, employing strong passwords, encryption (as required), and physical control of such devices whenever they contain City of Margate data.

IT will manage all security policies, network, application, and data access centrally using whatever technology solutions it deems suitable. Any attempt to contravene or bypass said security implementation would be deemed as an intrusion attempt and will be dealt with in accordance with the City of Margate's approved Human Resources processes.

3. Employees, full or part time, contractors, temporary staff and interns will follow all IT-sanctioned data removal procedures to permanently erase City of Margate specific data from such devices once their use is no longer required in accordance with State of Florida Records Retention Schedule.

In the event of a lost or stolen mobile device, it is incumbent on the user to report this to IT and their immediate supervisor or manager immediately. The device will be remotely wiped (wherever possible) of all data and locked to prevent access by anyone other than IT personnel. If the device is recovered, it can be submitted to IT for possible re-provisioning via the City approved mobile device management solution.

4. Employees, full time or part time, contractors, temporary staff and interns will make no modifications of any kind to City of Margate-owned and installed hardware or software without the approval of the City of Margate's Department of Information Technology. This includes, but is not limited to, any reconfiguration of the mobile device.
5. The Department of Information Technology reserves the right, through policy enforcement and any other means it deems necessary, to limit the ability of any and all end users to transfer data to and from specific resources on the City of Margate network.

### d. Organizational Protocol

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The Department of Information Technology can and will establish audit trails and these will be accessed and used without notice. Such trails will be able to track the attachment of an external device to a PC, and the resulting reports may be used for investigation of possible breaches and/or misuse. The end user agrees to and accepts that their access and/or connection to the City of Margate's networks may be monitored to record dates, times, duration of access, etc., in order to identify unusual usage patterns or other suspicious activity. This is done in order to identify accounts/computers that may have been compromised by external parties. In all cases, data protection remains IT's highest priority.

### 7. POLICY NON-COMPLIANCE

Failure to comply with this policy or any of its associated policies mentioned herein may, at the discretion of the City Manager, result in the suspension of any or all technology use and connectivity privileges, disciplinary action, and possibly termination of employment.

### 8. EXCEPTIONS

This policy may be revised from time to time. The Information Technology Director has the authority to suspend or override any part of this policy as it relates to network security.

## Telecommuting Program

### PURPOSE

The purpose of this policy is to formally establish parameters, procedures, and expectations for employees who are approved to participate in a telecommuting work arrangement.

### SCOPE

The City of Margate permits telecommuting as an alternative work arrangement whereby eligible employees can perform the regular duties and responsibilities of their positions, using computers or other telecommunications, at home, or another place apart from the employee's assigned place of work.

### ELIGIBILITY

Employees participating in the Telecommuting Program must not have a history of unauthorized/unexcused absences, tardiness, current performance issues, or paid time off abuse.

### POLICY

- A. Telecommuting may be a viable work arrangement in cases where the position, employee, and management are best suited for such. Telecommuting allows eligible employees to perform their work duties from an acceptable home office.
- B. Telecommuting is not suitable for all employees. **Authorizing a telecommuting arrangement is a management right, not an employee benefit, and it in no way changes the terms or conditions of employment.**
- C. Telecommuting can be informal and on a short-term basis, utilized during emergency events, or implemented in other situations as approved by the City Manager or designee. Provided that the business and operational needs of the organization are met and there are no adverse effects on levels of service, short-term telecommuting may be approved by the Department Director and Human Resources Department.
- D. Conditions:
  - 1. The Department Director and City Manager must approve participation in the telecommuting program. The telecommuting agreement may be revoked at any time for any reason without prior notice.
  - 2. Consideration will be on a case-by-case basis and dependent upon established criteria. Telecommuting is not an employee right.
  - 3. An official agreement must be signed and executed by all appropriate parties for any formal telecommuting arrangement.

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4. Telecommuting does not change the basic terms and conditions of employment.
5. Telecommuters will be compensated for all work time, leave, holidays, overtime, and travel entitlement as if duties were performed at the office. Per FLSA, overtime will be paid to those employees eligible. All overtime hours must be approved in advance.
6. Telecommuters are required to abide by all City policies, are subject to the same rules and procedures as other eligible employees, and are expected to meet all current performance objectives.
7. Telecommuting will not adversely affect an employee's eligibility for advancement or any other employee right or benefit.

### PROCEDURE

- A. The Department Director or City Manager may approach an employee to request a telecommuting arrangement due to operational needs, and the employee may contact their Department Director to discuss the feasibility of the arrangement. The agreement must be submitted through the Department Director and to Human Resources.
- B. Rules of Operation:
  1. Employees permitted to telecommute shall sign a Telecommuting Agreement authorized by all appropriate parties.
  2. Telecommuters must be accessible during the hours agreed upon with their supervisor (with the exception of lunch, breaks, meetings, etc.).
  3. Telecommuters must be available to report to the office worksite during regular working hours at the request of a supervisor at the time pre-determined by the supervisor.
  4. Eligible employees engaging in the Telecommuting program must attend all meetings and training as required.
  5. Telecommuting is not a substitute for child or dependent care. Arrangements must be made for such care during working hours and child care must be arranged as if the employee were not physically present.
  6. Restricted access materials cannot be taken out of the office or accessed through the computer unless approved in advance by a Department Director. All IT policies must be adhered to when telecommuting.
  7. Telecommuters will **not** conduct face-to-face business at their home offices, excluding video conferencing.
  8. All equipment requested for a telecommuting agreement must be approved in advance by the Department Director. Supplies shall be ordered and obtained through established business practices, unless otherwise pre-authorized by the Department Director.

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9. If equipment or connectivity is temporarily unavailable over a period of time, the employee must report this issue to the Supervisor or Department Director. If this issue cannot be corrected and other work from home assignments are not available, then the employee may need to report to the office until the issue is resolved.
10. The telecommuting agreement can be terminated at any time and for any reason, with or without cause or prior notice.
11. Failure to comply with rules of employment, instructions and guidelines governing the Telecommuting Program, or terms of the Telecommuting Agreement may result in immediate cessation of the Telecommuting arrangement.
12. All policies and procedures that apply during working hours and while on the work site also apply at any time while working for, or representing the City of Margate, including when participating in a Telecommuting arrangement.

### C. Work Hours/Schedules:

1. The number of days to be worked from home and work hours will be agreed upon in advance. All non-exempt eligible employees will document hours worked and assignments completed to ensure their hours are properly recorded. All overtime must be approved in advance.
2. Any changes to workdays or work hours or requests for time off will be approved in advance by the employee's supervisor. Supervisors retain the right to adjust work hours or schedules (permanent or temporary) based on operational needs. At the discretion of the supervisor, telecommuters may be called to the office site for meetings, assignments, or special projects at any time and any reason.

### D. Work Hours/Schedules:

Supervisors of eligible employees will ensure announcements, and important information is communicated to employees. Telecommuters are responsible for staying informed of any business-related information or new assignments related to their job function or employment. To ensure productivity standards are being met, supervisors will also monitor work and assignments while employees are telecommuting.

### E. Supplies and Reimbursements:

Telecommuters will receive office supplies through the same channels as on-site office workers. Reimbursements for the personal use of supplies, equipment, or purchases made outside established procurement procedures are not authorized. Travel reimbursement for home and office worksite travel is not authorized.

### F. Home Office/Safety:

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Eligible employees will establish and maintain an appropriate work environment within their home for work purposes. The City will not be responsible for any costs associated with the initial setup or upkeep of the home office unless approved. The home work space must be free of safety and fire hazards. The City is not responsible for injury to family members, visitors, or others in the telecommuter's home.

### G. Equipment:

Telecommuters and their supervisors will determine the equipment required to meet their performance objectives from the home office. The IT Department can assist in determining the appropriate equipment required. **Approval or commencement of a telecommuting agreement may be contingent upon availability of such equipment.** The City will not be responsible for any wear and tear, repairs, or damage incurred for personal equipment used in the course of business.

1. City employees are prohibited from sharing City equipment used in their home offices.
2. For security purposes, access is restricted to the City's computer network (other than e-mail) to City approved equipment. It must be used in accordance with the Technology Use and Security Policy.
3. All procedures and guidelines enforcing in-office hardware and software usage and security apply to the home office.
4. For performance purposes, it is strongly recommended that employees use high-speed or broadband internet access while accessing City networks through VPN software.
5. The IT Department does not provide in-home setup and will only repair or troubleshoot systems related to connectivity and City-owned software. The City will not repair hardware on personal equipment.
6. Eligible employees will immediately report loss, theft, or damage to City-owned equipment to their supervisor.

### EXCEPTIONS

This policy may be revised from time to time.

## Travel

### PURPOSE:

To establish procedures for the authorization and payment of travel and other expenses incurred by an employee of the City while conducting City business.

**ELIGIBILITY:** Authorized Travelers are all City of Margate employees and officials.

### POLICY:

#### 1. Travel Request and Reimbursement Procedure

- A. Travel is to be documented on a Travel Authorization Request Form (TARF) when required by this policy. The authorized traveler's department must ensure that the funding is available in the appropriate line item budget. The TARF must be signed by the authorized traveler, and approvals obtained in advance of the proposed travel.
- B. **The TARF must be submitted to the City Manager's Office** (when required by this policy) **in advance of scheduled travel.**
- C. A separate TARF will be required when more than one (1) City employee is traveling or attending the same conference/seminar.
- D. After the authorized travel, if funds are owed to the employee or if funds are owed to the City, the traveler must complete the Post Travel Reconciliation Form (PTRF). This form and accompanying receipts must be submitted to the City Manager's Office within ten (10) days of returning from the trip. Funds due to the City can be paid via personal check (made payable to the City of Margate) or cash payment within ten (10) days of submitting the PTRF. If funds are not due to the employee or the City, a PTRF does not need to be completed.
- E. After the authorized travel, receipts for hotel, parking, fuel (City vehicle or rental vehicle only) and other miscellaneous expenses (if applicable), must be provided to the City Manager's Office within ten (10) days of returning from the trip, regardless of whether funds are owed to the employee or to the City. Receipts for meals (per diem) are not required.
- F. Travel may be subject to taxation per applicable IRS guidelines.

#### 2. Class A Travel

- A. Travel outside of the tri-county area (Broward, Palm Beach or Miami-Dade Counties) with or without overnight stay.
- B. Department Directors and the City Manager's Office shall approve Class A Travel requests (except for City Commission travel).
- C. Allowable expenses include conference and seminar registration fees; transportation; lodging; meals (per diem); and other miscellaneous expenses. Requests for per diem should be provided prior to travel.
- D. In the event the authorized traveler is combining business travel with personal travel, the City will only reimburse the business portion of the trip.

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### 3. Class B Travel

- A. Travel for a multi-day or single-day conference/seminar, generally located outside of the Local Travel Zone (area between Boynton Beach Blvd. and Broward/Miami Dade County Line) but within the tri-county area, which requires an authorized traveler to be out of the office for a minimum of eight (8) hours.
- B. Department Directors or their designee shall approve Class B Travel requests for their employees. Approval by the City Manager's Office is required when authorized traveler requests lodging (except for City Commission travel). Travel by Department Directors must be approved by the City Manager's Office.
- C. Requires an authorized traveler to be out of the office for a minimum of eight (8) hours (the TARF is not required for travel less than 8 hours).
- D. Allowable expenses include conference and seminar registration fees; transportation; lodging (if requested); meals (per diem); and other miscellaneous expenses.
- E. Departments will be responsible for reporting meal (per diem) payments for Class B travel to the City Manager's Office within ten (10) days of completion of travel for review regarding taxability.
- F. If an employee is not requesting funds from the City, an email approval from the Department Director or designee is sufficient.
- G. The TARF is not required to be submitted for Class B Travel if the only expenses are registration or related to a City-provided vehicle.

### 4. Class C Travel

- A. Travel located inside the Local Travel Zone (area between Boynton Beach Blvd. and Broward/Miami Dade County Line), which requires an authorized traveler to be out of the office for a minimum of eight (8) hours.
- B. Department Directors or their designee shall approve Class C Travel requests for their employees. Travel by Department Directors must be approved by the City Manager's Office.
- C. Requires an authorized traveler to be out of the office for a minimum of eight (8) hours (the TARF is not required for travel less than 8 hours).
- D. Allowable expenses include conference and seminar registration fees; transportation; and other miscellaneous expenses.
- E. Per diem/meal and/or lodging expenses are not reimbursable by the City for Class C Travel. Exceptions to this provision for staff may be approved by the City Manager. Exceptions to this provision for a City Commissioner, City Manager, City Attorney, or City Clerk are at their discretion. Notice of exceptions for a City Commissioner, City Manager, City Attorney, and City Clerk will be provided to the City Commission.
- F. If an employee is not requesting funds from the City, an email approval from the Department Director or designee is sufficient.
- G. The TARF is not required to be submitted for Class C Travel if the only expenses are registration or related to a City-provided vehicle.

### 5. Transportation

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- A. Employees receiving a car allowance from the City shall not receive reimbursement for mileage.
- B. Carpooling is encouraged for multiple employees with the same travel destination. Travel costs may be divided depending on the employees' budgeted travel accounts. An authorized traveler shall not be allowed either mileage or transportation expense reimbursement when gratuitously transported by another, or when transported by another authorized traveler who is entitled to and receives mileage or transportation expense.
- C. Travel by Personal Vehicle: Mileage reimbursement will be at the IRS rate per mile. This covers all operating costs of the vehicle (including fuel); therefore no other vehicle expense reimbursements will be made. A printed mileage calculator (i.e. MapQuest) must be attached to the TARF.
- D. Travel by City Vehicle: Prior to travel, the authorized traveler must fuel up at the Public Works Compound. In the event a City vehicle must be refueled away from the area, the authorized traveler will receive reimbursement for fuel purchases. Fuel receipts must be retained and submitted upon return. Spouses, companions and/or family of authorized travelers are allowed to join the employee in a City vehicle if the authorized traveler completes a Travel Waiver Form. City vehicle travel is not eligible for mileage reimbursement.
- E. Travel by Rental Vehicle: Authorized Travelers are encouraged to consider renting a vehicle for Class A Travel through the State-contracted vendors (Enterprise/National) as it may be an economical option. Employees shall attach the rental vehicle quote to the TARF. Rental vehicle travel is not eligible for mileage reimbursement. Fuel receipts must be retained and submitted upon return.
- F. Travel by Common Carrier: All tickets for plane, train, or bus travel shall be purchased for economy class or "coach". Airline fees and other charges will be assessed on a case-by-case basis by the City Manager's Office.
- G. An authorized traveler can either request advance or reimbursement for tolls with a Sunpass toll rate calculator printout (<http://www.floridasturnpike.com/TollCalcV3/index.htm>). As an alternative, toll receipts or a Sunpass account report may be submitted for post-travel reimbursement.
- H. Taxi (or other ride-sharing service), and shuttle bus fees will be reimbursed at actual cost and must be documented with receipts and attached to the PTRF.
- I. Valet parking is not permitted, unless complimentary or when it is the most reasonable parking option available.

### 6. Lodging

- A. Lodging information including the room rate must be included with the TARF as part of the travel request. A receipt shall be submitted to the City Manager's Office upon return for proper processing.
- B. The City of Margate is a state tax exempt government agency and therefore authorized travelers shall not pay and will not be reimbursed for taxes paid for lodging in the State of Florida. A tax-exempt form, which is available on the City server, must be submitted to the hotel when making hotel reservations.
- C. In the event the lodging must be canceled, it is the responsibility of the authorized traveler to cancel any room reservation they will not be using. Responsibility for payment of cancellation fees will be at the discretion of the City Manager.

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- D. Ancillary non work related fees, including movies, will be the responsibility of the traveler.
- E. In the event an authorized traveler extends lodging beyond the conference/seminar, the lodging amount for that extended stay must be paid on a personal credit card and tax-exempt status would not apply.

### 7. Meal Expenses

- A. Meal expenses shall be paid on a per diem basis. As such, receipts will not be required.
- B. Other than continental breakfast, if a seminar or conference registration includes breakfast, lunch, or dinner, the employee will not receive per diem for those meals. In the event this information is not available as part of the seminar/conference agenda and per diem is provided, it will be the traveler's responsibility to refund the City accordingly. The City Manager's Office is authorized to provide exceptions to this provision for dietary restrictions (indicate "dietary restriction" in the explanation section on the TARF).
- C. An authorized traveler may request post-travel per diem reimbursement for meals included in the conference registration due to extra expense for the traveler not eating the meal provided at the conference/seminar; this may be submitted post travel for approval by the City Manager's Office.
- D. Tips, gratuities, and other costs of a meal are considered included in the meal allowance rates.
- E. For all Class A Travel and Class B Travel, meals (including gratuities) will be reimbursed up to the amounts based on location as determined by the U.S. General Services Administration (GSA) – [www.gsa.gov/perdiem](http://www.gsa.gov/perdiem).
  - a. Breakfast: when travel begins before 6:00 A.M. and extends beyond 8:00 A.M.
  - b. Lunch: when travel begins before 12:00 P.M. and extends beyond 2:00 P.M.
  - c. Dinner: when travel begins before 6:00 P.M. and extends beyond 8:00 P.M.
  - d. Authorized travelers will receive \$5 for incidental expenses per day of travel.

### 8. Miscellaneous Expenses

- A. Miscellaneous expenses for travel not specifically covered above need to be documented for reimbursement and receipts should be attached to the PTRF.

### 9. Payment Methods

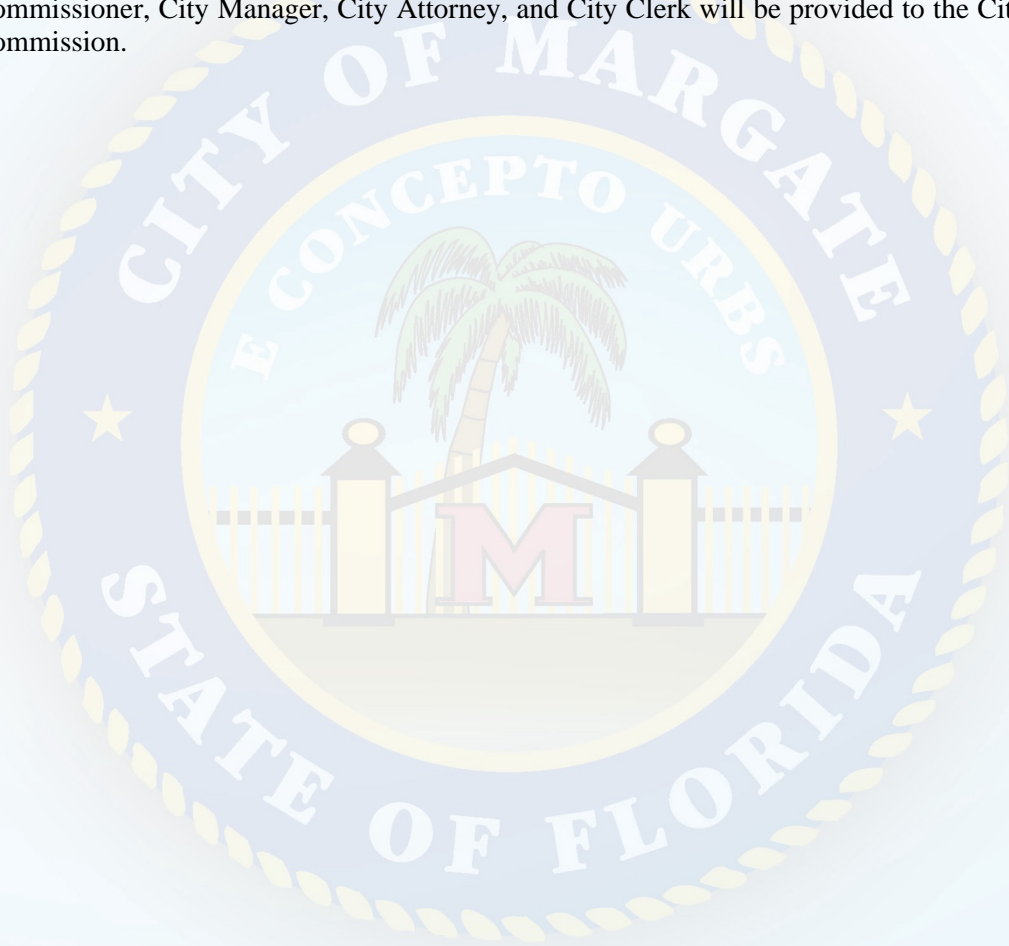
- A. Procurement Card: The City's procurement card may be used for authorized travel-related expenses in accordance with this policy.
- B. Employees are discouraged from using personal credit cards for expenses such as registration fees, lodging/hotel reservations, common carrier reservations, etc.
- C. Vendor Checks: Vendor checks may be used for registration, lodging, and common carrier fees only if the vendor does not accept credit cards or when a procurement card is not available.

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- D. Check Requests: In the event a traveler incurs expenses to be reimbursed over \$50, a check will be issued to the employee.
- E. Petty Cash: In the event a traveler incurs expenses to be reimbursed under \$50, the traveler must fill out and attach a Petty Cash slip to the PTRF.

### **EXCEPTION(S):**

The above described policy shall be excluded for law enforcement investigations or cases of mutual aid arrangements. Exceptions to this policy for staff may be approved by the City Manager. Exceptions to this policy for a City Commissioner, City Manager, City Attorney, or City Clerk are at their discretion. Notice of exceptions for a City Commissioner, City Manager, City Attorney, and City Clerk will be provided to the City Commission.



### Vehicle Use

#### PURPOSE:

Through this policy, the City of Margate shall establish basic guidelines for employee use of City vehicles. The City allows employees in certain positions to use a vehicle in the scope of business of their work on either a regular or occasional basis. The City also allows employees in certain management and professional positions to take home City vehicles on a regular basis.

This policy, and its provisions, apply to and serve as a guide to all City employees and departments, with the exception of Police Department positions covered by a collective bargaining agreement. The collective bargaining agreement, together with department policy, provides guidance for City vehicle use for Police Department positions.

Other vehicle-related issues not covered by this policy may be covered in policy EMP 13.1 Travel.

#### DEFINITIONS:

A **City vehicle** is a vehicle owned or leased by the City of Margate.

A **take-home vehicle** is a non-personal use vehicle owned or leased by the City, and allocated to a City employee on a 24-hour basis.

A **management take-home vehicle** is a vehicle owned or leased by the City, and allocated to a City Charter Officer or Department Director on a 24-hour basis. The vehicle may be used for both business and personal use subject to taxable income provisions for personal use.

A **marked vehicle** is a vehicle owned or leased by the City which includes markings on the vehicle identifying it with the City of Margate or one of its departments.

#### POLICY:

##### Approved Use

City vehicles may only be operated by employees who possess a valid State of Florida driver's license, and who have been properly trained and authorized to operate a City vehicle. Employees who operate a City vehicle classified as a commercial motor vehicle must possess a valid Commercial Driver's License (CDL) appropriate for the vehicle operated.

It is the driver's responsibility to operate a City vehicle in a safe manner and to drive defensively to prevent injuries and property damage. All City employees who operate City vehicles are responsible for knowing and complying with all State and local motor vehicle laws and regulations.

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While operating a City vehicle, employees must at all times have in their possession their valid State of Florida driver's license and the proof of insurance for the vehicle.

Employees authorized to use City vehicles should be aware that the operation and appearance of such vehicles reflect on the professionalism of the driver, the department, and the City. As such, employees must be constantly aware of their actions and ensure that their behavior, appearance, and the manner in which they operate City vehicles exhibit the highest level of professionalism and courtesy.

Smoking and the use of any tobacco product in City vehicles is prohibited.

### **Driver's License**

All employees who drive a City vehicle in the scope of business during work hours, on an occasional basis, or while using a take-home vehicle, shall ensure possession of a valid State of Florida driver's license at all times. If at any time an employee's driver's license is suspended or becomes invalid, the employee must immediately notify the department director, and shall not drive a City vehicle while the employee's driver's license is suspended or invalid. The City shall conduct occasional checks of the validity of employee driver's licenses.

Any citations received by an employee while using a City vehicle shall be the employee's sole responsibility.

If an employee using a City vehicle is involved in a vehicle accident/incident, crash or other occurrence involving personal injury to any person, damage of any degree to any property, or issuance of a traffic or parking citation relating to the City vehicle, the employee shall immediately call 911 if necessary, then the employee's supervisor, and then the City's Risk Manager.

### **Occasional Use**

Department Directors, with the approval of the City Manager, may allow an employee to use a City pool car or other City vehicle on a temporary basis during a work day in order to attend a class, meeting, or for other City business.

### **Take-Home Vehicles**

Employee use of a take-home City vehicle must be approved by the employee's Department Director.

### **Personal use of Management Take-Home Vehicles**

Charter Officers and Department Directors who are assigned a take-home vehicle are authorized to use the vehicle for both business and personal use with personal use being subject to taxable income provisions as appropriate.

### **Personal use of Take-Home Vehicles**

Take-home vehicles shall be used to commute to and from work, by the most direct available route, or for official City business. No private personal business, other than *de minimis* personal use (such as a quick stop for a personal errand on the way between the

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employee's home and work, or during a legitimate business trip), shall be conducted with a take-home vehicle.

### **Take-Home Vehicle on temporary basis**

Department Directors, with the approval of the City Manager, may temporarily assign a City vehicle as a take-home vehicle to employees who are on-call or will be required to temporarily report to a work area other than their own, or for emergency preparedness purposes.

### **Taxability/value of benefit added to pay**

In accordance with the U.S. Department of Internal Revenue Service (IRS), certain take-home vehicle benefits are treated as taxable income. The City shall use either the Lease Value Rule or the Commuting Value Rule, whichever is applicable, to determine the value of the vehicle provided to the employee, and shall apply those benefits to the employee's paycheck.

### **Passengers in Take-Home Vehicles**

The City recognizes employees may occasionally need to transport family members (spouse or child) on the way to and from work. Such transport shall be permitted during the period beginning one hour before and one hour after their scheduled work shift, and shall only be allowed for employees with a take-home vehicle, provided that an insurance rider expressly covering such transport is obtained. Other City employees shall be allowed to ride in a take-home vehicle during regular work hours without an insurance rider. Such insurance must be provided by an insurance company A-rated or better by AmBest. It shall be the responsibility of the employee to keep the insurance rider current and ensure such rider is on file with their department director.

### **Passengers in Management Take-Home Vehicles**

Charter Officers and Department Directors with a management take-home vehicle may transport non-employees in the vehicle during non-regular working hours with the provision of an insurance rider expressly providing coverage for such transport. Other City employees shall be allowed to ride in a take-home vehicle during regular work hours without an insurance rider. Such insurance must be provided by an insurance company A-rated or better by AmBest. It shall be the responsibility of the employee to keep the insurance rider current and ensure such rider is on file with their department director.

### **EXCEPTIONS:**

This policy may be revised from time to time.

### Weapon Possession in the Workplace

#### **PURPOSE:**

Through this policy, the City of Margate shall establish basic guidelines for the possession of deadly weapons in the workplace.

This policy, and its provisions, apply to and serve as a guide to all City employees and departments, with the exception of sworn law enforcement officers, whose possession of a deadly weapon in the workplace is a requirement of the position.

#### **DEFINITIONS:**

A Deadly Weapon is an object used in fighting or war, such as a gun or a bomb, or something used against someone to inflict severe bodily harm or death.

#### **POLICY:**

Possession, use, or threat to use a deadly weapon, including but not limited to all firearms and explosive devices, by a City employee, is forbidden at any City job site, on City owned, leased or rented property, in City vehicles, or in private vehicles parked on City property except for lawfully possessed and concealed firearms in compliance with and pursuant to Florida law, including but not limited to Sections 790.06 and 790.251, Florida Statutes, as may be amended. An exception is also made when possession or use of such a weapon is necessary and is a City requirement of the job, such as with law enforcement officers. City 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.

The entire building addressed as 5790 Margate Blvd. is considered to be a police station in accordance with Florida Statutes Section 790.06 (12)(a)2.

#### **EXCEPTIONS:**

This policy may be revised from time to time.

### Work on Private Property

#### **POLICY:**

No City employee is authorized to perform any work on private property on behalf of either the City or an agent of the City.

No City employee has the discretion to order, assign, or permit any other employee to perform any work on private property on behalf of either the City or an agent of the City.

#### **EXCEPTIONS:**

The only exceptions to the above are:

1. The City Manager (or designee) provides the department director with a written or an oral directive prior to the initiation of a work project.
2. During a declared City emergency response condition, the City Emergency Response Director (or designee) provides the department director with a written or an oral directive prior to the initiation of a work project prior to the initiation of the work project.
3. The City Attorney provides written authorization solely to the department head prior to the initiation of a work project. The department head shall immediately forward a copy of such written authorization to the City Manager. Since "authorization" differs subtly from "directive", action shall be at the discretion of the department director.

In the event that the department director believes that there should be a need for an employee to perform any work on private property on behalf of either the City or an agent of the City, the department director shall request and obtain permission from the City Manager prior to initiating any work.

The department director shall confirm any verbal direction or authorization to perform any work on private property on behalf of the City or an agent of the City in a written memorandum to the City Manager with a copy to the employee(s) who are assigned to the work project.

### Workplace Violence

#### **PURPOSE:**

To reasonably safeguard City of Margate employees and the workplace from acts of violence.

#### **DEFINITIONS** *(For purposes of this policy):*

**ACT OF WORKPLACE VIOLENCE** includes but is not limited to threats, physical attack, or violating any provision of the City of Margate Weapons and Firearms Policy.

**HARASSMENT** is any behavior that a reasonable person would consider intimidating or which would create concern in a reasonable person for the mental or emotional or physical well-being of an individual.

A **THREAT** is a verbal comment or audible utterance, or a physical gesture or expression, or a written statement, a drawing, or a printed communication of any type that intentionally causes or attempts to cause or which a reasonable person would conclude was intended to cause either mental or emotional or physical harm to an individual.

**PHYSICAL ATTACK** is the unwanted or aggressive or hostile physical contact or attempted contact of another individual by hitting, kicking, biting, pushing, shoving, striking in any manner with any object or body part, touching in any manner with any object or body part, or throwing any object.

#### **POLICY:**

A City of Margate employee who commits an act of workplace violence, conspires to commit-with any other individual(s) an act of workplace violence, or arranges in any manner commission of an act of workplace violence, shall be subject to immediate disciplinary action, up to and including:

1. termination of employment; and
2. notification of law enforcement.

The City of Margate shall maintain zero tolerance for any act of workplace violence that is committed against any City employee, officer, representative, or agent by any individual. The City of Margate intends to utilize disciplinary actions, law enforcement techniques, physical, emotional, and mental evaluations, the City sponsored Employee Assistance Program, and other appropriate methods or techniques to reasonably safeguard its employees and its workplace from acts of violence.

The stated policy shall apply to any person engaged in any employment relationship with the City under any appointment or contract for hire, whether express or implied, oral or written, for remuneration, including all full-time, part-time, seasonal, permanent and temporary employees and members of non-compensated advisory boards of the City, while at any location at which the person performs a work assignment at the direction of or for the benefit of or on behalf of the City.

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It shall be contrary to the policy of the City of Margate for any person engaged in any employment relationship with the City to commit any act of workplace violence.

The City of Margate expects all persons engaged in an employment relationship with the City to support this policy by:

1. being alert to the possibility of an incident of workplace violence on the part of employees, former employees, customers, or any other individual;
2. immediately reporting any incident of workplace violence or any real or implied violent behavior; and
3. immediately reporting any occurrence of any real or implied violent behavior demonstrated in or on any City building facility, compound, work site, or work location.

An employee shall file a report in accordance with and pursuant to this policy directly with either the employee's immediate supervisor or department director, or the City's Human Resources Director, or the City Manager, or any City of Margate law enforcement officer of any rank, as selected by the sole discretion of the employee.

Whenever possible, any report made in accordance with and pursuant to this policy shall be handled in a confidential manner, with related information released only on a need-to-know basis.

The City of Margate shall not tolerate retaliation against or harassment of an employee who acting in good faith reports either any violation of this policy or any real or implied violent behavior.

### **EXCEPTIONS:**

This policy may be revised from time to time.



### Annual Leave

For this benefit, policy, or procedure, please refer to Section 30-71 of City Code and the collective bargaining or contractual agreement that covers your position.

Sec. 30-71. - Annual leave.

- (a) All full time employees, except as otherwise provided for in collective bargaining agreements, shall accrue annual leave with pay during each year as follows:
  - (1) Up to 80 hours of annual leave for employees who have completed less than five (5) years of service.
  - (2) Up to 120 hours of annual leave for employees who have completed more than five (5) but not less than ten (10) years of service.
  - (3) Up to 160 hours of annual leave for employees who have completed ten (10) or more years of service.
- (b) An employee who is compensated for less hours than the regular 80 hours in a regular pay period shall accrue annual leave prorated based on the actual number of hours worked.
- (c) Except as otherwise provided for by collective bargaining agreements in effect, regular full-time employees hired prior to October 1, 2020, may accumulate no more than 660 hours of annual leave or 320 hours for employees hired on or after October 1, 2020. Annual leave will be compensatory at termination of employment. If a legal holiday comes within the leave period, an extra day may be taken. Annual leave in excess of 660 hours for regular full-time employees hired prior to October 1, 2020, or 320 hours for employees hired on or after October 1, 2020 will be forfeited at the end of the leave year.
- (d) No employee may work their annual leave. It is the expressed intention of this section that no employee may receive annual leave pay in addition to their regular salary by working on their annual leave. All employees must take their annual leave time, except in an emergency situation when authorized by the City Manager.

Positions not covered by a collective bargaining or contractual agreement should refer to departmental procedures or seek clarification from the Human Resources Department and/or the City Manager's Office regarding what benefits, policies, or procedures apply.

Benefits, policies and procedures are subject to change.

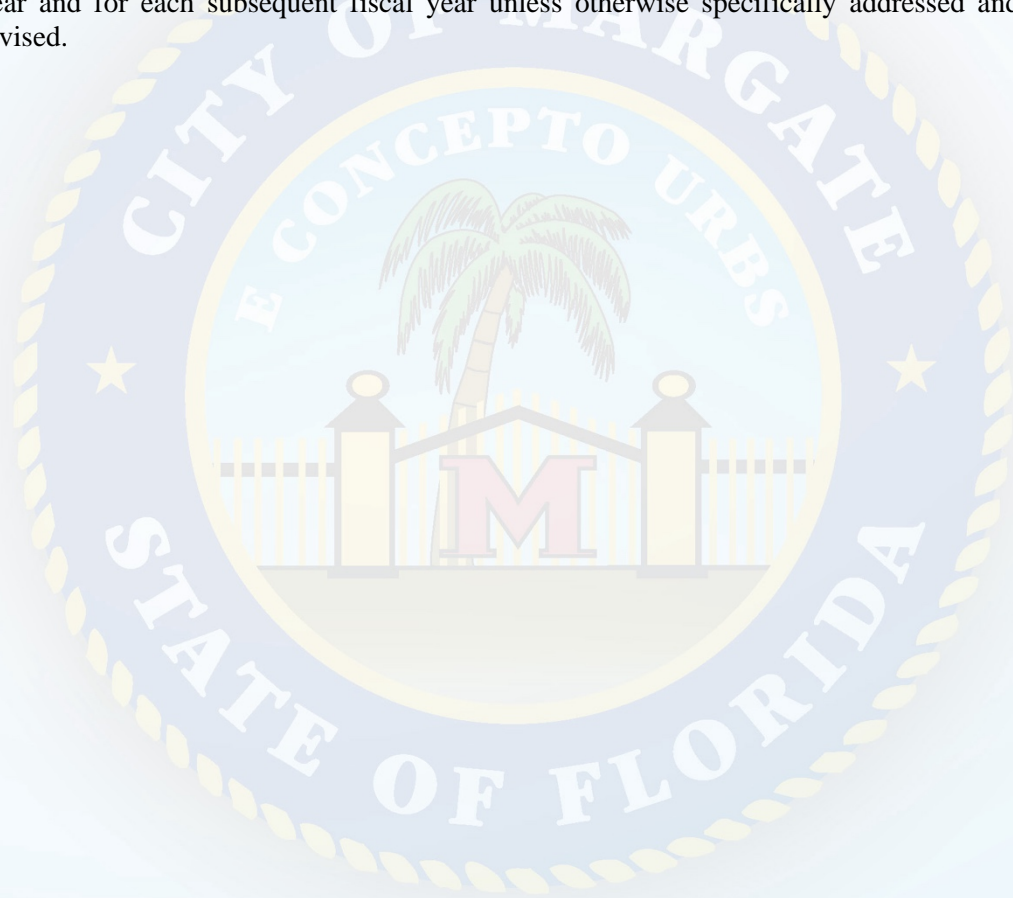
## Annual Leave – During Emergency Response

### **PURPOSE:**

To provide for use of annual leave by employees affected by an emergency response.

### **POLICY:**

An employee whose annual leave request is either denied or rescinded, because the employee is both required and directed by the City Administration to perform emergency response duties, shall be exempt from the annual leave cap "use or lose" provisions for that fiscal year only. All other annual leave provisions shall remain effect for that fiscal year and for each subsequent fiscal year unless otherwise specifically addressed and revised.



## **Annual Leave – Initial Probationary Status**

### **PURPOSE:**

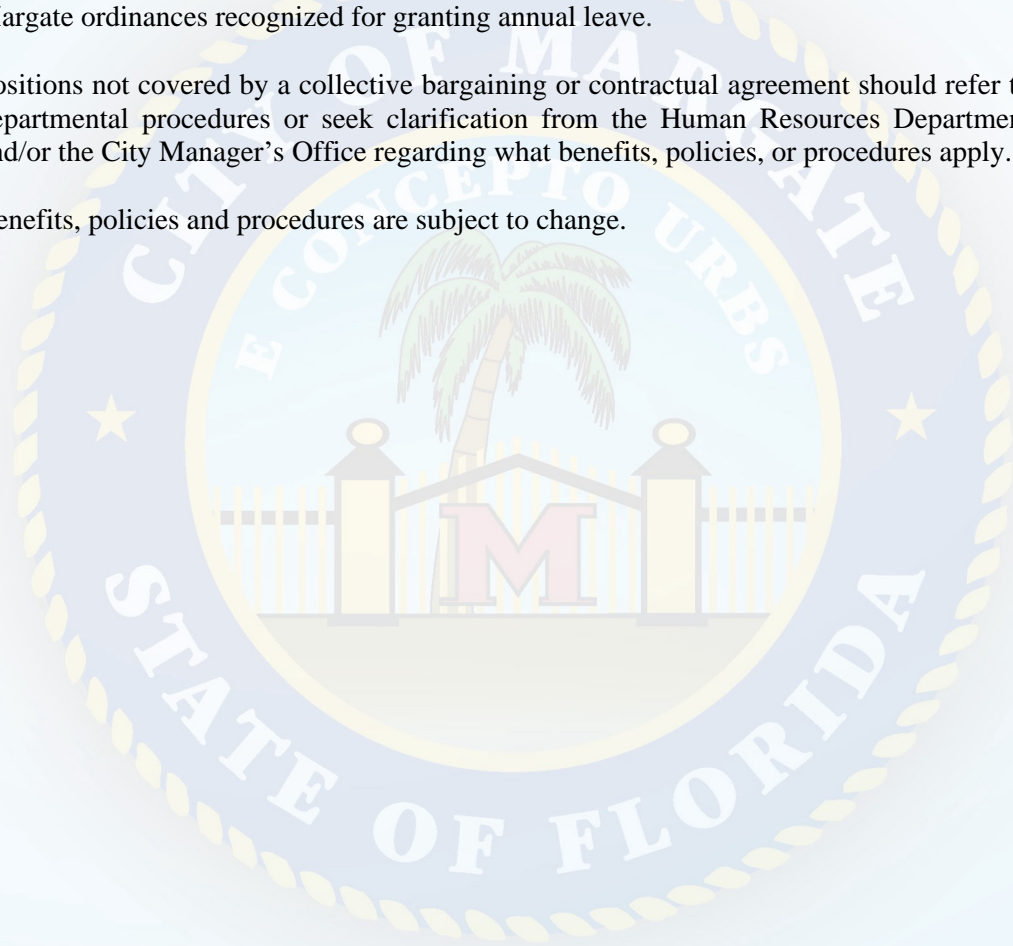
To provide for use of annual leave by employees in probationary status.

### **POLICY:**

An employee - regardless of the length of regular, full-time service with the City of Margate - shall be immediately entitled to use annual leave as it is accumulated, subject to any contractual agreement, collective bargaining agreement provisions and City of Margate ordinances recognized for granting annual leave.

Positions not covered by a collective bargaining or contractual agreement should refer to departmental procedures or seek clarification from the Human Resources Department and/or the City Manager's Office regarding what benefits, policies, or procedures apply.

Benefits, policies and procedures are subject to change.



### Applicability

#### **PURPOSE:**

To establish the applicability of longevity, welfare benefits trust, health, and life insurance to non-bargained, senior management, and appointed or elected officials.

#### **POLICY:**

Non-bargained, senior management, and appointed or elected officials who were hired or appointed on or after October 1, 2010, shall not be entitled to:

1. Longevity compensation
2. Inclusion in the Margate Welfare Benefit Trust Fund

This policy will mirror respective collective bargaining agreements.

Furthermore, the City shall be responsible for determining:

1. The base premium cost of providing health insurance and life insurance coverage
2. Program benefits for health insurance and the related costs to provide those benefits and the amount if any applicable health care related surcharge.

Salaries and benefits for non-bargained, part-time, senior management, and elected officials shall be set by resolution of the City Commission and based on recommendations of the City Manager.

**EXCEPTIONS:** Any clarification or interpretation of this policy will be in writing and shall be the responsibility of the City Manager.

### **Bereavement Leave**

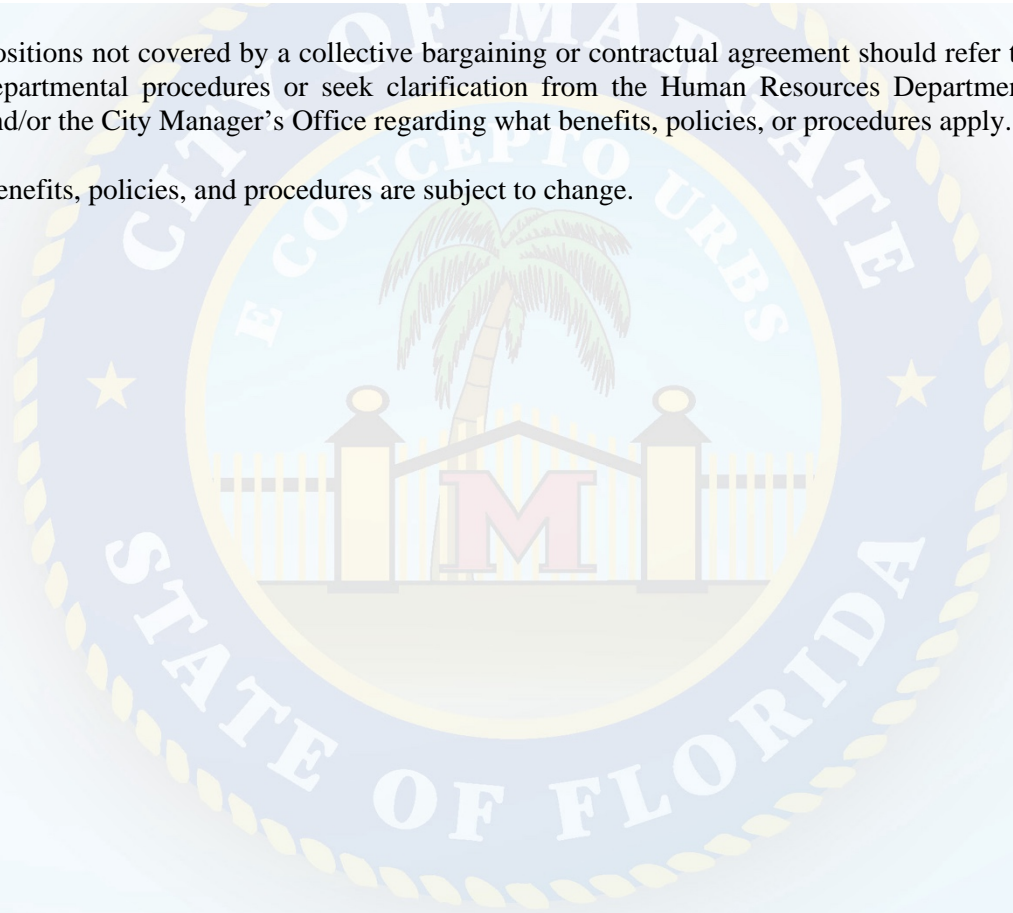
For this benefit, policy, or procedure, please refer to Section 30-77 of City Code and the collective bargaining or contractual agreement that covers your position.

Sec. 30-77. - Bereavement leave.

An employee will be authorized up to three (3) working days' leave in the event of death within the immediate family. The immediate family includes spouse, domestic partner, children, parents, mother-in-law, father-in-law, sisters or brothers. The accumulation of annual leave and sick leave will remain in effect during any authorized bereavement leave period.

Positions not covered by a collective bargaining or contractual agreement should refer to departmental procedures or seek clarification from the Human Resources Department and/or the City Manager's Office regarding what benefits, policies, or procedures apply.

Benefits, policies, and procedures are subject to change.



### Cell Phone Use/Reimbursement

#### **PURPOSE:**

To provide for cell phone reimbursement for those City employees that need to be continually accessible by cell phone.

#### **POLICY:**

An employee designated under this policy shall be continually accessible via that employee's personal cell phone. Consequently, the City shall provide to such employee(s), an allowance for the use of such cell phone and also a monetary reimbursement to replace such cell phone.

#### 1. Eligibility

- A. Designation of employees subject to this policy shall be at the sole discretion of the City Manager.
- B. All Senior Management personnel shall be subject to this policy.
- C. The City Manager, or designee, shall determine which employees, who are not covered under the Margate Civil Service Code, shall be directed to use their personal cell phone.

#### 3. Allowance

- A. An employee who is directed to carry a cell phone, pursuant to this policy, shall be required to utilize their personal cell phone.
- B. The cell phone allowance shall be paid to the employee on a biweekly basis as part of the normal payroll process.
- C. The City Manager shall determine the dollar value of the cell phone allowance during the annual budget process.
- D. An employee who incurs costs for excessive business related use of the cell phone may request an additional cell phone allowance by submitting proper documentation to the City Manager for approval.
- E. The City Manager shall reserve the right to determine not only what features such cell phone shall have; but also, what service provider the employee shall utilize.

#### 4. Cell Phone Replacement Reimbursement

- A. An employee shall be entitled to a biennial reimbursement, to be paid in a lump sum as part of the normal payroll process, towards the cost to replace the employee's personal cell phone.

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- B. The City Manager shall determine the dollar value of the cell phone replacement reimbursement via the annual budget process.
- C. An employee shall provide an original receipt for the amount paid to replace their personal cell phone.

### 5. Termination of cell phone allowance and replacement reimbursement

The City Manager shall have the right to reduce or to suspend an employee's cell phone allowance and replacement reimbursement if they are no longer a designated employee pursuant to this policy, or the employee violates any section of this policy.

### 6. General Use Conditions

An employee subject to this policy shall:

- A. observe safe vehicle operation techniques, and whenever practical and safely possible, shall pull over to a safe off-of-the-roadway location to initiate or to continue any non-emergency business-related communication.
- B. be solely responsible to acquire and to maintain an appropriate cell phone service provider network; a properly functioning cell phone with features sufficient enough to meet the needs of the City of Margate; and also accessory equipment commonly required for maintaining the cell phone in proper operating condition.
- C. notify the City Manager in the event an employee's cell phone number is changed, or if the cell phone becomes inoperative.
- D. be aware that emails, texts, and data transmitted for business purposes from a cell phone are public records and subject to Chapter 119 and take proper steps to preserve them.
- E. be subject to immediate disciplinary action, up to and including the termination of employment, for violation of any section of this policy.

### **EXCEPTIONS:**

Any clarification or interpretation of this policy shall be at the sole discretion of the City Manager.

## Civil Service Board Leave/Compensation

### **PURPOSE:**

To provide for time off and compensation for an employee to serve on the Margate Civil Service Board.

### **POLICY:**

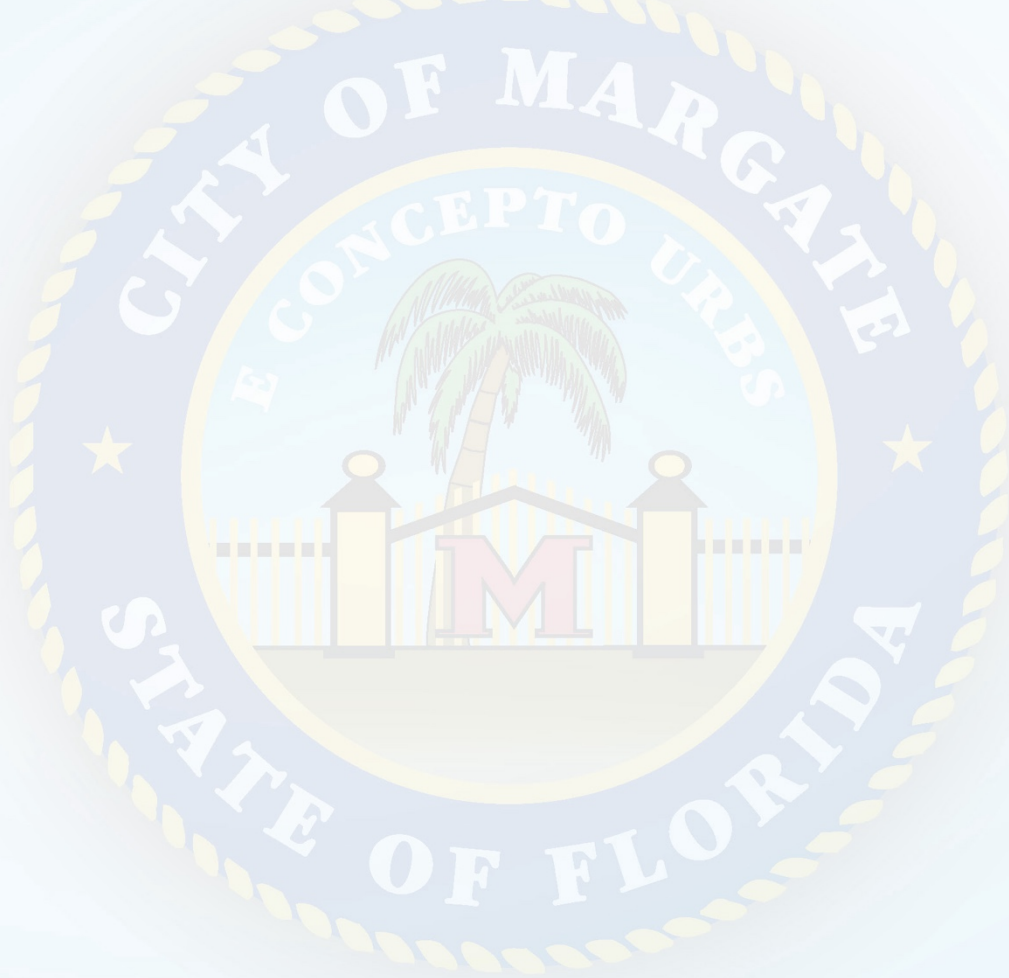
1. An employee, who is elected by fellow employees to serve on the Margate Civil Service Board, shall be permitted to perform any civil service related work or duty, subject to the staffing and operational needs of the department.
2. An employee, who is elected to serve on the Margate Civil Service Board, shall be compensated at the employee's normal base hourly rate of pay for performing any civil service related work or duty during the employee's regular work hours.
3. The employee shall not be entitled to receive any type of compensation, overtime pay, or compensatory leave for performing any civil service work or duty outside of the employee's regular work shift or while on any type of approved leave.

### Compensatory Leave

For this benefit, policy, or procedure, please refer to the collective bargaining or contractual agreement that covers your position.

Positions not covered by a collective bargaining or contractual agreement should refer to departmental procedures or seek clarification from the Human Resources Department and/or the City Manager's Office regarding what benefits, policies, or procedures apply.

Benefits, policies and procedures are subject to change.



### Domestic Partnership Benefits

#### PURPOSE:

To establish a policy regarding the extension of certain City of Margate employment benefits to City of Margate employees in domestic partnerships and their dependents. Benefits include, but are not limited to, group medical insurance, dental insurance, life insurance, and Employee Assistance Program (EAP). Benefits such as Family and Medical Leave Act (FMLA), bereavement leave, and sick leave may be used to care for Domestic Partners and their dependents.

#### DEFINITIONS:

1. *City Employee* – Any active employee of the City of Margate who is eligible for City benefits. Although retired employees of the City of Margate are not considered active employees, this policy shall apply to any benefit for which a retired employee is eligible.
2. *Domestic Partner* – A person of the same or opposite sex with whom an employee has established a domestic partnership.
3. *Domestic Partnership* – A relationship between an employee and one other person of the same or opposite sex, who meet all of the following eligibility requirements:
  - a. Both individuals are at least 18 years of age and are competent to contract; and
  - b. Both individuals are each other's sole domestic partner, neither is married to or partnered with any other spouse, spouse equivalent, or domestic partner, and intend to remain so indefinitely; and
  - c. Neither individual has been a member of another domestic partnership for the past year; and
  - d. Both individuals consider themselves to be a member of the immediate family of each other; and
  - e. Both individuals are not related by blood to a degree of closeness (e.g., siblings) that would prohibit legal marriage in the state in which they legally reside; and
  - f. Both individuals agree to be jointly responsible for each other's basic food, shelter, common necessities of life and welfare; and
  - g. The employee has submitted to the City of Margate acceptable proof of evidence of common residence and joint financial responsibility; and
  - h. The employee has completed and submitted the notarized Affidavit of Domestic Partnership to the City of Margate and the City of Margate has approved this Affidavit of Domestic Partnership.

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### **POLICY:**

The City of Margate contributes toward the cost of group medical insurance for all full-time employees and their eligible dependents. Dependent coverage requires an employee bi-weekly premium contribution. Domestic partners of employees shall be considered eligible dependents if they have completed and submitted to Human Resources the City of Margate's Affidavit of Domestic Partnership form, as well as all necessary documentation required by the form. The City Manager has sole discretion on whether the documentation submitted is acceptable.

Necessary documentation utilized to show proof of domestic partnership, may include but is not limited to the following:

1. At least two (2) of the following: copy of mortgage document or lease showing both names (joint ownership or leaseholders), copy of a marriage certificate (certificate of civil union, etc.) from another state (for same-sex partnerships), copies of drivers' licenses or State of Florida identification cards, or voter registration cards showing the same address.
2. At least two (2) of the following: copy of a statement from a joint bank account, credit cards with the same account number for both partner's names, vehicle title showing common ownership, a beneficiary designation form for a retirement plan or life insurance policy signed and completed to the effect that one domestic partner is a beneficiary of the other, or wills which designate the other as primary beneficiary.

If available, the employee shall submit a copy of a certificate/license indicating that the relationship has been formalized in another locality, state, or country through a marriage, civil union, domestic partnership, or the like, that is authorized by law in that jurisdiction but that is not recognized under Florida law.

Dependent children of the domestic partner may also be considered eligible dependents as long as they meet and continue to meet the following conditions:

1. The child(ren) reside with both the employee and the domestic partner, and the domestic partner is responsible for the child(ren)'s well-being; or the domestic partner is required to provide coverage for the child(ren) by court order; or
2. The child(ren) qualifies as the domestic partner's dependent(s) for tax purposes under the federal guidelines.

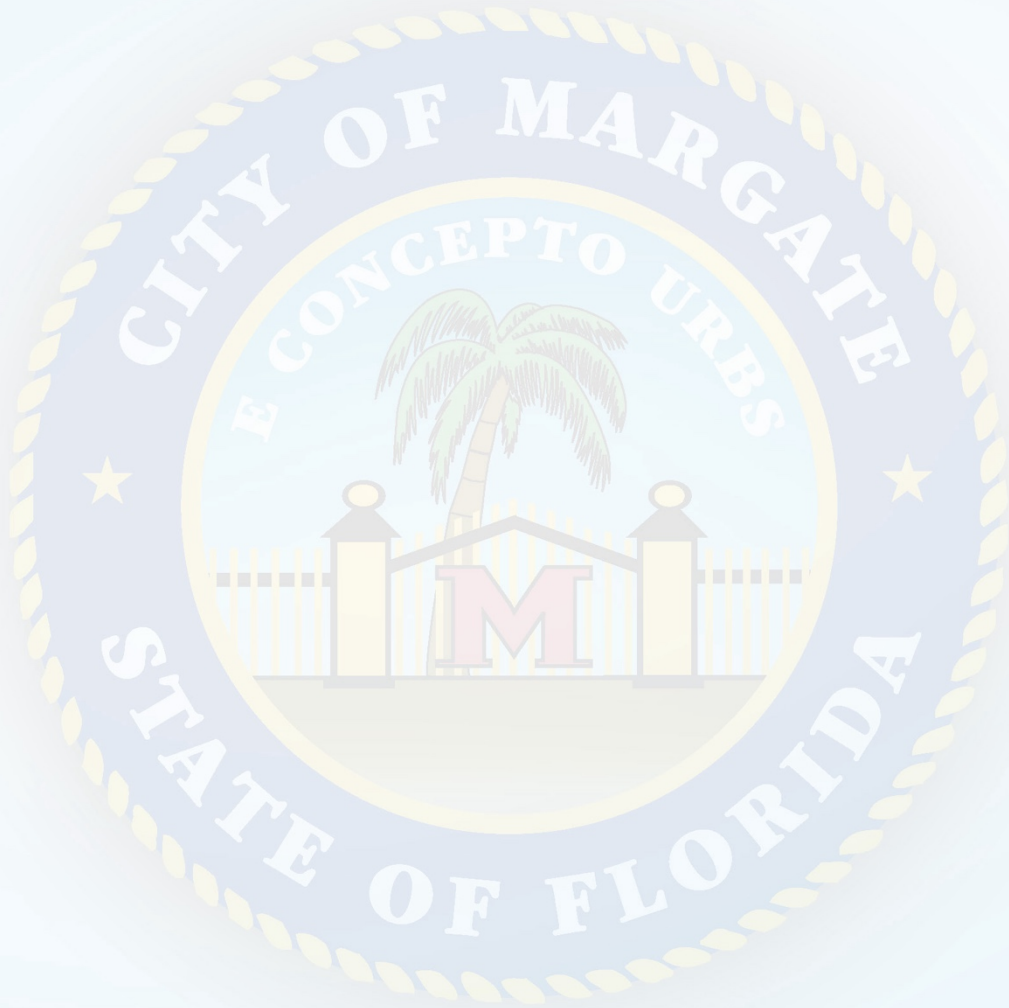
An Affidavit of Termination of Domestic Partnership must be completed within 30 days of when domestic partnership eligibility requirements are no longer met or within 30 days of the death of a domestic partner and/or the covered employee. Coverage of the domestic partner will terminate on the date of death of the domestic partner or on the last day of the first month that the domestic partner and/or domestic partner's eligible dependent child(ren) fails to continue to meet all of the applicable domestic partnership eligibility requirements.

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Another Affidavit of Domestic Partnership for a new domestic partner shall not be accepted by the City of Margate until at least 12 calendar months after an Affidavit of Termination of Domestic Partnership has been filed.

**EXCEPTIONS:** This policy may be revised by the following exceptions:

1. Interpretation and/or amendment by resolution of the City Commission.
2. If superseded by State or Federal law.



### Family and Medical Leave Act

#### **PURPOSE:**

The function of this policy is to provide employees with a general description of their FMLA rights.

The City's Code of Ordinances or collective bargaining agreements (CBA) may apply. The City's Code of Ordinances, as well as applicable collective bargaining agreements (CBAs), also provide a majority of the policy and rule guidance for employees. Employees covered by a CBA should first check their CBA, and if a policy therein conflicts with a rule or policy in this guide, the CBA shall prevail.

State of Florida and federal laws shall also override any conflicting City policy.

#### **POLICY:**

It is the policy of the City of Margate to comply with the Family and Medical Leave Act (FMLA). The City shall provide all employees with notices required by the U.S. Department of Labor (DOL) on Employee Rights and Responsibilities under the FMLA through its Total Absence Management (TAM) platform, post the mandatory FMLA Notice on city department bulletin boards and other areas commonly accessed by employees, and provide official notification of approved time away from work designated as family and medical leave time through the MyADP portal TAM third-party administrator.

#### **A. General Provisions**

Under this policy, the City of Margate will grant up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) during a 12-month period to eligible employees. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

#### **B. Eligibility**

To qualify to take family or medical leave under this policy, an employee must meet all of the following conditions:

1. The employee must have worked for the City of Margate for 12 months or 52 weeks provided that the break in service does not exceed seven years. Separate periods of employment will be counted if the break in service exceeds seven years due to National Guard or Reserve military service obligations or when there is a written agreement, including a collective bargaining agreement, stating the City's intention to rehire the employee after the service break. For eligibility purposes, an employee will be considered to have been employed for an entire workweek even if the employee was on the payroll for only part of a workweek or if the employee is on leave during the workweek.

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2. The employee must have worked at least 1,250 hours during the 12-month period immediately before the date when the leave is requested to commence. The principles established under the Fair Labor Standards Act (FLSA) determine the number of hours worked by an employee. The FLSA does not include time spent on paid or unpaid leave as hours worked. Consequently, these hours of leave will not be counted in determining the 1,250 hours' eligibility test for an employee under FMLA.

### C. Type of Leave Covered

To qualify as FMLA leave under this policy, an employee must be taking leave for one of the reasons listed below:

1. **The birth of a child and in order to care for that child.**
2. **The placement of a child for adoption or foster care and to care for the newly placed child.**
3. **care for a spouse, child or parent with a serious health condition (described below).**
4. **The serious health condition (described below) of the employee.**

An employee may take leave because of a serious health condition that makes the employee unable to perform the functions of the employee's position.

A serious health condition is defined as a condition that requires inpatient care at a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition that requires continuing care, pregnancy, pre-natal care, long-term conditions and conditions requiring multiple treatments by a health care provider.

This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. An incapacity that would result in a period of three consecutive days of incapacity with the first visit to the health care provider within seven days of the onset of the incapacity and a second visit within 30 days of the incapacity would be considered a serious health condition. For chronic conditions requiring periodic health care visits for treatment, such visits must take place at least twice a year, and may continue over an extended period of time, or may cause episodic rather than a continuing period of incapacity.

Employees with questions about what illnesses are covered under this FMLA policy are encouraged to consult with the Human Resources Department.

5. **Qualifying exigency leave for families of members of the National Guard or Reserves or of a regular component of the Armed Forces when the covered military member is on covered active duty or called to covered active duty.**

An employee whose spouse, son, daughter or parent either has been notified of an impending call or order to covered active military duty or who is already on covered active duty may take up to 12 workweeks of leave for reasons related to or affected by the family member's call-up or service.

The qualifying exigency must be one of the following:

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1. short-notice deployment
2. military events and activities
3. child care and school activities
4. financial and legal arrangements
5. counseling
6. rest and recuperation
7. post-deployment activities
8. parental care
9. additional activities that arise out of active duty, provided that the City and the employee agree, including agreement on timing and duration of the leave.

“Covered active duty” means:

- a. in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and
- b. in the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty under a provision of law referred to in 29 C.F.R. 825.102 and 825.126.

The leave may commence as soon as the individual receives the call-up notice. (Son or daughter for this type of FMLA leave is defined the same as for child for other types of FMLA leave except that the person does not have to be a minor.) This type of leave would be counted toward the employee’s 12 workweek maximum of FMLA leave in a 12-month period.

### **1. Military caregiver leave (also known as covered service member leave) to care for an injured or ill service member or veteran.**

An employee whose son, daughter, parent or next of kin with a serious injury or illness is a covered service member may take up to 26 workweeks in a single 12-month period of leave to care for that service member.

Next of kin is defined as the closest blood relative of the injured or recovering service member. The term “covered service member” means:

- a. a member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
- b. a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the employee first takes leave to care for the covered veteran.

The term “serious injury or illness”:

- a. in the case of a member of the Armed Forces (including a member of the National Guard or Reserves), means an injury or illness that was incurred by the covered

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- servicemember in line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the covered servicemember medically unfit to perform the duties of the member's office, grade, rank, or rating; and
- b. in the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves), means a qualifying (as defined by the Secretary of Labor) injury or illness that was incurred by the member in line of duty on an active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran, and is:
1. a continuation of a serious injury or illness incurred or aggravated when they were a member of the Armed Forces;
  2. physical or mental condition that led to disability of 50% or more;
  3. physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or
  4. injury on the basis of which the veteran has been enrolled in the DVAPCA 29 C.F.R. 825.127(c).

### **D. Amount of Leave**

An eligible employee can take up to 12 workweeks for the FMLA circumstances (1) through (5) above under this policy during any 12-month period. The City of Margate shall utilize a "rolling" 12-month period measured backward from the date an employee uses and FMLA leave. Each time an employee takes leave, the City will compute the amount of leave an employee has taken under this policy in the previous 12 months and subtract that total from the employees' 12 week leave allotment.

An eligible employee can take up to 26 workweeks for the FMLA circumstance (6) above (military caregiver leave). For this military caregiver leave, the City shall utilize a 12-month period measured forward from the date any employee's first FMLA leave begins in accordance with 29 C.F.R. 825.200 (f).

If a husband and wife both work for the City of Margate and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, the husband and wife may only take a combined total of 12 workweeks of leave. If a husband and wife both work for the City and each wishes to take leave to care for a covered injured or ill service member, the husband and wife may only take a combined total of 26 workweeks of leave.

### **E. Use of Paid and Unpaid Leave**

An employee who is granted a leave of absence under this policy is required to use earned sick, vacation and personal time at the beginning of the leave, or as otherwise defined under the provisions of a collective bargaining agreement. The remainder of the leave will be unpaid leave. Full-time status employees are enrolled in a long-term disability plan and may apply for disability income benefits to supplement the unpaid leave time.

### **F. Employee Status and Benefits During Leave**

While an employee is on leave, the City will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

Under the City of Margate's current benefits policies, the employee pays a portion of the benefit premiums. While on paid leave, the City will continue to make payroll deductions to collect the employee's share of the premiums. When an employee has exhausted all earned sick, vacation and personal hours and the leave transitions to an unpaid leave, the employee must continue to make this payment, either in person or by mail. Premium payments are due to Human Resources on the normal pay date. Payments not received within 30 days of the due date, will result in notification of further action up to and including cancellation of benefit coverage retroactive to the last date payment was current. The City will provide 15 days' notification prior to an employee's loss of coverage.

In accordance with the Benefit Summary Plan Documents, the employee may choose to discontinue benefit coverage for the duration of their approved leave. Benefits may be reinstated upon return as described in the Benefit Summary Plan Documents. Note: those participating in a Flex Spending Account benefit would have their bi-weekly contribution recalculated.

If the employee chooses not to return to work for reasons other than continued FMLA leave or other legally protected reason, the City will require the employee to reimburse the City the amount it paid for the employee's health insurance premium during the leave period.

### **G. Employee Status After Leave**

An employee who takes leave under this policy will be asked to provide a fitness for duty clearance from the health care provider. This requirement will be included in TAM's response to the FMLA request. Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or one which is virtually identical in terms of pay, benefits and working conditions. The City may choose to exempt certain key employees from this requirement and not return them to the same or similar position as allowed for and in compliance with the FMLA.

### **H. Intermittent Leave or a Reduced Work Schedule**

An employee may take FMLA leave in 12 consecutive workweeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service member over a 12-month period).

The City may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances of when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including

recovery from a serious health condition or to care for a child after birth, or placement for adoption or foster care.

For the birth, adoption or foster care of a child, the City and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced hour schedule. Leave for birth, adoption or foster care of a child must be taken within one year of the birth or placement of the child.

To the extent practicable, the employee must schedule foreseeable intermittent leave with the City in a way that minimizes disruption to the City operations. If the leave is not reasonably foreseeable, the employee must give as much advance notice as practicable before taking leave.

### **I. Certification for the Employee's Serious Health Condition**

The City of Margate will require certification for an employee's serious health condition. The employee must respond to such a request within 20 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification must be provided using the DOL Certification of Health Care Provider for Employee's Serious Health Condition Form.

The Human Resources Director or designee may directly contact an employee's health care provider for verification or clarification purposes. The City will not use the employee's Immediate Supervisor for this contact. Before the City makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification within an additional 12 days. In compliance with HIPAA Medical Privacy Rules, the City will obtain the employee's permission for clarification of individually identifiable health information.

The City of Margate has the right to ask for a second opinion if it has reason to doubt the certification. The City will pay for the employee to get a certification from a second doctor, which the City will select. The City of Margate may deny FMLA leave to an employee who refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary, to resolve a conflict between the original certification and the second opinion, the City will require the opinion of a third doctor. The City and the employee will mutually select the third doctor, and the City will pay for the opinion. This third opinion will be considered final and binding. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

### **J. Certification for the Family Member's Serious Health Condition**

The City of Margate will require certification for a family member's serious health condition. The employee must respond to such a request within 20 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification must be provided using the DOL Certification of Health Care Provider for Family Member's Serious Health Condition Form.

The City's Human Resources Director or designee may directly contact an employee's family member's health care provider for verification or clarification purposes. The City

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will not use the employee's Immediate Supervisor for this contact. Before the City makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification within an additional 12 days. In compliance with HIPAA Medical Privacy Rules, the City will obtain the employee's family member's permission for clarification of individually identifiable health information.

The City of Margate has the right to ask for a second opinion if it has reason to doubt the certification. The City will pay for the employee's family member to get a certification from a second doctor, which the City will select. The City may deny FMLA leave to an employee whose family member refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary, to resolve a conflict between the original certification and the second opinion, the City will require the opinion of a third doctor. The City and the employee will mutually select the third doctor, and the City will pay for the opinion. This third opinion will be considered final and binding. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

### **K. Certification of Qualifying Exigency for Military Family Leave**

The City of Margate will require certification of the qualifying exigency for military family leave. An employee must respond to such a request within 20 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification must be provided using the DOL Certification of Qualifying Exigency for Military Family Leave Form.

### **L. Certification for Serious Injury or Illness of Covered Service member for Military Family Leave**

The City of Margate will require certification for the serious injury or illness of the covered service member. An employee must respond to such a request within 20 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification must be provided using the DOL Certification for Serious Injury or Illness of Covered Service member Form.

### **M. Recertification**

The City of Margate may request recertification for the serious health condition of an employee or the employee's family member no more frequently than every 30 days and only when circumstances have changed significantly, or if the City receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of their leave. Otherwise, the City may request recertification for the serious health condition of an employee or the employee's family member every six (6) months in conjunction with an FMLA absence. The City may provide the employee's health care provider with the employee's attendance records and ask whether the need for leave is consistent with the employee's serious health condition.

### **N. Procedure for Requesting FMLA Leave**

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All employees requesting FMLA leave must submit the request through the MyADP platform TAM portal. Within five (5) business days after an employee has provided this notice, TAM will complete and provide the employee with the DOL Notice of Eligibility and Rights Form.

Assistance with submitting a leave request through the TAM portal, or questions about the approval process, may be directed to the MyLife Advisor Service Center toll-free hotline at 1(800) 216-0237, Monday through Friday from 8 a.m. – 8 p.m. or the Human Resources Department.

When the need for the leave is foreseeable, an employee must provide the City with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, the employee must provide notice of the need for the leave either the same day or the next business day, absent unusual circumstances. When the need for FMLA leave is not foreseeable, the employee must provide notice as soon as is possible. The employee and the City will comply with the City's usual and customary notice and procedural requirements for requesting leave as stated above, absent unusual circumstances.

### **O. Designation of FMLA Leave**

Within five (5) business days after an employee has submitted the appropriate certification form, TAM will complete and provide the employee with a written response to the employee's request for FMLA leave using the DOL Designation Notice Form.

### **P. Intent to Return to Work from FMLA Leave**

On a basis that does not discriminate against employees on FMLA leave, employees will be required to furnish periodic reports on their status and availability to return to work. The employee shall provide notice if the need for more or less leave is anticipated as soon as is practicable. The return to work will be reviewed on a case-by-case basis. The City will support and comply with Americans with Disabilities Act Amendments Act of 2008 (ADAAA).

### **EXCEPTIONS:**

Employees covered by a CBA should first consult their corresponding CBA, and if a conflict exists, the CBA shall prevail unless in conflict with Code or Statute.

State of Florida and federal laws shall override any conflicting City policy.

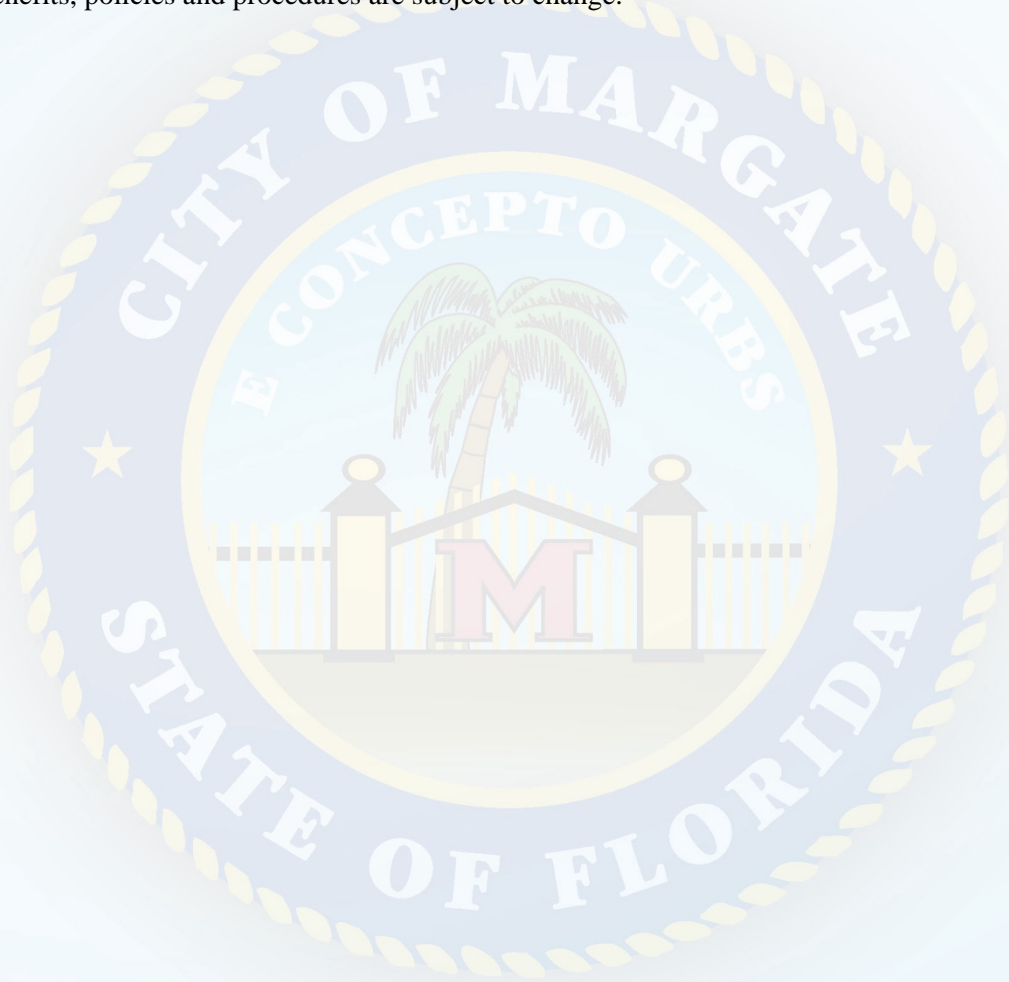
This policy may be revised from time to time.

### **Holiday Leave**

For this benefit, policy, or procedure, please refer to the collective bargaining or contractual agreement that covers your position.

Positions not covered by a collective bargaining or contractual agreement should refer to departmental procedures or seek clarification from the Human Resources Department and/or the City Manager's Office regarding what benefits, policies, or procedures apply.

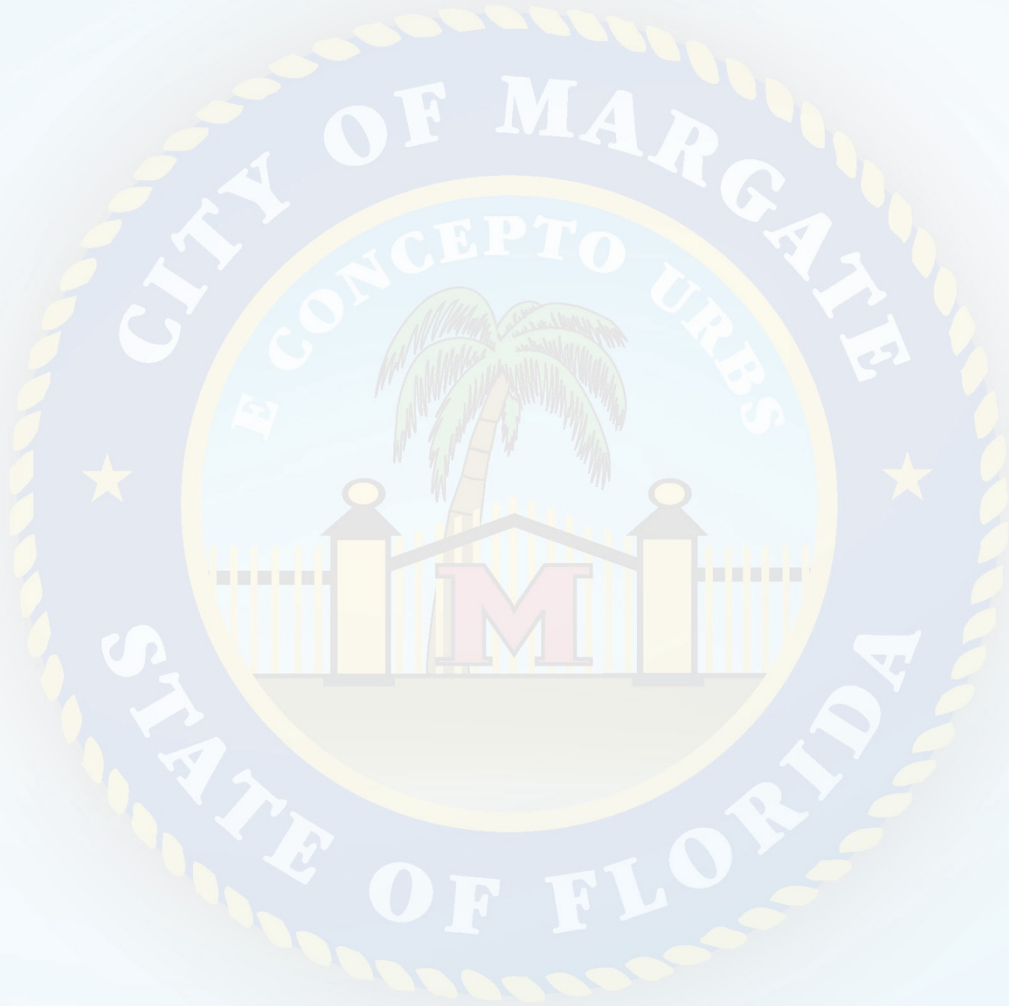
Benefits, policies and procedures are subject to change.



### **Jury Duty**

Sec. 30-75. - Jury duty.

Any employee called for jury duty will be granted leave with pay for actual time on jury duty. However, the amount received by the employee as jury duty pay will be deducted so as to provide the employee a total amount not exceeding their weekly pay as an employee of the City of Margate. While on jury duty, an employee will accumulate annual leave and sick leave.



### Leave Without Pay

Sec. 30-74. - Leave without pay.

Any employee absent from employment in excess of five (5) days in any one calendar year beyond that leave specifically granted by these rules or any applicable collective bargaining agreement shall be subject to immediate termination unless said leave has been approved by the City Manager. Any leave not specifically provided for in these rules or in any collective bargaining agreement shall only be granted at the sole discretion of the City Manager. Further, any employee on leave beyond that leave specifically granted by these rules or any applicable collective bargaining agreement will not accumulate additional leave or sick leave while absent within this status. Any employee absent without leave for three (3) consecutive work days shall be conclusively deemed to have abandoned employment and such employment will be terminated as of close of business on the third day without further notice or action by the City being necessary.



### **Longevity**

For this benefit, policy, or procedure, please refer to the collective bargaining or contractual agreement that covers your position.

Positions not covered by a collective bargaining or contractual agreement should refer to departmental procedures or seek clarification from the Human Resources Department and/or the City Manager's Office regarding what benefits, policies, or procedures apply.

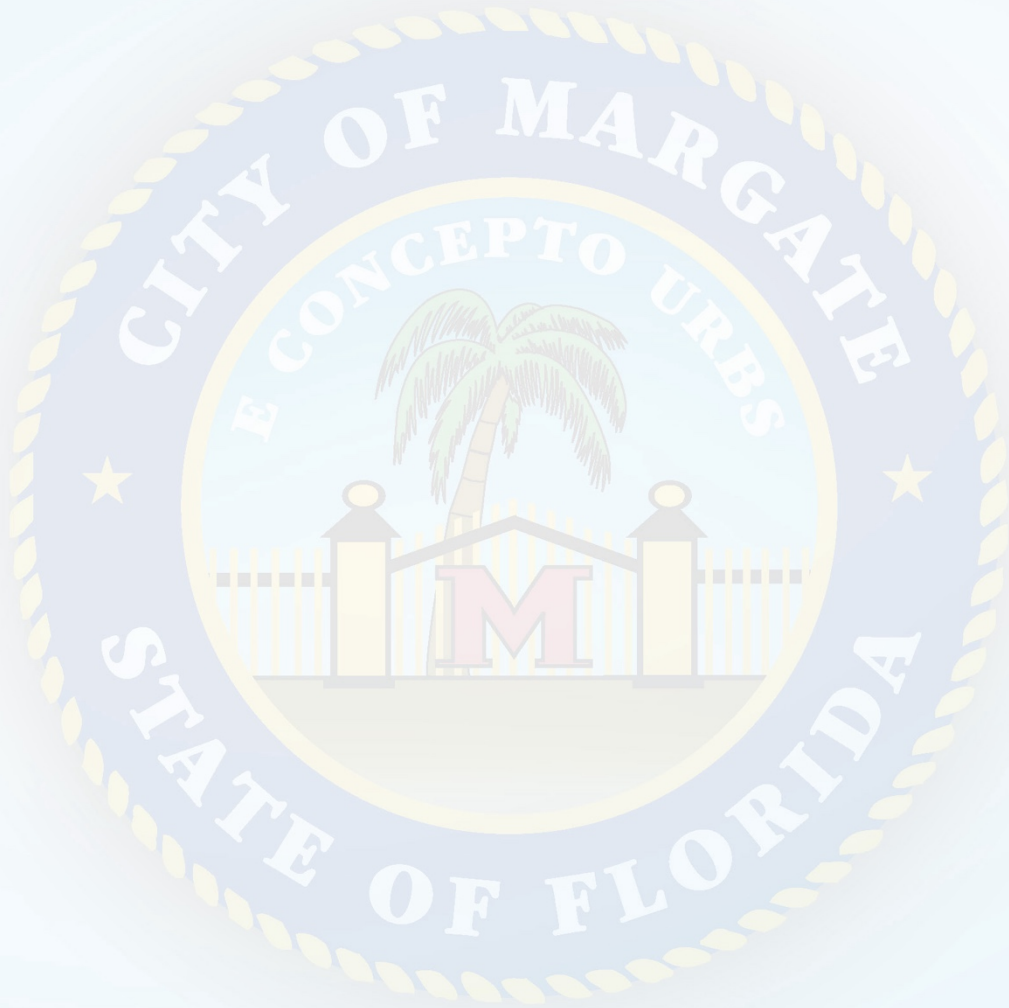
Benefits, policies and procedures are subject to change.



### **Military Leave**

Military leave will be granted in accordance with applicable state and federal law and the collective bargaining agreement or contractual agreement that covers your position.

Positions not covered by a collective bargaining or contractual agreement should seek clarification from the Human Resources Department regarding what benefits, policies, or procedures apply.



### Paid Parental Leave

#### PURPOSE:

It is the intent of the City of Margate to create and maintain a work culture that supports employees in their effort to balance their work responsibilities with the demands of personal and family life. The Paid Parental Leave Policy supports these goals and values by allowing parents additional flexibility and paid time to bond with their new child, adjust to their new family situation, and balance their professional obligations.

#### DEFINITIONS:

##### Family and Medical Leave Act (FMLA):

The Family and Medical Leave Act of 1993 (FMLA) is a labor law that entitles eligible employees to take unpaid, job-protected leave for specified family and medical reasons.

##### Parent:

An eligible City of Margate employee who is a legal parent of a newborn, newly adopted child, or a newly placed foster child. A legal parent is one whose name appears on the child's birth certificate, a legal document establishing maternity or paternity, or a legal document establishing foster placement or adoption.

##### Paid Parental Leave:

Up to twelve (12) weeks of leave for the purpose of caring for the newborn, newly adopted, or newly placed foster child/children. This leave shall apply equally to parents in the event of a birth, adoption, or foster care placement in the eligible employee's home.

##### Primary Caregiver:

A Primary Caregiver is defined as someone who has primary responsibility for the care of a child through birth, adoption, or foster-care placement.

#### POLICY:

The City of Margate will provide up to twelve (12) weeks of paid parental leave to employees following the birth of an employee's child or the placement of a child with an employee in connection with adoption or foster care.

This policy will run concurrently with Family and Medical Leave Act (FMLA) leave, as applicable.

This policy will be in effect for births, adoptions or placements of foster children occurring after the adoption of this policy.

#### Eligibility

Eligible employees must meet the following criteria:

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- Have been employed with the City for at least 12 months (the 12 months do not need to be consecutive).
- Have worked at least 1,250 hours during the 12 consecutive months immediately preceding the date the leave would begin.
- Be a full- or part-time, regular employee (temporary/seasonal employees and interns are not eligible for this benefit).
- Is the parent or primary caregiver of a newborn
- Be the spouse or domestic partner of the person who has given birth to a child.
- Have adopted a child or been placed with a foster child (in either case, the child must be age 17 or younger). The adoption of a new spouse's child is excluded from this policy.

### Work Obligation

Under paid parental leave, an employee may not use any paid parental leave unless the employee agrees in writing, before commencement of the leave, to subsequently work for the City for at least 12 weeks. This 12-week work obligation begins on the employee's first scheduled workday after such paid parental leave concludes.

Therefore, prior to using paid parental leave, an employee is required to enter into a written service agreement to work for the City of Margate for 12 weeks after the day on which paid parental leave concludes, specifically:

- The workday on which an employee finishes using the 12 workweeks of paid parental leave; or
- If the employee uses less than 12 workweeks of paid parental leave during the 12-month period following the birth or placement, the last workday on which the employee used paid parental leave in connection with the given child.

The work obligation is statutorily fixed at 12 weeks, regardless of the amount of leave used by an employee.

Example: An employee might use only 6 weeks of paid parental leave during the 12-month period following birth or placement but would still be required to complete a 12-week work obligation.

### Waiver of Work Obligation

The work obligation may be waived based on a serious health condition of the employee, or the newly born/placed child, but, in the case of the employee's serious health condition, only if the condition is related to the applicable birth or placement. It may also be waived for circumstance beyond the employee's control. The City Manager may waive the work obligation if an employee is unable to return to work because of the continuation, recurrence, or onset of a serious health condition of the employee or the newly born/placed

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child, but only if the condition is related to the applicable birth or placement. In order to waive the work obligation, the employee must provide supporting documentation.

### **Reimbursement of City Costs for Health Insurance:**

The service agreement will note the possible need to provide reimbursement to the City of Margate if an employee fails to meet the required work obligation; however, that reimbursement requirement cannot be applied in certain circumstances, and the City may choose to not apply it in other circumstances.

The reimbursement is equal to the total amount of any Employer contribution the City paid to maintain the employee's health insurance coverage under the City's Employees Health Benefits Program during the period that paid parental leave was used. If the City determines that reimbursement must be made, it must seek collection of the full amount. There is no authority for a partial waiver of the amount owed.

The City may not require the reimbursement (i.e. may issue a mandatory waiver of the reimbursement) if the City determines that the employee is unable to return to work for the required 12 weeks because of:

- The continuation, recurrence, or onset of a serious health condition of the employee or the child whose birth or placement was the basis for the paid parental leave, but, in the case of the employee's serious health condition, only if the condition is related to the applicable birth or placement; or
- Any other circumstance beyond the employee's control.

Before the City can make a determination on whether to impose (or to waive) the reimbursement, the employee must submit supporting certification by a healthcare provider if the employee claims that (1) a serious health condition (of the employee or the child whose birth or placement entitled the employee to paid parental leave) makes the employee unable to fulfill the necessary work requirement; or (2) another individual's health condition prevents the employee's fulfillment of the work requirement.

### **Amount, Time Frame and Duration of Paid Parental Leave**

- Eligible employees will receive a maximum of 12 weeks of paid parental leave per birth, adoption or placement of a child/children. The fact that a multiple birth, adoption or placement occurs (e.g., the birth of twins or adoption of siblings) does not increase the 12-week total amount of paid parental leave granted for that event. In addition, in no case will an employee receive more than 12 weeks of paid parental leave in a rolling 12-month period, regardless of whether more than one birth, adoption or foster care placement event occurs within that 12-month time frame.
- The City of Margate will utilize a "rolling" 12-month period measured backward from the date an employee uses any FMLA leave. Each time an employee takes leave, the City will compute the amount of leave an employee has taken under this policy in the preceding 12-month period and subtract that total from the employee's 12 week leave allotment, and the balance remaining is the amount an employee is entitled to take at that time.

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- Whenever an eligible employee takes paid parental leave, the employee is eligible to receive the employee's regular base rate of pay according to the following schedule:

First four (4) weeks	100%
Second four (4) weeks	50%
Third four (4) weeks	25%

- Paid parental leave will be paid on a biweekly basis on regularly scheduled pay dates.
- Approved paid parental leave may be taken at any time during the 12-month period immediately following the birth, adoption or placement of a child with the employee. Paid parental leave may not be used or extended beyond this 12-month time frame.
- The number of Paid Parental Leave periods an employee may take is unlimited over the duration of employment with the City.
- If both parents are City employees, each employee is entitled to take up to the 12 week leave period, and they may take their leave period concurrently, subsequently, or in any other combination but not to be taken intermittently (exception may be granted at the discretion of the City Manager).
- Employees must take paid parental leave in one continuous period of leave and must use all paid parental leave during the 12-month time frame indicated above. Any unused paid parental leave will be forfeited at the end of the 12-month time frame (i.e. there are no carryover provisions for unused paid parental leave). No payment may be made for unused paid parental leave or paid parental leave that has expired.
- Upon termination of the individual's employment at the City, the employee will not be paid for any unused paid parental leave for which the employee was eligible.

### Coordination with Other Policies

- Paid parental leave taken under this policy will run concurrently with leave under the FMLA; thus, any leave taken under this policy that falls under the definition of circumstances qualifying for leave due to the birth or placement of a child due to adoption or foster care, will be counted toward the 12 weeks of available FMLA leave per a 12-month period. All other requirements and provisions under the FMLA will apply. In no case will the total amount of leave—whether paid or unpaid—granted to the employee under the FMLA exceed 12 weeks during the 12-month FMLA period. Please refer to the Family and Medical Leave Policy for further guidance on the FMLA.
- After the first four (4) weeks of paid parental leave is exhausted, the balance of FMLA leave (if applicable) will be compensated through employees' accrued sick, vacation and personal time supplemental to the prorated portion of the remaining parental leave paid by the City. Upon exhaustion of accrued sick, vacation and personal time, any remaining leave will be unpaid leave. Please refer to the Family and Medical Leave Policy for further guidance on the FMLA.

### Relation to other leave

An employee may take unpaid FMLA leave under the City's FMLA Policy before the birth or placement to cover certain activities related to the birth or placement but cannot substitute paid parental leave for those pre-birth/placement FMLA unpaid leave periods. If an employee invokes FMLA to receive unpaid leave prior to the birth or placement of a child, this time also will count towards the 12 weeks allowable per 12-month period of paid parental leave.

Example: An employee uses 2 weeks of FMLA unpaid leave prior to the birth or placement of a child, they will then have a balance of 10 weeks of FMLA unpaid leave, or 10 weeks of paid parental leave, available for the 12-month period beginning at the invocation of the leave.

- The City will maintain all benefits for employees during the paid parental leave period just as if they were taking any other City paid leave such as paid vacation leave or paid sick leave.
- If a City holiday occurs while the employee is on paid parental leave, such day will be charged to holiday pay; however, such holiday pay will not extend the total paid parental leave entitlement.
- An employee who takes paid parental leave that does not qualify for FMLA leave will be afforded the same level of job protection for the period of time that the employee is on paid parental leave as if the employee were on FMLA-qualifying leave.

### Requests for Paid Parental Leave

#### Employee Responsibilities

Employees must provide at least thirty (30) days advance notice of the intent to take paid parental leave to their supervisor and the Human Resources Department when the need is foreseeable. When thirty (30) days' notice is not foreseeable, the employee must provide notice as soon as practicable. The employee must complete the necessary HR forms and provide all documentation as required by the HR Department to substantiate the request.

- A. An employee who wishes to invoke entitlement to paid parental leave by invoking FMLA (and therefore using paid parental leave instead of unpaid leave under FMLA), must:
  - 1) complete a Paid Parental Leave Request Form;
  - 2) sign the Agreement to complete 12-Week Work Obligation;
  - 3) include any appropriate supporting documentation for the use of paid parental leave; and
  - 4) provide the documents to the HR Department.
- B. Employees seeking paid parental leave shall complete the "Request for Paid Parental Leave" form and submit it to the Human Resources Department, stating the reason for the request, and the anticipated beginning and ending dates of the requested leave. The City will make a determination of the employee's eligibility and qualification and

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approve or deny the request for paid parental leave.

- C. When medical emergencies are involved, notice may be given in person or by telephone, and may be given by the employee's spouse or other family member if the employee is unable to do so due to a serious health condition. Written notice cannot be required in the case of a medical emergency. The "Request for Paid Parental Leave" form must be completed as soon as practicable.
- D. When requesting paid parental leave, employees may be required to furnish to the employer documentation sufficient to verify the basis of the leave covered event. This may include a birth certificate, a court order finalizing adoption or placement of a foster child, and/or FMLA paperwork. In all cases, an employee is required to submit FMLA paperwork to the Human Resources Department. In the event this documentation is not provided within six (6) weeks of when it becomes available to the employee, the employee must reimburse the City for all paid parental leave compensation that the employee has received from the City pursuant to this Policy.
- E. Employees on paid parental leave are to comply with the City's employee leave policies, are precluded from outside employment while on the leave and may, if necessary, be required to submit additional documentation to further substantiate the leave.

### **Designation Notice**

Once it has been determined that paid parental leave will be granted, the Human Resources Department will notify the employee in writing within seven (7) business days absent extenuating circumstance, as to whether or not the leave will be designated as paid parental leave, and provide the employee with a copy of their signed Agreement to complete 12-Week Work Obligation notice detailing the specific expectations of the employer, which explain any consequences of a failure to meet these obligations.

**EXCEPTIONS:** This policy may be revised from time to time.

## Pay-out of Employee Benefit Accruals at Termination

### PURPOSE:

To define City policy and procedures for the pay-out of benefit accruals at termination of employment.

### DEFINITIONS:

**Good Standing:** Constitutes a voluntary resignation or retirement, not in lieu of termination, suspension, pending disciplinary action, or resignation under investigation.

### POLICY:

Except as otherwise provided for by collective bargaining agreements in effect, employee benefit accruals will be paid out following termination of employment as follows:

#### Annual Leave

Following termination of employment, if said termination is not the result of a disability, the employee shall receive the cash value for accumulated annual leave up to the maximum accrual limits based on date of hire, multiplied by the employee's base hourly rate of pay on the effective date of the employee's termination.

The maximum accrual limit for annual leave for employees hired before October 1, 2020, is an aggregate of 660 hours. The maximum accrual limit for employees hired on or after October 1, 2020, is an aggregate of 320 hours.

The cap of 660, or 320 hours shall be adjusted by the number of vacation hours cashed in by an employee upon entering the FRS retirement incentive program known as DROP and be subject to applicable DROP-related adjustments.

In the event of the death of an employee, the employee's heir(s) or estate shall be entitled to a lump sum payment equal to the cash value of all unused annual leave available at the time of the employee's death. The cash value shall be calculated based on the employee's hourly base rate of pay on the date of the employee's death.

In the event that an employee becomes disabled, and said disability prevents the employee from continuing employment with the City pursuant to Section 30-78 of the City Code, upon the termination of that employee, the employee shall be entitled to the cash value of all unused annual leave available on the date that the employee leaves the employ of the City of Margate.

#### Compensatory Time

The cash value of any accrued compensatory time shall be paid based on the employee's base rate of pay on the date of termination.

#### Floating Holiday

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A floating holiday shall be paid at the employee's base hourly rate of pay on the effective date of the employee's termination if accrued and unused during the fiscal year in which the employee terminates employment. Floating holiday bank hours used but not earned shall be reimbursed to the City.

### **Personal Holiday Leave**

An employee shall not be entitled to compensation for any received but unused personal holiday leave.

### **Personal Leave**

Following termination of employment, an employee who resigns or retires in good standing shall be paid accrued and unused personal leave by multiplying the number of accumulated personal leave hours by the per dollar value of the average of the employee's three (3) highest hourly base rates of pay. The hourly base rate is defined as the hourly rate earned not only on the effective date of the resignation/retirement but also on each such calendar date for all previous years of employment.

Effective October 1, 2023, the maximum accrual limit of personal leave is an aggregate of 96 hours for employees working five (5) day eight (8) hour shifts, or 120 hours for employees working four (4) day ten (10) hour shifts. Personal leave hours accrued resulting from use of one (1) shift or less of sick leave during the preceding fiscal year are not counted in the maximum accrual limit. Hours in excess of the maximum limit accrued but not used by an employee prior to October 1, 2023, will be paid using the same calculation upon termination in good standing.

In the event of the death of an employee, the employee's heir(s) or estate shall be entitled to a lump sum payment equal to the cash value of all accrued personal leave available at the time of the employee's death. The cash value shall be calculated based on the employee's hourly base rate of pay on the date of the employee's death.

In the event that an employee becomes disabled and said disability prevents the employee from continuing employment with the City pursuant to Section 30-78 of the City Code, upon the termination of that employee, the employee shall be entitled to the cash value of all unused personal leave available on the date that the employee leaves the employ of the City of Margate. The cash value shall be calculated based on the employee's hourly base rate of pay on the date of the employee's termination.

### **Sick Leave**

Employees hired prior to October 1, 2020, may accumulate an unlimited aggregate number of sick leave hours. Employees hired on or after October 1, 2020, may accumulate a maximum of 1,200 sick leave hours.

Following termination of employment, an employee who resigns or retires in good standing and has at least six (6) years of regular, full-time service with the City shall receive the cash value for sick leave hours accumulated multiplied by 60% (sixty percent), up to a maximum of 2,080 hours based upon the employee's base rate of pay on the effective date of the employee's resignation/retirement.

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In the event of the death of an employee, that employee's heir(s) or estate shall be entitled to a lump sum payment equal to the cash value of all unused sick leave available at the time of the employee's death. The cash value shall be calculated based on the employee's hourly base rate of pay on the date of the employee's death.

In the event that an employee becomes disabled, and said disability prevents the employee from continuing employment with the City pursuant to Section 30-78 of the City Code, upon the termination of that employee, the employee shall be entitled to the cash value of all unused sick leave available on the date that the employee leaves the employ of the City of Margate. The cash value shall be calculated based on the employee's hourly base rate of pay on the date of the employee's termination.

### **Pay-out Adjustments**

In the event an employee owes the City for used but not earned leave, or for all other types of monies that may be owed, the cash value of those monies shall be subtracted first from the cash value of the combined total number of accumulated hours of annual leave, personal leave and sick leave (prior to the pay-out limitations stated above) as appropriate; and then from the cash value of any floating holiday leave hours; and then from the cash value of all accumulated compensatory hours.

All types of monies that may be owed by the employee to the City shall be calculated based on the employee's hourly base rate of pay on the effective date that the employee terminates employment with the City.

### **PROCEDURES:**

The employee is requested to provide a minimum of two (2) scheduled work weeks' written notice of the employee's resignation/retirement to their supervisor, manager or department director and work the notice period.

The department shall complete an Employee Action Form (EAF), attach the resignation notice to the EAF and submit electronically for approval routing. Upon completion, the Human Resources Department shall commence the final audit. The documents shall be retained in the employee's electronic personnel file.

The employee's final pay for hours worked shall be issued in accordance with the City's next payroll cycle following termination using the method of payment on file. Pay-out of benefits, if applicable, will be issued on the subsequent payroll cycle.

Failure to resign/retire in good standing, or adhere to the stated procedures, may result in forfeiture of benefit pay-outs except as otherwise specified in this policy, or required by law.

### **EXCEPTIONS:**

Where in conflict with any collective bargaining agreement (CBA), the CBA shall prevail. This policy may be revised from time to time.

### Personal Leave

For this benefit, policy, or procedure, please refer to the collective bargaining or contractual agreement that covers your position.

Positions not covered by a collective bargaining or contractual agreement should refer to departmental procedures or seek clarification from the Human Resources Department and/or the City Manager's Office regarding what benefits, policies, or procedures apply.

Benefits, policies and procedures are subject to change.



### Sick Leave

For this benefit, policy, or procedure, please refer to Section 30-72 of City Code and the collective bargaining or contractual agreement that covers your position.

Sec. 30-72. – Sick leave.

- (a) Except as otherwise provided for by collective bargaining agreements in effect, all full-time City employees covered by civil service shall accumulate 3.6923 sick leave hours each regular pay period. An employee who is compensated for less hours than the regular eighty (80) in a regular pay period shall accumulate sick leave prorated based upon the number of actual hours worked by the employee in that regular pay period. Employees hired prior to October 1, 2020, may accumulate an unlimited aggregate number of sick leave hours. Employees hired on or after October 1, 2020, may accumulate a maximum of no more than 1200 hours of sick leave. An employee must produce a doctor's certificate if away from duty over three (3) work days.
- (b) Any abuse of sick leave time shall be cause for disciplinary action.
- (c) In the event an employee is injured in the line of duty, they will be placed on compensation in accordance with state laws. The employee will not be returned to duty until the compensation physician makes such authorization in a report, a copy of which will be placed in the employee's personnel file.
- (d) In the event an employee is sick or injured, not in the line of duty and for an extended period, the employee will utilize sick and/or annual leave. The employee will not be returned to duty until their own physician certifies them capable of performing assigned duties, a copy of such certification to be placed in the employee's personnel file. The City Manager shall have the right to appoint a qualified physician to examine the sick or injured employee to make a determination as to whether the employee is or is not capable of returning to duty and performing their assigned duties or whether, in the physician's opinion, the employee may be temporarily or permanently disabled.

Positions not covered by a collective bargaining or contractual agreement should refer to departmental procedures or seek clarification from the Human Resources Department and/or the City Manager's Office regarding what benefits, policies, or procedures apply.

Benefits, policies and procedures are subject to change.

### Sick Leave – Initial Probationary Status

**PURPOSE:**

To provide for use of sick leave by employees in probationary status.

**POLICY:**

An employee who is initial probationary status and who calls in sick and who has not actively served at least six (6) months of regular, full-time service with the City of Margate shall not be entitled either to draw upon the employee's own accumulated sick leave or to receive sick pay. Therefore, in such situations:

- the employee's absence shall be considered as leave without pay;
- all related ordinances and applicable federal laws shall be in effect; and
- the employee shall neither be permitted to draw on accumulated annual leave nor be entitled to receive sick bank leave.

An employee who is in initial probationary status and who has not actively served at least six (6) months of regular, full-time service with the City of Margate and who reports for duty but who is sent home sick by the Department Director, shall be entitled to receive regular pay for that day only. In such situations, an employee who calls in sick for any immediately following work shift(s) shall not be entitled to draw upon the employee's own accumulated sick leave or to receive sick pay for each such shift.

It is noted that an employee who is in an initial probationary status may not be entitled to any type of leave permitted pursuant to the Family and Medical Leave Act.

**EXCEPTIONS:**

This policy shall be subject to the applicable collective bargaining agreement provisions and City of Margate ordinances recognized for granting sick leave.

Exception to this policy shall be at the discretion of the City Manager on a case by case basis. Requests for an exception to this policy shall be made by an employee, through their regular chain of command, and be presented by a Department Director to the City Manager.

### Tuition Assistance Program

#### **PURPOSE:**

To encourage employees to strengthen their skills and abilities and pursue educational and training opportunities which prepare employees for future opportunities.

#### **ELIGIBILITY:**

Employee must be in a regular full-time position status and employed for a period of at least one year. Employee must have successfully passed the initial probationary period. Eligibility is on a first come first serve basis subject to fiscal year funding.

#### **POLICY:**

1. Educational Planning and Overall Process
  - A. Prior to applying/registering for desired course work for an upcoming semester, an employee must complete and submit a Higher Education Request Form to their Department Director for approval.
  - B. Department Directors must submit approved Higher Education Request Forms to the City Manager or designee prior to the course registration deadline.
  - C. By April 1<sup>st</sup> of each year, each Department Director must submit in writing their Department's anticipated tuition reimbursement requests, if applicable, for the upcoming fiscal year, including proposed budgetary impact to the City Manager's Office for review and approval.
  - D. Within 30 days of the completion of the approved course work and/or course semester, the employee shall complete the Tuition Assistance Reimbursement Request Form and attach a transcript indicating course(s) taken and resulting grade(s) and itemized payment receipt from the institution delineating tuition and associated fees.
2. Types of Courses/Programs
  - A. The Tuition Assistance Program is limited to course work taken in pursuit of a degree program (i.e. Associates, Bachelors, Masters, Doctorate) at an accredited college or university.
  - B. An eligible educational program is one that, in the judgment of the Human Resources Director, is directly related to the employee's current position or to a related higher position, and which will improve performance in a current position or to a related higher position, or which constitutes preparation for promotion to another position that exists at the city.
3. Reimbursable Expenses

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- A. Eligible expenses authorized for reimbursement are tuition and associated fees only. Textbooks or other materials or supplies shall be the employee's responsibility.
  - B. Employee shall pay their tuition and fees at time of enrollment into approved course(s).
  - C. Employees shall be limited each fiscal year to a maximum total of \$5,000 annually for tuition and associated fees reimbursement costs.
  - D. Employees are eligible for reimbursement for a maximum of one degree at each level (Associates, Bachelors, Masters, Doctorate)
  - E. The maximum tuition reimbursement available per credit hour is based on the current rate as provided for by Broward College (Associates Degree only) and Florida Atlantic University (Bachelors, Masters, and Doctorate Degree).
  - F. All tuition reimbursements will be subject to taxation per applicable Federal law.
  - G. Employees will be entitled to the reimbursement of their tuition and associated fees upon the successful completion of each approved course based on the following scale:

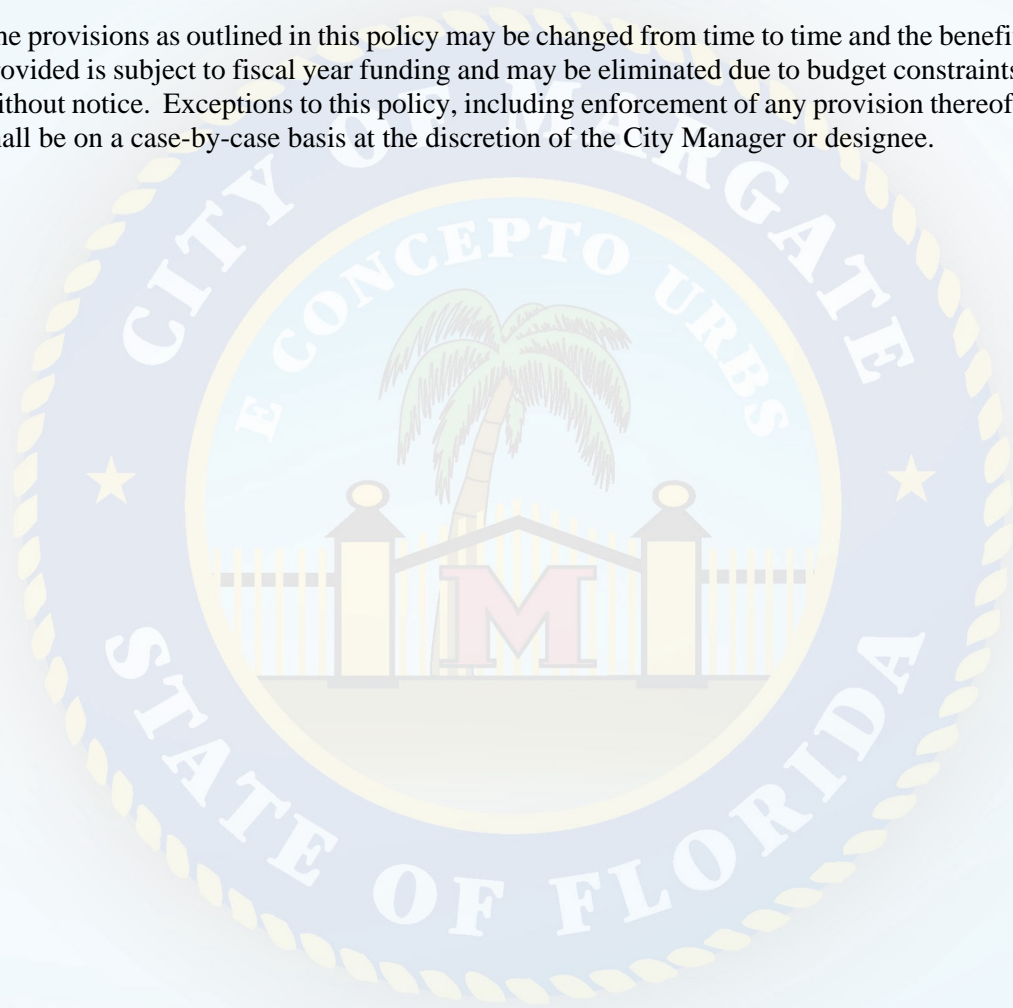
Grade A/ "Pass" in lieu of grade .....	100 percent refund
Grade B .....	80 percent refund
Grade C .....	60 percent refund
  - H. Tuition for coursework in which the employee receives a grade below "C" will not be reimbursed.
  - I. Fees for evaluation of credit transfer or credit for life experience to be evaluated on case by case basis. Employee must be able to demonstrate actively pursuing degree.
4. Additional Provisions
- A. Termination of employment, for any reason, prior to completion of course(s) will make the employee ineligible for tuition assistance.
  - B. If an employee terminates from the City within two years from the completion of course(s), the City will deduct from the employee's final paycheck the full tuition assistance amount received within the final two years of employment subject to applicable law.
  - C. In the event that the employee's final paycheck is less than the amount reimbursed and employee fails to reimburse the City within 30 days, and the services of an attorney are required to collect such refund, such attorney's fees and court costs shall be added to the reimbursement owed to the City.
  - D. Administrative operating procedures pertaining to Tuition Assistance Program may be amended by the City Manager from time to time as appropriate.

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- E. This program is an additional benefit for employees to further their education but it should not be construed as an inducement or requirement that employees must seek additional education. No additional benefit, promotion, salary increase or other consideration is offered, nor should be construed to be offered, unless specifically given in writing to the employee with the appropriate Administrative signature.

### **EXCEPTION(S):**

The provisions as outlined in this policy may be changed from time to time and the benefit provided is subject to fiscal year funding and may be eliminated due to budget constraints without notice. Exceptions to this policy, including enforcement of any provision thereof, shall be on a case-by-case basis at the discretion of the City Manager or designee.



### Voting

#### **PURPOSE:**

To provide guidance to departments and employees on exercising federal, state and local election voting rights.

#### **POLICY:**

The City encourages employees to exercise their right to vote. Exercise of one's right to vote by means of early voting or completion of a mail-in ballot is encouraged.

The City will permit employees time off from work to vote upon request, not to exceed one (1) hour for City-only elections, if the employee is a resident of the City of Margate and the election is being held in the employee's district. Compensation for voting during the employee's scheduled work hours shall not exceed one (1) hour and shall be computed at the employee's straight time rate of pay.

For federal, state or other local elections, if an employee's work schedule and the location of an employee's polling place make it difficult for an employee to get to the polls before they close, the employee may take up to a maximum of one (1) hour off work to vote. For such elections, the employee shall use accrued annual, personal or compensatory time for the absence. If the employee does not have sufficient accrued time, the time away from work shall be unpaid.

Employees are expected to notify their supervisors as much in advance as possible of the need to take time to vote and coordinate the scheduling of that time to ensure that their absence does not disrupt City operations. Eligibility to vote must be produced by the employee, i.e., a Voter's Registration Card.

This policy shall supersede any prior written rules, policy or procedures regarding same.

#### **EXCEPTIONS:**

Where in conflict with any collective bargaining agreement (CBA), the CBA shall prevail.

This policy may be revised from time to time.



### Accident Reporting

#### PURPOSE:

To establish a policy for any City employee who is involved in any accident during on-duty or off-duty hours resulting in real or perceived damage to City owned property.

#### POLICY:

The following shall apply to any City employee who is involved in any accident resulting in real or perceived damage to life or property anytime during on-duty hours or while off-duty and damage is incurred to City owned property. On-duty work hours include paid lunch break periods.

Some examples of types of accidents to report via this policy include, but are not limited to:

- A report of an employee damaging a City owned mobile radio or telephone
- A report that a City vehicle (no vehicle number provided), damaged a homeowner's mailbox
- A report that City owned watercraft damaged a homeowner's irrigation pipe
- A report of vehicle damage, known or unknown cause
- A report of theft of an assigned take-home laptop computer
- A report that a homeowner's lawn was damaged during a water main repair
- Vehicle accident where there was no clear damage to property, but certain impact with another vehicle or object

Please note that all vehicle and property damage accidents are inherently different and may require subtle adjustments to the notification process based on severity as determined by the supervisor. Priority should be placed on immediate health and safety of all those involved and notification to the sources required.

1. If possible, the employee shall immediately dial 911 in the event that anyone requires immediate emergency medical attention as a result of an accident.
2. If possible, the employee shall next notify the immediate supervisor of the accident. The Margate Police Department shall be notified as determined by the supervisor.
3. The immediate supervisor shall report to the accident site (as applicable) and notify the Department Director and Risk Manager via a brief e-mail to [HRAccident@margatefl.com](mailto:HRAccident@margatefl.com) within two (2) hours of the occurrence.
4. If possible, the employee shall remain at the accident scene as directed by a Police Officer/Community Service Aid and also until released from the scene by the immediate supervisor.
5. The immediate supervisor shall instruct the employee regarding compliance with DOT Drug and Alcohol Testing mandates and shall initiate City workers'

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compensation procedures as necessary, within two (2) hours of the occurrence.

6. The employee shall provide a memo to the employee's supervisor within 48 hours of the occurrence explaining the circumstances regarding the accident.
7. All reports processed after the initial event will be referenced by a claim number generated within 48 hours of the occurrence by the Human Resources Department Risk Management Division.
8. As soon as possible after an accident and within 15 days of the release of a final Police report, the employee and/or department representative shall obtain estimates for the damage to or replacement of the City of Margate vehicle/equipment/property in accordance with the City of Margate procurement policies.
9. The immediate supervisor shall if possible write a memo of determination of fault concerning the accident within five (5) business days of the release of the final police report.
10. The Department Director shall evaluate the memo of determination of fault, shall determine whether disciplinary action is required, and shall review same with the Human Resources Director, within 15 business days of the release of the final police report.
11. For damages under \$30,000, there is an expectation that the department that incurred the loss will fund necessary repairs/replacement. Regardless of the actual intention of repairs of any damages/replacement that are valued over \$50, the City of Margate requires estimates for repairs/replacement (see Item 8).

Specific notations for car repair protocols:

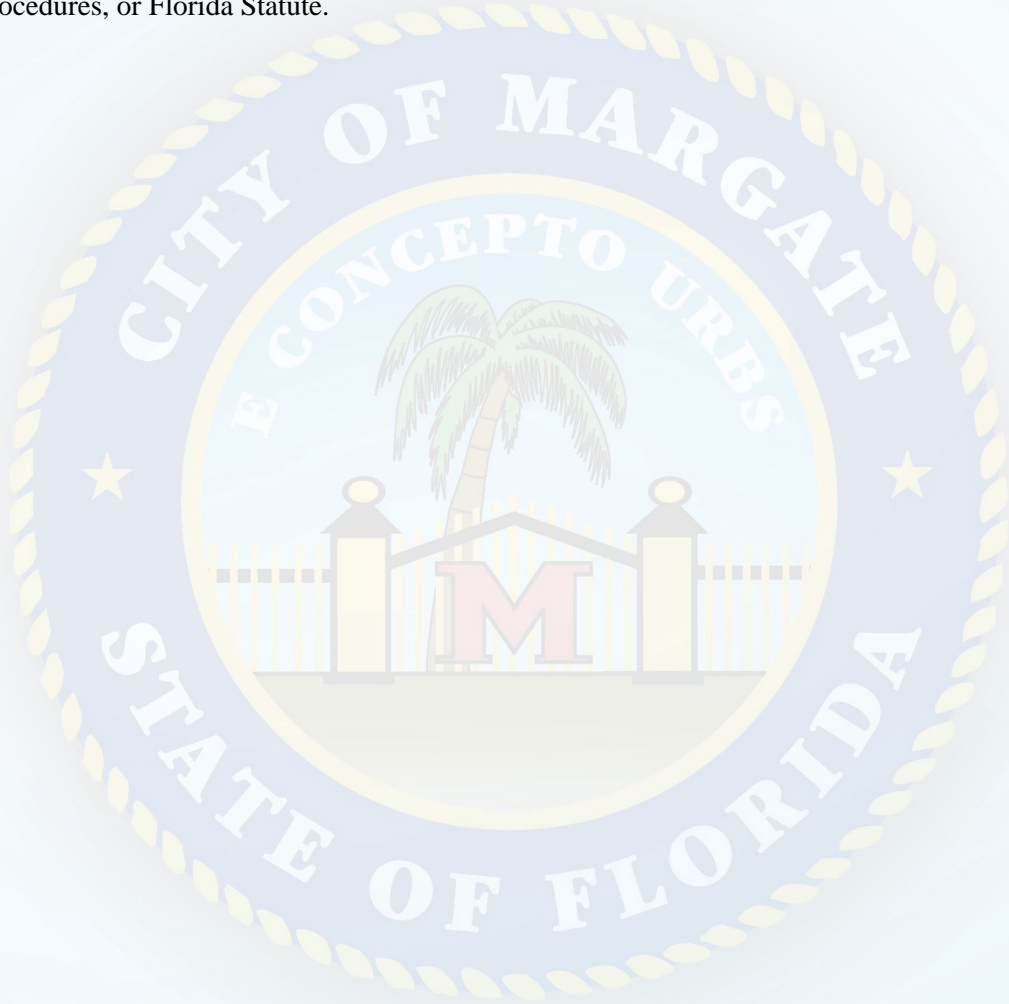
- a. After any vehicle accident, the vehicle shall be brought to the Public Works Department garage to evaluate vehicle safety and release the vehicle back to daily use, if appropriate.
- b. The Public Works Department shall coordinate the receipt of appropriate estimates in accordance with procurement processes (Refer to Item 8.)
- c. When equipment or vehicle estimates are not easily attainable within the suggested timeline, informal estimates, comparable pricing, or similar are acceptable for the purpose of determination of fault for compliance with City Code Sec 30-80.
- d. Departments shall provide the Human Resources Department with all documents regarding the claim including, but not limited to the Police report, estimates, and at-fault determination letters, etc.
- e. When a third party insurance company is involved, timelines are essential to maximize claim recovery.

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- f. The Public Works Department shall coordinate all the repairs through outside vendors whenever possible. If it is deemed appropriate to perform minor repairs in-house, formal invoicing shall be required. When serviced by an outside vendor, the Public Works Department shall perform a final inspection prior to release of the vehicle to daily use.

### EXCEPTIONS:

As provided for by Police Department General Orders or Standard Operating Procedures, or Florida Statute.



### Drug and Alcohol Use

Sec. 30-80. - Drug and alcohol use.

That in supplement to the rules and regulations of the City approved by the administration and in supplement to the rules and regulations approved by the fire department of the City and the police department of the City, shall be the following:

*(a) Definitions.*

- (1) For purposes of this rule, the word "drug" shall mean: alcohol, including distilled spirits, wine, malt beverages, and intoxicating liquors; amphetamines; cannabinoids; cocaine, phencyclidine (PCP); hallucinogens; methaqualone; opiates; barbiturates; designer drugs; or a metabolite of any of the substances listed herein.
- (2) For purposes of this rule, the words "drug test" shall mean: any chemical, biological, or physical instrumental analysis administered for the purpose of determining the presence or absence of a drug or its metabolites.
- (3) For purposes of this rule, the words "reasonable suspicion" shall mean: a belief that an employee is using or has used alcohol or drugs in violation of the City's policy drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience. Among other things, such facts and inferences may be based upon:
  - a. Observable phenomena while at work, such as direct observation of drug use or of the physical symptoms or manifestations of being under the influence of a drug.
  - b. Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
  - c. A report of drug use, provided by a reliable and credible source.
  - d. Evidence that an individual has tampered with a drug test during their employment with the current employer.
  - e. Information that an employee has caused, or contributed to, an accident while at work.
  - f. Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on the employer's premises or while operating the employer's vehicle, machinery, or equipment.

*(b) Use of drugs or alcohol.*

- (1) It is contrary to the rules of the City for an employee to possess or use on or off duty:

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- a. Any illegal narcotics or drugs; or
  - b. Any controlled substance (unless a valid prescription by a physician to that employee has been obtained for a legal controlled substance).
- (2) It is contrary to the rules of the city for an employee to consume alcohol or ingest any drug or controlled substance (except where a valid prescription by a physician for the employee has been obtained) during working hours, including lunch break or break periods, or to come to work or be present for work under the influence of any alcohol, drug or controlled substance (unless a valid prescription by a physician to that employee has been obtained for a legal controlled substance) and said employee's supervisor is notified prior or at the time of reporting to work.
- (3) a. Excepted from paragraph (2) above shall be employees who are deemed to be on duty twenty-four (24) hours a day and who are called in for emergency or nonscheduled duty and who have consumed alcohol prior to the time when they were notified that they were to report to duty.
- b. Excepted from paragraph (2) above shall be employees who attend social functions which are deemed to be a part of their job, in the interest of the City, where alcohol is served; however, no employee may drink alcohol such that it impairs the operation of any vehicle in which they are driving or where drinking could cause endangerment of any persons or property.
- (c) *Testing based on reasonable suspicion.* Any employee of the City who is believed to have violated the above-described rules may be required to take a drug test for controlled substance, drug or alcohol use contrary to these rules, upon reasonable suspicion as determined by the human resources department, employee's department director, or designee.
- (d) *Mandatory testing and random testing.* An individual who is employed in a regular part-time or temporary part-time position and, regardless of job title or job classification, whose job functions require more than an occasional interaction with a child, shall be subject to either mandatory or random, or both, drug and alcohol testing. Such an individual shall be required to take a drug and/or alcohol test as directed by the human resources department, department director, or designee.

### Safety

#### PURPOSE:

To ensure the safety of City employees and the public by utilizing accepted safety practices. <sup>1</sup>

#### POLICY:

All employees will adhere to departmental and City safety standards. Violation of safety practices and procedures may result in disciplinary action.

1. Report Unsafe Conditions. Report any unsafe conditions or potential safety improvements to your supervisor at once. Do not wait for another employee to do it as someone may be injured in the meantime.
2. Illness or Injury. Notify your supervisor at once of any workplace incident or accident regardless of the need for medical treatment. All minor first aid should be documented in an incident report and all incidents, which require professional medical treatment, will be documented in that report. If medical attention is warranted, the managed care provider should be notified immediately. If the situation is serious, 911 should be contacted and the managed care provider contacted as soon as possible.
3. Proper Instructions on Equipment Operation. Never operate any machine or other equipment unless you have been assigned to it with proper instructions as authorized by your supervisor.
4. Safety Guards are provided for your Protection. Safety guards must not be removed or changed without proper authorization. Never operate your equipment without all guards in place.
5. Safety Shoes. The City shall supply steel-toed safety shoes/boots to all applicable employees. Slippers, soft soles, open toe and canvas top shoes are not appropriate for many workplaces. Department Directors are authorized to establish and enforce standards appropriate for the work requirements of the particular department/division.
6. Safety Equipment. Protective equipment must be used where designated. Approved Safety Eye Protection Equipment is provided by the City and must be worn in all work areas, as designated by your supervisor. The responsibility for care of such equipment is the employees.
7. Appropriate gloves must be worn handling chemicals and performing other work, which requires gloves. Nitrile, Neoprene, rubber, stainless steel mesh (cut resistant), latex and leather gloves are available upon request from your supervisor. Gloves must not be worn when operating any equipment unless their use has been determined to be applicable.
8. Finger rings, wrist watches, watch chains, key chains, and other articles of this nature, must not be worn by persons doing manual labor.
9. Running. While on City property is strictly prohibited. Walk.

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10. Never distract the attention of another worker; you might cause him/her to be injured.
11. Never stand or walk under a loaded hoist.
12. Good Housekeeping. Keep the area about you clean. Put all oily waste, rags, rubbish, paper, etc. in the containers provided for that purpose. Never throw food or fruit peelings on the ground.

Boards with nails must not be left unsecured.

Materials, trucks, skids, racks, crates, boxes, ladders or other equipment should not block aisles, exits, fire extinguishers, or power panels.

13. Chemicals. Chemicals should be handled in accordance to the corresponding Safety Data Sheet (SDS). If your hands become soiled, with paint or any kind of lead, weed killer or other contaminated material, be sure to wash them promptly and thoroughly.

**IMPORTANT:** All containers of acetylene gas and oxygen tanks, acid bottles, weed killer, drums, acid can, etc., must be safely stored and labeled according to their contents—Dangerous, Poison, Explosive, Flammable, etc., Such materials must be handled and stored according to established standards, as directed by the supervisor.

14. Empty Containers which have contained paint thinner, fuel, combustible or other hazardous materials are to be disposed in accordance with the manufacturer's recommendations and by the appropriate waste disposal company.
15. Metal Cleaning and Paint removing with hot caustic or other hazardous stripping material is to be done by trained personnel only. Protective equipment and proper wearing apparel must be used. In case caustic or other chemical solutions are spilled or splashed on the person, it should be washed off at once with plenty of clear water, then report it to your supervisor.
16. Fire Extinguishers. Fire extinguishers have been supplied to appropriate locations in all Departments and are inspected on a quarterly basis (minimum) by each department and extinguishers have been provided in all vehicles. Annually, an outside vendor will inspect all fire extinguishers. It is the department responsibility to assure that the fire extinguishers are in the appropriate locations and have been inspected according to the maintenance schedule on the extinguisher. You should only use the fire extinguisher or treat the fire in any manner if you have been appropriately trained.

17. In order to ensure that the City of Margate follows OSHA guidelines, all applicable employees shall be provided training in:

Hazard Communication Standard. 29 CFR 1910.1200

Permit-Required Confined Space Standard. 29 CFR 1910.146. All employees will follow the guidelines of the established Confined Space Standard.

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### Lockout/Tagout Standard, 29 CFR 1910.147

All employees will follow the guidelines of the established standards. If a procedure has not been established for the work being performed, contact your supervisor for specific instructions.

18. Driver License. As applicable to your job description you must follow all rules, regulations, and laws pertaining to the Department of Motor Vehicles in regards to the possession of a valid driver license.

Safety Committee meetings will be held in accordance with the applicable union contracts and any Safety Policy accepted by City Management.

It is the responsibility of employees to read the City's Safety Manual and adhere to procedures therein. Any questions or concerns should be brought to the supervisor's /director's immediate attention.

Employees covered by a collective bargaining agreement (CBA) should first consult their corresponding CBA, and if a conflict exists, the CBA shall prevail unless in conflict with Code or Statute.

Positions not covered by a collective bargaining or contractual agreement should refer to departmental procedures or seek clarification from the Human Resources Department and/or the City Manager's Office regarding what benefits, policies, or procedures apply.

**EXCEPTIONS:** The Department Director must approve any variation in this policy.

<sup>1</sup> Numbers 1-16 replace the City of Margate Safety Rules and Regulations previously approved in 1978.

### Workers' Compensation Reporting

#### PURPOSE:

To establish a policy for any City employee who sustains an accidental injury arising out of work performed in the course and scope of employment.

#### SCOPE:

This policy applies to all full-time and part-time City of Margate employees and may apply to volunteers under certain circumstances.

#### POLICY:

This policy is subject to the requirements of the insurance carrier.

This information is being provided to supplement Florida Workers' Compensation Statute, Chapter 440, Florida Public Officers and Employees Statute, Chapter 112.18, and the requirements of the insurance carrier.

Florida Workers' Compensation Statute, Chapter 440 requires employees to utilize Medical Care Providers (doctors and hospitals) who are part of a Managed Care Arrangement (MCA). The FMIT Provider Network has been selected to provide **Workers' Compensation Medical Care.**

#### Employee Responsibility:

1. Report your injury to your supervisor/manager immediately, regardless of the necessity for medical care.
2. Seek medical treatment. Provide FMIT Policy #0690 and billing address (P.O. Box 538135, Orlando, FL 32853) to the medical treatment facility. **IN CASE OF EMERGENCY CALL 911 AND SEEK IMMEDIATE MEDICAL ATTENTION AT THE NEAREST EMERGENCY DEPARTMENT** and report to your supervisor as soon as reasonably possible.
3. Complete an electronic Workers' Compensation Incident/Accident Report (WCIR) form with your supervisor as soon as reasonably possible after the event.
4. Following your initial injury treatment, if you require further medical treatment, the **FMIT Network medical care coordinator** is available for you to see. The FMIT Network medical care coordinator will become your Primary Care Physician and will provide the necessary and appropriate treatment for your work-related injury. Your Primary Care Physician will direct your care overall and refer you to specialized medical care providers as necessary. All care must be pre-authorized. Any treatment sought that is not pre-authorized may not be covered. A Case Manager may be assigned to interact with you, your provider and employer.

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5. If you are on business related travel or away from your work site when an injury occurs, call your supervisor/manager to report your injury immediately. They will help you in seeking medical attention.
6. Outside of perceived life-threatening conditions, you may only use physicians within the FMIT Network and must have authorization prior to seeking treatment.

**YOU WILL BE RESPONSIBLE FOR ANY UNAUTHORIZED MEDICAL CARE OUTSIDE OF THE NETWORK THAT HAS NOT BEEN AUTHORIZED.**

7. You are required to provide the Workers' Compensation medical care provider with claim information such as the claim number, adjuster name and insurance carrier name at the earliest convenient time. **DO NOT provide personal health insurance information to Workers' Compensation medical care providers. This applies to all medical services, pharmacy products and durable medical equipment.**
8. On the date and time of service, the employee should communicate the work-related injury to the medical care provider in detail and provide the insurance carrier contact information for billing purposes:

Florida League of Cities, Inc.  
P.O. Box 538135  
Orlando, FL 32853-8135  
Phone: 1(800) 445-6248  
E-mail: [Intake@flcities.com](mailto:Intake@flcities.com)  
FMIT Member Policy#: 0690

In the event you receive a bill, invoice or notice of payment due, promptly notify and provide a copy of the documentation to the Human Resources Department, Risk Management Division.

9. It is important that you keep and attend your authorized, scheduled medical appointments. Delaying medical treatment can exacerbate your injury or illness and may increase risks associated with treatable medical injuries.
10. You will receive a mileage reimbursement form within your Workers' Compensation packet from FMIT, mailed to your residential address. Mileage expenses related to travel for receiving authorized medical care may be reimbursed to you by FMIT, through submittal to your assigned FMIT adjuster. You may submit mileage reimbursements as treatment occurs or if you prefer, you may submit them periodically or at the end of your treatment.
11. When medical treatment or evaluation is rendered, the provider is responsible for providing you with a Medical Treatment/Status Reporting form (DWC-25) prior to leaving the facility. Clarify your work status during appointments before leaving the physician's office. You are required to understand any work restrictions, if any, assigned.

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12. Upon receipt of a completed DWC-25 form, you are responsible for providing a copy of the form to your supervisor and discussing the restrictions assigned after each treatment visit.

### **FOR NON-EMERGENT TREATMENT, YOU MAY ACCESS CARESPOT OR CONCENTRA URGENT CARE CENTERS FOR INITIAL TREATMENT.**

#### **CareSpot Urgent Care**

1205 N University Drive  
Coral Springs, FL 33071  
(954) 780-8134  
Daily 8AM – 8PM

#### **Concentra Urgent Care**

6521 N. Andrews Ave,  
Fort Lauderdale, FL 33309  
(954) 941-6301  
M-F 8AM – 5PM

#### **The nearest Emergency Department is:**

#### **HCA Florida Northwest Hospital**

2801 North State Road 7  
Margate, FL 33063  
(954) 947-0400

For additional information about your claim, call the City of Margate Human Resources Department, Risk Management Division at (954) 972-6454, extension 275. E-mail [MargateRisk@margatefl.com](mailto:MargateRisk@margatefl.com) with any questions or concerns.

Fraudulent reporting of Workers' Compensation claims or knowledge of fraudulent claim activities may result in disciplinary action and/or criminal penalty as specified in section 440.105 of the Florida Workers' Compensation Statute.

#### **Supervisor's Responsibility:**

1. Notify FMIT at 1(800) 445-6248 Select option #2 (24 hours a day) OR email [intake@flcities.com](mailto:intake@flcities.com) to report a work-related injury, even claims where the employee is not seeking treatment for the injury, as soon as reasonably possible. Failure to report an injury in a timely manner, per Florida Workers' Compensation Statute 440.185, may result in a denial of the employee's Workers' Compensation claim.

You will be asked to provide information such as:

Employee Name  
Employee Home Address  
City, County, State, Zip  
Telephone Number  
Date of Birth  
Social Security Number

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Date, Time, Location and Nature of Injury

(If you do not have a piece of information just advise “not available”)

2. The supervisor shall address the cause of the event and take steps necessary to ensure a safe workplace.
3. The supervisor shall follow up with the tracking of the Workers' Compensation Incident Report (WCIR form) and ensure that the completed form is emailed to MargateRisk@margatefl.com, [intake@flcities.com](mailto:intake@flcities.com) and the appropriate department chain of command.
4. The supervisor will provide information to the Accident Review Safety Committee upon request.
5. The supervisor and the appropriate department chain of command shall be provided with information on the work status of the injured employee via the Medical Treatment/Status Reporting form (DWC-25) and ensure the employee complies with those restrictions.

Fraudulent reporting of Workers' Compensation claims or knowledge of fraudulent claim activities may result in disciplinary action and/or criminal penalty as specified in section 440.105 of the Florida Workers' Compensation Statute.

### **EXCEPTION(S):**

This policy may be revised from time to time.



# **PUBLIC INFORMATION**

### Media Releases

#### **PURPOSE:**

To provide for media approved to receive City media releases.

#### **POLICY:**

City of Margate Public Information Officers shall only transmit media releases to established, recognized television, radio or print media organizations (i.e. – newspapers, professional journals) and not to individuals.

#### **EXCEPTIONS:**

This policy does not apply to any organization or individual who requests a copy of a City media release once it has been created.

Margatenews.net shall be included in the City's media release listing until further advised.

This policy may be amended as directed by the City Manager. Any such amendment shall be in the form of an e-mail or interoffice memorandum from the City Manager.

### Social Media

#### PURPOSE:

Through this policy, the City of Margate shall establish basic guidelines for use of its current (and any new) social media outlets to ensure proper use.

Social media forums provide an *interactive* means of sharing information that relates to the City of Margate. They provide an easy-to-use means of engaging citizens and others.

Social media can be especially effective in communicating information in crisis situations when timeliness of the information is crucial.

The goals of the City of Margate Social Media Policy are:

- To increase public awareness of the City's programs, policies and services
- To promote the value and importance of the City's programs, policies and services among government officials, civic leaders, residents and the public
- To maintain open, professional and responsive communications with members of the public and the news media

This policy, and its provisions, apply to and serve as a guide to all City employees, departments and contracted entities that share information on behalf of the City while engaging in any social media activities implied or directed.

All social media communications messages and comments are subject to public records law. All of the City's social media sites shall comply with Chapter 119 and any other applicable sections of the Florida State Statutes. The City of Margate will use a third-party service provider to automatically capture and retain all social media interaction on City-owned social media accounts.

#### DEFINITIONS:

An **Authorized User** is an employee, who has been authorized by their Department Director and approved by the City Manager to access and post updates to the City's social media accounts.

**Comments** are short notes about a post.

**Hashtags(#)** are words or phrases used within a message to identify a keyword or topic of interest and facilitate a search for it. Hashtags are preceded by the pound sign (#) and can be a word or a short phrase (i.e. #OurMargate).

A **Post** is a message the organization wants to share with those who "like" the organization's Facebook page or who "follow" the organization on Twitter. On Facebook, a post is most commonly called a **Status Update**. And, on Twitter, a post is called a **Tweet**. Posts will appear on the organization's activity feed and can include pictures, links, videos, or any related media.

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**Social media** are websites and applications that enable users to create and share content or to participate in social networking.

A **Social Media Account** is any registration, login credential, or network that is created or maintained for the purpose of establishing or perpetuating a social media presence.

**Social Networking** is the use of dedicated websites and applications to interact with other users, or to find people with similar interests to oneself or interest in one's organization. Facebook and Twitter are social networking sites.

**Tag or tagging** someone or an organization means a link is created to that person's or organization's profile. The person/organization that is tagged in a post will be notified and the post may be added to the person's/organization's timeline or newsfeed.

### **RESPONSIBILITIES:**

The City Manager or designee is ultimately responsible for the maintenance and monitoring of all City of Margate social media accounts in accordance with this policy. The City Manager's Office is the primary point of contact for each department and will provide an overview and training of this social media policy and its implementation.

The City Clerk's Office will oversee the records management program with support from the City Manager's Office.

The Information Technology Department will provide the necessary technology services, security, guidance and technical assistance for effective social media usage.

Authorized users are responsible for engaging in social media by posting pertinent information on behalf of the City on a consistent basis and in compliance with this social media policy.

### **POLICY:**

It is the policy of the City of Margate to adopt a procedure to guide all interaction with social media platforms and its accompanying guidelines that provides a standard approach to the collaboration and sharing of information on and in various public domains to provide consistent communication across all media.

### **Social Media Usage**

- While social media provide an effective forum for building relationships and for conveying small "bites" of information, these platforms do not serve as the City's sole or even primary means of communication with residents, businesses, and others. The City's social media accounts are intended to be used for informational purposes only.
- Social media is a particularly ineffective tool for communicating about complex issues. The City will use more appropriate means to communicate detailed information about complex issues and to discuss concerns with citizens and others.
- Practical and legal considerations may sometimes constrain, prevent, or prohibit discussion of certain topics, such as court cases, through this medium.

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- To the extent that the City invites or solicits public posts, comments, or submissions to a City social media account, or a specific subdivision or page thereof, comments shall not be removed or altered except as provided for in this policy.
- If the City elects to allow public comment or participation upon City social media accounts, such public comment or participation shall be designated or limited to comments, posts, and communications which are germane, topical, and relevant to the City's speech and viewpoint communicated thereon. Accordingly, the City reserves the right to restrict or remove any content that is deemed in violation of this policy or any applicable law. Social media articles, posts, or comments containing any of the following forms of content, which are determined by the City to be outside the parameters and established boundaries of the City's designated or limited public forum, shall not be allowed and shall be removed as soon as possible:
  - Profane language or content
  - Comments not topically related to the site being commented upon
  - Personal or character attacks
  - Content that promotes, fosters or perpetuates discrimination
  - Sexual content or links to sexual content
  - Advertisements not authorized by the City
  - Unauthorized hyperlinks to third party websites (other than other governmental agencies or non-profit organizations)
  - Illegal conduct or encouragement of illegal activity
  - Information that may compromise the safety or security of the public or public systems
  - Content that violates a legal ownership interest of any other party
  - Content related to a political campaign including, but not limited to: content pertaining to fundraising activities promoting or opposing any person campaigning for election to a political office
- To the extent that the City invites or solicits public posts, comments, or submissions to a City social media account, or a specific subdivision or page thereof, in accordance with this Policy, an Authorized User may disable all posts and submissions from the public generally and without notice consistent with this Policy. To the extent the City disables public posts, comments, or submissions to a City social media account, or a specific subdivision or page thereof, or elects to otherwise not allow posts and submissions in accordance with this subparagraph, then such City social media account, or a specific subdivision or page thereof, shall not, or shall no longer, be intended or construed as a designated or limited public forum, but instead shall constitute a non-public forum, intended solely for the purpose of information sharing by the City itself. The City retains the exclusive right to treat City social media account, or a specific subdivision or page thereof, as designated or limited public forum, or alternatively, as a forum for the expression of the City's speech alone at any time and without notice.
- Users shall be informed that by posting to the City's social media sites the City relinquishes any and all responsibility and liability for any materials that the City deems inappropriate for posting, which cannot be removed in an expeditious and otherwise timely manner.

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- These guidelines must be readily available to users by hyperlink to the City's website. Any content removed based on these guidelines must be retained, including the time, date and identity of the poster when available, in accordance with the City's policy on the retention of such information.

### **General Procedures and Maintenance of City-owned Accounts**

- The City of Margate will utilize one central account with desired social media networks (e.g., Facebook, Twitter, and others). Individual departments and employees, through the City Manager or designee, will utilize the central account to convey desired communication.
- An introductory statement that clearly specifies the purpose and topical scope of the City's social media presence, including whether the particular platform or subdivision of the platform will be used to solicit public comment, will be included in all platforms used.
- Management of social media accounts and initiatives shall lie primarily within the City Manager's Office.
- A limited number of staff members, shall have access to social media accounts and passwords and permission to post as "City of Margate." Approved staff must complete the Authorized User Form and receive approval from their Department Director and the City Manager's Office. City staff members who are not Authorized Users may request that the City Manager or designee post a message from the City of Margate on their behalf.
- The City Manager's Office will provide training on social media usage for authorized users in other departments.
- The City shall not post purposefully inaccurate information. If an inadvertent inaccuracy is posted, a correction will be published as soon as possible.
- Designated City staff members may post comments/replies without advance review or permission of City management. However, if staff members have concerns or desire advance review, they may request such from the City Manager or designee.
- To the extent that the City invites or solicits public posts, comments, or submissions to a City social media account, or a specific subdivision thereof, the City will not edit others' comments. However, if others' comments are not in compliance with the standards for content listed above, the comments will be removed. Any content removed based on this guideline will be retained, including the time, date and identity of the poster when available, in accordance with public records laws.

### **Guidelines for Authorized Users**

- Social media posts made by the City must pertain to City news or City-sponsored/partnered events only.

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- As part of the interactive approach to using social media, the City Manager or designee may follow, message, like, share and retweet posts that contain content that is relevant to the City's mission.
- The City's authorized users will approach the use of social media tools as consistently as possible.
- At all times, authorized users shall use good judgment when posting. Employees must refrain from posts that may be interpreted as offensive, obscene, demeaning, or inflammatory as outlined. Confidential information shall not be posted.
- At times, authorized users may determine other means/tools are more appropriate ways to respond to citizen/fan comment or may determine that it is best not to respond to a comment at all.
- In general, individual complaints, concerns, or service requests will not be addressed via social media.
- When deciding whether or not to respond to a social media comment, please follow the guide below.
- Authorized users shall not engage in back-and-forth conversation regarding topics that are complex, controversial, or otherwise sensitive.
- Authorized users, in consultation with the City Manager, will determine when an issue raised by others has reached a "critical mass" that requires a City response on the account.
- A standard reply may be used to direct users with concerns related to sensitive or complex issues. This standard reply shall read something like: "The City of Margate is very interested in insights, concerns expressed here. However, complex topics typically are not effectively discussed in forums such as this. If you wish to voice your concerns further or obtain additional information, please complete a comment card on the City's website at [margatefl.com](http://margatefl.com), submit an issue via the "Our Margate" smartphone app or contact the City at 954-972-6454."

### **Guidelines and Limitations for all Users**

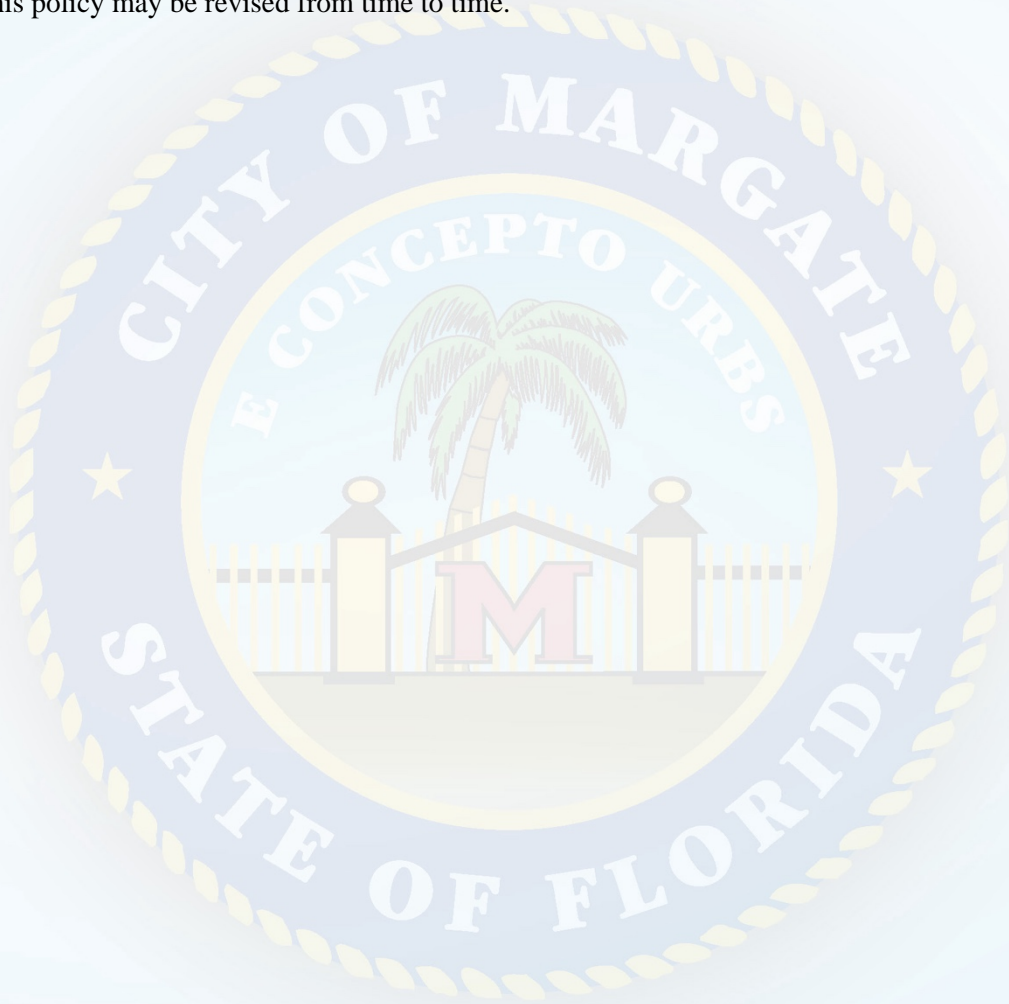
- All City employees, including authorized users of the City's social media accounts, and City officials shall govern themselves in a professional manner that reflects positively on the City when using social media. Users should always focus on providing high-quality customer service and worthwhile information in a timely manner.
- The conversation shall always remain civil and respectful and all authorized users, employees, and City officials must refrain from using content in violation of this policy.
- Inaccurate information posted by non-employees may be addressed and corrected or removed, on a factual basis only.

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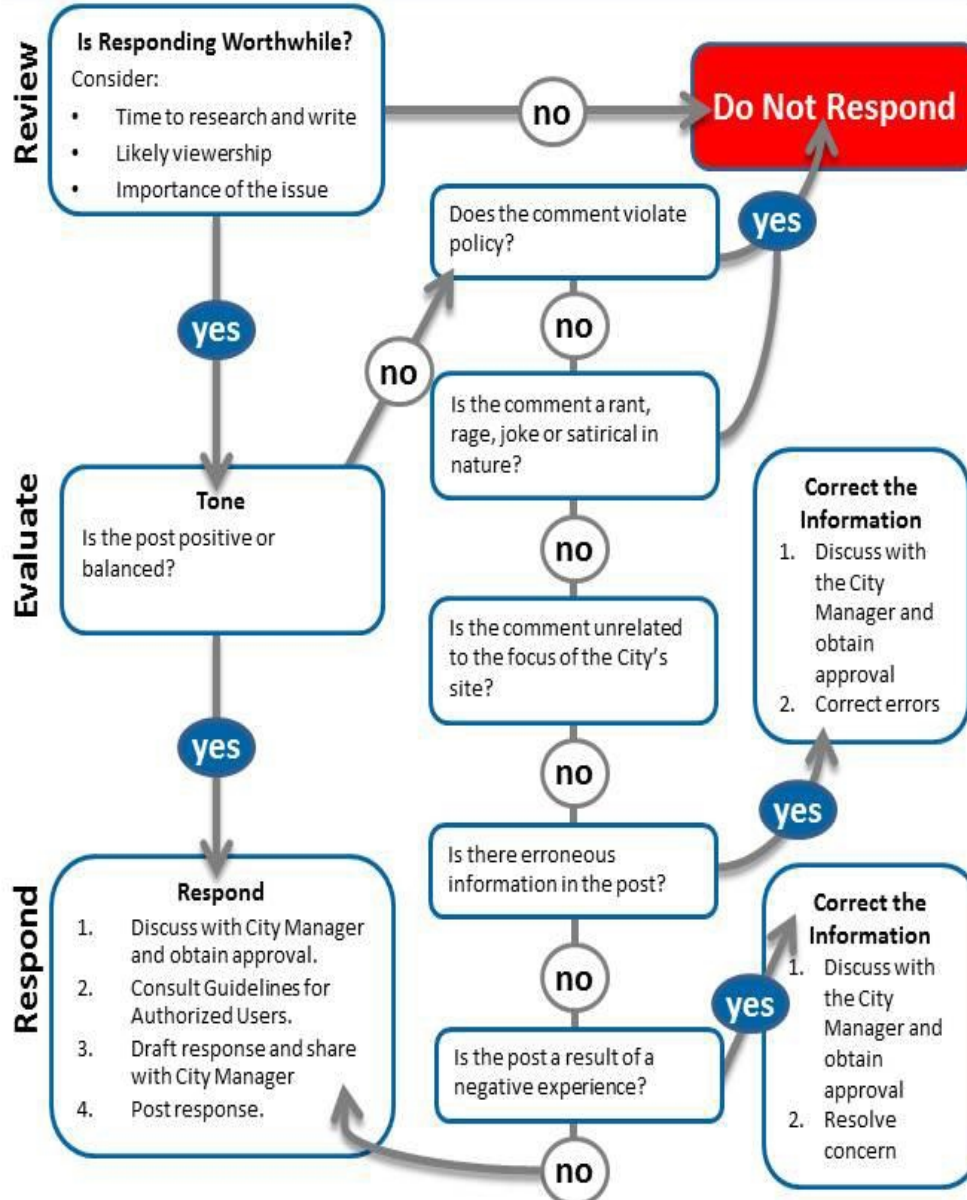
- Repeated violations to this policy shall result in removal of access to the service and be grounds for disciplinary action for City employees.
- This Social Media Policy shall be revised as needed. Posts/comments to the City of Margate's social media accounts shall constitute acceptance of this policy.

### **EXCEPTIONS:**

This policy may be revised from time to time.



## Should I Respond Online to Social Media Comments Posted on a City of Margate Account?



### Response Considerations

**Be Transparent** – Disclose your affiliation with the City of Margate

**Cite Your Sources** – Stick to the facts and cite sources by including hyperlinks, video, images, etc.

**Respect Your Time** – Do not spend more time than the response is worth.

**Use a Professional Tone** – Respond in a tone that reflects positively on the City of Margate.

Adapted from the Air Force Web Posting Response Assessment, Air Force Public Affairs Agency – Emerging Technology Division

### Social Security Numbers – Restriction of Use

#### PURPOSE:

The City of Margate recognizes that Social Security numbers have important consequences and it is the responsibility of the City to ensure that Social Security numbers are confidential and protected.

#### SCOPE:

Participation in Social Security is mandatory for all employees.

#### DEFINITIONS:

Social Security is a Federal program that is funded through deductions from employee paychecks and contributions by employers. Social Security provides a number of benefits, including retirement benefits, disability benefits, and certain health and medical care benefits.

#### POLICY:

All employees, contractors, students, volunteers and anyone else performing work on behalf of the City are obligated to maintain the privacy of all Social Security numbers (SSN) that the City possesses or obtains in accordance with job responsibilities and requirements of the Social Security Privacy Act, and in compliance with applicable Health Information Privacy and Portability Act (HIPAA) and Florida Laws.

#### PROCEDURES:

1. A *Notice to Persons Regarding Collection of Social Security Numbers* pursuant to Florida Statutes 119.071(5)2, a(i) and (ii); FS 119.07 (1) and 24(a) Article I of the Florida Constitution shall be provided to any employees, students and volunteers upon collection of Social Security number information (Attachment A).
2. The City of Margate shall not:
  - a. Publicly display all or more than four sequential digits of the SSN
  - b. Use all or more than four sequential digits of the SSN as the primary account number for a volunteer or employee
  - c. Visibly print all or more than four sequential digits of the SSN on any ID, badge or card, membership card, or permit or license
  - d. Require an individual to use or transmit all or more than four sequential digits of their SSN over the internet or a computer system or network unless the connection is secure or the transmission is encrypted
  - e. Require an individual to use or transmit all or more than four sequential digits of their SSN to gain access to an internet website or a computer system or network unless the connection is secure, the transmission is encrypted, or a password or

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other unique personal ID number or other authentication device is also required to gain access

- f. Allow an individual to use their SSN as a password for access to computer systems
  - g. Include all or more than four sequential digits of the SSN on or on any document or information mailed or otherwise sent to an individual if it is visible on or, without manipulation, from outside of an envelope or packaging
  - h. Include all or more than four sequential digits of the SSN in any document mailed to a person
- 3. The City is allowed to use all or more than four sequential digits of a SSN in the ordinary course of business to verify an individual's identify; to investigate an individual's claim, criminal, or driving record; to provide or administer employee health insurance or member benefits, claims or retirement programs. The City will avoid providing SSN's to third parties unless required by law or reasonably necessary for a legitimate business purpose. In the case where the City provides Social Security numbers to any third party, it will make the third party aware of this privacy policy. The City of Margate, will, where possible, only communicate the last four digits of the SSN.
  - 4. The City will strictly limit access to SSN's. Information or documents containing the SSN shall only be accessible to those with a need to know such as individuals who must use or access this information as a requirement of their job duties. Social Security numbers on employment documents will be kept in volunteer or personnel files, which are maintained in locked storage areas. Medical records of employees will be maintained in a separate file within secure locked areas.
  - 5. The method of disposal for paper documents containing SSN's shall be the shredding of documents by employees in positions that are authorized to shred such information as a requirement of their job duties in accordance with records retention and disposal requirements. The methods of disposal for computer disks and electronic medium containing SSN's shall be smashing or wiping of the computer disks.
  - 6. The City of Margate will strictly enforce this Policy and take action, up to and including termination, against anyone that violates this Policy.

### **EXCEPTION(S):**

This policy may be revised from time to time.

### Attachment A:

#### **Notice to Persons Regarding Collection of Social Security Numbers**

**Pursuant to Florida law, this notice shall be supplied to any person who provides a social security number to an employee or a representative of the City of Margate.**

**The Florida Statutes applicable to this matter are:** FS 119.071(5)2 a. (i) and (ii); FS 119.07(1) and 24(a) Article I of the Florida Constitution; and FS 119.071(5)6(a-h).

Please be advised that the City of Margate may collect or use your social security number for reasons that include but are not limited to the following:

- To report your earnings to the Internal Revenue Service, Social Security Administration, State of Florida Department of Revenue, and the Florida Retirement System
- To report claims for worker's compensation
- For enrollment in employee group health, life and dental insurance programs/plans
- To report deferred compensation to providers of a 457 Deferred Compensation Plan
- For federal and/or locally-required drug screening
- For court mandated child/spousal support; IRS tax levy payments; wage garnishments; or student loan repayments
- For completion of employment verification forms where you have supplied the SSN and have given us written permission to complete that form (Example: loan applications or rental agreements)
- For school application/registration forms
- For Florida Department of Law Enforcement – forms, reports, certificates
- For fingerprint files
- For pre-employment background checks
- As part of the application process for pursuing an employment, a promotion, or a volunteer opportunity with the City of Margate
- For accounts receivable/accounts payable processing purposes as related to a payment made to a vendor for entertainment fees, a service rendered, etc.
- For compliance with IRS income reporting regulations
- For any other purpose deemed imperative for the performance of current and future duties and responsibilities prescribed by law.



# **VOLUNTEER SERVICES**

### Student Internships

#### PURPOSE:

The **Margate Student Internship Program** has been developed and designed to provide degree-seeking students with an opportunity to earn college credit for graduation by providing a broad overview of public administration operations while fully participating in a functioning local government. The program is intended to encourage community involvement in local government and provides opportunities for hands-on experience, guidance, and direction to assist the student with future career goals. The City of Margate Student Internship Program follows compliance guidelines in the U.S. Department of Labor Fair Labor Standards Act (FLSA) for Internships. A student internship is provided primarily for the benefit of the student, not the City.

#### DEFINITIONS:

An **Intern** is a degree-seeking student who is a learner/trainee in the City workplace, who in consideration for their service, receives educational credit through an educational institution and/or service credit hours for each hour of service performed during an internship. Interns are also considered to be Volunteers (see VOL 1.0 Margate Volunteer Program). Interns do not displace regular employees, but work under close supervision of existing staff. An intern is not entitled to a job with the City at the conclusion of the internship. An intern is not entitled to wages for the time spent in the internship unless otherwise provided for in the Department's budget.

An **Intern Supervisor** is a City employee who is responsible for the assignment of tasks, tracking of attendance and performance, and day-to-day supervision of an intern. An Intern Supervisor provides duties/assignments relevant to the intern's learning objectives and develops a work schedule that does not interfere with the intern's college coursework.

#### POLICY:

##### Scope of Authority

Interns are not intended to replace paid City employees.

An intern is authorized to act as a representative of the City only within the parameters outlined in this policy and/or as stated during any part of the assignment-related orientation, training, instruction, direction, and guidance received by the intern.

A qualified individual is authorized to identify them self as an intern only. Under no circumstances shall an intern represent them self as a City employee in any way.

Under no circumstances shall an intern provide information orally, electronically, or in writing to any individual regarding City business or activity without the advanced express permission of the Intern Supervisor.

##### Program Need Determination

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Department Directors shall determine a need for or interest in an intern working in their department, and shall submit a request for an intern to the City Manager's Office. The City Manager's Office shall approve all requests for interns, and inform the Human Resources Department of same.

### Application Process

A Department Director shall determine the opportunity for an intern, and shall forward to the City Manager's Office a brief description of the activities to be performed, the expected responsibilities, schedule of days/times, and frequency needed. The Human Resources Department shall manage the intern application process in collaboration with the City Manager's Office.

An interested individual shall complete a Margate Student Internship application, including an Authorization for Release of Personal Information, and any other applicable documents necessary, and return them to the Human Resources Department, Margate City Hall, 5790 Margate Blvd., Margate, FL 33063.

The Human Resources Department shall, together with the requesting Department Director, match internship applicants with approved internship requests. A matched candidate's application packet shall be forwarded to the Police Department for applicable background and records checks. Individuals applying for an internship may be subject to additional background checks or qualification requirements, as deemed appropriate by the respective Department Director. Additionally, the provisions of City Ordinance Chapter 27 (Background Checks of Adults Involved in Sports Leagues) Section 8 (c) and (d) shall apply to any individual who applies to serve as an intern that involves more than a passing interaction with a minor. Depending on the type and location of the assignment, an intern may be fingerprinted.

The Police Department shall return the candidate's application packet, along with the results of the background and records checks, and any additional verification requirements, to the City Manager's Office for approval. The intern candidate, appropriate Department Director, and Human Resources, shall be notified by the City Manager's Office whether the candidate is qualified for selection for an internship based on such results.

### Onboarding Process

Once accepted by the City as an intern, an intern must complete a Release and Waiver form.

The intern shall not be entitled to or receive any compensation or reimbursement for service, unless otherwise mandated by federal, state, or local employment law, or if specifically budgeted for in that year's budget.

An intern may be photographed for an identification card, which along with any other equipment issued to the intern, shall remain the property of the issuing department. Identification cards are to be worn at all times while performing work as an intern for the City. This card will not give access to City buildings unless authorized by a Department Director.

## City of Margate Employment Guide

An intern shall comply with not only all federal, state, and City ordinances, but also all rules of any other authority that may be applicable. Interns shall also be familiar with and shall comply with all general orders, standard operating procedures, and departmental/divisional directives that pertain to one's specific assignment.

An intern shall serve at the pleasure of the City Manager. The City Manager retains the right and sole discretion to dismiss an intern from any assignment or to reassign an intern to another assignment, at any time and for any reason, or for no reason.

An intern shall notify their intern supervisor if they will not be in as scheduled and/or discuss any scheduling conflicts in advance if possible.

An intern shall immediately discuss any issues or concerns with the intern supervisor or Department Director. The intern supervisor or Department Director shall address and resolve issues or concerns as soon as is practicable, and as appropriate.

An intern may choose to terminate an assignment at any time and for any reason, or for no reason. The intern should immediately notify the intern supervisor or Department Director of that decision as soon as is practicable. It is requested that the intern provide two (2) weeks' notice.

Interns are subject to and protected by City anti-discrimination and other similar policies and practices.

In the event of an injury while working as an intern, interns are covered by the City of Margate's Worker's Compensation Policy. Injuries, no matter how minor, MUST be reported to the intern supervisor and the department immediately. The intern supervisor will assist with obtaining proper medical treatment if necessary.

Within their scope as an intern, an intern is insured for liability by the City.

An intern shall report to their intern supervisor, on a weekly basis, hours worked for the preceding week. Interns should also keep record of their hours.

### Orientation, Training, and Instruction

Interns shall attend any applicable orientation, training, and instruction sessions in advance of an assignment as deemed appropriate by the Department Director or intern supervisor. The purpose of any such session is to provide the intern with an overview of the City, the department, and the assignment; to explain assignment-related expectations; and to review applicable policies and procedures. An intern will perform assigned tasks only after being properly trained.

### Appearance, Grooming, and Attire

A neat, professional appearance contributes to the positive impression an intern exhibits, and is therefore expected while being an intern for the City. Attire shall be appropriate for the assignment, and shall comply with all City safety standards. The respective Department Director shall have the discretion to establish all standards for appearance, grooming, and attire as appropriate for the type of work assigned, and also for the conditions/environment in which such assignments shall be performed.

## City of Margate Employment Guide

### Vehicle Usage

If during the course of assigned duties, an intern is authorized to use a City vehicle, a City Vehicle Use Authorization Form must be completed and attached to an intern's file. The authority to drive a City vehicle will be denied or revoked at any time the intern does not possess a valid State of Florida driver's license and may be revoked at any time that documented charges are substantiated of misuse or abuse of a City vehicle. This includes any number of traffic violations/accidents determined to be excessive by the City.

An intern must report all traffic violation citations received while driving a City vehicle, or any suspension or revocation of the intern's driver's license, to a supervisor immediately. Failure to do so may result in immediate dismissal.

It is mandatory that all interns who intend to utilize their personal vehicle during the course of their intern duties maintain a copy of their insurance card on file with their intern supervisor. All State of Florida minimum liability limits must be met for an intern to utilize their automobile.

No intern will be authorized to drive a City vehicle until a review of the intern's driving history is conducted and the intern is approved by the City Manager's Office to operate a City vehicle.

### **EXCEPTIONS:**

This policy may be revised from time to time. Any other exceptions require City Manager approval.

## Volunteer Program

### PURPOSE:

The **Margate Volunteer Program (MVP)** provides the community with an opportunity to assist with special events, government functions, recreation programming, emergency operations, and other important services that impact the quality of life of Margate residents. Volunteering exemplifies what it means to say “Together We Make It Great”!

### DEFINITIONS:

**Volunteer:** A person authorized to perform designated support tasks undertaken of one’s own free will, without compensation, reimbursement, or legal obligation. Volunteers are not eligible to be placed in a volunteer capacity that creates an actual or perceived conflict of interest. City employees may not volunteer to perform their own or substantially similar jobs.

### POLICY:

#### Scope of Authority

Volunteers are not intended to replace paid City employees on a permanent basis.

A volunteer is authorized to act as a representative of the City only within the parameters outlined in this policy and/or as stated during any part of the assignment-related orientation, training, instruction, direction, and guidance received by the volunteer.

A qualified individual is authorized to identify himself as a volunteer only. Under no circumstances shall a volunteer represent himself as a City employee in any way.

Under no circumstances shall a volunteer provide information orally, electronically, or in writing to any individual regarding City business or activity without the advanced express permission of the department representative to which they have been assigned.

#### Application Process

A Department Director shall determine the need for volunteer services, and shall forward to the Human Resources Department a brief description of the activities to be performed, the expected responsibilities, schedule of days/times, and frequency needed.

The Human Resources Department shall assist the department representative in managing the volunteer services application process.

An interested individual shall complete a Margate Volunteer Program (MVP) application online including the Authorization for Release of Personal Information, and any other applicable documents necessary, and return them to the Human Resources Department, Margate City Hall, 5790 Margate Blvd., Margate, FL 33063.

Volunteer age requirements are based upon individual volunteer opportunities within the

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City and are determined by the City. Individuals under age 18 must have parental consent to volunteer.

Volunteers that are inactive for more than one year may be required to reapply and may be subject to a background check.

The department representative shall provide the Police and Human Resources Departments with the application packets and background results of volunteer candidates for further review. CERT or other volunteer program applicants may be subject to additional background checks or qualification requirements completed by the Police Department. The provisions of City Ordinance Chapter 27 (Background Checks of Adults Involved in Sports Leagues) Section 8 (c) and (d) shall apply to any individual who applies to serve as a volunteer for an activity that involves more than a passing interaction with a minor. Depending on the type and location of the assignment, a volunteer may be fingerprinted.

The appropriate department director shall be notified by the Human Resources Department whether the applicant is qualified for further consideration or for selection for volunteer service based on such results.

The Human Resources Department will provide the City Manager with the volunteer application packet, who shall have final approval.

### Onboarding Process

Once accepted into the Margate Volunteer Program, a volunteer must complete a Release and Waiver form. Specific divisions may use additional forms approved and maintained by the division.

At the sole discretion of the department director, a volunteer may be assigned to perform various tasks within the department. Tasks may include, but are not limited to, indoor office tasks, outdoor work, sedentary work, active work, special event work, emergency operations, etc.

A volunteer shall not be entitled to or receive any compensation or reimbursement for service, unless otherwise mandated by federal, state, or local employment law.

A volunteer may be photographed for an identification card, which along with any other equipment issued to the volunteer, shall remain the property of the issuing department. Identification cards are to be worn at all times while volunteering. This card will not give access to City buildings unless authorized by a Department Director

A volunteer is eligible to enroll for free in the national President's Volunteer Service Awards program.

A volunteer is eligible to earn special recognition and awards from the City for their creditable volunteer service hours.

A volunteer shall comply with not only all federal, state, and City ordinances, but also all rules of any other authority that may be applicable. Volunteers shall also be familiar with and shall comply with all general orders, standard operating procedures, and departmental/divisional directives that pertain to one's specific assignment.

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A volunteer shall serve at the pleasure of the City Manager. The City Manager retains the right and sole discretion to dismiss a volunteer from any assignment or to reassign a volunteer to another assignment, at any time and for any reason, or for no reason.

A volunteer shall notify their supervisor if they will not be in as scheduled and/or discuss any scheduling conflicts in advance if possible.

A volunteer shall immediately discuss any issues or concerns with the department representative or director. The department representative or director shall address and resolve issues or concerns as soon as is practicable, and as appropriate.

A volunteer may choose to terminate an assignment at any time and for any reason, or for no reason. The volunteer should immediately notify the department representative or director of that decision as soon as is practicable. It is requested that the volunteer provide two (2) weeks' notice.

Volunteers are subject to and protected by City anti-discrimination and other similar policies and practices.

In the event of an injury while volunteering, volunteers are covered by the City of Margate's Worker's Compensation Policy. Injuries, no matter how minor, MUST be reported to the supervisor and the department immediately. The supervisor will assist with obtaining proper medical treatment if necessary.

Within their scope as a volunteer, a volunteer is insured for liability by the City.

A volunteer shall report to their supervisor, on a weekly basis, hours worked for the preceding week. Volunteers should also keep record of their hours.

### Orientation, Training, and Instruction

Volunteers shall attend any applicable orientation, training, and instruction sessions in advance of an assignment as deemed appropriate by the department director or designee. The purpose of any such session is to provide the volunteer with an overview of the City, the department, and the assignment; to explain assignment-related expectations; to review applicable policies and procedures; and to discuss available volunteer positions. A volunteer will perform assigned tasks only after being properly trained.

### Appearance, Grooming, and Attire

A neat, professional appearance contributes to the positive impression a volunteer exhibits, and is therefore expected while volunteering for the City. Attire shall be appropriate for the assignment, and shall comply with all City safety standards. The respective department director shall have the discretion to establish all standards for appearance, grooming, and attire as appropriate for the type of work assigned, and also for the conditions/environment in which such assignments shall be performed.

### **EXCEPTIONS:**

This policy may be revised from time to time. Any other exceptions require City Manager approval.